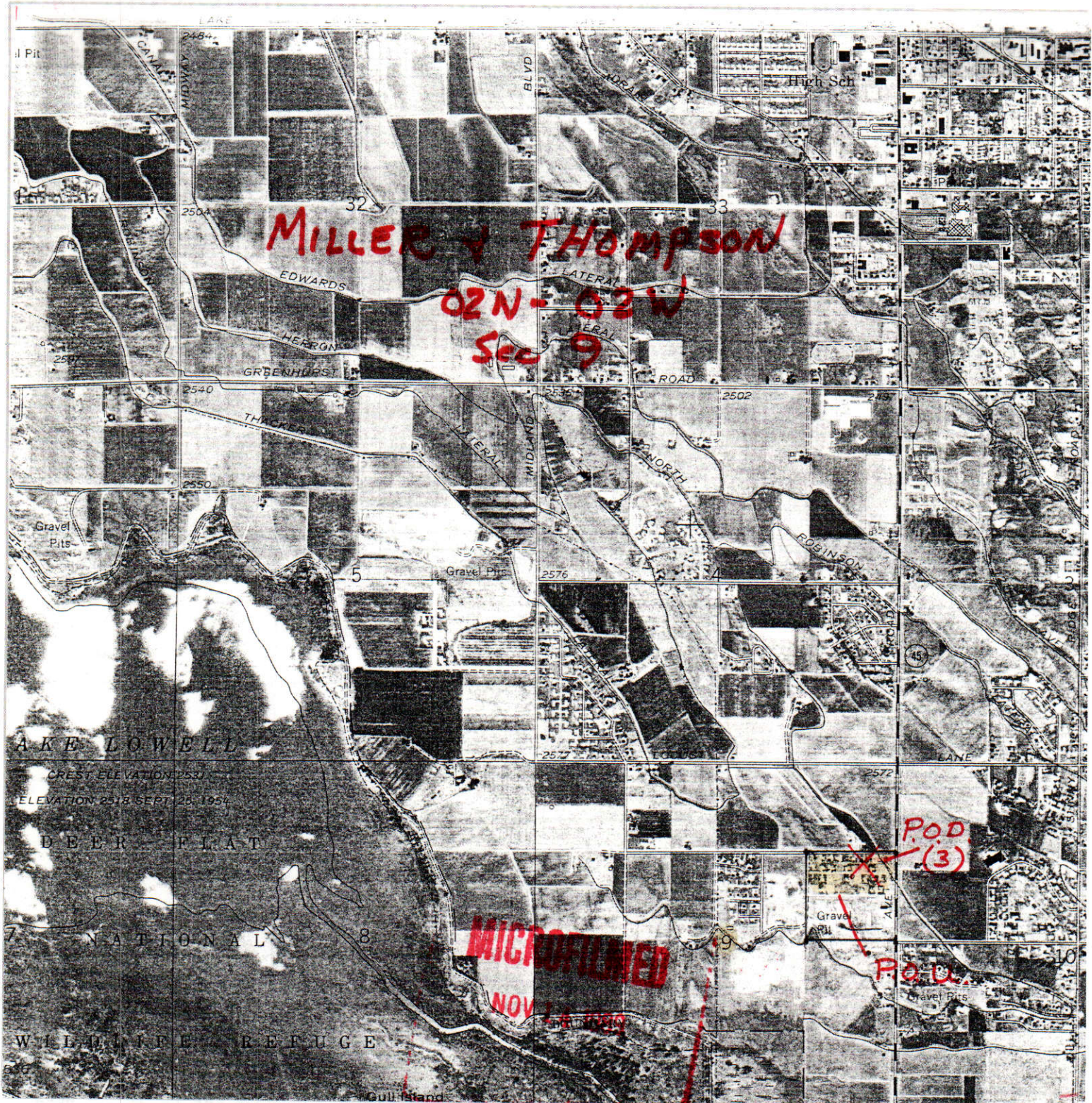


**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss.  
County of Canyon )

Rebecca Stiehl

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 uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

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

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

4. That said notice was published the following dates:

September 20, 27, 1989

STATE OF IDAHO )  
 )  
COUNTY OF CANYON )

On this 27th day of September in the year of 1989, before me, a Notary Public, personally appeared Rebecca Stiehl, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janet Lusk  
Notary Public for Idaho  
Residing at Nampa

MY COMMISSION EXPIRES  
JULY 12th, 1991

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
No. 63-02940

Notice is hereby given that Miller & Thompson Water Users Assn. Inc. of Nampa has applied to the Department of Water Resources for an additional point of diversion of the water of groundwater. The right sought to be changed is evidenced by License No. 63-02940 and is recorded as follows:

Amount: .33 cfs Priority: 4/17/1953  
Point(s) of Diversion: T. 2N, R. 2W, S. 9, SENE, B.M.

The water is used for domestic & irrigation purposes in the same tract of land.  
TO BE CHANGED AS FOLLOWS

Amount: .33 cfs  
Point(s) of Diversion: T. 2N, R. 2W, S. 9, SENE, B.M.

The water will be used for domestic & irrigation purposes in the same tract of land.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before October 10, 1989.

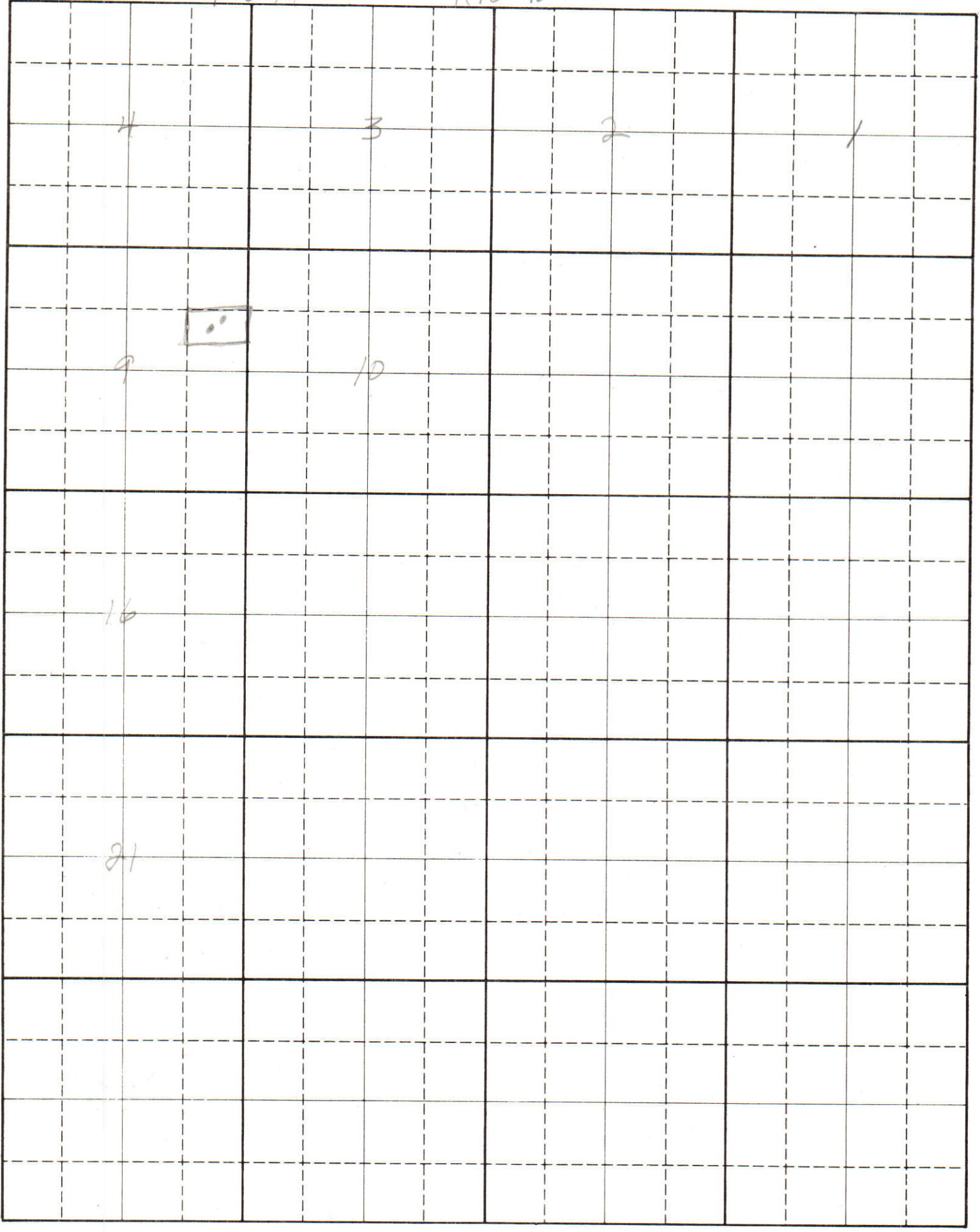
R. KEITH HIGGINSON, Director  
September 20, 27, 1989

MICROFILMED

NOV 14 1989

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

T 2 N                      R. 2 W



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**MICROFILMED**

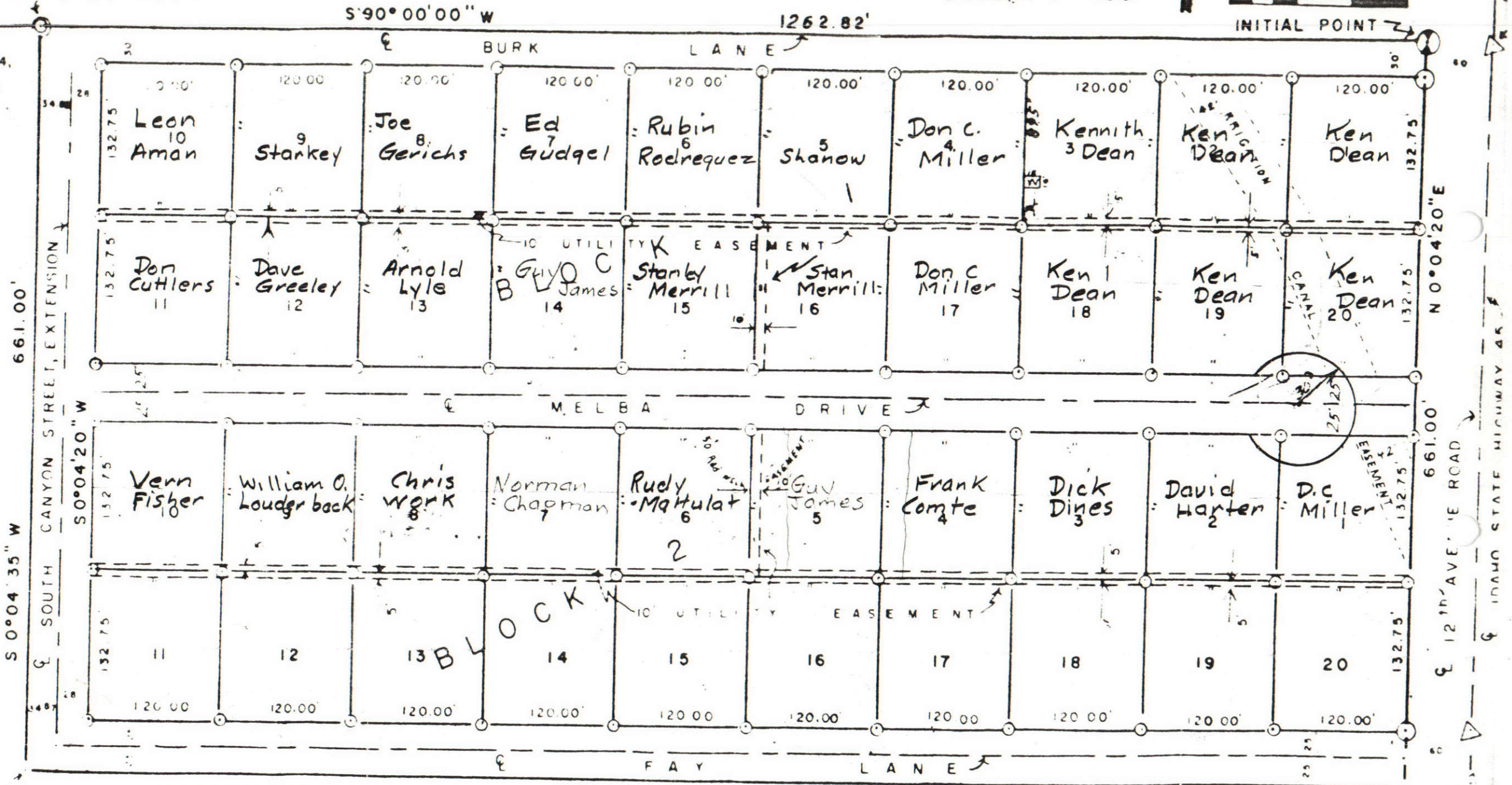
# RIDGEVIEW SUBDIVISION

N.W. COR., N 1/2, SE 1/4, NE 1/4,  
SEC. 9, T2N, R2W, B.M.

SCALE: 1" = 100'



INITIAL POINT



MICROFILMED

N 90°00'00" E

1262.87'

SE COR., N 1/2, SE 1/4, NE 1/4,  
SEC. 9, T2N, R2W, B.M.

AFFIDAVIT OF PUBLICATION  
STATE OF IDAHO )  
 ) ss.  
County of Canyon )

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

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

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

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

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

4. That said notice was published the following  
dates:

April 29;

May 6, 1982

Suzanne Benkert

Subscribed and sworn to before me this 6th  
day of May  
19 82

Janet Lusk  
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES  
JULY 12th, 1985

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
NO. 63-2940

Notice is hereby given that Miller & Thompson Water Users  
Assoc., Inc. of 225 Melba Dr., Nampa, Idaho 83651 has applied to  
the Department of Water Resources for a change in the nature  
of use of the water and for the addition of another point of diver-  
sion of the water of a groundwater source.

The right sought to be changed is evidenced by Water Right  
License 63-2940 and is recorded as follows:

Amount: .33 cfs Priority April 17, 1953  
Point(s) of Diversion: N½SENE Sec 9 T2N R2W Canyon Co.

The water is used for Irrigation purposes from April 1 to  
November 1 upon 20 acres within the SENE Sec 9 T2N R2W.

TO BE CHANGED AS FOLLOWS

Amount: .33 cfs  
Point(s) of Diversion: two points within the N½SENE Sec 9 T2N  
R2W

The water will be used for Domestic purposes from January 1  
to December 31 for 40 homes within the N½SENE Sec 9 T2N  
R2W.

Any protest against approval of the proposed change of water  
right application must be filed with the Department of Water  
Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before May  
17, 1982.

A. KENNETH DUNN  
Director

Apri 29; May 6, 1982

RECEIVED  
MAY 10 1982

Department of Water Resources  
Western Regional Office

MICROFILMED

R-2W.

T.  
2  
N.

9

P.D.  
↓



TO MANIPA

STATE HWY. NO. 45

Subdivisions = One  
Area = 20 acres  
Q = 16 1/2 inches.

500 = 9/25  
#200 = 8/24

RECEIVED  
JUN 5 1956  
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho,  
County of Canyon, ss.

V. J. Yancey, 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 twenty-one years, and not a party to the above entitled action.

2. I am the Principal Clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa 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 has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I.C.A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of Four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of April 14, 1956, and ending with the issue of May 5, 1956.

Subscribed and sworn to before me this 5th day of May, 1956.

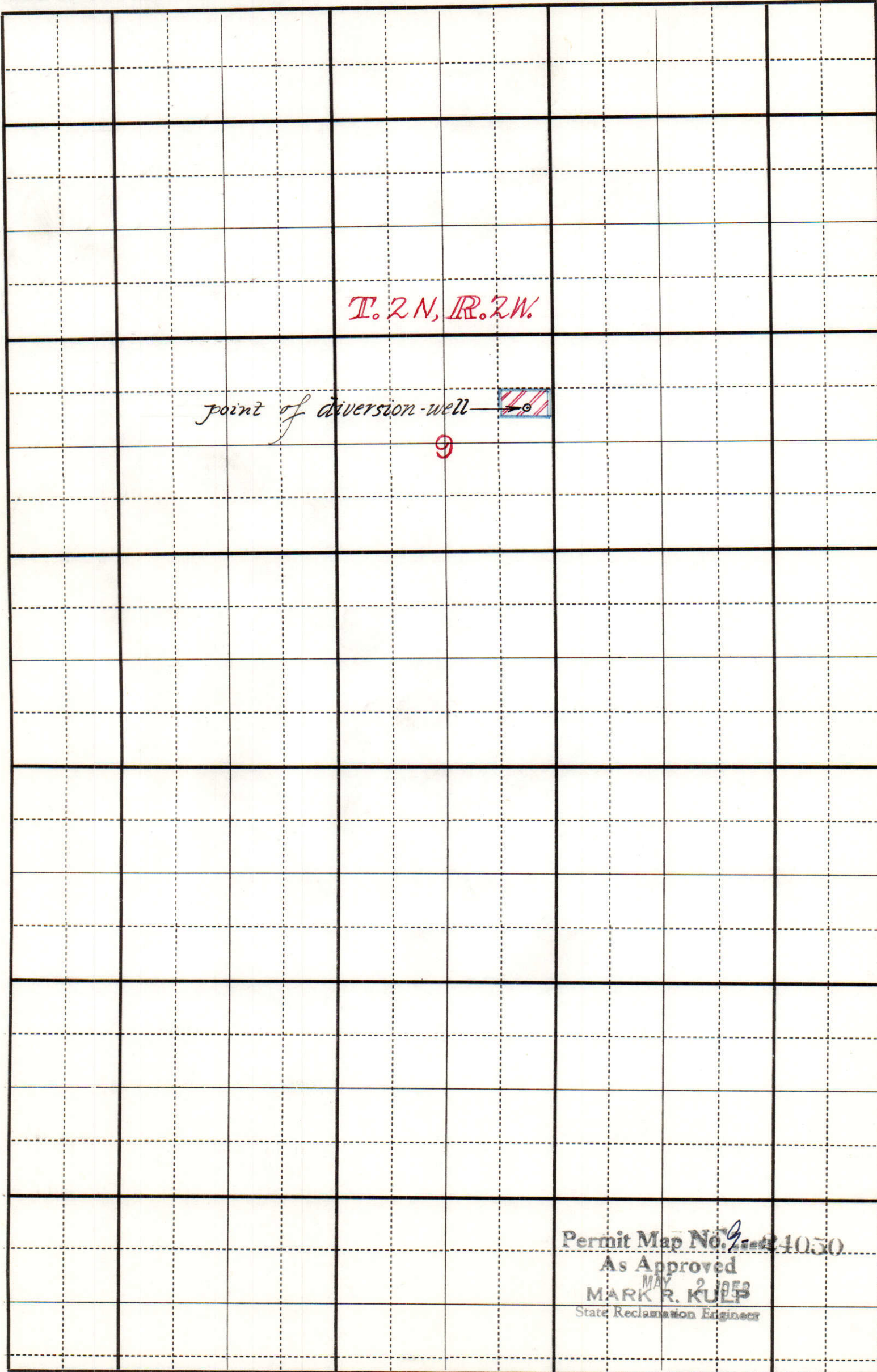
Adam J. Korb  
Notary Public for Idaho  
Residing at Nampa, Idaho

| Legal Notices                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 1 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   |
| Notice is hereby given that at 10:00 A.M., on the 12th day of May, 1956, at Nampa, County of Canyon, State of Idaho, before John H. Brandt, Notary Public, proof will be submitted of the completion of works for the diversion of .40 cubic foot per second of the waters of subterranean flow from a well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, T. 2 N., R. 2 W., B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24050 heretofore issued by the Department of Reclamation of the State of Idaho. |   |
| 1. The name and postoffice address of the person or corporation holding said permit are Kenneth D. Casper, Route 4, Nampa, Idaho.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |
| 2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is .40 cubic foot per second.                                                                                                                                                                                                                                                                                                         |   |
| 3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is .40 cubic foot per second.                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |
| 4. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, Township 2 North, Range 2 West, B.M., Canyon County, Idaho.                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |
| 5. The date of priority which said user is prepared to establish is April 17, 1953.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |   |
| MARK R. KULP<br>State Reclamation Engineer.<br>Apr. 14, 21, 28, May 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |   |

24050

NAME OF APPLICANT Kenneth D. Casper

Form No. 0



Permit Map No. 2-4050  
As Approved  
MAY 2 1953  
MARK R. KULP  
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

24050

**State of Idaho**  
**License and Certificate of Water Right**

Water License No. G-24050

Amount .33 c.f.s.

Water District No.

Priority April 17, 1953

THIS IS TO CERTIFY that KENNETH D. CASPER  
of Route #4, Nampa, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated April 17, 1953; that Permit No. G-24050  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
.33 second feet, was issued thereunder on June 24, 1957, showing that said works  
were completed on the 14th day of May, 1956; and that on the 14th  
day of May, 1956, KENNETH D. CASPER

of Nampa, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
~~perforated~~ subterranean flow, for the purpose of irrigation and  
domestic, under Use Permit No. G-24050 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
10 of Licenses at page 6017, on the 24th day of June, 1957;  
The right hereby confirmed dates from April 17, 1953;

The Point of Diversion is located  
in the N $\frac{1}{2}$ SE $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 9, Tp. 2 N, R. 2 W, B. M. County Canyon  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed .33 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 2 N  | 2 W   | 9    | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 20                               | 20                              |
|      |       |      | Total number of acres irrigated - | - - - -                          | 20                              |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
24th day of June, 1957.

/s/ Mark E. Bala  
State Reclamation Engineer

(SEAL)

63-2940

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31827  
Permit No. G- 24050  
District No.

1. Name of Applicant: KENNETH D. CASPER  
Postoffice address: Rt. 4, Nampa County: Canyon State: Idaho
2. Quantity of water claimed: .40 cubic feet per second  
 (a) Rate of withdrawal in cubic feet per second. .40 or Idaho  
 Miners' inches 20 or gallons per minute.  
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Well)
4. Location of point of diversion or well is in the N $\frac{1}{2}$  SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 9  
 Twp. 2 N., Rge. 2 W., B.M., County of Canyon
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
 Rge. , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
 at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and Sprinkler system
8. Estimated cost of works: \$ 3,000.00
9. (a) Is reservoir to be used?  
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Two years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
 (b) Amount of capital stock: \$ (c) Amount paid in: \$  
 (d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash on hand: \$  
 (b) Treasury stock: (c) Bonds to be issued:  
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
  - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

*Agent.*

**Corrected application received:**

**MARK R. KULP**  
*State Reclamation Engineer.*

**12.**

| Twp.                                                                                                                                                                                                                                                                                                                                                                         | Range | Sec. | NE <sup>1</sup> / <sub>4</sub>                                                                                                 | NW <sup>1</sup> / <sub>4</sub>                                                                                                 | SW <sup>1</sup> / <sub>4</sub>                                                                                                 | SE <sup>1</sup> / <sub>4</sub>                                                                                                 | Totals |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                              |       |      | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> |        |
| 2 N.                                                                                                                                                                                                                                                                                                                                                                         | 2 W.  | 9    | 20                                                                                                                             |                                                                                                                                |                                                                                                                                |                                                                                                                                | 20     |
| <p>I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. G-24050 to May 2, 1956.</p> <p>Witness my hand this 18th day of April, 1955.</p> <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p> |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |

Permit No. G-24050

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that KENNETH D. CASPER of Route #4, Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-24050, issued upon Application No. G-31827 bearing date of priority of April 17, 1953, authorizing the diversion of .40 second feet of the waters of Subterranean flow from a well County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .33 second feet of the waters of subterranean flow from a well that the point of diversion of said waters N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9, Township 2 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9, Township 2 North, Range 2 West, B.M. Proof of Completion of Works made: May 14, 1956.

Witness my hand this 24th day of June, A.D. 1957

/s/ Mark R. Kulp  
State Reclamation Engineer

Proof of Completion of Works made: May 14, 1956  
Certificate of Completion of Works issued: June 24, 1957.

LICENSE ISSUED FOR 0.92 SEC. FL

p. 6017

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

MILLER & THOMPSON WATER USERS ASSOC. INC.

Name of applicant W & I Water Corp. Phone 466-1680

Post Office address 325 Melba Drive Nampa, Id 83656

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion      ☒ Add diversion point(s)      ☐ Change place of use  
☐ Change nature of use      ☐ Change period of use      ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes \_\_\_\_\_  
A NEEDED BACKUP WELL FOR A SUBDIVISION. (40 Lots); Adding an additional  
POINT OF DIVERSION.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | 1. Right Number                            | Priority      | Amount<br>(cfs/ac-ft) | Nature<br>of Use          | Period of Use                |
|--------------------------------------------|---------------|-----------------------|---------------------------|------------------------------|
| 63-02940                                   | Apr. 17, 1953 | .33                   | { IRRIGATION<br>Domestic. | 4/1 to 11/1                  |
|                                            |               |                       |                           |                              |
|                                            |               |                       |                           |                              |
| * SEE ATTACHMENT A *                       |               |                       |                           |                              |
| 2. Total amount of water being transferred |               |                       | .33                       | cubic feet per second and/or |
| 3. Source of water                         |               |                       | GROUND WATER.             | tributary to                 |
| 4. Point(s) of Diversion:                  |               |                       |                           |                              |

[illegible]

**5. Lands irrigated or place of use:**

[illegible]

Total acres 20

**PART 1**

## 6. General Information:

- a. Description of diversion system DRILLED Backup well 30 ft FROM EXISTING WELL,  
PLUMBED INTO EXISTING DOMESTIC SYSTEM. ELECTRICAL DESIGN  
IS SUCH THAT ONLY ONE Pump CAN operate at one time.  
Three wells WITH Pumps comingling into 2 storage tanks through 4" pipeline with OUTLETS
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
NO AFFECT.

## d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 63-2940And said application is hereby APPROVED, subject to the following limitations and conditions:The annual volume of water under this right shall not exceed 90.0 afa.

With \_\_\_\_\_

day of

October19 89

NOV 14 1989

Chief, Water Alloc. Bureau

J. Glen Saptor

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-02940 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other N/A R.O.D. addition only

3. Source of water GROUNDWATER tributary to \_\_\_\_\_

4. Date or priority Apr. 17, 1953

5. Water is used for the following purpose:

amount .33 cfs for IRRIGATION purposes from 4/1 to 11/1  
(cfs/ac-ft)  
amount \_\_\_\_\_ for Domestic purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right .33 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion              |
|-----|-----|-----|-----|------|------|------|--------|---------------------------------------|
|     |     | SE  | NE  | 09   | 02N  | 02W  | Canyon | M+T WATER USERS Assoc. Inc. WELLS (2) |
|     |     |     |     |      |      |      |        |                                       |
|     |     |     |     |      |      |      |        |                                       |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 02N  | 02W  | 09   |        |        |        | 10     |        |        |        |        |        |        |        |        |        |        |        |        | 10     |
| 02N  | 02W  | 09   |        |        |        | D      |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 10

9. Describe any other water rights used for the same purpose as described above

63-04875

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

No If yes, describe \_\_\_\_\_

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE**

- | 1. | New Nature of Use       | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use                    |
|----|-------------------------|-----------------------|-----------------|----------------------------------|
|    | <u>No CHANGE IN Use</u> |                       |                 | _____ to _____<br>_____ to _____ |
2. Quantity and quality of return flows and location of discharge:  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe effects on other water uses resulting from the proposed change:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

X *Garman R Cole*  
(Signature of Applicant)

Subscribed and sworn to before me this 5 day of September, 19 89.

*Bob Harris*  
(Notary Public)

My commission expires 12-8-94

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 1 attachments

|                                               |                                                                                              |                        |
|-----------------------------------------------|----------------------------------------------------------------------------------------------|------------------------|
| Received by <u>JW</u>                         | Date <u>Sept 5, 1989</u>                                                                     | Protest filed by _____ |
| Prelim. check by <u>SL</u>                    | Fee <u>\$50</u>                                                                              | _____                  |
| Receipted by <u>JW</u>                        | Date <u>8/24/89, W004901</u>                                                                 | _____                  |
| Published in <u>Press-Tribune</u>             | Copies of protest forwarded by _____                                                         | _____                  |
| Pub. dates <u>9/20 + 9/27/89</u>              | Hearing held by _____ Date _____                                                             | _____                  |
| Watermaster recommendation requested on _____ | Recommended for <input checked="" type="checkbox"/> approval <input type="checkbox"/> denial | _____                  |
| _____ rec'd. _____                            | by <u>DET Gary</u>                                                                           | _____                  |

Copy of transfer sent to lien holder \_\_\_\_\_

**MICROFILMED**

NOV 14 1989

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss.  
County of Canyon )

Rebecca Stiehl

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 uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

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

Two times

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

4. That said notice was published the following dates:

September 20, 27, 1989

Rebecca Stiehl

STATE OF IDAHO )  
 )  
COUNTY OF CANYON )

On this 27th day of September in the year of 1989, before me, a Notary Public, personally appeared Rebecca Stiehl, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

MICROFILMED

NOV 14 1989

Janet Lusk  
Notary Public for Idaho  
Residing at Nampa  
MY COMMISSION EXPIRES  
JULY 12th, 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use **APPROVED**

Name of applicant Miller & Thompson Water Users Association Inc. Phone \_\_\_\_\_

Post office address 225 Melba Drive, Nampa, Idaho 83651

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Kenneth D. Gasper (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)

b. License No. 6-24050-63-2940 issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant 20 acres  
developed into a subdivision known as Pleasantview Subdivision and later  
renamed Ridgeview Subdivision

3. Source of water subterranean flow groundwater tributary to \_\_\_\_\_

4. Date of priority April 17, 1953

5. Water is used for the following purposes:

amount .33 c.f.s. for irrigation purposes from 4/1 to 11/1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day - both dates inclusive)

6. Total amount of water under right: a. .33 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is N $\frac{1}{2}$ SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 9  
Township 2N Range 2W, B.M., in \_\_\_\_\_ Canyon \_\_\_\_\_ County  
Additional points of diversion, if any \_\_\_\_\_

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 2 N  | 2 W   | 9    |                  |                  |                  | 20               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 20     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 20

9. Describe any other water rights used for the same purposes as described above Claimed Groundwater  
Irrigation Right developed since April 17, 1953

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ ¼ \_\_\_\_\_ ¼, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_

3. Place of use:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
  - a. Amount of water to be diverted .33 c.f.s. &/or \_\_\_\_\_ acre feet
  - b. Point(s) of diversion N½SE ¼ NE ¼, Section 9 Township 2N  
Range 2W, B.M., Canyon County  
Additional points none
  - c. Description of diverting works 2 wells and 2 pumps comingling in 2 storage tanks through a 4" pipeline with outlets to 40 lots
  - d. Describe the reasons for applying for a change in the point(s) of diversion to transfer nature of use on water right from irrigation to domestic use "and irrigation" JJ

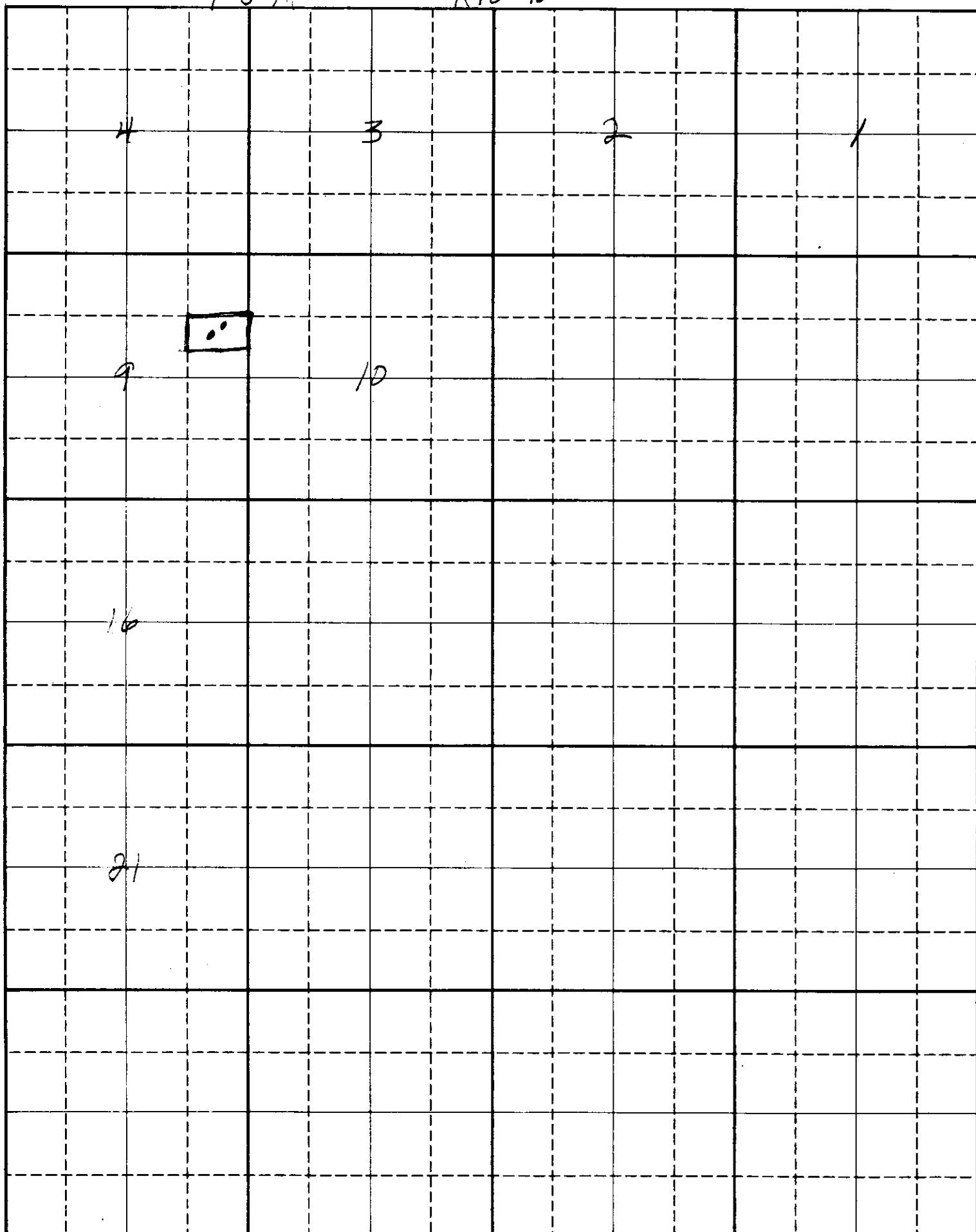
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| *2N  | 2W    | 9    |     |     |     | 10  |     |     |     |     |     |     |     |     |     |     |     |     | 10     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

T 2 N R. 2 W



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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4. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Stanley Merrill - President  
(Signature of applicant)

Subscribed and sworn to before me this 18 day of Feb, 19 82.

Fred J. Paul  
(Notary public)

My commission expires Nov. 1983

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2940 and said application is hereby APPROVED, subject to the following limitations and conditions:  
1. Water used under this transfer shall not exceed 90.0 acre feet per annum.

Witness my hand this 15<sup>th</sup> day of June, 1983.

A. Glen Saylor  
Chief, Operations Bureau

#### FOR DEPARTMENT USE ONLY

|                                               |                                           |                        |
|-----------------------------------------------|-------------------------------------------|------------------------|
| Received by <u>GLS</u>                        | Date <u>3/23/1982</u>                     | Protest filed by _____ |
| Prelim. check by <u>GLS</u>                   | Fee <u>50<sup>00</sup>/<sub>100</sub></u> | _____                  |
| Receipted by <u>GLS</u>                       | Date <u>3/23/82 #22816</u>                | _____                  |
| Published in <u>Spokane Trib</u>              | Copies of protest forwarded by _____      |                        |
| Pub. dates <u>4/29 &amp; 5/6/82</u>           | Hearing held by _____ Date _____          |                        |
| Watermaster recommendation requested on _____ | Recommended for <u>approval</u> denial    |                        |
| _____ rec'd. _____                            | by <u>DBS</u> <u>sim</u>                  |                        |

M & T WATER USERS ASSOC., INC.

225 Meiba Dr.  
Nampa, Id. 83651

17 December 1982

Lee Sisco  
Senior Water Resource Agent  
Idaho Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Dear Mr Sisco:

Enclosed please find copy of the Amended and Restated Articles of Incorporation-just filed and a copy of the Subdivision Plat of Ridgeview Subdivision. This information is sent per your request for transfer of water right 63-2940.

I apologize for the delay.

Sincerely,

*Deborah A. Bedell*

Deborah A Bedell  
Secretary-Treasurer

**MICROFILMED**

**RECEIVED**

DEC 21 1982  
Department of Water Resources  
Western Regional Office

# State of Idaho

## Department of State

### CERTIFICATE OF AMENDMENT OF

M & T WATER USER'S ASSOCIATION, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho hereby, certify that  
duplicate originals of Articles of Amendment to the Articles of Incorporation of \_\_\_\_\_

MILLER AND THOMPSON WATER USERS ASSOCIATION, INC.

duly signed and verified pursuant to the provisions of the Idaho Nonprofit Corporation Act, have  
been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of  
Amendment to the Articles of Incorporation and attach hereto a duplicate original of the Articles  
of Amendment.

Dated October 28, 19 82



*Pete T. Cenarrusa*

SECRETARY OF STATE

*Debra Simartel*  
Corporation Clerk

AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
MILLER AND THOMPSON WATER USERS ASSOCIATION, INC.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, each being a natural person of full age and citizen of the United States of America, do voluntarily associate ourselves together for the purpose of forming a corporation under the laws of the State of Idaho in compliance with the requirements of Title 30, Chapter 3, Idaho Code. We do hereby certify, declare and adopt the following Articles of Incorporation.

Article I is amended as hereinafter stated to change the name of the corporation.

ARTICLE I

The name of the corporation is M & T Water USER'S ASSOCIATION, INC.

ARTICLE II

The period of existence and duration of the life of this corporation shall be perpetual.

ARTICLE III

This corporation shall be a nonprofit, membership corporation.

ARTICLE IV

The location and post office address of the registered office of this corporation shall be 225 Melba Drive, Nampa, Canyon County, Idaho 83651.

ARTICLES OF INCORPORATION, P. 1

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## ARTICLE V

The purposes for which this corporation are formed are:

a. To associate its members together for their mutual benefit and to that end, to engage in the business of providing water for domestic use by operating wells, pumps and a distribution system. This corporation will furnish water for domestic use to its members who are owners of real property within that certain real property more particularly described as Pleasant Valley Subdivision and Ridge View Subdivision, as amended, records of Canyon County, Idaho.      ↳ N ¼ SE NE S. 9

b. To own, operate and develop any property necessary to accomplish the purposes of this corporation, to borrow for the use and needs of the corporation, to pledge and or mortgage real, personal and tangible property of the corporation as security therefore in any manner permitted by law.

c. To do any and all things that may be instant or conducive to the aforesaid objects or any of them and exercise the usual powers of corporation bodies.

d. To appoint such officers and agents as the business of the corporation shall require and to allow them suitable compensation.

e. To make by-laws not inconsistent with these Articles, the laws of the United States or the laws of the State of Idaho, which by-laws shall be for the regulation and govern the affairs of the corporation and shall provide for the means of the

certification and transfer of the certificates of membership in this corporation.

f. To establish a schedule of fees, rates and charges to its members for the necessary operation and maintenance of the domestic water system, including, but not limited to, its wells, pumps and distribution system, as may be provided in the By-Laws of this corporation.

g. To levy assessments on the members of the corporation for any necessary repairs or improvements to wells, pumps, and a distribution system should the fees, rates and charges for operation and maintenance be inadequate to pay for such repairs and improvements, by any method as provided in these Articles or in the By-Laws of this corporation.

h. The foregoing purposes shall be construed both as objects and powers and enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred upon this corporation by the laws of the State of Idaho, all of which are hereby expressly claimed.

#### ARTICLE VI

Section 1. Members shall be entitled to receive a certificate of membership, which certificate shall state the number of votes that member is entitled to cast as a member of the corporation.

Section 2. No person or entity other than an owner and purchaser of real property situated within the boundaries of the

Pleasant Valley Subdivision and Ridge View Subdivision, as amended, records of Canyon County, Idaho, may be a member of the association. A member shall not assign or transfer his membership certificate except in connection with the transfer or sale of said member's real property.

✓ Section 3. Where real property situated within the aforescribed subdivisions is owned or purchased by more than one person or entity, the membership appurtenant to that real property shall be shared by all such persons in the same proportionate interest and same type of tenancy as the real property owned or purchased.

Section 4. The voting power of each owner-member shall be determined by the number of lots owned or purchased by each within Pleasant Valley Subdivision and Ridge View Subdivision, as those lots are designated in the plat of the Pleasant Valley Subdivision and Ridge View Subdivision on file in the records of the office of County Clerk or Recorder, Canyon County, Idaho. Each member shall be entitled to cast one vote for each lot owned or purchased by him. All voting shall proceed in the manner prescribed by the By-Laws of this corporation.

#### ARTICLE VII

The Board of Directors may from time to time fix the amount and method of collection of assessments to be levied upon all members of the corporation alike, as may be consistent with these articles, the By-Laws of the corporation and the laws of the State

of Idaho. Assessments shall be made payable at such times or intervals, and upon such notice, and by such methods as the Directors may prescribe.

Each member shall be liable for payment of assessments. Assessments levied by the Board of Directors may be secured by a lien upon real property to which membership rights are appurtenant, and may be made enforceable by any action or method prescribed by state law, including but not limited to revocation of service in accordance to procedures established in the By-Laws of the corporation.

#### ARTICLE VIII

The business affairs of the corporation shall be managed and controlled by the Board of Directors. The original Board of Directors shall consist of five; however, the By-Laws of the corporation may provide for an increase or a decrease in their number provided that the number of directors shall not be less than five nor more than seven.

The names and post office addresses of those persons constituting the first Board of Directors as of the date of filing of these Amended Articles of Incorporation are as follows:

| <u>Name</u> | <u>Address</u>                     |
|-------------|------------------------------------|
| Norman Cole | 210 Fay Lane<br>Nampa, Idaho 83651 |

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|                |                                       |
|----------------|---------------------------------------|
| Homer Smuck    | 221 Burke Lane<br>Nampa, Idaho 83651  |
| Rick Bergemann | 220 Fay Lane<br>Nampa, Idaho 83651    |
| Frank Comte    | 221 Melba Drive<br>Nampa, Idaho 83651 |
| Joe Gerichs    | 323 Burke Lane<br>Nampa, Idaho 83651  |

The first Board of Directors shall hold office until the first annual election of Directors as prescribed by the By-Laws.

#### ARTICLE IX

These Amended Articles of Incorporation upon approval of the association membership according to the terms of Idaho Code §30-326 will constitute the sole governing articles of this corporation and all previously filed articles or amended articles are hereby revoked and superceded by these Amended Articles of Incorporation.

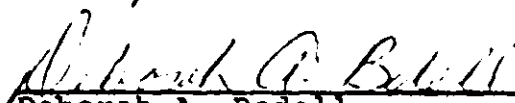
#### ARTICLE X

These Amended Articles of Incorporation may be altered or repealed from time to time by compliance with the Idaho corporate laws and by a two-thirds vote of the membership of the association which also holds two-thirds of the voting power of the association in accordance with the provisions herein at any annual or special meeting, provided that notice of such meeting states that such amendment, alteration or repeal is to be considered.

Be it known that on the 27th day of April, 1982,  
the M & T Water User's Association, Inc. membership met and  
adopted the above listed Amended Articles of Incorporation, that  
on such date a quorum was present and a majority of the votes  
cast by qualified members were voted in favor of the adoption of  
these articles.

IN WITNESS WHEREOF, We have hereunto set our hands this  
5th day of October, 1982.

  
Stan Merrill, President

  
Deborah A. Bedell,  
Secretary/Treasurer

STATE OF IDAHO )

County of Conyon )

ss

I, Frederick J. Gerichs, a notary public, do hereby certify that on this 5th day of October, 1982, personally appeared before me Stan Merrill, who, being by me first duly sworn, declared that he is the President of M & T Water User's Association, Inc., that he signed the foregoing document as President of the corporation, and that the statements therein contained are true.

Frederick J. Gerichs  
Notary Public for Idaho

Residing at: Notary Public

My Commission Expires: Non-Expiring

STATE OF IDAHO )

County of Conyon )

ss

I, Frederick J. Gerichs, a notary public, do hereby certify that on this 5th day of October, 1982, personally appeared before me Deborah A. Bedell, who, being by me first duly sworn, declared that she is the Secretary/Treasurer of M & T Water User's Association, Inc., that she signed the foregoing document as Secretary/Treasurer of the corporation, and that the statements therein contained are true.

Frederick J. Gerichs  
Notary Public for Idaho

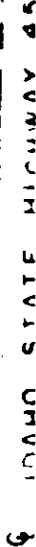
Residing at: Notary Public

My Commission Expires: Non-Expiring

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

10 40 20 0 20 00

INITIAL POINT  $z_0$



557 0 43

AFFIDAVIT OF PUBLICATION  
STATE OF IDAHO )  
 ) ss.  
County of Canyon )

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

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

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

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

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

4. That said notice was published the following  
dates:

April 29;

May 6, 1982

Suzanne Benkert

Subscribed and sworn to before me this  
6th day of May  
19 82

Jeanne Lusk  
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES  
JULY 12th, 1985

RECEIVED

MAY 10 1982

Department of Water Resources  
Western Regional Office

MICROFILMED



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 19, 1989

RE: Transfer of Water Right No. 63-2940

M & T Water Corp.  
325 Melba Dr.  
Nampa, ID 83686

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3617). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**RECEIVED**

NOV 14 1989

**MEMORANDUM**

**TO:** FILE 63-2940

**FROM:** JIM JOHNSON

**RE:** TRANSFER APPLICATION REVIEW

**DATE:** October 16, 1989

=====

**CONDITIONS OF APPROVAL**

The annual volume of water under this right shall not exceed 90.0 afa.

**NOTED**  
NOV 14 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SL

1. Right number 63-02940 Applicant Miller & Thompson Water Users Assoc., Inc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion.
  - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion.
  - d. ☒ Check description of place of use.
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee.
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred. N/A P.O.D. Addition only
  - h. ☒ Check for expansion in use of right. Comments NONE SEEN, ADDING WELL TO SYSTEM FOR BACKUP USE.
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) 63-04875 orig. 14 ac, same 2 wells & 14 of original 20 ac  
as in 63-02940. See corr. memo 9/8/89.
  - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: DAT

1. Watermaster recommendation requested on NA Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* \_\_\_\_\_

RECEIVED  
OCT 12 1989

4. By DAT Date 10/10/89 Department of Water Resources

Spec 10-16-89  
\* All uses within Watermaster Districts require special conditions.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 63-02940

Notice is hereby given that Miller & Thompson Water Users Assn. Inc. of Nampa has applied to the Department of Water Resources for an additional point of diversion of the water of groundwater. The right sought to be changed is evidenced by License No. 63-02940 and is recorded as follows:

Amount: .33 cfs      Priority: 4/17/1953

Point(s) of Diversion: T. 2N, R. 2W, S. 9, SENE, B.M.

The water is used for domestic & irrigation purposes in the same tract of land.

TO BE CHANGED AS FOLLOWS

Amount: .33 cfs

Point(s) of Diversion: T. 2N, R. 2W, S. 9, SENE, B.M.

The water will be used for domestic & irrigation purposes in the same tract of land.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before October 10, 1989.

R. Keith Higginson, Director

Published in the Press-Tribune 9/20 & 9/27/1989.

**MICROFILMED**

NOV 14 1989

- Attachment A

MEMORANDUM

TO: FILE 63-02940

FROM: STEVE LESTER

DATE: SEPT. 8, 1989

RE: APPROPRIATE DOMESTIC PARAMETERS

*Per cons of state, we decided that the irr component should be separated from the domestic component via the adjudication process.*  
*One*

Currently, the license is for 0.33 cfs for irrigation of 10 acres from 4/1-11/1 and for domestic use at 40 units (see Transfer file #2762 and water right database). The domestic flow rate and period of use are not specified.

The new transfer application provides an opportunity to complete the water use description to bring the right into the expected format. The following recommendation is offered.

Original right for 20 acres and 0.33 cfs,  $0.33 \text{ cfs} / 20 \text{ ac.} = 0.0165 \text{ cfs/ac.}$

After Transfer #2762, 10 acres and domestic use.

$10 \text{ ac} \times 0.0165 \text{ cfs/ac} = 0.165 \text{ cfs}$  ;  $0.33 \text{ cfs} - 0.165 \text{ cfs} = 0.165 \text{ cfs}$  assumed available for 40 unit domestic use. Domestic period assumed as standard 1/1-12/31.

Recommend: Irrigation, 0.165 cfs, 4/1-11/1  
Domestic, 0.165 cfs, 1/1-11/1  
Total 0.330 cfs.

*Signature pg. 6 =*

*Norman R. Cole*

*210 Fay Ln. Nampa Id*

*83686*

*(President)*

**MICROFILMED**

**NOV 14 1989**

*Attachment A*

## CONVERSATION MEMORANDUM

DATE 9/8/89  
FILE 63-02940NAME OF PARTY Norman Cole 466-1680EMPLOYEE John FosterRE: Spoke with Mr. Cole today. He is Pres. of Assoc.63-04875 - claim for 2 wells to irrigate 14 acres,  
same date of priority as license 63-02940.Same area as the original 20 acres in license (now  
10 acres irrigated & domestic water)?Yes, same area. Claim & license cover same  
land.Therefore -Since both rights have same priority & claim does  
not offer any benefit, the use of water can be  
considered covered by the verified right 63-02940.When Ady. claims are filed for Canyon Co. in  
SRBA, this claim should ~~be~~ ~~not~~ probably not  
be filed in.

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NOV 14 1989

CC: 63-04875 file (W. & S.O.)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 23, 1983

Re: Transfer No. Of Water Right--63-2940

Miller & Thompson Water Users Association Inc.  
225 Melba Drive  
Nampa, ID 83651

Gentlemen

Enclosed is a copy of your approved application for Transfer of the above referenced water right (Transfer No. 2762 ). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely

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

DRT:jvv  
Enclosure

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: GLS

1. Right number 63-2940 Applicant Miller & Thompson Water Users Assoc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☒ Other change in nature of use
4. Check:  
ok a. ☒ Source ☒ Priority ☒ Amount ☐ Purpose ☐ Period of use  
ok b. ☒ Description of original point of diversion.  
ok c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:  
a. ☒ All of right.  
b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).  
ok c. ☒ Check description of point(s) of diversion. No change in location  
ok d. ☒ Check description of place of use. No change in location  
ok e. ☒ Check map (shows p.d. and p.u. after transfer).  
ok f. ☒ Check for correct signature, notarization, and fee.  
g. ☐ Check proof of ownership of right &/or land from which water is transferred. See section 3 of Articles of Incorp.  
ok h. ☒ Check for expansion in use of right. Comments see calculations on Δ in Nature of use Review  
Domestic use  
should use less than the irrigation right.  
90AF VS maybe 48AF @ 40 homes → 0.30 cfs recommended - 0.33 OK  
ok i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) Filed claim for irrigation of lawns & gardens  
j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on N/A Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No Press. Tribune 4/29 & 5/6  
50.00 / 222110
3. ☒ Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* Water used under this transfer shall not exceed  
90  
29 ACRE FEET ANNUM.

4. By DBS

RECEIVED  
Date 12/20/82  
MAR 11 1983

RECEIVED  
DEC 21 1982

\* All uses within Watermaster Districts require special conditions.

MICROFILMED

Department of Water Resources

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 4-29-83

TO File

SUBJECT T. 2762

NO RESPONSE HAS BEEN RECEIVED TO  
4-13-83 LETTER

TRANSFER SHOULD BE PROCESSED W/  
PROPOSED CHANGES.

**MICROFILMED**

---

SIGNATURE



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

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

April 13, 1983

RE: Water Right No. 63-2940

Miller & Thompson Water Users Association Inc.  
225 Melba Drive  
Nampa, ID 83651

Gentlemen:

We are in the final stages of processing Application for Transfer of the above referenced water right. During our review we found that both domestic and irrigation uses could be made under said right without expansion of the right or without injury to other rights. Therefore, we have added irrigation of 10 acres back onto the transfer application under items C.1d. and 2.

If you have any questions concerning this adjustment please contact us by April 26. If we do not hear from you by then we will assume that you have no objections and the transfer will be approved with said changes.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:kw

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## INTER-DEPARTMENT MEMO — 1

DATE 3-30-83

FROM JIM  
TO DAVE

SUBJECT Please review the proposed changes to the transfer app. that we are doing. If you feel comfortable, with them please return, and we will complete the processing.

I concur w/ the proposed changes but suggest that, due to the extensive nature of the changes, we ~~not~~ write to the applicant to solicit concurrence.

Dave

SIGNATURE

CONVERSATION MEMORANDUM

DATE 3-20-83

FILE 63-2940

NAME OF PARTY DAVE Shaw

EMPLOYEE Jim Johnson

RE: PER CONVERSATION w/ DAVE, he felt  
that the dept. could w/o necessarily  
contacting the wtr rt. holder make  
changes on the transfer because the  
changes would be for clarification only.\*

In Addition he recommended that  
A NOTE BE PLACED IN THE CLAIM FILE  
THAT THE PRIORITY DATE THEY SHOW AS  
BEGINNING OF BENEFICIAL USE MAY BE  
IN ERROR BECAUSE IT SHOWS THE SAME  
PRIORITY AS RT. 63-2940, WHICH IS FOR  
IRRIGATION ONLY. THE SUBDIVISION WAS NOT  
DEVELOPED FOR SEVERAL<sup>years</sup> ACCORDING TO INFO.  
PROVIDED WITH THIS TRANSFER.

Also By Adjusting<sup>ing</sup> to include irrigation  
this transfer, the  
NEED FOR THE CLAIM IS NOT NECESSARY.

\* The addition of irrigation to the transfer  
does not expand the use of the RT. THEREFORE  
READVERTIZEMENT IS NOT NECESSARY.

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 3-3-83

TO Dave Shaw

SUBJECT To 2762

I am returning this transfer so that it can be modified to include irrigation.

The irrigation is for the lawns & gardens w/in the subdivision.

You will find calculations in the file which show the reasoning for adding irrigation to the transfer. If you have any —

SIGNATURE

questions please let me know

3-2-83

FROM: Jim  
TO: File  
RE: T.2762

Per discussion w/ Dave Tutthill  
it is his feeling that the effect  
of filing the claim on the irrigation  
portion of this subdivision is an expansion.  
i.e. why would the license ut.  
for irrigation apply for a change in  
nature of use for in house domestic  
use and then file a claim w/ same  
priority date as license for irrigation use  
within the subdivision?

The attached review shows that  
volume needed for domestic use is  
24 AFA where the irrigation volume  
is 90 AFA. There should be enough  
volume remaining ~~was~~ unused to supply  
the irrigation of the lawns w/o expanding  
the wtr right.

The following calculations are to test  
the above statement.

I. What lands will be irrigated after  
subdivision development has been completed?

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lot size:  $120' \times 132' = 15,840 \text{ ft}^2$   
 No. of lots: 40  
 total area of lots:  $40 \times 15,840 \text{ ft}^2 = 633,600 \text{ ft}^2$   
 No. acres:  $633,600 \text{ ft}^2 / 43,560 \text{ ft}^2 = \underline{14.5 \text{ Ac.}}$

Map of subdivision shows that  
 rest of the ~~20~~ <sup>area</sup> ~~area~~ is in streets.

Estimate size of lawn on each lot.  
 lot size = 0.36 acre  
 ave house =  $2000 \text{ ft}^2$   
 driveway =  $1200 \text{ ft}^2$   
 misc. =  $1000 \text{ ft}^2$   
 $4200 \text{ ft}^2 = 0.10 \text{ ac.}$   
 $\underline{0.26 \text{ ac}}$

Total irrigated land in  
 subdivision  $40 \times .26 = \underline{10.4 \text{ ac.}}$

### IRRIGATION REQUIREMENT OF SUBDIVISION

Volume:  $10.4 \text{ ac} \times 4.5 \text{ AF/ac} = 46.8 \text{ AFA}$   
 C.U.  $2.2 \text{ AF/ac} \times 10.4 \text{ ac} = 22.9 \text{ AFA}$   
 RATE OF DIVERSION  $10.4 \text{ ac} \times 0.02 \text{ cfs/ac} = 0.21 \text{ cfs}$

A. Combined Domestic & Irrigation use.

|      | <u>Vol</u>  | <u>cfs</u> | <u>C.U.</u> |
|------|-------------|------------|-------------|
| Dom. | 24.0        | .33        | 24.0        |
| Irr. | <u>46.8</u> | <u>.21</u> | <u>22.9</u> |
|      | 70.8        | .33        | 46.9        |

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Compare w/ Irrigation Use before transfer

|                       | <u>cfs</u> | <u>Volume</u> | <u>C. U.</u> |
|-----------------------|------------|---------------|--------------|
| 7. IRRIGATION         | .33        | 90            | 44           |
| IRRIGATION + Domestic | <u>.33</u> | 70.8          | 46.9         |

\*

\* No more than .33 cfs will be diverted

### III. Conclusion:

Consumptive use may be increased a minor amt. if the estimates are correct on a number of acres irrigated.

Because the increase is so small that the change in the nature of use should not be considered as expanding the use of the right.

The transfer should be modified to include domestic use and ~~irrigation~~ irrigation rather than have domestic only. The claim filed should be disallowed. SEE CONVERSATION Memo

DATED 3-20-83

MICROFILMED

CHANGE IN NATURE OF USE REVIEW  
PER ADMIN MEMO OF 9-21-82

I. IRRIGATION USE:

RATE OF FLOW: = 0.33 cfs

Do not  
use ↘

Volume: = .33 x 1.9835 x 245 = 160.4 AFA  
OR

20 AC x 4.5  $\frac{\text{AF}}{\text{AC}}$  = 90.0 AFA

Consumptive Use: = 2.2 AF/AC x 20 AC = 44 AFA

PER Consumptive Irrigation Requirements for Crops in  
Idaho p. 8 Caldwell station, alfalfa, 26.1 in/acre  
26.1 = 2.2 AF/AC = Average

II. DOMESTIC USE:

Given: 40 HOMES IN SUBDIVISION

NO OUT OF HOUSE USE

PERIOD OF USE 1-1 to 12-31

PER ADMIN MEMO of 6-4-1980

RATE OF FLOW: for 40 homes = .30 cfs  $\approx$  .33 cfs

Volume: Present dept. policy allows  
0.6 AFA / UNIT  $\therefore$  40 units x .6 = 24 AFA

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### CONSUMPTIVE USE:

It is NOT KNOWN IF SUBDIVISION IS HOOKED UP TO CITY SEWER SYSTEM OR HAS septic tanks.

IF subdivision is on city sewer then no recharge will occur in the vicinity of the subdivision therefore all of water diverted will be considered as consumed.

Two methods can be used to determine ANNUAL CONSUMPTIVE USE;

- 1) use 0.6 AFA/unit
- 2) determine daily use based upon handbook guide lines

1.  $0.6 \text{ AFA/unit} \times 40 \text{ units} = \underline{24 \text{ AFA}}$

2. Single family unit uses 50-75 gallons per day per resident.

assume average unit has 4 family members

$$4 \times 50 \text{ to } 75 \text{ gallons/day} = 200 \text{ to } 300 \frac{\text{gallon}}{\text{day}}$$

use upper amt: (300)

$$\frac{300 \text{ gal}}{\text{day}} \times 365 \frac{\text{days}}{\text{yr}} = 109500 \text{ gal/yr}$$

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$$\text{AFA} = 109500 / 325900 = 0.3 \text{ AFA/unit}$$

AFA FOR SUBDIVISION :

$$40 \text{ units} \times 0.3 \text{ AFA/unit} = \underline{\underline{13.4 \text{ AFA}}}$$

### III. Compare Irrigation & Domestic Parameters

|      | <u>cfs</u> | <u>Vol</u> | <u>C.U. (AFA)</u> |
|------|------------|------------|-------------------|
| Irr. | .33        | 90         | 44                |
| Dom. | .33        | 24         | 24                |

The domestic use parameters do not exceed Irrigation parameters therefore no expansion of the right is occurring by changing the nature of use from irrigation to domestic use.

### IV. Condition required on transfer ~~re~~limiting AFA to 24 AFA.

N/A → Transfer may require condition which limits use to IN house only ? 3-2-83  
SEE ADJUSTMENTS TO TRANSFER Jim

**MICROFILMED**

December 13, 1982

Miller & Thompson Water Users Association Inc.  
225 Melba Dr.  
Nampa, ID 83651

Dear Sir:

We are still holding a transfer filed by the Association for changes on water right 63-2940. A letter was sent out last May requesting proof of ownership of the water right. This proof can be a copy of the subdivision plat map and the Association's organization and incorporation papers.

Please submit this information within thirty (30) days or a show-cause order will be issued denying the transfer.

Sincerely,

Lee Sisco  
Senior Water Resource Agent

LS:jp

**MICROFILMED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS  
Governor

(Office at the corner of  
Franklin and Cole Roads)

A. KENNETH DUNN  
Director

(208) 334-2190

May 26, 1982

Miller & Thompson Water Users Assoc. Inc.  
225 Melba Drive  
Nampa, ID 83651

Dear Sir:

We have almost completed processing the transfer filed by the Association for the changes on water right 63-2940. One last bit of information that is needed is proof of ownership of the water right. Since the original license was issued in a different name, proof of ownership is required.

The proof of ownership needed is a copy of the Association's organization and incorporation papers and a copy of the subdivision plat map showing legal descriptions. This will be sufficient as proof.

Sincerely,

Lee Sisco  
Senior Water Resource Agent

LS:jp

**MICROFILMED**

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-2940

Notice is hereby given that Miller & Thompson Water Users Assoc., Inc.  
of 225 Melba Dr., Nampa, Id. 83651 has applied to the Department of Water  
Resources for a change in the nature of use of the water and for the addition  
of an other point of diversion  
of the water of a groundwater source

The right sought to be changed is evidenced by Water Right License

63-2940 and is recorded as follows:

Amount: .33 cfs Priority 4/17/1953

Point(s) of Diversion: N~~1~~SENE Sec 9 T2N R2W Canyon Co.

The water is used for Irrigation purposes from 4/1 to 11/1

upon 20 acres within the SENE Sec 9 T2N R2W

TO BE CHANGED AS FOLLOWS

Amount: .33 cfs

Point(s) of Diversion two points within the N~~1~~SENE Sec 9 T2N R2W

The water will be used for Domestic purposes from

1/1 to 12/31 for 40 homes within the N~~1~~SENE Sec 9 T2N R2W

Any protest against approval of the proposed change of water right appli-  
cation must be filed with the Department of Water Resources, 92 S. Cole Road,  
Boise, Idaho 83709 on or before May 17, 1982.

A. KENNETH DUNN  
Director

Published in the Press-Tribune

on 4/29 and 5/6/82

**RECORDED**

**3/79**

IDENT. NO. 63-2940

## IDAHO DEPARTMENT OF WATER RESOURCES

# WATER RIGHT DATA ENTRY LOG

[illegible]

MELVIN V. DAVENPORT, P.E.  
1215 FILLMORE STREET  
CALDWELL, IDAHO  
PHONE 9-2121

DAVENPORT ENGINEERS  
BOX 131  
CALDWELL, IDAHO

CONSULTING ENGINEERS  
SURVEYORS AND DRAFTSMEN  
PHONE 9-3158

November 14, 1961

RECEIVED  
NOV 16 1961

Department of Reclamation

**LOCATION OF WELL NUMBER TWO**

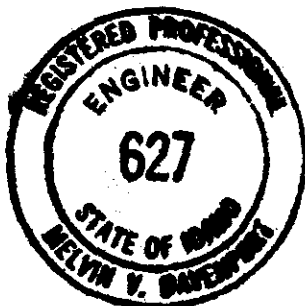
**FOR: C. O. THOMPSON REALTY**

**Location of Well Number Two for Pleasant Valley Subdivision  
in the North half of the Southeast 1/4 of the Northeast 1/4 of  
Section 9, Township 2 North, Range 2 West of the Boise Meridian.**

**Well Number Two is location 417 feet West and 123 feet  
South of the Northeast corner of the North half of the Southeast  
1/4 of the Northeast 1/4 of Section 9, Township 2 North, Range 2  
West of the Boise Meridian.**

**Well Number Two is used for domestic purposes.**

*Melvin V. Davenport*  
Melvin V. Davenport, P.E.



*Domestic well for same area  
as under License G-24050.*

*There may be a subdivision and this  
well is to furnish all domestic water*

63-2940  
24050

MELVIN V. DAVENPORT, P.E.  
1215 FILLMORE STREET  
CALDWELL, IDAHO  
PHONE 9-2121

## DAVENPORT ENGINEERS

BOX 131  
CALDWELL, IDAHO

CONSULTING ENGINEERS  
SURVEYORS AND DRAFTSMEN  
PHONE 9-3158

November 14, 1961

RECEIVED  
NOV 14 1961  
Department of Reclamation

### LOCATION OF WELL NUMBER ONE

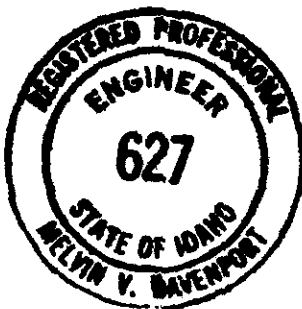
FOR: C. O. THOMPSON REALTY

Location of Well Number One for Pleasant Valley Subdivision  
in the North half of the Southeast 1/4 of the Northeast 1/4 of  
Section 9, Township 2 North, Range 2 West of the Boise Meridian.

Well Number One is located 542 feet West and 330 feet  
South of the Northeast corner of the North half of the Southeast  
1/4 of the Northeast 1/4 of Section 9, Township 2 North, Range 2  
West of the Boise Meridian.

Well Number One is used for irrigation purposes.

*Melvin V. Davenport*  
Melvin V. Davenport, P.E.



Licensed G-24050  
to Kenneth W. Cargen  
O. 334fs

63-2940

24050

June 24, 1957

Re: Permit No. G-24050

Mr. Kenneth D. Casper  
Route #4, Nampa  
Idaho

Dear Mr. Casper:

Enclosed is Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-24050 confirming your right with a priority of April 17, 1953 to the use of .33 second foot of the water from subterranean flow with the point of diversion in the  $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$  of Section 9, Township 2 North, Range 2 West, B.M. for irrigation of 20 acres in the  $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$  of Section 9.

Also enclosed is departmental receipt No. G-2662 for \$7.00 issued as receipt of the \$5.00 fee for the Certificate of Completion of Works and \$2.00 for the License.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

JA/nls  
Enc.

*P 24050*

63-2940

24050

May 27, 1957

Re: Permit No. G-24050

Mr. Kenneth D. Casper  
Route # 4  
Nampa, Idaho

Dear Mr. Casper:

We have the Report made by our Field Engineer of Proof of Completion of Works and Beneficial Use on Permit No. G-24050. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$7.00 we can issue you the Certificate of Completion of Works (\$5.00) and the License (\$2.00) for the diversion of and confirming the right with a priority of April 17, 1953, to your use of .33 second feet of the water from subterranean flow with the point of diversion located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9, Township 2 North, Range 2 West, B.M.' for irrigation of 20 acres in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR/nls

63-2940  
24050



ROBERT E. SMYLIE  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 27, 1957

Re: Permit No. G-24050

RECEIVED  
JUN 19 1957  
Department of Reclamation

Mr. Kenneth D. Casper  
Route # 4  
Nampa, Idaho

Dear Mr. Casper:

We have the Report made by our Field Engineer of Proof of Completion of Works and Beneficial Use on Permit No. G-24050. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$7.00 we can issue you the Certificate of Completion of Works (\$5.00) and the License (\$2.00) for the diversion of and confirming the right with a priority of April 17, 1953, to your use of .33 second feet of the water from subterranean flow with the point of diversion located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9, Township 2 North, Range 2 West, B.M.' for irrigation of 20 acres in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By

*Edna A. Rutledge*  
Chief Clerk

EPR/nls

63-2940  
24050

January 18, 1962

RE: Permit No. G-24050

Melvin Davenport  
Box 131  
Caldwell, Idaho

Dear Mr. Davenport:

Your letter of January 17 in regard to the two wells for the Pleasant Valley Subdivision has been received.

Domestic wells with a use of up to 13,000 gallons a day are particularly exempt from need to have a permit. Other wells may be under a permit, or unappropriated public water may be diverted and used beneficially. The permit method will culminate in a water license if conditions of the permit are met. The other method, called constitutional, is a use right which must be proven in court before it becomes a recorded right.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Ralph W. Thomas  
Deputy State Reclamation Engineer

RWT:mr

*G-24050*

MELVIN V. DAVENPORT, P.E.  
1215 FILLMORE STREET  
CALDWELL, IDAHO  
PHONE 9-2121

## DAVENPORT ENGINEERS

BOX 131  
CALDWELL, IDAHO

CONSULTING ENGINEERS  
SURVEYORS AND DRAFTSMEN  
PHONE 9-3158

January 17, 1962

RECEIVED  
JAN 17 1962

Department of Reclamation

Mr. Ralph Thomas  
Department of Reclamation  
State of Idaho  
Boise, Idaho

Dear Mr. Thomas:

In reference to your letter of November 16, 1961, the irrigation well which we referred to in our previous report is the one covering license number G-24050 issued to Kenneth D. Casper. The other well is a well for domestic purposes which at the present time is only used for one house. However, it is contemplated that this well might be used to supply water for other houses if the subdivision develops.

Please advise if a permit is required for the use of water for domestic purposes.

Very truly yours,

DAVENPORT ENGINEERS

*Melvin V. Davenport*  
By: Melvin V. Davenport, P.E.

MVD:cc

Copy to: C. O. Thompson

24050

November 16, 1961

Davenport Engineers  
Box 131  
Caldwell, Idaho

Dear Mr. Davenport:

We received data on location of two wells for Pleasant Valley Subdivision in the NE 1/4, Sec. 9, T. 2 N., R. 2 W. Thanks for the information, however we are at a loss to know where the information should be filed.

We find no record of a permit in the name of Pleasant Valley or C. O. Thompson Realty.

Water License No. G-24050 has been issued to Kenneth D. Casper for 0.33 c.f.s. from the well which is evidently the one identified as for irrigation purposes. We find no record of a second well in that property.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

G 24050

G 24050

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

Permit No. G-24050This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Kenneth D. Casper2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the N<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 9T. 2 N. R. 2 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well 2 1/2' x 8" cased 165' h. = 92' lift = 120' 15 hp O.A. Smith Motor #5494T. Penman Turbine H. 24 91. Sprinkler system 4" buried steel main line. 3" laterals 3/4" x 1/4" nozzles. Tested with 22 nozzles operating. Pressure 35# to 40# nozzle pressure. Allow 6 3/4 gpm pr nozzle

5. Water is used for: Irrigation and Domestic6. State whether or not water has been turned into works of diversion: yes

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

20 acres in the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Sec. 9., Twp., 2 N., Rge. 2 W., B.M.

See map.

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

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

Remarks: \_\_\_\_\_

Crop is clover

This examination was made on the 22 day of May, 1957(Signed) E. M. Humphrey Examiner.

24050

240 ✓ water Idaho Pur  
# 20901390

[D] and Lumbrell  
survives

on panel south of house

16 1/2 " per acre.

allow 22 sprinklers  
at 6 3/4 g.p.m.

### INSTRUCTIONS TO EXAMINERS

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

**RECEIVED**  
MAY 22 1957  
Department of Reclamation

Kenneth D. Casper  
Route #4, Nampa, Idaho

66027 Permit No. G-24050

Examination for Completion of Marks & Beneficial Use

County \_\_\_\_\_ Canyon \_\_\_\_\_

9-2 N.-2 W.

Q<sub>2</sub> 0.4 c.f.s.

S = Well

P.D. = N<sup>2</sup>SE<sup>1</sup>NE<sup>1</sup>

Use = Irrigation & Domestic  
Sprinkler System

Filed - April 17, 1953

Due - May 2, 1957

(Aw. Extension to 5-2-56)

1.1 KW. X 10 = demand.

746

= h.p.

14.7

2 1/2' x 8" csd 165'  
h = 92' lift = 120'  
Col = 135' x 4"

5' x 9 1/2" fouds.

1/4 in. of 4" buried steel main

16 sprinklers

24 sprinklers (actual)

3/8" x 1 1/4" and 1/2" x 3/4"

15 hp. 220 V. A.O. Smith

# 5494T 1760 rpm

Pomona H 2491

del. thru 4" into c<sup>i</sup>  
line

22 sprinklers operated  
at 33 35 40 40

70" x 78" x 6 h. - Calv.  
sheet-metal house  
concrete floor

R-2W

T.  
2  
N.

9

P.O.  
↓

TO NAMPA

STATE HWY. NO. 45

Subdivisions = One for  $50\text{ }^\circ = 9/2\text{w}$   
Area = 20 acres for  $20\text{ }^\circ = 2/4$   
 $Q = 16\frac{1}{2}$  inches.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24050

REPORT ON PROOF OF Completion of Works & Beneficial Use

Kenneth D. Casper, Route #14, Nampa, Idaho

.33 cfs  
snrk

|       |         |
|-------|---------|
| app.  | .40 cfs |
| ent.  | 1       |
| acres | 20      |

May 15, 1957

Re: Permit # G-24050

Mr. Kenneth D. Casper  
Route # 4,  
Nampa, Idaho

Dear Mr. Casper

Statutes requires a field inspection in connection with the proofs on Permit # G-24050 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Wednesday May 22, 1957

right after noon.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*E. N. Humphrey*  
E. N. Humphrey  
Deputy

24050

June 8, 1956

Re: Permit No. G-24050

Mr. Kenneth D. Casper  
Route #1  
Nampa, Idaho

Dear Mr. Casper:

We acknowledge receipt of the depositions of yourself and two witnesses, affidavit of the Notary, also affidavit of publication in The Idaho Free Press, all submitted in proof of completion of works and beneficial use on Permit No. G-24050.

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

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

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR

24050

RECEIVED  
JUN 5 1956  
Department of Reclamation

STATE OF IDAHO     )  
                          ) ss  
COUNTY OF CANYON )

JOHN H. BRANDT, being first duly sworn upon oath,  
deposes and says:

That he is the Notary Public who signed the  
Depositions of Kenneth D. Casper and two witnesses relative  
to proving up on water right. He hereby attests that his  
office was open at 10 a.m. May 12, 1956 and there were no  
Protestants whatsoever and no Protests against said  
proofs.

John H. Brandt

Subscribed and sworn to  
before Clyde R. Keithly  
Notary Public, this 24th  
day of May, 1956.

Clyde R. Keithly  
Notary Public, residing at Nampa, Idaho  
My commission expires Jan. 4, 1960

24050

RECEIVED  
JUN 5 1956  
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho,  
ss.  
County of Canyon,

V. J. Yancey, 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 twenty-one years, and not a party to the above entitled action.

2. I am the Principal Clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa 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 has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

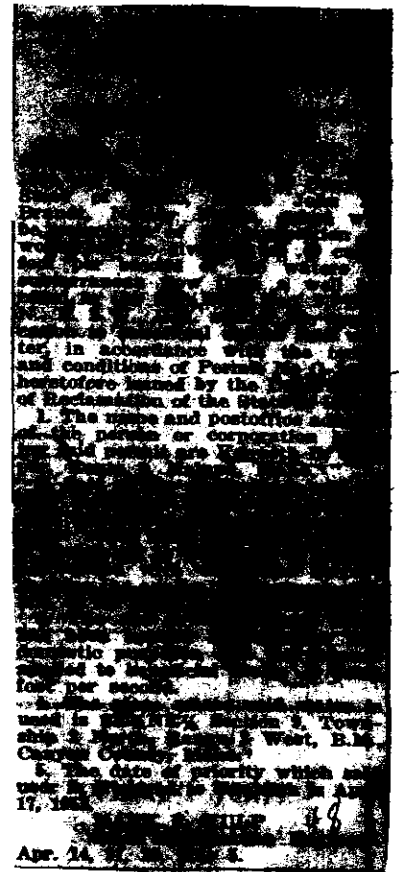
3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I.C.A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of Four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of April 14, 1956, and ending with the issue of May 5, 1956.

Subscribed and sworn to before me this 5th day of May, 1956.

Adam K. Korb  
Notary Public for Idaho  
Residing at Nampa, Idaho



24050

May 15, 1956

RE: Permit No. G-24050

Kenneth D. Casper  
Route # 4  
Nampa, Idaho

Dear Mr. Casper:

This will acknowledge receipt of proof of Application of Water to Beneficial Use and Completion of Works in connection with the above captioned Permit.

We note that the depositions of the Holder and two witnesses were signed and notarized as of May 14, 1956. The publication notice which was printed in the Idaho Free Press at Nampa, states that the proofs were to be made before John H. Brandt at 10:00 A. M., May 12th.

It will be necessary that you furnish this Department an Affidavit signed by John H. Brandt, Notary, stating that his office was open at 10:00 A. M., May 12, and that no Protestants were at his Office to file Protests against said proofs.

It will also be necessary for you to furnish this Department the Affidavit of Publication from the Nampa Free Press which they were instructed to furnish. This Affidavit of Publication is necessary for our files.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Supervisor of Water Distribution

T:cu



ROBERT E. SMYLIE  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
MARK R. KULP, STATE RECLAMATION ENGINEER

RECEIVED  
MAY 15 1956  
Department of Reclamation

BOISE

May 15, 1956

RE: Permit No. G-24050

Kenneth D. Casper  
Route # 4  
Nampa, Idaho

Dear Mr. Casper:

This will acknowledge receipt of proof of Application of Water to Beneficial Use and Completion of Works in connection with the above captioned Permit.

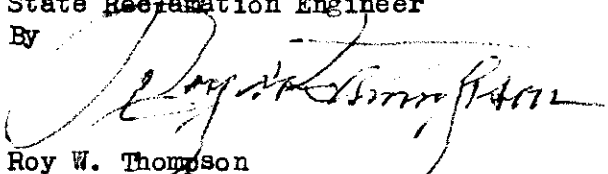
We note that the depositions of the Holder and two witnesses were signed and notarized as of May 14, 1956. The publication notice which was printed in the Idaho Free Press at Nampa, states that the proofs were to be made before John H. Brandt at 10:00 A. M., May 12th.

It will be necessary that you furnish this Department an Affidavit signed by John H. Brandt, Notary, stating that his office was open at 10:00 A. M., May 12, and that no Protestants were at his Office to file Protests against said proofs.

It will also be necessary for you to furnish this Department the Affidavit of Publication from the Nampa Free Press which they were instructed to furnish. This Affidavit of Publication is necessary for our files.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

  
Roy W. Thompson  
Supervisor of Water Distribution

T:cu

24050

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

**RECEIVED**  
MAY 16 1956  
Department of Reclamation

Permit No. G 24050

**Proof of Application of Water to Beneficial Use**  
**and Completion of Works**  
**Deposition of Holder**

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

Ans. Kenneth D. Casper, farmer, Route 4, Nampa

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

Ans. \_\_\_\_\_

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

Ans. No. G 24050, <sup>APRIL 17</sup> May 2, 1953,

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

Ans. Subterranean flow from well, near the South boundary, about midway from ~~our~~ boundary of the North half of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Sec. 9, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho

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

Ans. Pump and sprinkler system .40 cubic feet per second

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

Ans. Irrigation and domestic purposes on the North half of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  Sec. 9, Twp. 2 North Range 2 West, Boise Meridian

24050

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

Ans. none

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

Ans. .40 cubic feet

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

Ans. \_\_\_\_\_

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

Ans. sprinkler irrigation of entire farm.

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

Ans. none

(Sign)

Kenneth D Casper

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

State of Idaho, on this 14th day of May, A. D. 1956.

My commission expires Feb. 17, 1957

John H. Bennett

24050

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
MAY 16 1950  
Department of Reclamation

Permit No. G-24050

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

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

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

Ans. Wesley Schober, Route 4 Nampa, farmer, 30,

Ques. 2. Are you acquainted with Kenneth Casper, the holder of Permit No. G 24050? How long have you known him and where does he reside?

Ans. Yes, have known him for 15 years, he resides at Route 4, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24050, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean flow from well, near the South boundary, about midway on boundary of the North half of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Sec. 9, Twp. 2 N, Range 2 W, Boise, Meridian by sprinkler system

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

Ans. .40 cubic feet per second

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

Ans. I have seen it pump .40 cubic feet per second and estimate that amount

L 24050

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

Ans. Sprinkler irrigation, cultivated crops, ground has been cultivated and  
planted into growing crops.

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

Ans. no other use

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

Ans. sagebrush land and estimated amount is .40 cubic feet per second

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

Ans. no interest

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

Ans. Have seen the land broken and crops planted and under irrigation.

(Signed)

Wesley Schober

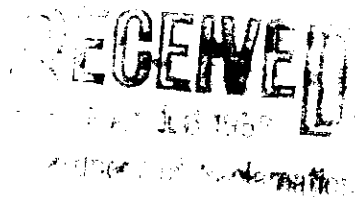
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa,  
County of Canyon, State of Idaho, on this 14 day of May,  
A. D. 1956.

John H. Smith  
Notary Public.

My commission expires Feb. 17, 1957

24050

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO



Permit No. G 24050

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

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

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

Ans. Ralph R. Ward, 77 years, Route 4, Nampa, Idaho, retired

Ques. 2. Are you acquainted with Kenneth Casper, the holder of Permit No. G 24050? How long have you known him and where does he reside?

Ans. About 5 years, he resides at Route 4, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. G 24050, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean flow from well, near the South boundary, about midway on boundary of the North half of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Sec. 9, Twp. 2 N. Range 2 W. Boise Meridian by sprinkler system

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

Ans. .40 cubic feet per second

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

Ans. I have seen it pump .40 cubic feet per second and estimate that amount

*G 24050*

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

Ans. Sprinkler irrigation, cultivated crops, ground has been cultivated and  
planted into growing crops.

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

Ans. no other use

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

Ans. sagebrush land and estimated amount is .40 cubic feet per second.

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

Ans. no interest

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

Ans. Have seen the land broken and crops planted and under irrigation.

(Signed) Ralph R. Ward

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa,  
County of Canyon, State of Idaho, on this 14 day of May,  
A. D. 1956.

John H. Frank  
Notary Public.

My commission expires Feb. 17, 1957

24050

May 7, 1956

RE: Permit No. G-24050

Idaho Free Press  
Nampa  
Idaho

Gentlemen:

On April 10, 1956, we sent you a notice for publication to be published once a week for four weeks prior to May 12, 1956, in the name of Kenneth D. Casper, and on April 16, we wrote you requesting that you send us a copy of your paper containing said notice in order that we may check.

However, to date we have not received a copy of said notice and we would appreciate it very much if you would send us same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:hll

Q 24050

April 16, 1956

RE: Permit No. G-24050

Idaho Free Press  
Nampa  
Idaho

Gentlemen:

On April 10, 1956, we sent you Notice for Publication on Permit No. G-24050 in the name of Kenneth D. Casper of Route 4, Nampa, Idaho, to be published once a week for four weeks prior to May 12, 1956..

To date we have received no acknowledgment of this Notice nor a copy of your paper containing same.

We would appreciate receiving same in order that we may check.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:cu

24050.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date: April 10, 1956

RE: Permit No. <sup>1</sup>24050

Idaho Free Press  
Nampa  
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 12, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Kenneth D. Casper** of **Route 4, Nampa, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Ray W. Thompson  
Office Manager

f 24050

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

Notice is hereby given that at 10:00 A. M., on the 12th  
day of May, 19 56, at Nampa, County of  
Canyon, State of Idaho, before John H. Brandt, Notary Public,  
proof will be submitted of the completion of works for the diversion of  
.40 cubic feet per second of the waters of subterranean flow from a well located  
in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Sec. 9, T. 2 N., R. 2 W., B.M.  
and of the application to beneficial use of said water, in accordance with  
the terms and conditions of Permit No. 0-24050 heretofore issued by the  
Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation  
holding said permit are Kenneth D. Casper, Route 4, Nampa, Idaho

2. Said works of diversion will be fully completed on the date set  
for such completion, and the amount of water which said works are capable of  
conveying to the place of use, in accordance with the plans accompanying the  
application for such permit, is .40 cubic feet per second.

3. The use to which said water has been applied is irrigation and  
domestic purposes, and the amount applied to beneficial use is  
.40 cubic feet per second.

4. The place where said water is used is SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 9,  
Township 2 North, Range 2 West, B.M., Canyon County, Idaho

5. The date of priority which said user is prepared to establish is  
April 17, 1953.

MARK R. KULP

State Reclamation Engineer

*24050*

April 10, 1956

RE: Permit No. G-24050

Mr. Kenneth D. Casper  
Route 4,  
Nampa, Idaho

Dear Mr. Casper:

We are, by this same mail, sending to the Idaho Free Press notice for completion of works and beneficial use proof on Permit No. G-24050 to be made May 12, 1956, before Mr. John H. Brandt, Notary Public.

We have instructed the Free Press to publish this notice once a week for four weeks prior to May 12, 1956, and to send the affidavit of publication together with statement of costs to you.

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

Very truly yours,

MARY R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

hll  
Enc.  
cc - Mr. John H. Brandt  
204 12th Ave. So.  
Nampa, Idaho

G-24050

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

Notice is hereby given that at 10 P. M., on the 2nd day of May, 19 56, at Nampa, County of Canyon State of Idaho, before John H. Brandt proof will be submitted of the completion of works for the diversion of .40 cubic feet per second of the waters of for subterranean flow by pumping from well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 6-24050 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Kenneth D. Casper, Route 4, Nampa, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is .40 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is .40 cubic feet per second.

4. The place where said water is used is the North half of the Southwest quarter of the Northeast Quarter of Section 9, Township 2 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho

5. The date of priority which said user is prepared to establish is May 2, 1953.

\_\_\_\_\_  
State Reclamation Engineer

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 9, 1956

(P. O.) Nampa, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Idaho Free Press

of Nampa

published in

the county in which the works are situated.

Kenneth Casper

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

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

\_\_\_\_\_  
Engineer.

24050

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

Notice is hereby given that at 10 P. M., on the 12nd day of May, 19 56, at Nampa, County of Canyon State of Idaho, before John H. Brandt proof will be submitted of the completion of works for the diversion of .40 cubic feet per second of the waters of for subterranean flow by pumping from well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24050 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Kenneth D. Casper, Route 1, Nampa, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is .40 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is .40 cubic feet per second.

4. The place where said water is used is the North half of the Southwest quarter of the Northeast Quarter of Section 9, Township 2 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho

5. The date of priority which said user is prepared to establish is 4-19-53  
May 2, 1953

24050

State Reclamation Engineer

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

March 1, 1956

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho  
Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-24050. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than May 2, 1956.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

*L 24050*

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

DEPARTMENT OF RECLAMATION

March 1, 1956

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-24050. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than May 2, 1956.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

*D 24050*

✓  
April 20, 1955

RE: Permit No. G-24050

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Mr. Casper:

We enclose approval of the State Reclamation Engineer of your application for extension of time for completion of works on Permit No. G-24050 to May 2, 1956.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.

24050

Permit No. G-24050

# Application for Extension of Time FOR COMPLETION OF WORKS

Kenneth D. Casper, of Route 4, Nampa

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho  
No. G24050

Under the terms and conditions of said permit, construction work thereunder was required to be  
completed by May 2, 1955

That he has heretofore performed the following work described under said permit

Well is complete and pump installed and will be used on the crops to be grown  
this summer

costing \$ 3,000.00

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

All work completed but cannot demonstrate until later in irrigation season.

The only thing remaining is the proof of use.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the completion of works under said permit to May 2, 1956

Subscribed and sworn to before me this 16th day of April, 1955

*Kenneth D Casper*  
*John R. Keith*

Notary Public.

My commission expires January 4, 1956

Date of receipt at office of Department of Reclamation April 19, 1955

STATE RECLAMATION ENGINEER  
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~  
State Reclamation Engineer

I, Mark R. Kulp, of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho. No. G-24050 to May 2, 1956

Witness my hand this 18th day of April, 1955

*Mark R Kulp*  
State Reclamation Engineer

G 24050

✓  
April 13, 1955

RE: Permit No. G-24050

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Mr. Casper:

We have your memorandum stating that you will be unable to make proof of completion of works and beneficial use on Permit No. G-24050 at the designated time and requesting an extension.

Your application requested two years within which to make these proofs but you may be allowed an additional three years if necessary and we enclose a form of application for extension herewith. This should be executed before a Notary Public and returned to this department for approval and record.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.



ROBERT E. SMYLIE  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
MARK R. KULP, STATE RECLAMATION ENGINEER  
BOISE

April 13, 1955

RE: Permit No. G-24050

RECEIVED  
APR 19 1955  
Department of Reclamation

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Mr. Casper:

We have your memorandum stating that you will be unable to make proof of completion of works and beneficial use on Permit No. G-24050 at the designated time and requesting an extension.

Your application requested two years within which to make these proofs but you may be allowed an additional three years if necessary and we enclose a form of application for extension herewith. This should be executed before a Notary Public and returned to this department for approval and record.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*Jeanne L. Anderson*

Chief Clerk

A:hll  
Enc.

*Please send us papers plenty in time  
next year to have completed by May 2 1956*

*G-24050*

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 1, 1955

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. C-24050. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than May 2, 1955.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

RECEIVED  
APR 13 1955

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 1, 1955

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-24050. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than May 2, 1955.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

275-2  
-2  
P 24050  
Dear Sir -

It will be impossible for me to fill out our proof of completion of works since we just had our well drilled this winter. I will be starting my well up probably some time this month for the first season. Please grant me an extension of time May I hear from you soon?  
Kenneth Casper

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

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

B O I S E

Permit No. G-24050

Date May 18, 1953

We enclose herewith the above numbered permit. BE SURE AND  
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the  
State Reclamation Engineer, on the fourth page.

Mr. Kenneth D. Casper  
Route 4  
Nampa, Idaho

MARK R. KULP  
State Reclamation Engineer

*G-24050*

NAME OF APPLICANT Kenneth D. Casper

Form No. 0

T. 2 N, R. 2 W.

point of diversion well   
9

Permit Map No. 244050  
As Approved  
MAY 2 1958  
MARK R. KULP  
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

244050