

(8) Remarks Well located on adjacent property owned by Gene Rowe

A hand-drawn sketch of a 10x10 grid. The grid is composed of solid outer lines and dashed inner lines. The following labels are present:

- R 2 W**: Located in the top right quadrant, spanning approximately columns 6-8 and row 2.
- T 3 N**: Located in the middle left quadrant, spanning approximately columns 4-5 and rows 4-6.
- 17**: Located in the center of the grid, spanning approximately columns 6-7 and row 4.
- P.D. USE**: Located in the middle right quadrant, spanning approximately columns 8-9 and row 4. An arrow points from this text to a small circle located at the intersection of column 7 and row 5.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of ADA)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12 day of May, 1983.

Samuel Hall Pleiss
(Claimant)
_____, 1983.
Donald Huff
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

FOR DEPARTMENT USE ONLY

Received by <u>JS</u>	Date <u>5/12/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>5/19/83</u>		claimant by:	
\$30.00 fee received by <u>JS</u>	Date <u>5/12/83</u>	<u>#28820</u>		
Published in <u>Mass. Tribune</u>				
Dates <u>5/26 & 10/2/83</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Dr. Kenneth L. Kalbfleisch DUM
(Name of Claimant)
1803 12th Ave., Nampa, ID 83651 Telephone No. 467-1148
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.04</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		

(4) .04cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 17 Twp. 3N Rge. 2W B.M., County of Canyon
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well and pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	2W	17													X				

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic/1 household

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

Well located on adjacent property owned by Gene Rowe

Received by WJF Date 5/12/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by YG Date 5/19/83 claimant by: _____
\$30.00 fee received by WJF Date 5/12/83 # 28820
Published in Press Tribune _____
Dates 5/26 & 10/2/83 _____

SCHEDULE A

Order No. 21,404
Page 3

1. Effective date: December 3, 1974 at 1:00 P.M.

2. Policy or policies to be issued: (check)

(a) Owners (X) Purchasers () Lessees () Amount: \$ 50,000.00

Name of proposed Insured:

KENNETH L. KALBFLEISCH AND GLENDA L. KALBFLEISCH,
HUSBAND AND WIFE

(b) Mortgage Standard () Mortgage Extended () Amount: \$
Coverage Coverage

Name of proposed Insured:

3. The estate or interest in the land described in this commitment and covered herein is: Fee Simple

4. Title to the estate or interest referred to herein is at the effective date hereof vested in:

DWAIN LOWRY AND ALICE L. LOWRY, HUSBAND AND WIFE

5. The land referred to in this Commitment is described as follows:

Beginning at the NE corner of the SE $\frac{1}{4}$ of Section 17, Twp. 3 N., R. 2 W.B.M., Canyon County, Idaho, and bearing West 122 feet, along the North boundary of the aforesaid SE $\frac{1}{4}$; thence South 130 feet; thence West 63 feet; thence South 117 feet; thence East 185 feet to the intersection of the East boundary of the aforesaid SE $\frac{1}{4}$; thence North 247 feet, along the aforesaid East boundary to the point of beginning.

EXCEPT right of way for road.

MICROFILMED

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claims have been
filed on water rights created by
diversion and beneficial use:

63-5025

SCISM ELEMENTARY SCHOOL
DIST. NO. 138
RT. 7 BOX 7130, NAMPA, Idaho
83651

Source: GROUNDWATER
Priority Date: January 1, 1910
Diversion Pt: NWSW Sec 20 T 02N
R 02W
Use: DOMESTIC (0.06 CFS)
In: NWSW Sec 20 T 02N R 02W

63-5027

TYCZ, JOSEPH C.
GORDON, CHARLES W.
RT. 7 BOX 7030, NAMPA, Idaho
83651
Source: GROUNDWATER
Priority Date: December 6, 1961
Diversion Pt: SWNW Sec 02 T 02N
R 02W
Use: DOMESTIC (0.08 CFS)
In: SWNW Sec 02 T 02N R 02W

63-5030

UNITED PRESBYTERIAN
CHURCH
400 LAKE LOWELL AVE.,
NAMPA, Idaho 83651
Source: GROUNDWATER
Priority Date: July 1, 1962
Diversion Pt: SWSE Sec 28 T 03N
R 02W
Use: IRRIGATION (0.08 CFS)
In: SWSE Sec 28 T 03N R 02W FOR
1 ACRE

63-5032

KALBFLEISCH, DVM,
KENNETH L.
1803 12TH AVE., NAMPA, Idaho
83651
Source: GROUNDWATER
Priority Date: January 1, 1960
Diversion Pt: NESE Sec 17 T 03N
R 02W
Use: DOMESTIC (0.04 CFS)
In: NESE Sec 17 T 03N R 02W

63-5035

KALBFLEISCH, DVM,
KENNETH L.
1803 12TH AVE., NAMPA, Idaho
83651
Source: GROUNDWATER
Priority Date: March 1, 1947
Diversion Pt: NESE Sec 33 T 03N
R 02W
Use: IRRIGATION (0.03 CFS)
In: NESE Sec 33 T 03N R 02W FOR
1 ACRE

63-5036

J.R. SIMPLOT CO.
P.O. BOX 27, BOISE, Idaho 83707
Source: GROUNDWATER
Priority Date: March 10, 1943
Diversion Pt: NESE Sec 19 T 04N
R 03W
Use: IRRIGATION (2.67 CFS)
INDUSTRIAL (2.67 CFS)
In: NENE SENE NENW NWNW
SWNW SENW NESW SESE Sec
18 T 04N R 03W NENE NENW
NWNW SWNW SENW Sec 19 T
04N R 03W NENW NWNW
SWNW SENW Sec 20 T 04N R
03W NESW NWSW SWSW SESW
Sec 17 T 04N R 03W SESE
Sec 12 T 04N R 04W NENE
NWNE SWNE SENE SWSE
SESE Sec 13 T 04N R 04W
NENE NWNE SWNE SENE Sec
24 T 04N R 04W NESE Sec
19 T 04N R 03W FOR 959
ACRES

63-5037

J.R. SIMPLOT CO.
P.O. BOX 27, BOISE, Idaho 83707
Source: GROUNDWATER
Priority Date: June 14, 1961
Diversion Pt: NWSE Sec 19 T 04N
R 03W
Use: IRRIGATION (2.23 CFS)
INDUSTRIAL (2.23 CFS)
In: NENE SENE NENW NWNW
SWNW SENW NESW SESE Sec
18 T 04N R 03W NENE NENW
NWNW SWNW SENW Sec 19 T
04N R 03W NENW NWNW
SWNW SENW Sec 20 T 04N
R 03W NESW NWSW SWSW
SESW Sec 17 T 04N R 03W
SESE Sec 12 T 04N R 04W
NENE NWNE SWNE SENE
SWSE SESE Sec 13 T 04N R
04W NENE NWNE SWNE
SENE Sec 24 T 04N R 04W
NWSE Sec 19 T 04N R 03W
FOR 959 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KEN DUNN

Director

May 26, June 2, 1983

RECEIVED

JUN 18 1983

Deposited in Public Record Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

) ss.
County of Canyon)

Garrah J. Wheeler
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

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

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

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

two times

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

4. That said notice was published the following
dates:

May 26;

June 2, 1983

Garrah J. Wheeler

Subscribed and sworn to before me this 2nd
day of June

19 83

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

MICROFILMED

WRR100
63-5032

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5032

02 OLD (D) NUMBER -

03001 - KALBFLEISCH, DVM ✓
LAST NAME

04001 - KENNETH L. ✓
FIRST NAME

05001 - C
ORIG. OWNER

06 ADD LINE 1 - 1803 12TH AVE. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - NAMPA ✓

10 STATE - ID

11 ZIP - 83651

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - GROUNDWATER
SOURCE

15001 -
TRIBUTARY OF

16 DIVERSION MEANS - WELL & PUMP ✓

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----												
TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS				
22001 - NESE ✓	23001 - 17 ✓	24001 - 03N ✓	25001 - 02W ✓	26001 -	27001 -							
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC ✓	31001 - 03N ✓	32001 - 02W ✓	33001 - 17 ✓	34001 - NESE ✓	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 - 0.040	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 -
REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 1-JAN-1960 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		
54 LAST UPDATE	- 24-MAY-1983	62 DATE_2	-		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Hoover

Right Number 63-5032 Applicant Kalbfleisch

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 6/13/83
- ☒ Claim published correctly. trans. trib 30/28820 3/20 & 6/2/83
- ☐ Exceptions processed.

By ABS Date 6/28/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By A.V.V. Date 7-6-83

RECEIVED
JUL 6 1983

Department of Water Resources

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 15, 1983

KENNETH L. KALBFLEISCH, DVM
1803 12TH AVE.
NAMPAN ID 83651

RE: Claim No. 63-5032

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

63-5032-

KALBFLEISCH, DVM, KENNETH L.

1803 12TH AVE., NAMPA, ID 83651

Source: GROUNDWATER

Priority Date: 01/01/1960

Diversion Pt: NESE Sec 17 T 03N R 02W

Use: DOMESTIC (0.04 CFS)

In: NESE Sec 17 T 03N R 02W

MICROFILMED

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]