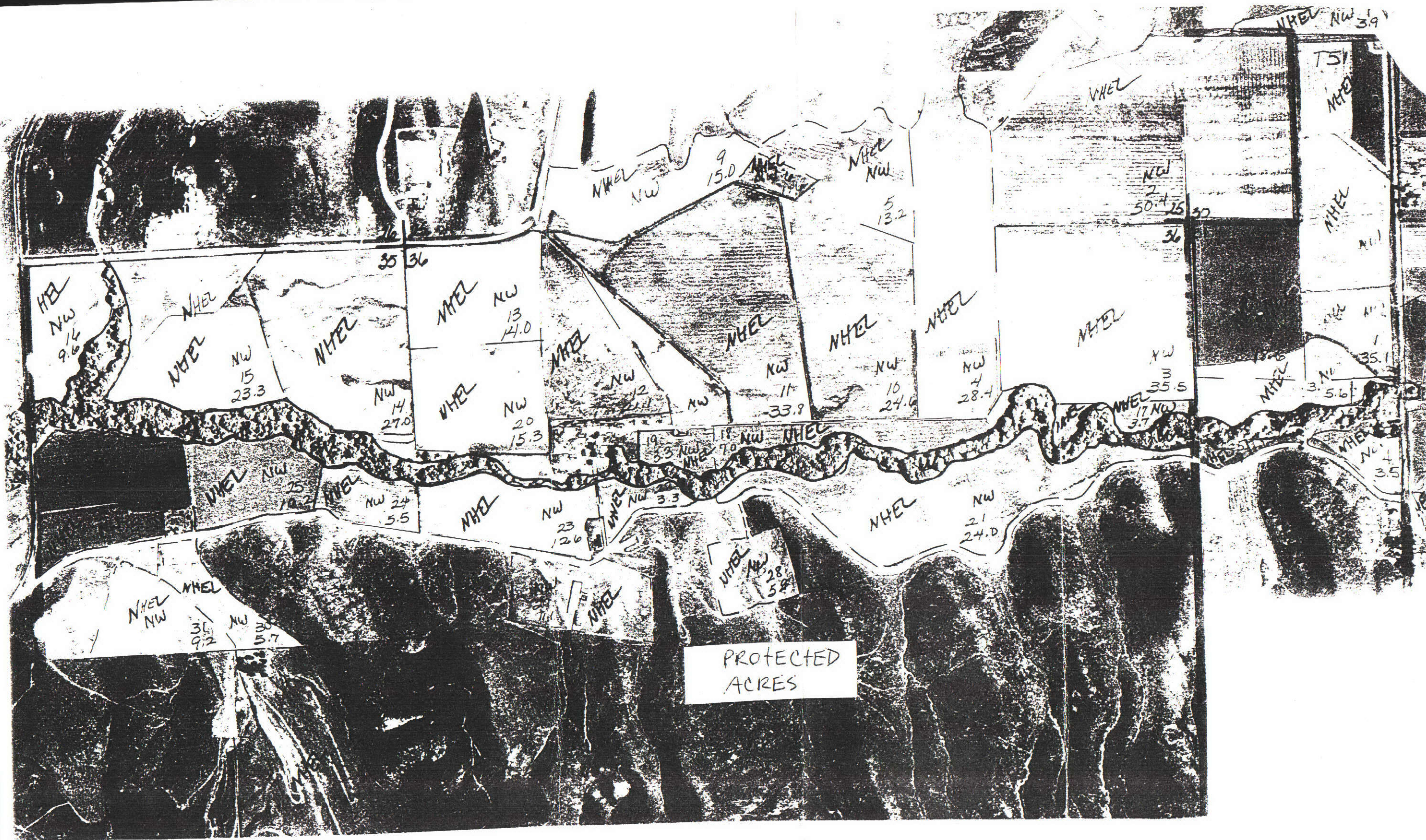
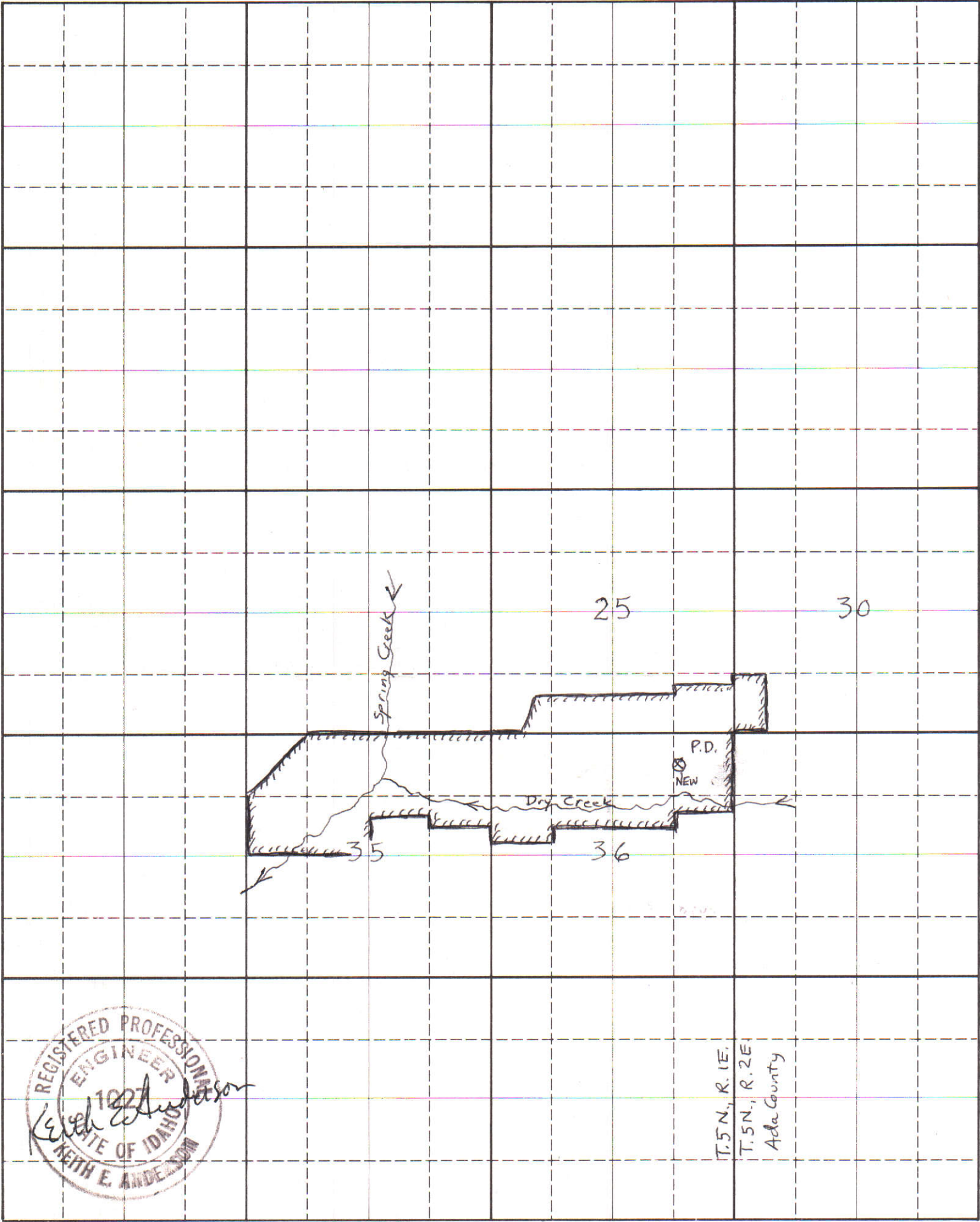




PROTECTED
ACRES

11. Map of proposed project:



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.

X Julius Jeker
(Applicant) Julius Jeker

63-7123

RECEIVED

AUG 2 1968

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis, being duly sworn,

deposes and says: That she is the Principal Clerk of The Idaho Daily Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Daily Statesman for

Two weekly consecutive insertions, beginning with the

issue of July 25, 1968, and ending with the

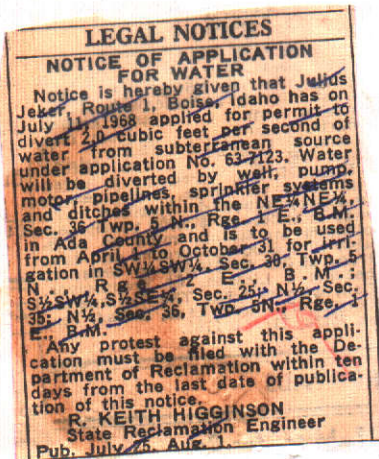
issue of August 1, 1968.

Georgene Davis

Subscribed and sworn to before me this 1st day of

August, 1968.

Jana A. Young
Notary Public for Idaho, Residing at Boise, Idaho



63-7123

TSN
RIE

7.5 MINUTE SERIES

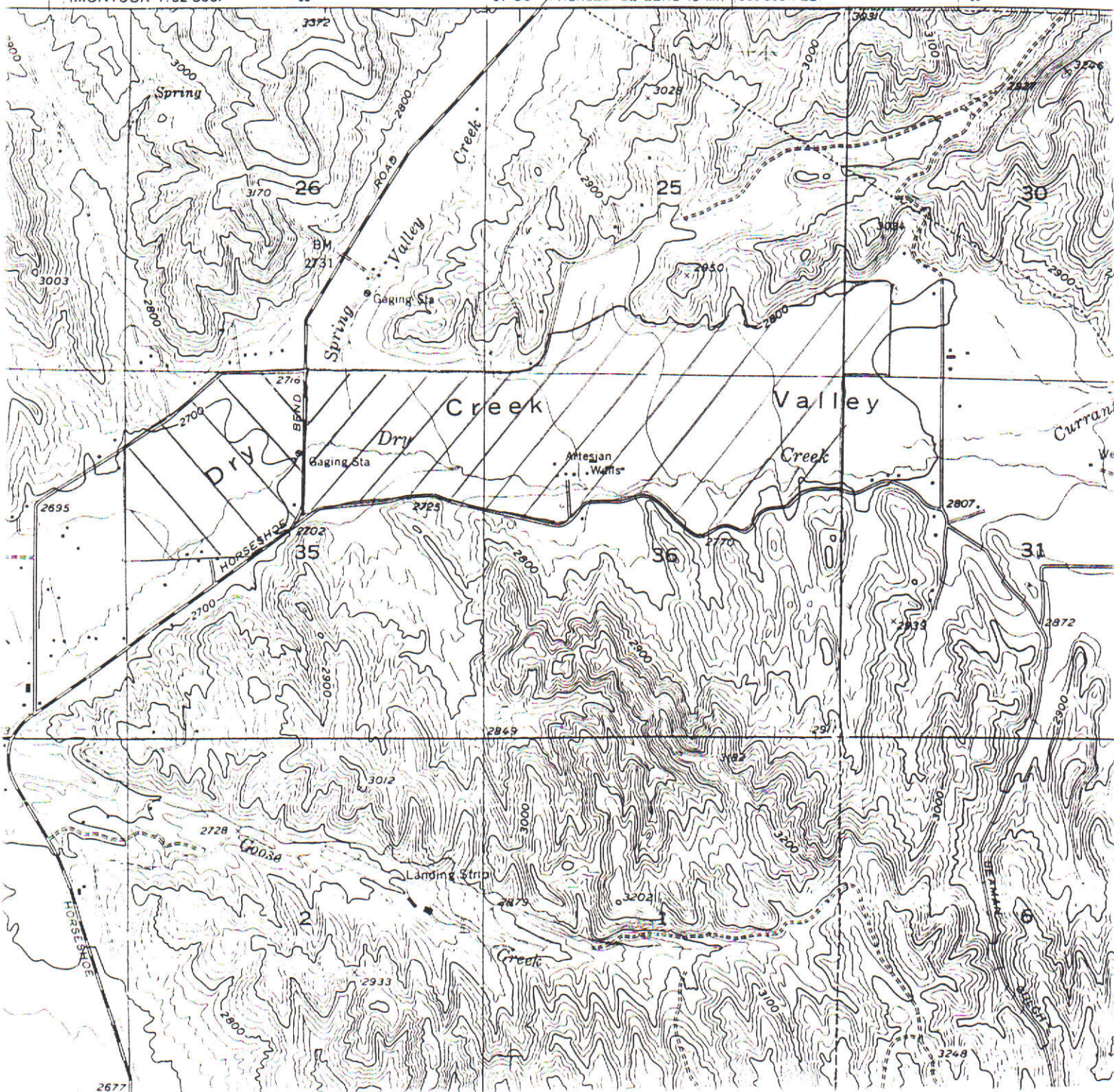
2771 IV
(MONTGOMERY 1:62 500)

556

17'30" CASCADE 66 MI.
HORSESHOE BEND 15 MI. 360 000 FEET

R. 1 E. R. 2 E.

559



acres protected



acres not protected
(use surface water only)

MICROFILMED
FEB 03 2000

	Acres Filed on	cfs Allowed	Acres as Beneficial Use	cfs Per Acre
Lic 270 cfs = 18495	35	.700 cfs	35	.02 cfs
Claim 30 cfs = 63-4023	350	3.0 cfs	266	.0127 cfs
Permit 50 cfs 63-3179	620	5.00 cfs	332	.0162 cfs
Permit 2.0 cfs 63-7123	620	0.79 cfs	369	.0061 cfs

7.49 cfs 510 Acres = Total irrigated

MICROFILMED
FEB 03 2000

Total volume of divisions of
Permits 18495, 63-4023, 63-3179
and 63-7123 shall not exceed
2295 Acre feet

Priority 7-11-68
Q measured 5.79 cfs
Q recommended 0.79 cfs
Volume 2295 AF (45x500)
Acreage 620
Found 510
recommended 510
Subdy 20
Amendments
☐ None
☐ P.D.
☐ Place of use


$$\begin{array}{r} 35 \\ 2 \end{array}$$
$$\frac{35}{36}$$



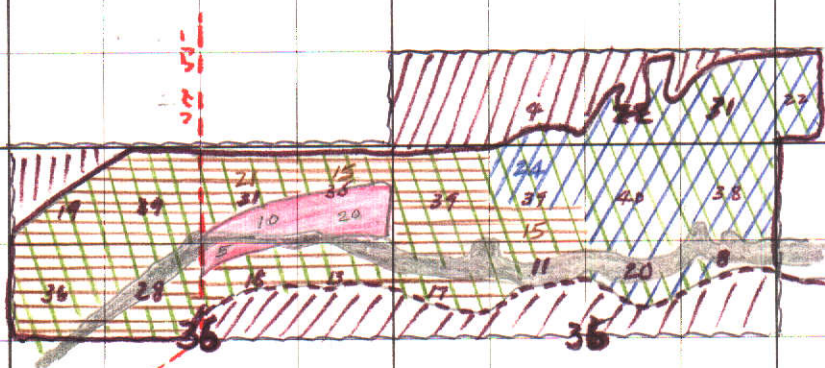
19
39
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22
31
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24
40
38
20
8
209

266

25

30



79

280

151

510

Acres Filed on	cfs Allowed	Acres to Beneficial Use	cfs Per acre
----------------------	----------------	----------------------------------	--------------------

Lic 0.70 cfs
= 18495

35

.70 cfs

35

.02 cfs

Claim 30 cfs
= 63-4023

350

3.0 cfs

266

.01127 cfs

.00692

.0173 cfs

Permit 50 cfs
63-3179
6-28423

620

5.00 cfs

3.39

1.61 cfs

209

.0162 cfs

.004 cfs

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.004 cfs

9.49 cfs 510 Acres = Total irrigated

Total volume of diversions of
Permits #18495, 63-4023, 63-3179
and 63-7123 shall not exceed
22.95 Acre feet.

Priority 7-11-68

Q measured 5.79 cfs

Q recommended 0.79 cfs

Volume 22.95 AF (45 x 510)

Acreage 620

Found 510

recommended 510

Subdv. 20

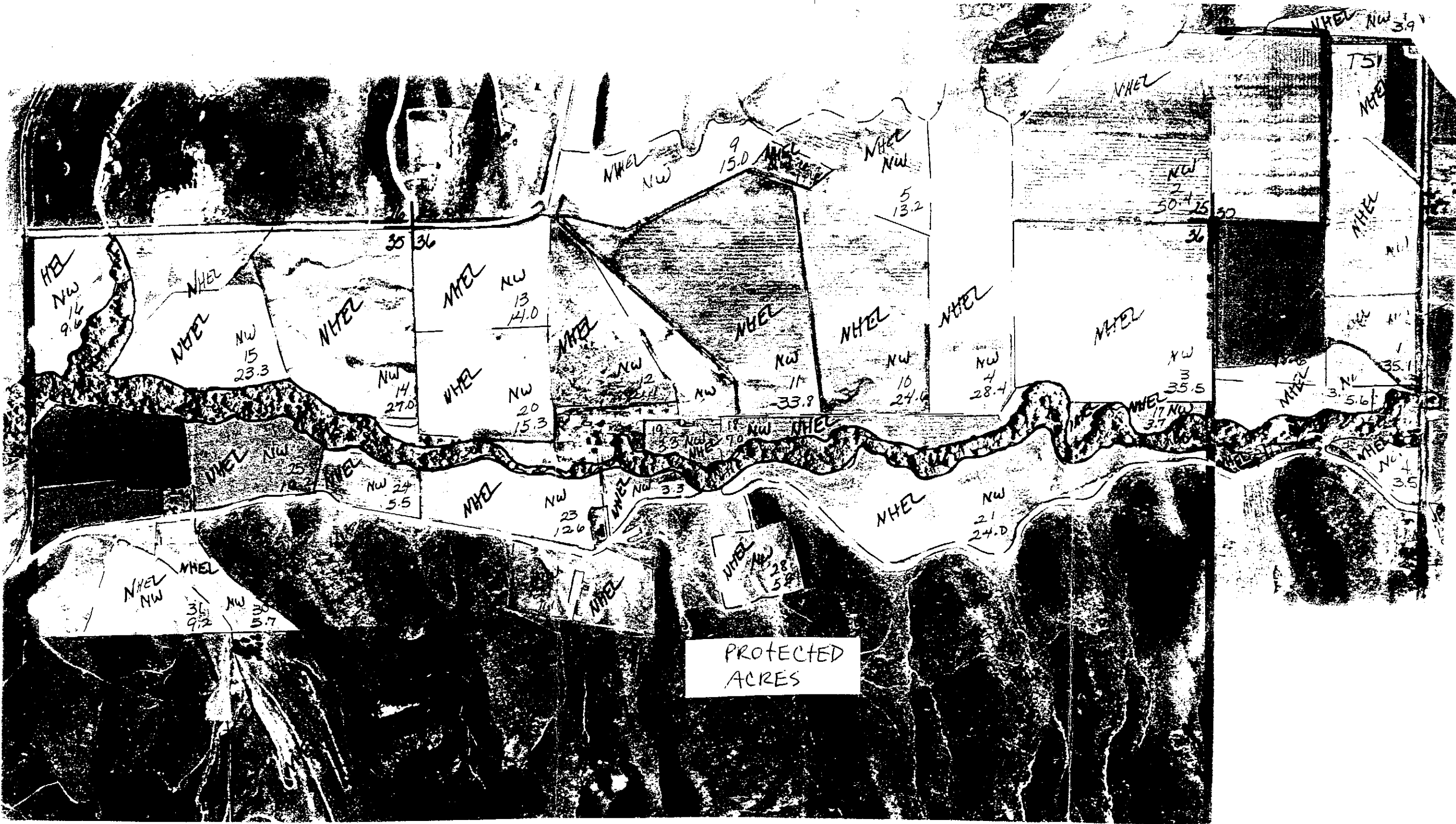
Amendments

☐ None

☐ P.D.

☐ Place of use

☐



PROTECTED
ACRES

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 13 1999

Department of Water Resources

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Julius Jeker
2. Mailing address 6598 Dry Creek Road, Boise, ID 83703
3. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
 - vs. _____, Dated _____ in _____ (Name of Court)
 - Court, County of _____ Fully describe decree _____
- b. License No. 63-7123 c. Claim No. _____
- d. SRBA No. _____
4. Source of water Underground tributary to _____
(Name of stream or source)
5. Date of priority of right July 11, 1968
6. Description of Right:

amount 0.79 cfs for Irrigation purposes from April 1 to October 31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NE 1/4 NE 1/4 of Sec. 36 Twp. 5N Rge. 1E County Ada

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
5N	1E	25											4			22	31		57
"	"	35	15	21	13	13	39	19	36	28									184
"	"	36	38	40	20	8	39	39	17	11									212
5N	2E	30										20							20

MICROFILMED

FEB 8 1999

Total Acres 473

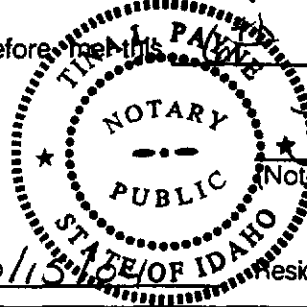
9. Give the last date when water was put to beneficial use 1994 irrigation
Length of extension of time requested five years, or until _____ (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Because of poor health I have been unable to irrigate
under this water right since 1994. I have also been
unable, thus far, to hire suitable and competent help
for the irrigation.

The information contained in this application is true to the best of my knowledge.

X Julius Payne
(Signature of Applicant)

Subscribed and sworn to before me this 10th day of January, 19 99.



Tina L. Payne
(Notary Public)

My commission expires 10/15/2000 Residing at Meridian, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVED said application subject to the following conditions or reasons:

This extension of time does not apply to water use within the NW 1/4 Section 35, T5N, R1E,
B.M. The right holder shall resume use of water on or before November 1, 2004.
Approval of this extension does not preclude the review of the extent and validity of the
right in the Sanke River Basin Adjudication.

Signed this 27th day of January, 19 2000

L. Glen Saxton

L. GLEN SAXTON, Bureau Chief, Water Allocations Bureau

FOR DEPARTMENT USE ONLY

Date Received 1-13-99 \$100 FEE Received by HW Date 1-13-99 Receipt # C044340
Preliminary ☒ by Y Publication prepared by ST Pub. approved by _____ Date _____
Published in Idaho Statesman Dates Published 3-4-11-99 MICROFILMED
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date FEB 03 2000
Recommended for - ☒ APPROVAL / DENIAL By Gary Spackman

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 63-7123 Priority 7-11-68 Amount 0.79 c.f.s.

THIS IS TO CERTIFY, that JULIUS JEKER
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7123 issued pursuant to Application for Permit dated 7-11-68,
and has submitted proof to the Department of Water Administration on 6-3-70,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.79 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground-water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.79 c.f.s. for Irrigation from April 1 to Oct. 31 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 0.79 c.f.s. of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄NE¹/₄ Sec. 36, Twp. 5 N., Rge. 1 E., B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,128.5⁺ acre feet per year or
4.5 acre feet per acre.

Description and location of place of use:

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	
5 N	1 E	25											4				22	31	57
		35	15	21	13	13	39	19	36	28									184
		36	38	40	20	8	39	39	17	11									212
5 N	2 E	30											20						20

Total number of acres irrigated 473

*The maximum quantity of water diverted shall not exceed 2,295 acre feet per season when
the right developed by this license is combined with that of License No. 63-2535, Claim No.
63-4023, and Permit No. 63-7123 or it's subsequent license.

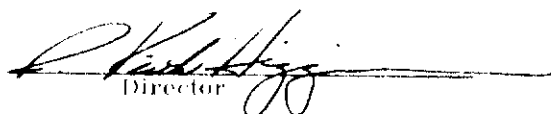
This right is subject to the maintenance of the permanently installed measuring device as
required under this permit.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands

or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of

NOVEMBER, 1970.


Director

63 7123

Identification No. 63-7123

Application No. 42651

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Julius Jeker
post office address Route 1, Boise, Idaho
2. Source of water supply underground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 5N
Range 1E B.M. Ada County; additional points of diversion if any: None

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to October 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and motor, pipelines
and sprinkler system and ditches.

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

- c. Proposed well diameter is 16 inches; proposed depth of well is 220 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.
b. Estimated construction cost is \$ 15,000.
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: _____ hp 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: _____

63-7123

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2E	30											20						20
5N	1E	25											10	30			30	35	105
"	"	35	40	40	15	20	40	20	40	40									255
"	"	36	40	40	20	10	40	40	30	20									240

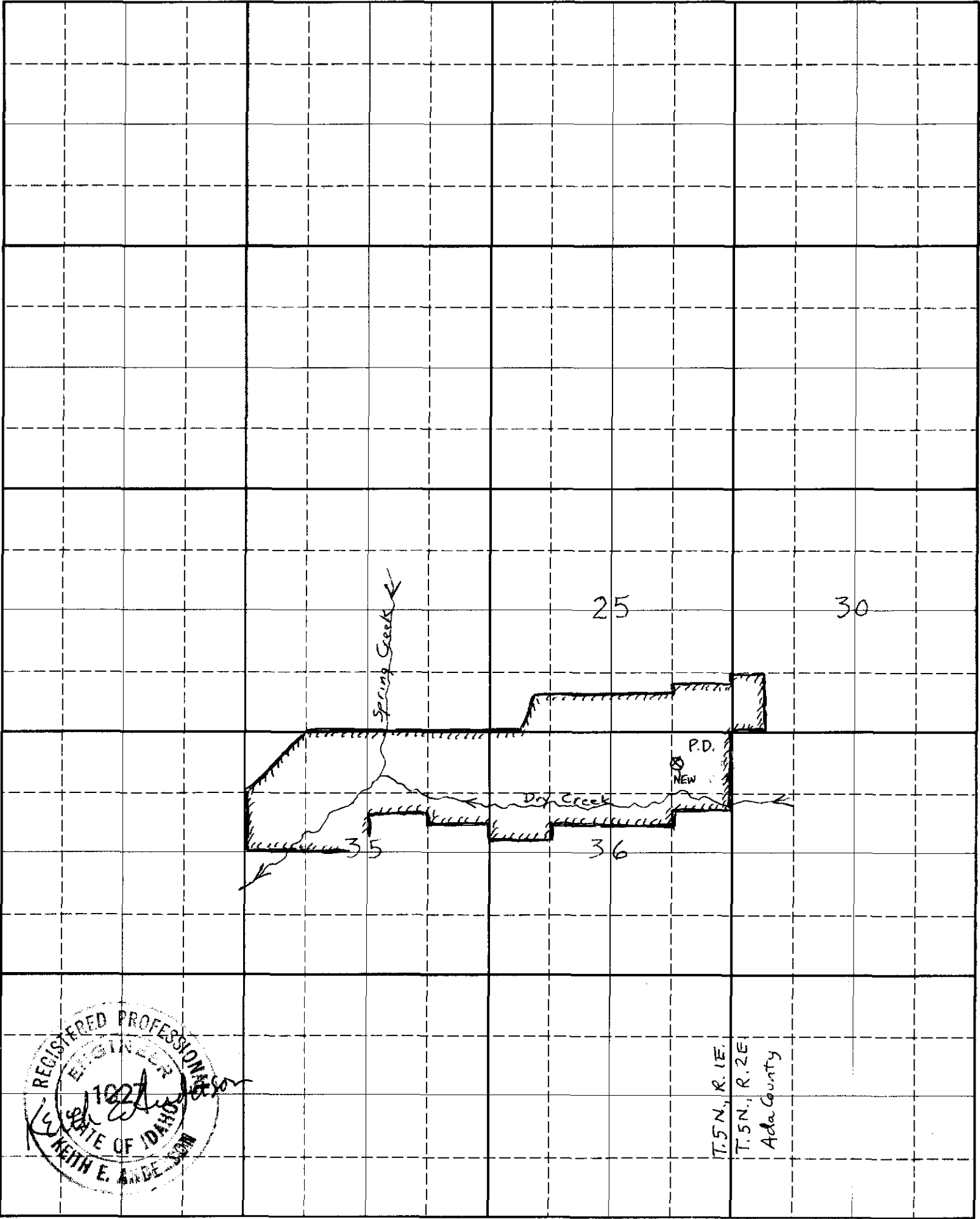
Total number of acres to be irrigated 620

c. Describe any other water rights used for the same purposes License 18495 (0.7 cfs)
Permit G-28423 (5.0 cfs) and Use Right from four flowing wells (3.0 cfs).

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 This application is for water from the well covered by Permit G-28423 (as amended) that can be developed from the well in excess of the amount (5.0 cfs) covered by that Permit.

11. Map of proposed project:



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.

Julius Jeker
(Applicant) Julius Jeker

63-7123

Received by ef Date 7-11-68 Time 8:00am
Preliminary check by Am Fee \$ 25.00 7-11-68
Receipted by ef Date 7-11-68
Publication prepared by HS Date 7-18-68
Published in Idaho Daily Star
Publication dates 7-25-8-1-68
Publication approved HS Date 7-25-68
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AKH Dume

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7123, 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 September 1, 1971.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 20th day of August, 19 68.

R. Keith Higgins
State Reclamation Engineer

Identification No. _____
Permit No. 63-7123

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Julius Jeker
b) Post Office Address Route 1, Boise, Idaho
2. Permit Number 63-7123
3. Date of Priority that you are prepared to establish 7-11-68
4. a) Source from which water was appropriated Underground water
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 36
5 North Township, 1 East Range, Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 2 cfs for _____ purposes from April 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The well was tested at 2950 gpm before it was equipped by Keith E. Anderson, Consulting Engineer on May 3, 1968.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA
b) Describe the agreement or understanding by which you take water from the works: NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) A well 16", 14" and 12" casing and 12" well screen to a depth of 218. Turbine pump. Water is in part taken by ditch to land in part by Dry Creek channel and in part by pipe and applied by sprinkler.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Metraflex Model #33 (Impact Tube Type Meter)
c) Give well drillers name and address and date the well was completed Ken Witt of Caldwell
was the driller in the spring of 1968.

exam typed
7-17-70
dq

63-7123

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NA

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2E	30											20						20
5N	1E	25											10	30			30	35	105
5N	1E	35	40	40	15	20	40	20	40	40									255
5N	1E	36	40	40	20	10	40	40	30	20									240

Total number of acres irrigated 620

10. Remarks: The water from this permit is used on the above lands with water right 18495 and 28423. Right 28423 takes up to 5 cfs from this same well. The well will produce more than the 5 cfs but perhaps less than the total of 7 cfs.

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-29-70
(Date)

Julian J. J. J.
(Signature)

State of Idaho ss.
County of Ada

On this 29th day of May, 1970, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires Jan. 21, 1974

Jack Arnold Bengtson
Notary Public residing at 2010 E. 2nd St., Idaho

THE STATESMAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. Reclamation
- 107 State House
- Boise, Idaho 83701

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
AUG 1 68	WATER APPL. 63 7123 Julius Jeker	26L 2X		6.50		6.50
I hereby certify that the above account is correct and that the services were fully rendered as charged and that we have not received payment therefor. Ed STATESMAN PRINTING CO. <i>[Signature]</i>						

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

63-7123

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE STATESMAN NEWSPAPER

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. Reclamation
- 107 State House
- Boise, Idaho 83701

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
AUG 1 68	WATER APPL. 63 7123 Julius Jaker	26L 2X		6.50			6.50
I hereby certify that the above account is correct and just; that services were actually rendered as charged and that we have not received payment therefor. Signed STATESMAN PRINTING CO. By _____							

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE



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

January 27, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JULIUS JEKER
6598 DRY CREEK ROAD
BOISE ID 83703

RE: WATER RIGHT NOS. 63-02535, 63-04023, 63-04086 AND 63-07123

Dear Water Right Holder:

Enclosed are copies of approved Applications for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water rights. Please note that resumption of beneficial use of water shall occur on or before **November 1, 2004**.

Please notify the Department as soon as you resume use of the water. If you have not notified the Department sixty (60) days prior to the resumption date, the Department will send a Resumption of Use Notice to you by certified mail.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the Department. Please contact any office of the Department for the proper form to file a change of ownership of the water rights and/or a change in the address of the owner or if you have any questions concerning this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

FEB 03 2000

WR0749NP
No. 63-07123

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JULIUS JEKER RT. 1 BOISE ID	07/11/1968	IRRIGATION	04/01 10/31	0.790 CFS	2128.50 AFA
TOTAL DIVERSION:					0.790 CFS	2128.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R01E S36 NENE ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	01E	25	:																	
05N	01E	35	:	15		21		13		13		39		19		36		28		184.0
05N	01E	36	:	38		40		20		08		39		39		17		11		212.0
05N	02E	30	:													20				20.0
																			TOTAL ACRES	473.0

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-04086

Other Water Rights Listing Overlapping Place(s) of use:
63-02535 63-03160 63-04023 63-04086 63-04219 63-04980 63-04981 63-04982 63-05190

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN NOT TO EXCEED 2295. AFA/YR.

Dates: App. Received: Priority Date: 07/11/1968
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/12/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/13/1999 User-ID: VAULT Subject: Extension of Time Received
Extension of Time Received

Audit: 03/26/85 05/01/88 CONVERT 02/08/98 CLEARFLD 01/13/99 COMMENTS

* 122 acres not protected

RECEIVED

REGIONAL STAFF REVIEW FOR EXTENSION OF TIME TO AVOID FORFEITURE

Department of Water Resources

Water Right 63-02535, -04023, -04086, -07123 Applicant Julius Jeker
Initial review by: lg 1/27/99 (name & date)

ADVERTISING & PROCESSING INFORMATION

WP File Name ADV-FORFEIT. JEKER
Legal Notice electronically sent to State Office ☒
Comment Letters ☒ No ☐ Yes, see attached
Extension published correctly ☒ Yes ☐ No
Affidavit of publication received ☒ Yes ☐ No
Protests received (deadline & fee?) ☒ No ☐ Yes, acknowledgement sent
Copy for Regional File ☐ Appl. ☐ Staff Review page ☐ Legal Notice
☐ Other, list: pam

REVIEWER'S COMMENTS

Recorded rights overlapping acres + wells. have
verified for 63-07123 (see below) total system capacity has yet
SRBA factors Filed on recorded, but with 122 less ^{type} return
acres in NW 535. Looks like rights should
be split
Verification & other comments Field exam for Lic 63-07123
verified total irrigation for all 4 wts @ 510 acres
and system capacity for NENE 536 well @ 9.49 cfs
Additional review memorandum attached? ☐ Yes ☒ No

REGIONAL MANAGER'S RECOMMENDATIONS

☐ Deny ☒ Approve as noted below:
See Lori Grave's breakdown of approvable POU
for this extension in memo dated 4/13/99
by: Gary S 5/11 (name & date)

MEMO

DATE: 4/13/1999

FR: lg

TO: Files 63-02535, 63-04023, 63-04086, 63-07123

RE: Extensions of Time to Avoid Forfeiture

Due to illness and incompetent help, applicant stated that claimed and licensed acres have not been irrigated since 1994 and has requested protection from forfeiture on the above listed rights.

Two licenses and two statutory claims are used for irrigation, with overlapping p/u and p/d's. 508 total acres have been licensed for the ground water system; 35 listed on license 63-02535 and 473 acres listed on license 63-07123. The statutory claims represent the same system and overlap within the 508 acres. The capacity of the NENE sec 36 well was calculated at 9.49 cfs during the field exam for license 63-07123, however total system capacity has yet to be determined if additional wells are incorporated as listed on 63-04023.

The SRBA claims were basically filed as recorded except that the two statutory claims were split to reflect the portion of the farm owned separately by applicant's sister (Helen Weisshaupt). License 63-07123 also included the sister's acres but was not split in the SRBA, however the sister's acres were excluded from A63-07123. Applicant's sister owns the NW qtr of section 35 (property west of HWY 55).

Per telecon with Helen (sister) and telecon with Julius 4/13/1999, both stated that Helen's property was not and has not been irrigated with ground water. Her irrigation sources are Dry Creek and Spring Creek. The ground water is only applied to Julius' acres east of HWY 55.

All 508 acres appeared irrigated in 1987 per napp photo and also in 1994 per scanned airphoto.

Based on this information, I recommend that the acres in the NW qtr, sec 35, be forfeited and that A63-04023A and A63-04086A be disallowed due to ground water non-use (Helen's acres).

MICROFILMED

FEB 13 1999

Specifc acres to be protected include:

T5N	R1E	S25	SESW	4
			SWSE	22
			SESE	31
		S35	NENE	35
			NWNE	31
			SWNE	18
			SENE	13
		S36	NENE	38
			NWNE	40
			SWNE	20
			SENE	8
			NENW	39
			NWNW	39
			SWNW	17
			SENW	11
		S30	SWSW	<u>20</u>
				386 total

Specific acres not to be protected include:

T5N	R1E	S35	NENW	39
			NWNW	19
			SWNW	36
			SENW	<u>28</u>
				122 total.

See attached topo map and CFSA photo for visual clarification.

cc: A63-02535, A63-04023A, A63-04086A, A63-07123

MICROFILM

FEB 03 2000

FEB 05 2000

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$82.75

Account Number/Trans. #		Identification	
047628		PROPOSED EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHTS	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	MARCH 4, 11, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	3459

RECEIVED

MAR 22 1999

WATER RESOURCES
WESTERN REGION

JANICE HILDRETH

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

- ☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of

MARCH 4, 1999

and ending with the issue of

MARCH 11, 1999

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 11TH day of MARCH in the year of 1999, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Angela M Newland

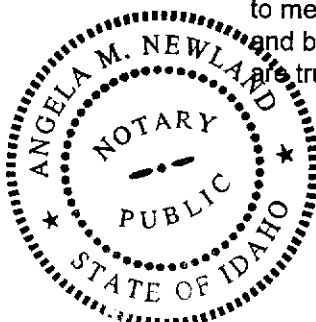
Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

2/11/05



NOTICE OF PROPOSED EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHTS

Notice is given that JULIUS JEKER, 6598 Dry Creek Rd, Boise ID 83703, has applied to the Dept. of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to I.C. 42-222 for a ground water rights recorded as follows in T5N R1E, Ada County, unless otherwise noted:

No.	Priority	CES	Uses	Point of Diversion
63-02535	8/24/1937	70	Irrig/Dom	NENE S35
63-04023	7/01/1927	3.00	Irrig/Stock	NW S36 (3 p/s)
63-04086	7/20/1960	5.00	Irrig	NENE S36
63-07123	7/11/1968	79	Irrig	NENE S36

The first and last rights are licensed, and the others are statutory claims, and 510 total acres. Irrigation is claimed and licensed in S25, S35, S36, and S30 T5N R2E, for a total of 9.49 cts. Snake River Basin adjudication claims are filed as described above except for a reduction in irrigation to 388 total acres. Site encompasses 1 miles of Dry Creek drainage just east of HWY 55.

5 years, or until 2004. Due to poor health, applicant has been unable to irrigate the property since 1994.

Any protest against the approval of the proposed water right applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00 per right on or before March 22, 1999. The protestant must also send a copy of the protest to the applicant.

Pub. Mar. 4, 11, 1999.

	Acres Filed on	cfs Allowed	Acres to Beneficial Use	cfs Per Acre
Lic 0.70 cfs = 18495	35	.700 cfs	35	.02 cfs
Claim 300 cfs = 63-4023	350	3.0 cfs	266	.0127 cfs 000000 0173 cfs
Permit 500 cfs 63-3179 6-22-123	620	5.00 cfs 3.32 1.61 cfs	264	.0162 cfs
Permit 2.0 cfs = 63-7123	620	0.79 cfs	4	.004 cfs
9.49% 500 cfs = Total irrigated				
MICRO				
FEB 8 3 2010				
Total volume of divisions of Permits 18495, 63-4023, 63-3179 and 63-7123 shall not exceed 2295 Acre feet.				
Prescribed 7-11-68 Q measured 5.79 cfs Q recommended 0.79 cfs Volume 2295 AF (45550) Acreage 620 Found 510 recommended 510 Subdy 20 Amendments ☐ None ☐ P.D. ☐ Place of use				

Janice Hildreth, Idaho Statesman called Monday, February 22, 1999, at 8:15 a.m. She had been on vacation for a month and the people responsible for getting the legal ads in the paper didn't get 6 applications advertised on February 18 and 25. She will advertise them on March 4 and 11 with the protest date on March 22, 1999.

United Water, amendment

Julius Jeker, ext. of time.

City of Eagle, amendment

Lisa Gray, transfer

Don Watkins, app.

Don Watkins, app.

MICROFILMED
FEB 23 2000

A NOTICE OF PROPOSED EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHTS

Notice is given that JULIUS JEKER, 6598 Dry Creek Rd, Boise ID 83703, has applied to the Dept. of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to I.C. § 42-222 for 4 ground water rights recorded as follows in T5N R1E, Ada County, unless otherwise noted:

No.	Priority	CFS	Uses	Point of Diversion
63-02535	8/24/1937	.70	Irrig/Dom	NENE S35
63-04023	7/01/1927	3.00	Irrig/Stock	NW S36 (3 pts)
63-04086	7/20/1960	5.00	Irrig	NENE S36
63-07123	7/11/1968	.79	Irrig	NENE S36

The first and last rights are licenses, and the others are statutory claims.

Irrigation is claimed and licensed in S25, S35, S36, and S30 T5N R2E, for a total of 9.49 cfs and 510 total acres. Snake River Basin Adjudication claims are filed as described above except for a reduction in irrigation to 388 total acres. Site encompasses 1½ miles of Dry Creek drainage just east of HWY 55.

EXTENSION REQUESTED FOR

5 years, or until 2004. Due to poor health, applicant has been unable to irrigate the property since 1994.

Any protest against the approval of the proposed water right applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00 per right on or before March 8th 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

March 4 + 11
Published in the Idaho Statesman on ~~February 18 and 25~~, 1999.

Statesman error

MICROFILMED

SEP 03 2000

August 21, 1973

Helen Weisshaupt
Route 1
Boise, Idaho 83702

Dear Mrs. Weisshaupt:

Enclosed are copies of information from the file of Water License No. 63-7123 as you requested. You will note that this license covers diversion of water from a well located in the NE1/4NE1/4, Section 36; Twp. 5N, Rge. 1E, B.M. This water is used to irrigate 473 acres of land in parts of Section 25, 35 and 36; Twp. 5N, Rge. 1E, B.M., and Section 30; Twp. 5N, Rge. 2E, B.M.

It is our understanding of state law that once issued, this licensed right becomes appurtenant to all of the land on which it is used and that whenever you acquire title to some portion of the land, you obtain a proportionate share of the water right of the well for use on that land. The only exception would be if the seller were to reserve the water right when the land was conveyed. Since no reservation was apparently made, you are entitled to use of the well to serve your land, along with the owners of the remaining portion of the ground. They cannot deprive you of that right simply because the well might be located on their property. You would, of course, have to pay your share of the power costs and maintenance of the well facilities.

I can be of further assistance to you, please let me know.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

Enclosures : 3 copies of license, township sheet and map

June 21, 1973

C
Mrs. G. A. Weisshaupt
Route #1
Boise, Idaho 83702

O
Dear Mrs. Weisshaupt:

Enclosed you will find the information you requested pursuant to our telephone conversation of June 21.

If you have any other questions regarding this matter, do not hesitate to contact us.

P
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
jc
Enc: Claim No.'s 63-4023 & 63-4086
License No. 63-7123

63 7123

December 7, 1970

Re: Permit No. 63-7123

C
Mr. Julius Jeker
Route 1
Boise, Idaho

O
Dear Mr. Jeker:

Enclosed herewith is your Water License issued on the above numbered permit.

Very truly yours,

P
BOBBY D. FLEENOR
Assistant Director

BDF:kh

Y
Enclosure

63 7123

November 9, 1970

Re: Permit No. 63-7123

Mr. Julius Jeker
Route 1
Boise, Idaho

Dear Mr. Jeker:

A representative of this department has made an examination of the works covered by your Permit No. 63-7123 and has found the following:

Quantity of water diverted: 5.79 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.79 c.f.s.

- * The maximum quantity diverted shall not exceed 2,128.5 acre feet per season.

Beneficial Use: Irrigation of 473 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30,
T. 5 N., R. 2 E., B.M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 25; N $\frac{1}{2}$ Sec. 35; N $\frac{1}{2}$ Sec. 36,
T. 5 N., R. 1 E., B.M.

The priority date established is : July 11, 1968

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

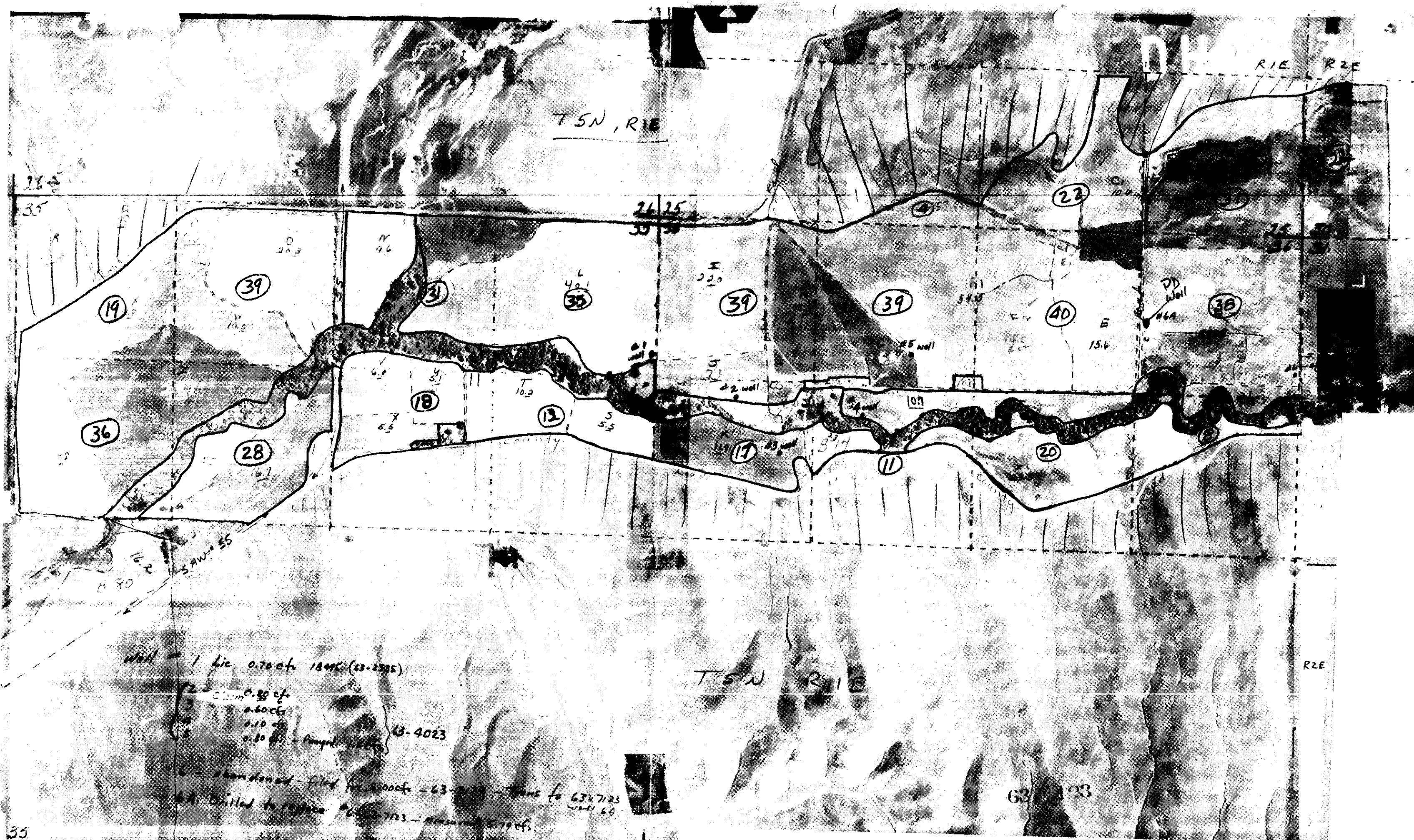
Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

* The maximum quantity of water diverted shall not exceed 2,295 acre feet per season when the right developed by this license is combined with that of License 63-2535, Claim No. 63-4023 and Permit No. 63-7123 or it's subsequent license.

63 7123



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

Permit No. 63-7123

This proof is for b/u In Water District No.

1. Name of applicant Julius Jeker, Route 1, Boise, Idaho
2. Source of water supply: groundwater
3. Location of point of diversion: Is in the NE1/4NE1/4 of Section 36
T. 5N R. 1E County of Ada

4. 60 hp. Westinghouse Motor No. 3-43V326, Peereless Pump (Moturbo Type No. 2-HI-GH)
(No name plate on pump base). 10" discharge south into 12" x 200' buried steel
pipeline to open ditch. There is a slide gate valve 5' from pump to divide water
for portable sprinkler system through a 4" tee 4' from pump to a Berkeley
Centrifugal Booster Pump. 40 hp. Century Motor No. 51457. Pump No. 00653x, BM No.
5. 3961, Model B 4E x PBM 40 - 6" inlet x 4" outlet to a 5" portable aluminum main
6. line north and south.

well located underneath

7.

than irrigation):

T. 5N, R. 2E, Sec. 30	SW1/4SW1/4	20 acres
1E,	25 S1/2SW1/4, S1/2SE1/4	105
	35 N1/2	255
	36 N1/2	240
		620 total

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

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

Remarks: Mr. Julius Jeker and Jack Barnett along.
Measurement was made by using a Metroflex Flo Meter in a buried
12" x 200' steel pipe to an open ditch. Metroflex Meter
registered 2600 GPM or 5.79 cfs.

This examination was made on the 14th day of September, 1970

(Signed)

Logan Johnson

Examiner.

63 7123

T

- 1.
- 2.
- 3.

4. Describe works as they exist, giving dimensions and capacities of same: well = 16"; 14" and 12" casing and 12" well screen to a depth of 218'. Turbine pump; ditch, pipe, and sprinkler.

5. Water is used for: irrigation

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

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

T. 5N., R. 2E., Sec. 30	SW1/4SW1/4	20 acres
1E,	25 S1/2SW1/4, S1/2SE1/4	105
	35 N1/2	255
	36 N1/2	240
		620 total

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

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

Remarks: Mr. Julius Jecker and Jack Barnett along
Measurement was made by using a Metroflex Flo Meter into a buried
12" x 200' steel pipe to an open ditch. Metroflex Meter
registered 2600 G.P.M. or 5.79 cfs.

This examination was made on the 14th day of September, 1970.
(Signed) *Logan Johnson* Examiner.

92814
AD.

Permit No. 63-7123, Julius Jeker

Examination for b/u

County Ada

Sec. 36 T. 5N R. 1E

Quantity: (permit) 2.0 c.f.s. (proof) same

INSTRUCTIONS TO EXAMINERS

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

Source: groundwater

P.D.: NE1/4NE1/4

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: License 18495 and permit no. G-28423
and use right from four flowing wells

Filed: 7-11-68

MADE: 6-3-70

Due: 9-1-71

PRIORITY: 7-11-68

63 7123



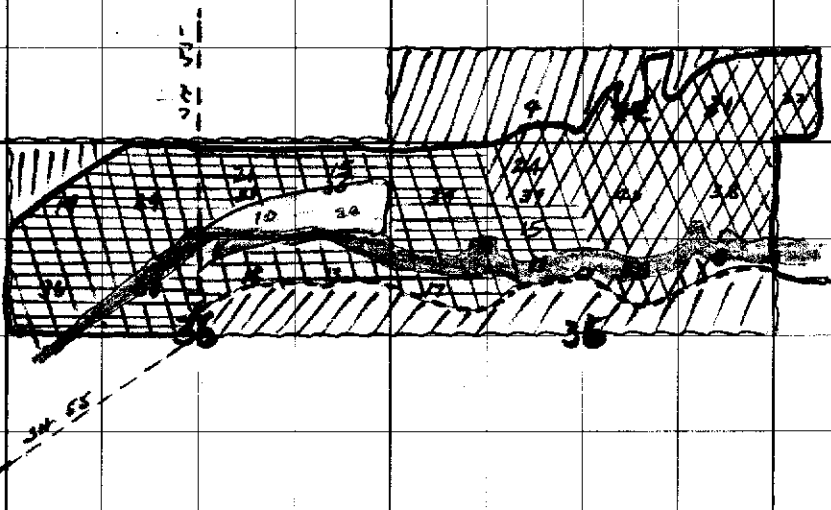
19
39
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66

$\begin{array}{r} 22 \\ 31 \\ 22 \\ 21 \\ 40 \\ 38 \\ \hline 20 \\ 8 \\ \hline 209 \end{array}$

25

30



79

280

151

510

Bar	Acres Filed on	cfs Allowed	Acres to Beneficial Use	cfs Per acre
Low 1.71	35	.70 cfs	35	.02 cfs
Claim 3.0 cfs = 63-4023	350	3.0 cfs	266	.01127 cfs ~~.00699~~ .0173 cfs
Permit 5.0 cfs 63-3179	620	5.00 cfs ~~3.39~~ 1.61 cfs	209	.0162 cfs
Permit 2.0 cfs = 63-7123	620	0.79 cfs		.004 cfs
				= 0.02 cfs

9.496 510 Acres = Total irrigated

Total volume of divisions of Permits * 18495, 63-4023, 63-3179 and 63-7123 shall not exceed 2295 Acre feet.

Property 7-11-68
 Q measured 5.79 cf.
 Q recommended 0.79 cf.
 Volume 22.95 AF (45x50)
 Acreage -
 Found 510
 recommended 510
 Subdy. 20
 Ammendments
☐ None
☐ P.D.
☐ Place of use
☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 63-7123

REPORT ON PROOF OF B/U - Julius Jeker

June 30, 1970

Re: Permit No. 63-7123

Mr. Julius Jeker
Route 1
Boise, Idaho

Dear Mr. Jeker:

We acknowledge receipt of your affidavit submitted as proof of beneficial use ~~on application~~ for permit 63-7123.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

August 22, 1968

Re: Permit No. 63-7123

Julius Jeker
Route 1
Boise, Idaho

Dear Mr. Jeker:

We enclose a copy of your approved application for permit 63-7123
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 1095 for \$25.00

63-7123

July 18, 1968

Re: Permit Nos. 63-7123-Julius Jeker
63-7124-James M. Rogers

The Idaho Daily Statesman
300 North 6th Street
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosures

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Julius Jaker, Route 1, Boise, Idaho
has on July 11, 1968
applied for permit to divert ~~about~~ 2.0 cubic feet per second ~~and one foot~~
of water from subterranean source
under application No. 63-7123. Water will be diverted by well, pump,
motor, pipelines, sprinkler systems ^{and ditches} within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Twp. 5 N.,
Rge. 1 E., B.M. in Ada County
and is to be used from April 1 to October 31 for irrigation
in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp. 5 N., Rge. 2 E., B.M.; S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 25,
N $\frac{1}{2}$ Sec. 35; N $\frac{1}{2}$ Sec. 36, Twp. 5 N., Rge. 1 E., B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the The Idaho Daily Statesman
on July 25th and August 1st.

63-7123