

4843000m.N.

4842

T. 5 N.

T. 4 N.

4840

42'30"

4839

CALDWELL (U.S. 30) 13 MI.
MIDDLETON 7 MI.

2671 II NE
(MIDDLETON)

31

32

33

6

5

4

7

8

9

18

17

16

T4N, R1W

NEW

HOPE

Point of Diversion

2 acre
place of
use

FOOTHILL

Star

Home of the
Peace Cem

MICROFILMED

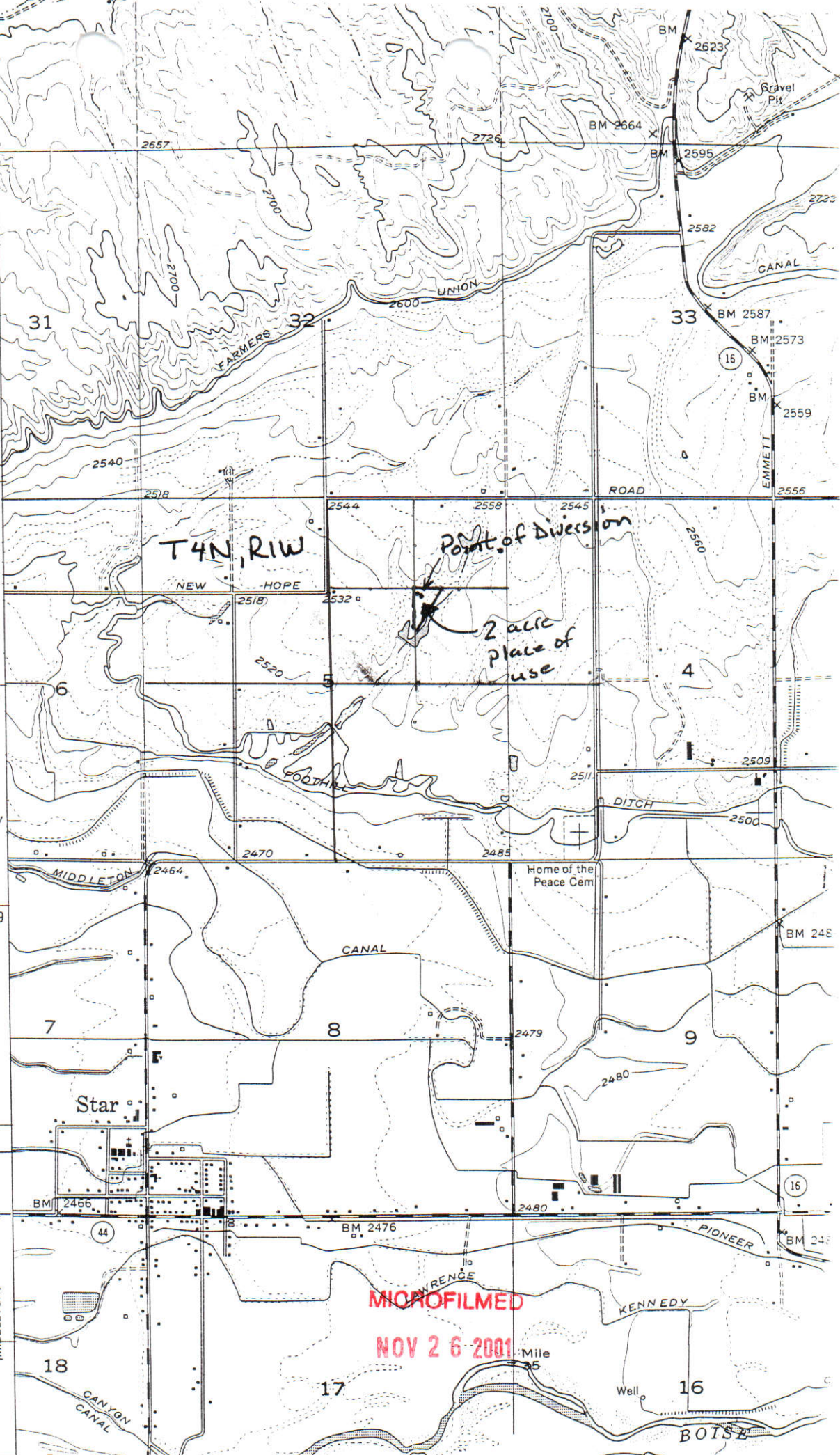
NOV 26 2001

Mile
35

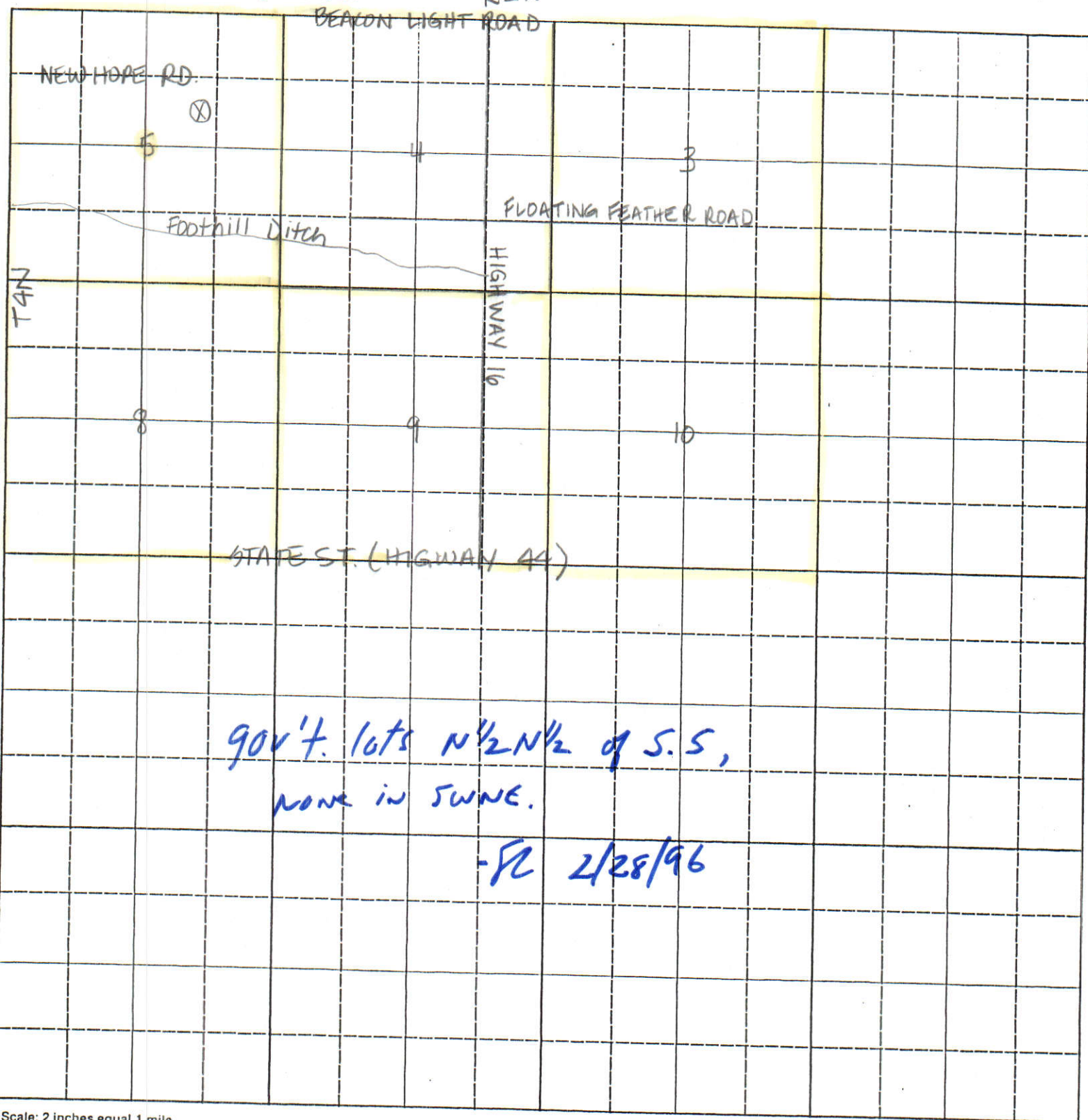
KENNEDY

Well

BOISE



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



Scale: 2 inches equal 1 mile.

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

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NOV 26 2001


(Applicant)

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

RECEIVED
JUL 13 2001
WATER RESOURCES
WESTERN REGION

Account #	DTI#	Identification		Amount:
047628	481142	APPLICATION NO. 63-12323		\$115.00
Ordered by:	P.O. #	Rate	Run Dates	
SUE TAYLOR		TT	JULY 5, 12, 2001	
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082			Number of Lines 32 X 2	
			Affidavit 1	Legal # 10842

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

63-12323

LULA KIFF
9999 W STAR ACRES DR
STAR ID 83669

Point(s) of Diversion: SENE S5 T04N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/01 To 11/15 0.04 CFS 0.04 CFS

Date Filed: 05/23/2001
Place Of Use: T04N R01W S5 IRRIGATION
Number of Acres: 2
Remark: SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Pub. Jul. 5, 12, 2001

10842

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

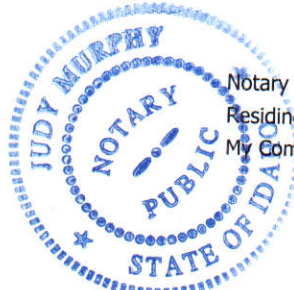
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of JULY 5 2001
and ending with the issue of: JULY 12 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 5 day of JULY in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/6/04

Judy Murphy

MICROFILMED

NOV 26 2001

The Idaho Statesman

RECEIVED

JUL 30 2001

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification		Amount:
047628	488982	NOTICE OF CORRECTION OF APPLICATION FOR PERMIT		\$51.36
Ordered by:		P.O. #	Rate	Run Dates
SUE TAYLOR			NT	JULY 19, 26, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 31	
			Affidavit 1	Legal # 10939

LEGAL NOTICE NOTICE OF CORRECTION FOR APPLICATION FOR PERMIT No. 63-12323

LLOYD F. AND JULIA L. KIFF of 9999 West Star Acres Dr., Star, ID 83669 applied for an Application for permit pursuant to I.C. § 42-203A. The applicant's name and the date filed was incorrectly published in the original legal notice on July 5th and 12th. The corrected notice is as follows:

Permit No. 63-12323, Groundwater, Date Filed 02/26/1996, 0.04 cfs for Irrigation use from 03/01 to 11/15 for 2 acres, Place of use and diversion point in SENE S5 T4N R1W, Ada County.

Any protests against approval of this application must be filed with the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of \$25 for each application on or before August 6, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Jul. 19, 26, 2001

10939

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

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JULY 19, 2001

and ending with the issue of: JULY 26, 2001

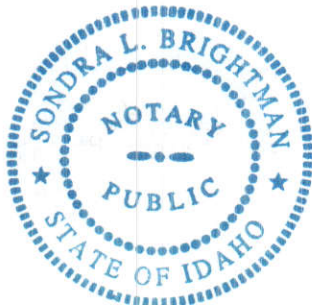
Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 27 day of JULY in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sondra L. Brightman

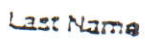
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06



MICROFILMED

NOV 26 2001

Scale: 2 inches equals 1 mile

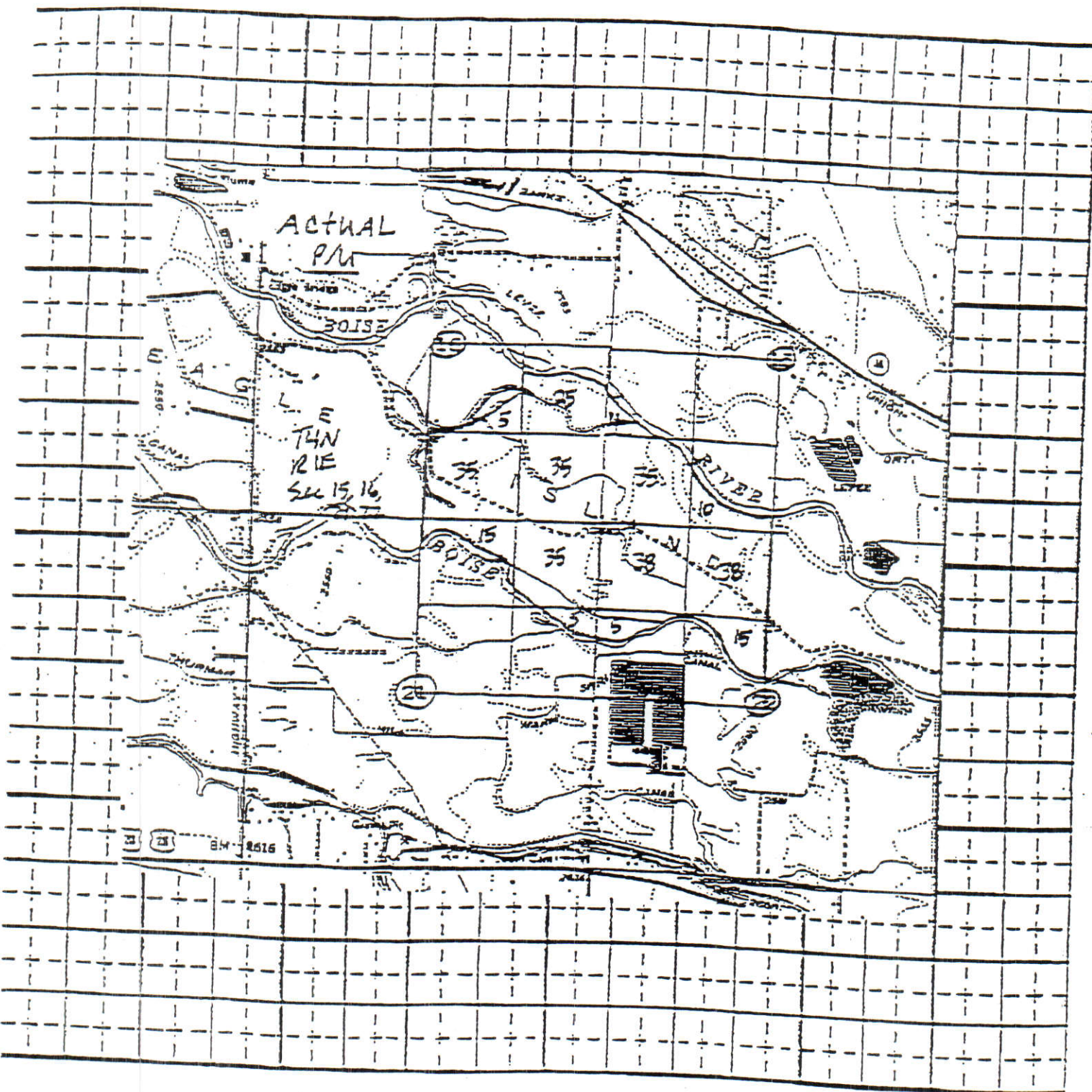


Idam No.

MICROFILMED

NOV 26 2001

Map of Project show clearly the point of diversion, place of use, section number, township, and range number.
Scale: 2 inches equals 1 mile



Last Name _____

Idaz. No. _____

MICROFILMED
NOV 26 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12323

Priority: 02/06/1996

Maximum Diversion Rate: 0.04 CFS

This is to certify, that LLOYD F KIFF
9999 W STAR ACRES DR
STAR ID 83669

And

JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE 1/4 NE 1/4 Sec. 5, Twp 04N, Rge 01W, B.M. ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE			NW			SW			SE			Totals
			NE	NW	SW	NE	NW	SW	SE	NE	NW	SW	SE		
04N	01W	5			2.0									2.0	

Total Acres: 2

1. Proof of application of water to beneficial use shall be submitted on or before September 1, 2006.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Water shall not be diverted and beneficially used under this right unless water is available for mitigation purposes under the portion of Right 63-270 (currently in the name of Sylvan &/or Barbara Williamson) purchased by the right holder as evidenced by the water right purchase and sales agreement dated 5/3/2001. Such water right used for mitigation purposes shall be left wholly undiverted in the Boise River to offset depletions caused by use under this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

MICROFILMED
NOV 26 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12323

CONDITIONS OF APPROVAL

6. The permit holder is not authorized to assign ownership of this permit or the part of the Williamson water right used for mitigation without prior written approval of the department. In its consideration of a request for assignment, the department will review the permit holders diligence in the development of a water right and the extent of development performed under terms of the permit.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Water bearing zone to be appropriated is 50 to 150 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of September, 2001.



KARL J DREHER, Director

for

MICROFILMED
NOV 26 2001

202
RECEIVED

SEP 5 2001

Department of Water Resources

Ident. No. 63-12323

(amendment)

RECEIVED

MAY 23 2001

**WATER RESOURCES
WESTERN REGION**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Lloyd F. Kiff and Julia L. Kiff Phone 208-286-9116
Mailing address 9999 West Star Acres Drive, Star, ID 83669
2. Source of water supply ground water which is a tributary of NA
3. Location of point of diversion is Township 4N Range 1W Sec. 5 in the NW 1/4, SE 1/4, NE 1/4, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 0.04 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source well with electric submersible pump
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

MICROFILMED

NOV 26 2001

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	5				2													2

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? applicant

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

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

12. Remarks: This amended application proposes the following changes to Application for Permit No. 63-12323 (2/26/1996 priority date): (1) change diversion rate and acres from 0.16 cfs and 8 acres to 0.04 cfs and 2 acres, (2) correct place of use and point of diversion location (SENE rather than SWNE), and clarify applicant's name (adding Julia Kiff). Water right permit will be mitigated by retiring 2 acres of Boise River water right 63-00270. Water-bearing zone is 50 to 150 feet.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Lloyd S. Kiff

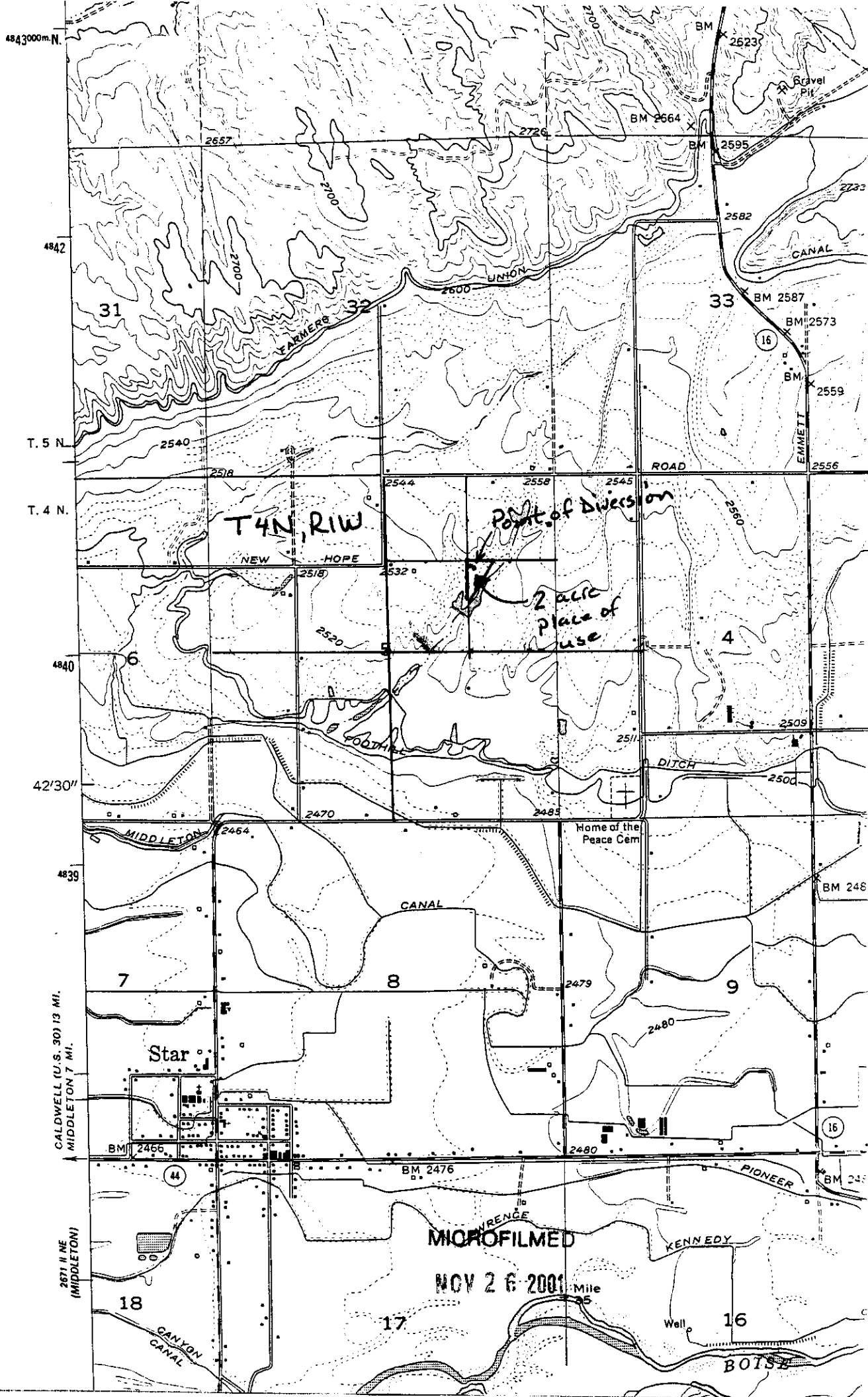
Julia Kiff

Signature of Applicant (and title, if applicable)

Received by PL for: LM Date 5/23/01 Time 12:19 Preliminary check by DAN
 Fee \$ _____ Received by _____ # _____
 Publication prepared by AT Date 7-5-12-01 Published in THE IDAHO STATESMAN
 Publication approved 7-18-26-01 Date MICROFILMED

NO \$ RECEIVED 5/23/01

NOV 26 2001



T. 5 N.
T. 4 N.

42°30'

CALDWELL (U.S. 30) 13 MI.
MIDDLETON 7 MI.

2671 N NE
(MIDDLETON)

T4N, RIW

Point of Diversion

2 acre
place of
use

MICROFILMED

NOV 26 2001

Mile
35

BOISE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 30 2000

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

changed
at 10-30-00

I, DAVID H. ROYLANCE, hereby assign to Lloyd F. Kiff

of, 9999 West Star Acres Drive, Star, ID 83669
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 63-12323 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

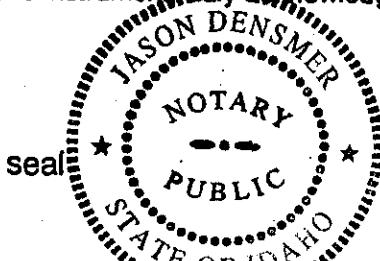
Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

26 D.R. Oct D.R.
Made this 28 day of Oct, 1990 2000

Applicant

State of Idaho)
County of ADA) ss

On this 26th day of OCTOBER, 2000, personally appeared before me the signer of the
above instrument, David H. Roylance, who acknowledged to me that he (she) (they) executed the same.



Jason Densmer
Notary Public
RESIDING AT: BOISE, ID

My commission expires JULY 12, 2006

MICROFILMED
NOV 26 2001

ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMITIdent. No. 63-12323

RECEIVED

FEB 26 1996

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID H. ROYLANCE Phone 208-286-9600Post office address 9999 Star Acres Dr., Star, Idaho 836692. Source of water supply Ground water which is a tributary of N/A3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of — $\frac{1}{4}$, Govt. Lot —Sec. 5 Township 4N Range 1W B.M. ADA County; additionalpoints of diversion if any: —

4. Water will be used for the following purposes:

Amount .16 for Irrigation purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) — and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & Automatic Sprinkler
Systemb. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total
reservoir capacity NA acre-feet; period of year when water will be diverted to storage:
NA to NA inclusive.c. Proposed well diameter is 8" inches; proposed depth of well is 100-150 feet.d. Is ground water with a temperature of greater than 85°F being sought? NOe. If well is already drilled, when? N/A; Drilling firm —;Well was drilled for (well owner) —7. Time required for the completion of the works and application of the water to beneficial use is5 YRS years (minimum 1 year).

MICROFILMED

NOV 26 2001

2

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
T4N	R1W	5			8														8

Total number of acres to be irrigated 8

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

11. a. Who owns the property at the point of diversion? DAVID H. ROYLANCE

b. Who owns the land to be irrigated or place of use? DAVID H. ROYLANCE

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

12. Remarks: Proposed use is for landscaping and auto matic
sprinkler system. Well will not be used for any
other purpose. The well will irrigate approximately
acres.

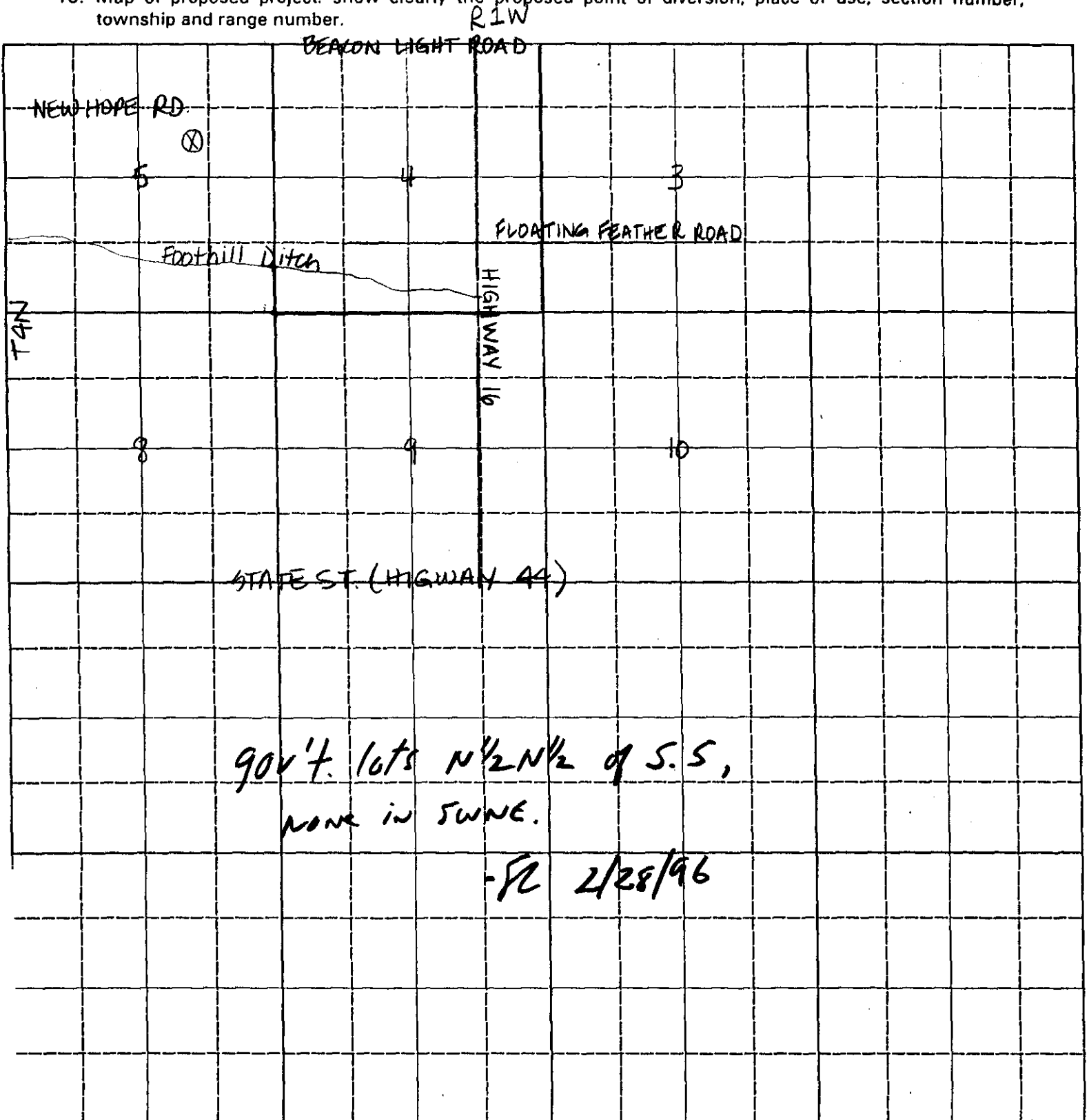
place this
in
"Comments"

MICROFILMED

-FL
2/28/96

NOV 26 2001

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED

NOV 26 2001

(Applicant)

Received by VR Date 6-96 Time 11:30am Prelimi. check by VR
Fee \$ 50- Received by VR # W020465 Date 2-26-96
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

MICROFILMED

NOV 26 2001

Givens Pursley
ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

CORDED - REQUEST OF
24 - *Ed Derbyling*
FEE DEPUTY

When recorded return to:

GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Attn: Jeffrey C. Fereday

2001 SP 18 PM 3: 58

101095883

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee Lloyd F. And Julia L. Kiff whose address is 9999 Star Acres Drive, Star, ID 83669, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

TO HAVE AND TO HOLD the Water Right and all of its appurtenances unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication Court, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the 18th day of September, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

Sylvan Williamson

Barbara Williamson

MICROFILMED
NOV 26 2001

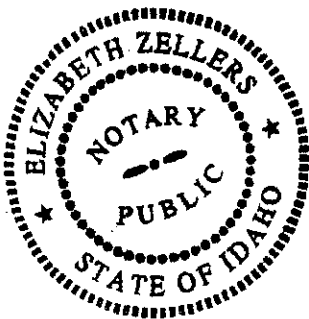
STATE OF IDAHO)

) ss.

County of Ada)

On this 18th day of September, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Elizabeth Zellers

Notary Public for Idaho

Residing at:

My commission expires:

EXHIBIT A

Legal Description of Real Property to Which the Water Right Is Appurtenant

Two acres within the NE1/4 of the NW 1/4 of Section 22, Township 4 North,
Range 1 East B.M.

GRANT DEED (WILLIAMSON TO KIFF)-4

MICROFILMED
NOV 26 2001

GIVENS PURSLEY LLP

RECEIVED

SEP 24 2001

Department of Water Resources

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

Direct Dial: (208) 388-1217
E-Mail: jcf@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jacqueline M. Fearnside
Timothy P. Fearnside
Jeffrey C. Fereday
Amanda L. Keating
Karl T. Klein
Debora K. Kristensen
Franklin G. Lee

David R. Lombardi
D. David Lorelle, Jr.
Kevin T. Maloney
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
Kendall L. Miller
L. Edward Miller
Patrick J. Miller

Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley
Virginia L. Stukel
Conley Ward
Stephanie C. Westarmeier
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

September 20, 2001

VIA U.S. MAIL

Kari Lynn Townsend
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

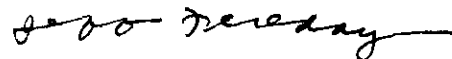
Re: Water Right Permit Number 63-12323 (Kiff Water Right)
Our File: 6036-1

Dear Ms. Townsend:

Enclosed are copies of the Permit to Appropriate Water, Water Right Purchase and Sale Agreement and a recorded copy of the Water Right Grant Deed between Sylvan and Barbara Williamson and Lloyd and Julia Kiff. The recording of this deed satisfies the mitigation conditions set forth in the water right permit.

If you have any questions or concerns, please feel free to contact me. Thank you for your assistance in this matter

Sincerely,



Jeffrey C. Fereday

JCF/ack

Enclosures

cc: Sylvan and Barbara Williamson
Lloyd and Julia Kiff
Terry Scanlan

s:\clients\6036\1\9-20-01 IDWR Letter.doc

MICROFILMED
NOV 26 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED
JUN 27 2001
WATER RESOURCES
WESTERN REGION

June 26, 2001

Lori Graves
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Change of Water Right Ownership - Lloyd and Julia Kiff

Dear Lori:

Enclosed at your request, please find a change of water right ownership for 2-acres of water right 63-00270. Lloyd and Julia Kiff have purchased the 2 acres of water right from Sylvan and Barbara Williamson as mitigation for pending application for permit 63-12323. The sale of the water right will be finalized upon approval of the application for permit. Therefore, we request that you wait until the permit is approved before processing the Notice of Change in Water Right Ownership.

Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosures

Cc: Lloyd Kiff
Jeff Fereday

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NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

September 14, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LLOYD F KIFF
JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669

RE: Permit No. 63-12323

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

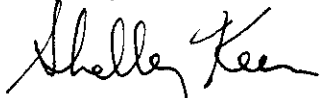
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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SEP 26 2001

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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NOV 26 2001

CERTIFICATE OF MAILING

I hereby certify that on September 14, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-12323

**LLOYD F KIFF
JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
NOV 26 2001**

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
NOV 26 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

Reviewed by Sharla Curtis on 9/10/01

No. 65-12323 Name: Fuk Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells	- 046
Basin 34	- 084 (if necessary)
WMD	- North/East/West
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 067
~~WMD~~	
Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)	Payette R
Mitigation	- 121	Salmon R
		Wesler R
Trust	- 051(consumptive uses)	
Non-Trust	- 048-049 (consumptive uses or non-cons. > 1.0 cfs)	

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
 or 17M (not FERC regulated)
 025-027-R22-08A

SURFACE WATER: ($\sqrt{\text{Flow Chart}}$)

F&G contacted - Yes/No Response
In/Above MSF - WB#
PLANNING REVIEW/RESPONSE
WD - R04 (WD# _____)
≤ 0.20 cfs/others 01H, 01P or No MD
> 0.20 cfs 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres	- No MD
>0.24 cfs/5 acres	- 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area	- 022,075
Irr., GW/supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
> in restricted area	- 070-071-075(no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 9/01/2006

MISC CONDITIONS/REMARKS:

Protested	- 020-W19
Development Period	
> 1 yr	- 26A
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example – S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS With bearing zone 50-150 ft.

COMMENTS

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

SEP - 5 2001

Department of Water Resources

INITIAL REVIEW BY: SL EAN DATE: 6-19-01 APPLICATION: 63-12323

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☐ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☐ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: mitigation has been proposed
- ☐ Surface water source, IDFG letter needed.
- ☐ Protected river or minimum flow reach, notify water planning bureau.
- ☐ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
☒ immediate = acceptable plan required and submitted. see attached letter
☐ future = open areas, acceptance of condition of approval is in file.
- ☐ Send power requirement letter &/or fish farm requirement letter.
- ☐ Power residency affidavit:
- ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Need completed Change of ownership
Form.

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. _____

YES NO

☒

In form for advertising:

☒

Statewide advertising: (> 10 cfs &/or 1000 af)

☒

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐

I.D. Health & Welfare

☒

I.D. District Health

☒

I.D. Fish & Game

☒

I.D. Lands

YES NO

☐

U.S. BLM

☒

U.S. Forest Service

☒Water Dist. # 63☒

Water Planning Bureau

☒

Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒

Affidavit of publication received:

☒

Application published correctly: If not, record action taken.

☒

Publication dates and paper recorded on application:

☐Final date for protest 7-23-01 8-6-01☒

Protests received.

☒

Recommendations attached:

☒

Measuring device required:

☒

Water delivered by water master? District # _____

Special conditions of approval or cover letter: 046, Acceptable mitigation plan was submitted

See below for additional information

Recommended Date or Priority 5/23/01Recommended by: Carly Date: 9/1/01**ADDITIONAL INFORMATION:**

63-11353, 63-9115 overlap PID and
a group of adjudication files for
Domestic use, none seen significant.
FARMERS UNION DITCH OVERLAPS PID BUT
NONE seen significant

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATERMASTER

Application No: 63-12323 (amendment)

Applicant's Name: KIFF

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Standard Watermaster conditions.

c) _____ I oppose approval of this application for the following reasons:

d) Additional Comment:

Dated this 30 day of Feb, 2001

Water District No: 63

Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

NOV 26 2001

RECEIVED
JUL 13 2001
WATER RESOURCES
WESTERN REGION

WATER RESOURCES
WESTERN REGION

WATER RESOURCES
WESTERN REGION

Account #	DTI#	Identification	Amount:
047628	481142	APPLICATION NO. 63-12323	\$115.00
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		TT	JULY 5, 12, 2001
STATE OF IDAHO		Number of Lines	
DEPT. OF WATER RESOURCES WESTERN REG.		32 X 2	
2735 AIRPORT WAY		Affidavit	Legal #
BOISE, IDAHO 83705 - 5082		1	10842

LEGAL NOTICE

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

63-12323

LAND IN
LAWSON KUFF
LAWSON STAR ACRES DR
STATE ID 13569
Number of Acres 2
Date of Diversion SENE S5 T04N R01W ADA County 0.04 CFS
Date of Diversion 03/01 To 11/15 0.04 CFS
Source GROUND WATER
Type of Use IRRIGATION
Number of Acres 2
Remarks: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 50 to 150 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protest must also include a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub. At. 5.12, 2001

10842

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

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
 Insertion(s)

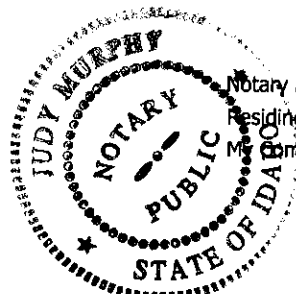
beginning with the issue of _____	JULY	5 2001
and ending with the issue of: _____	JULY	12 2001

Janice Hildeeth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 5 day of JULY in the year of 2001

before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires:

MICROFILMED

NOV 26 2001

The Idaho Statesman

RECEIVED

JUL 30 2001

P.O. Box 40, Boise, Idaho 83707-0040

WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DT#	Identification	Amount:
047628	488982	NOTICE OF CORRECTION OF APPLICATION FOR PERMIT	\$51.36
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	JULY 19, 26, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 31
			Affidavit 1
			Legal # 10939

LEGAL NOTICE
NOTICE OF CORRECTION
P.O. Box 40, Boise, Idaho 83707-0040

LLORRY, ANN ALAN, 1908 of 9998
West Star Acres Co., Star, ID 83609 applied
for an application for permit pursuant to LC
§ 42-101A. The applicant's name and the
date this was incorrectly published in the
original legal notice on July 5th and 12th.
The corrected notice is as follows:
Permit for 488982 Groundwater,
Data File 02/24/1998, 0.04 cfs for Irriga-
tion use from 03/01 to 11/15 for 2 acres,
Point of use and diversion point in SENE S5
T4N12W, Ada County.

Any protests against approval of this
application must be filed with the Idaho
Department of Water Resources, Western
Region, 2735 Airport Way, Boise, ID 83705-
0040, on or before August 6, 2001. The protestant must also send a
copy of the protest to the applicant.
Mark S. Greter, Director

Pub. Jul 19, 26, 2001 10939

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

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JULY 19, 2001
and ending with the issue of: JULY 26, 2001

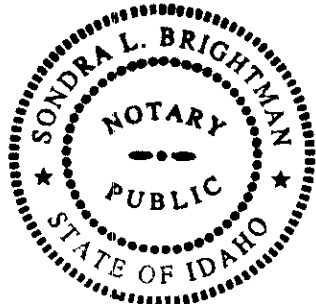
Janice Hildreth

STATE OF IDAHO)
COUNTY OF ADA) ss

On this 27 day of JULY in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the state-
ments therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06

Sondra L. Brightman



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NOV 26 2001

Graves, Lori

From: TMSANLAN@aol.com
Sent: Thursday, July 05, 2001 11:35 AM
To: lgraves@idwr.state.id.us
Subject: Application 63-12323 (Kiff)

Lori -

The legal notice for application for permit 63-12323 lists a priority date of 5/23/01. However, since this is an amended application (the amendment changed the place of use, point of diversion, and reduced the acres), shouldn't they get the priority date when the original application was submitted (2/26/96)?

Terry

MICROFILMED
NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 5, 2001

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-31257 in the Name of Scott F. Woodhead &/or
Jeanette Bennion.
Application for Water Right No. 63-31258 in the Name of Sundance Investment Limited
Partnership.
Application for Water Right No. 63-12323 in the Name of Lloyd F. &/or Julia Kiff.

Dear Mr. Sisco:

Enclosed are copies of the above-referenced applications for permit. Also enclosed are
forms for your recommendation concerning these applications.

Please review the applications. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

NOV 26 2001

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Lloyd F. Kiff and Julia L. Kiff

Mailing Address 9999 West Star Acres Drive
Star, ID 83669

Application No(s).: 63-12323
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☒ PROPOSE MITIGATION NOW

Yes, I want my application processed ~~and before it is advertised, I will amend my application to include~~ proposed mitigation to offset anticipated depletions to flows in the Snake River during the periods of anadromous fish migration.

☐ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Lloyd F. Kiff Julia L. Kiff

Date

16 May 2001

Please return this form to:

Idaho Dept. of Water Resources
State Office
1301 N. Orchard Rd.
Boise ID 83706

MICROFILMED

NOV 26 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

May 22, 2001

Gary Spackman
Western Region Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

Subject: Amended Application for Permit 63-12323 – Lloyd and Julia Kiff

Dear Gary:

Enclosed please find an amended application for permit proposing irrigation of 2 acres located northeast of Star from a groundwater source. The amendments included reducing diversion rate and area irrigated from 0.16 cfs to 0.04 cfs and 8 acres to 2 acres, respectively. The place of use and point of diversion have been corrected (they were previous listed in the adjacent quarter-quarter), and the applicant's name has been clarified (Julia Kiff was added).

The proposed point of diversion is located within Basin 63. Groundwater at this location is tributary to the Boise River.

The applicants, Lloyd and Julia Kiff, propose mitigating this water right permit by retirement of 2 acres of irrigation water right 63-00270. Water right 63-00270 is an 1865-priority Boise River water right for irrigation of lands on Eagle Island. The applicants have purchased the 2 acres of water right from Sylvan and Barbara Williamson. A copy of the purchase agreement is enclosed.

Retirement of 2 acres of water right 63-00270 will fully mitigate any depletion to the Boise River resulting from the development of the proposed permit. Therefore, we request that this application for permit be exempted from the administrative hold on processing of applications for permit in Basin 63.

Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosures

Cc: Lloyd Kiff
Jeff Fereday

mitigation
Plan

MICROFILMED

MAY 26 2001

600 East River Park Lane, Suite 105
Boise, Idaho 83706

Telephone (208) 383-4140
Facsimile (208) 383-4156

WATER RIGHT PURCHASE AND SALE AGREEMENT

This Water Right Purchase and Sale Agreement ("Agreement") is made and entered into this 3rd day of May, 2001, in Ada County, State of Idaho, by and between Sylvan and Barbara Williamson, husband and wife, whose address is 850 Williamson Lane, Eagle, Idaho 83616 ("Seller") and Lloyd F. and Julia L. Kiff of 9999 Star Acres Drive, Star, ID 83669 ("Buyer").

Recitals

1. Seller owns water right number 63-00270, a decreed Boise River natural flow irrigation water right serving approximately 300 acres with a priority date of April 1, 1865, which is evidenced by, among other things, Snake River Basin Adjudication claim number A63-00270, a copy of which is attached as Exhibit A.
2. Buyer wishes to purchase from Seller, and Seller wishes to sell to Buyer, that portion of water right 63-00270 necessary to deliver a water flow rate of 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet for irrigation of 2 acres (such portion hereinafter referred to as the "Water Right").

Agreement Terms

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, Seller and Buyer agree as follows:

3. **Sale of the Water Right.** Seller agrees to sell the Water Right described in paragraph 2, above, to Buyer, and Buyer agrees to purchase it, pursuant to the terms of this Agreement.
4. **Transfer of Water Right in connection with Buyer's permit application.** Buyer is acquiring the Water Right to transfer or otherwise use it as mitigation in connection with a ground water permit and license sought by the Buyer for lands located in Ada County, Idaho, and more particularly described as: the SE 1/4 of the NE 1/4 of Section 5, T4N, R1W, B.M. Accordingly:
 - a. Within 30 days after the date of this Agreement, Buyer at his own expense shall apply for and diligently pursue authorization from the Idaho Department of Water Resources ("Department") to retire the Water Right, or to change and/or transfer the place of use, nature of use, and/or point of diversion under the Water Right, as part of Buyer's application for a permit to use ground water (the "permit application").

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b. At Buyer's request, Seller shall execute any documents pertaining to Seller's diversion, use, and/or ownership of the Water Right which Buyer deems necessary to support the permit application.

5. **Seller's obligation to cease using Water Right.** After the Department approves the permit application involving Buyer's use of the Water Right, the Water Right shall be used solely for Buyer's purposes as specified in the approved permit, transfer or other Department documentation, and Seller shall:

a. cease all diversions and uses under the Water Right; and

b. dry up and not irrigate the following parcel of irrigated land to which the Water Right was appurtenant, containing two acres, more or less, and more fully described on Exhibit B, provided, that nothing in this paragraph 5 shall prohibit Seller from transferring another valid water right for use on such parcel pursuant to law.

6. **Purchase price.** The purchase price for the Water Right is \$6000.00, to be paid in two installments as follows:

a. An initial payment of \$500.00, the receipt of which Buyer hereby acknowledges, as a non-refundable down payment.

b. At closing, a final payment of \$5500.00 upon the Department's final approval of the permit application by recognizing Buyer as entitled to receive credit for or transfer to Buyer's use (as the case may be) a water diversion rate and an annual volume of diversions under the Water Right of not less than 0.04 cfs and 9 acre-feet, respectively. Buyer's obligation to make the final payment is conditioned on the provisions of paragraph 7, below.

7. **Conditions entitling Buyer to cancel contract.** If the Department denies Buyer's permit application, or if it is finally denied after appeal, Buyer may, at Buyer's sole option and discretion, either: a) cancel this Agreement or b) continue with the purchase of the water right at the full purchase price. If Buyer elects to cancel this Agreement, Buyer shall, within 30 days after such denial or unsuccessful appeal, notify Seller in writing of this election, withdraw those portions of the permit application pertaining to or relying upon the Water Right, and execute any documents necessary to confirm Seller's continued full ownership of the Water Right. Upon taking these steps, this Agreement shall be null and void, and Seller shall retain the \$500 down payment.

8. **Closing.** Closing shall occur at the law offices of Givens Pursley LLP, 277 N. 6th Street, Boise, Idaho within 10 business days after the Department approves the permit application, or at such other time as the parties might mutually establish. At closing, Buyer shall pay Seller the final payment specified above in paragraph 6.b, and Seller shall deliver to Buyer a Grant Deed in the form specified on Exhibit C. Seller has executed a copy of the Grant Deed simultaneously with the execution of this Agreement, and hereby authorizes Buyer's counsel to hold such deed and deliver it to Buyer at closing. If this Agreement is voided pursuant to paragraph 7, above, or if closing otherwise cannot occur, Seller's signature on the Grant Deed shall be of no effect and Buyer's counsel shall promptly return the Grant Deed to Seller.

9. **Warranty.** Seller hereby warrants that the Water Right is valid and not forfeited in whole or in part; that Seller has a good and marketable title to the Water Right and the authority to sell it; that upon delivery of the deed in the form described above, Buyer will acquire a good and marketable title to the water right free and clear of liens and encumbrances, options, proxies, charges and any other adverse interests of any kind and nature; and that Seller will abide by all provisions of this Agreement after the closing and conveyance of title, including the dry-up requirement specified in paragraph 5, above. Seller further warrants that all current and past water district or other assessments on the Water Right have been paid in full by Seller and that no further assessments are due and owing as of the date of this Agreement.

10. **Reservation of actions.** Seller shall take no actions which would adversely affect the permit application or Buyer's attempts to gain approval of it or to change the point of diversion, nature, time or place of use of the Water Right in connection with the permit application. Nothing in this Agreement shall be construed so as to prohibit Seller from using, developing, selling, or filing change, transfer or other applications of his own, either individually or in concert with others, with respect to the portion of water right 63-00270 which Seller is retaining.

11. **Binding effect.** This Agreement shall be binding upon the parties hereto and their heirs, successors, administrators and assigns.

12. **Entire agreement.** The foregoing constitutes the full and complete agreement by and between these parties, and shall supersede all prior oral or written discussions or representations between them.

13. **Survival of closing.** The dry-up obligations of this Agreement shall survive the closing and the delivery of a deed of water right to Buyer.

14. **Recitals incorporated.** The above recitals are hereby incorporated as material terms of this Agreement.

15. **Attorney fees.** If either party shall fail to comply with the terms of the Agreement, the non-breaching party shall send written notice and provide a reasonable opportunity to cure, but not less than ten days. If the breach is not cured within the time allowed, the breaching party agrees to pay all attorney's fees and costs incurred by the non-breaching party. If suit is filed to interpret or enforce this Agreement, the unsuccessful party to such litigation agrees to pay the prevailing party all costs and expenses, including attorney's fees, incurred by the prevailing party whether incurred in district court, on appeal, or in bankruptcy court.

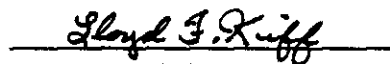
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

SELLER:


Sylvan Williamson


Barbara Williamson

BUYER:


Lloyd F. Kiff


Julia L. Kiff

Acknowledgments

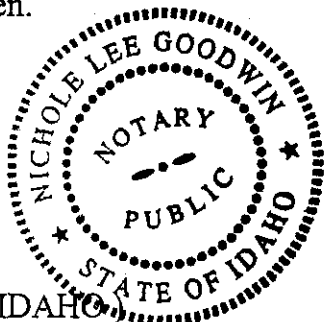
STATE OF IDAHO)

) ss.

County of Ada)

On this 3 day of May 2001, before me, a notary public for said state, personally appeared Sylvan Williamson, known or identified to me as the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Nichole Lee Goodwin
Notary Public for Idaho

Residing at: Emmett

My commission expires: 7/24/06

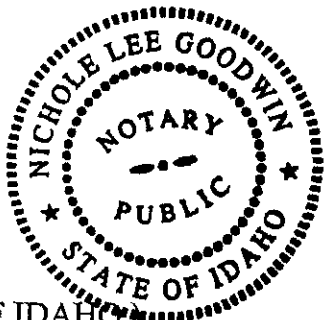
STATE OF IDAHO)

) ss.

County of Ada)

On this 3 day of May 2001, before me, a notary public for said state, personally appeared Barbara Williamson, known or identified to me as the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Nichole Lee Goodwin
Notary Public for Idaho

Residing at: Emmett

My commission expires: 7/24/06

STATE OF IDAHO)

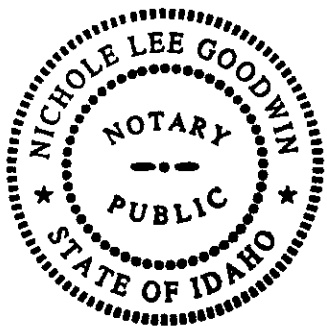
) ss.

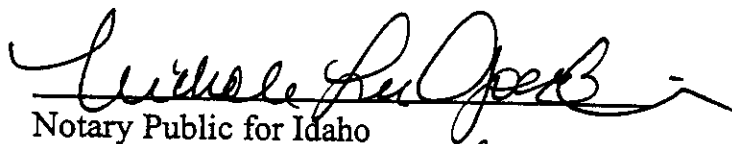
County of Ada)

+ JULIA L. KIFF ~~LFK~~

On this 3rd day of May 2001, before me, a notary public for said state, personally appeared Lloyd F. Kiff, known or identified to me as the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.





Notary Public for Idaho

Residing at: Emmett

My commission expires: 7/24/02

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NOV 26 2001

EXHIBIT A

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

MICROFILMED
NOV 25 2001

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

CIVIL CASE NUMBER: 39576

Ident. Number 463-00270

Date Received _____

Receipt Number W003463

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

RECEIVED

JUL 8 7 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (a) SYLVAN +/or BARBARA WILLIAMSON Phone (208) 939-6287

Mailing Address 850 WILLIAMSON LN EAGLE ID 83616 Zip 83616

2. Date of Priority (Only one (1) per claim) 4/1/1965

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22.
1/4 of SW 1/4 of NE 1/4, Govt Lot 6 B.M. County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 3/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WING DAM, DIICH

MICROFILMED

NOV 26 2001

Exhibit A

8. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/1 to 11/15 amount 6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (cfs) and/or (b) 1350 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses: describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	15									4	35	10						49
		16												25	5	35	35		100
		21	35	15		5													55
		22					38	38	5	15									96

Total number of acres irrigated 300

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

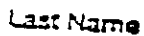
14. Remarks:

Last Name _____ Ident No. _____

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NOV 26 2001

Scale: 2 inches equals 1 mile



Ident No.

MICROFILMED

NOV 26 2001

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

If applicable provide IDWR Water Right Number 63-00270
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Barbara Williamson Date 7-5-2000

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____

County of _____

SS.

Subscribed and sworn (or affirmed) before me this _____

5th

day of

July

2000

15

Notary Public _____

W. Graham

Residing at _____

Bain

My Commission Expires _____

6/15/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____

Ident. Number _____

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NOV 26 2001

EXHIBIT B

The two acres to be removed from irrigation as part of this water right purchase and sale shall be removed from the NE 1/4 of Section 22, T4N, R1E. The sale of two acres of irrigation water right will reduce the irrigated area claimed under water right A63-00270 by 2 acres. The irrigated acres within the NE 1/4 of the NW 1/4 of section 22 claimed by A63-00270 will be reduced by 2.

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NOV 26 2001

EXHIBIT C

Water Right Grant Deed

MICROFILMED
NOV 26 2001

When recorded return to:

GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Attn: Jeffrey C. Fereday

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee Lloyd F. And Julia L. Kiff whose address is 9999 Star Acres Drive, Star, ID 83669, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

TO HAVE AND TO HOLD the Water Right and all of its appurtenances unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication Court, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the ___ day of May, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

MICROFILMED

GRANT DEED (WILLIAMSON TO KIFF) 2001

STATE OF IDAHO)

) ss.

County of Ada)

On this ____ day of _____, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for Idaho

Residing at:

My commission expires:

MICROFILMED

NOV 26 2001

GRANT DEED (WILLIAMSON TO KIFF) - 2

EXHIBIT A

Legal Description of Real Property to Which the Water Right is Appurtenant

Three acres within the NE 1/4 of the NW 1/4 of Section 22, Township 4 North, Range 1 East. B.M.

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NOV 26 2001

EXHIBIT B

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

MICROFILMED
NOV 26 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF ID, IN AND FOR THE COUNTY OF N FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number ALJ-00270
Date Received
Receipt Number W003463

RECEIVED

JUL 07 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) SYLVAN +/or BARRERA WILLIAMSON Phone (208) 939-6287

Mailing Address 950 WILLIAMSON IN EAGLE ID 83616 Zip 83616

2. Date of Priority (Only one (1) per claim) 4/1/1965

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22.

1/4 of SW 1/4 of NE 1/4, Gov. Lot 6 B.M. County of ADA

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of 1/4 of 1/4

Gov. Lot B.M. County of

ending point is: Township Range Section 1/4 of 3/4 of

1/4, Gov. Lot B.M. County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Weirs, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WING DAM, DITCH

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NOV 26 2001

Exhibit B

For IRRIGATION purposes from 2/1 to 11/15 amount 6 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (cfs) and/or (b) 1350 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses: describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock etc.) _____

10. Description of place of use:

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

TWP	RNG	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	
4N	1E	15									4	35	10						49
		16												25	5	35	35		100
		21	35	15	5														55
		22					38	38	5	15									96

Total number of acres irrigated 300

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ☒

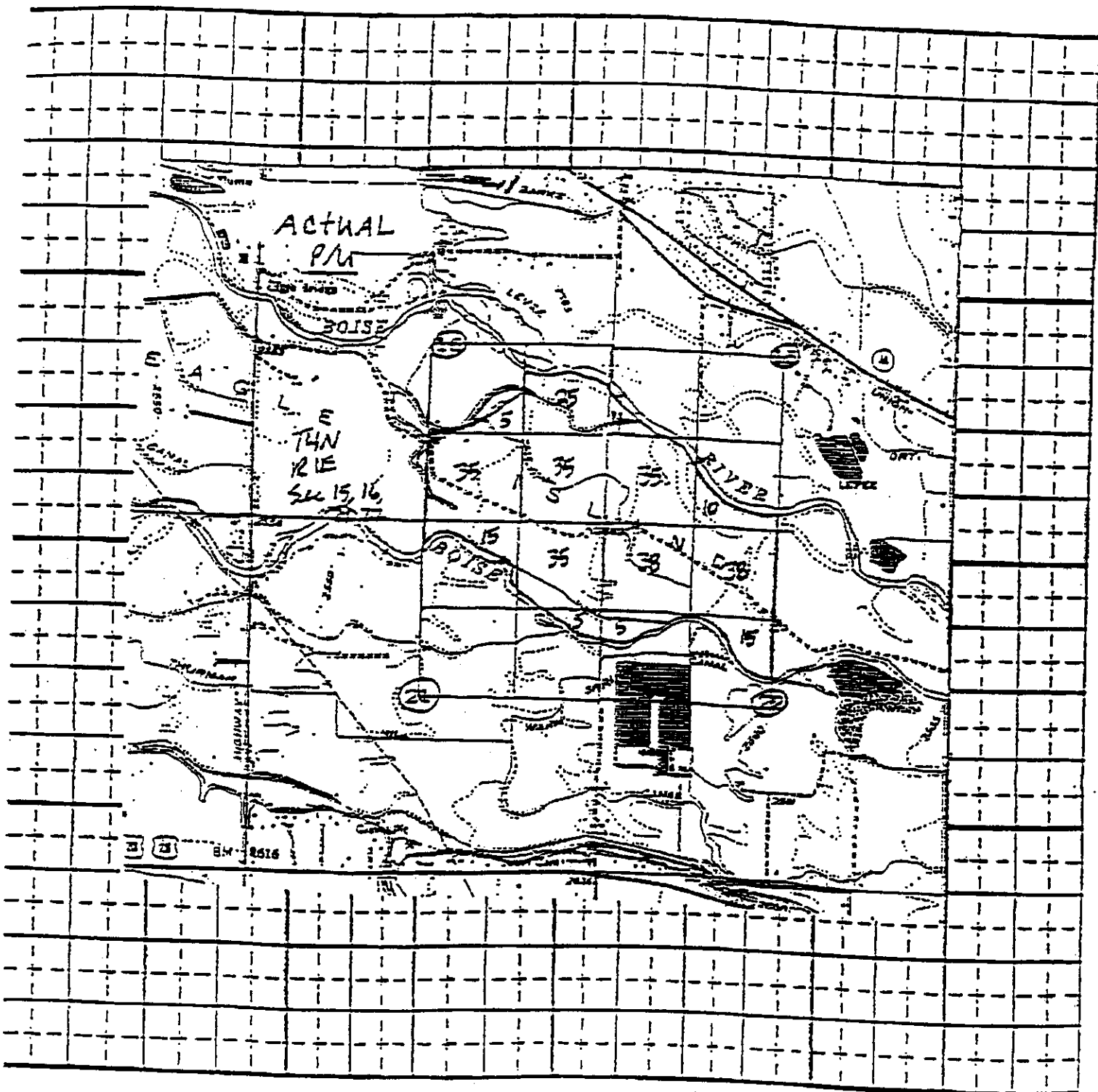
14. Remarks: _____

List Name _____ Ident No. _____

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 NOV 26 2001

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

Scale: 2 inches equals 1 mile



Last Name _____

Idazr No. _____

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NOV 26 2001

Decree 7 License Permit
If applicable provide ICWA W: Right Number 63-00270
Court Case Number Decree Date
Plaintiff vs Defendant

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

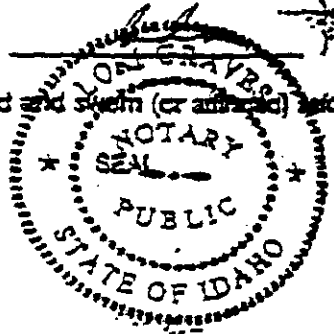
Number of attachments
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) Barbara Williamson Date 7-5-2000
 Date

For Organizations: I do solemnly swear or affirm that I am Title
of Organization , that I have signed the foregoing
document in the space below as Title of Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent
Title and Organization Date

State of Idaho/or)
County of) ss.

Subscribed and sworn (or affirmed) before me this 5th day of July 2000
Notary Public Doni Graham
Residing at Boise
My Commission Expires 6/18/04
Please Print Name



17. Notice of Appearance:
Notice is hereby given that I, will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature
Address
Date

Last Name Idex Number

MICROFILMED
NOV 26 2001

Nelson, Dan

From: TMSANLAN@aol.com
Sent: Tuesday, June 19, 2001 12:04 PM
To: dnelson@ldwr.state.id.us
Subject: Kiff Amendment

Dan -

Per our discussion today, my understanding is that the Kiffs do not have any canal company shares. I haven't visited the property but according to Mr.

Kiff most of the property is located on a dry noll within the Farmers Union service area. I suspect that there was no way to gravity irrigate the land.

Therefore, the Kiffs did not receive any canal shares with their purchase of the property.

Terry

MICROFILMED
NOV 26 2001

4N 1W S5 SWNE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

BASIN 63 DELAY
DO NOT ADVERTISE

INITIAL REVIEW BY: JE DATE: 2/28/96 APPLICATION: 63-12323

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No* In form to receipt:

Gov't. Lots:
N P/D
P/U

DATA ENTRY

TEMP Right = T *

ADDITIONAL INFORMATION

YES NO

also see Appl. for more comments
COMMENTS = Processing delayed pending backlog reduction. *
REMARKS = Water bearing zone to be appropriated is to feet
Overlapping place of use: (Describe source & relationship to present application on next page.)
Overlapping point of diversion.
Field check required: Field check by:
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium: LETTER SENT 2/28/96
Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
Copy to Dam Safety staff: (for any storage)
Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)

*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Water bearing zone? Surface water already used on acres? Application states "none"

DATE REQUESTED 2/28/96

ADDITIONAL INFORMATION ON REVERSE SIDE:

* T changed to P & Comment deleted upon advertising
This Review FORM has been Replaced By New FORM
Due TO Ammendment. Save THIS FORM FOR DELAY Reference.
DAN 6-19-01

PROCESSING

APP. NO. 63-12323

YES NO

1

In form for advertising:

1

Statewide advertising: (> 10 cfs &/or 1000 af)

1

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: — DO NOT SEND UNTIL ADVERTISING OCCURS

YES

NO

1

I.D. Health & Welfare

1

I.D. District Health

1

I.D. Fish & Game

1

I.D. Lands

1

Adjudication Bureau

YES

NO

1

U.S. BLM

1

U.S. Forest Service

1Water Dist. # 1Other

FINAL REGIONAL PROCESSING REVIEW:

YES

NO

1

Affidavit of publication received:

1

Application published correctly: If not, record action taken.

1 1 1

Publication dates and paper recorded on application:

1Protests received. Final date for protest 1

Protest dates, resolution of protest recorded on application:

1

Recommendations attached:

1

Measuring device required:

1

Measuring port required:

1Water delivered by water master? District # 1Special conditions of approval or cover letter: 1

See below for additional information

Recommended Date or Priority Recommended by: Date: STATE OFFICE REVIEW

ADDITIONAL INFORMATION:

Overlap pld - 63-11353 different well- 63-09115 same drainPlu - AS above, other property.- Farmers Union Pital Co. & Middleton Water Co. - surface water on most of RR(WRQ4 + AJQ4)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 28, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID H ROYLANCE
9999 STAR ACRES DR
STAR ID 83669

RE: APPLICATION FOR PERMIT

Dear Mr. Roylance:

The above-referenced application for permit to appropriate ground water for irrigation of eight acres was received on February 26, 1996. Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992, concerning water right applications proposing new consumptive uses of public water. The moratorium has now been lifted, but a backlog of applications filed during the moratorium period must first be processed before new applications may be considered.

This office will hold your application pending reduction of the backlog. All applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of any application, once established.

To facilitate your application once it can be processed, please provide the proposed water bearing zone that will be developed within the aquifer(s). Information about this topic might be obtained from discussions with well drillers or consultants or by researching well drilling reports available through this office.

Also, please confirm whether or not the acres are already irrigated from a surface water source. If so, what is the nature of this existing water use (private system or delivery organization; name of organization etc.)? What is the source of this surface water, e.g. Boise River via Farmers Union Ditch Co.?

Please contact me (334-2190) at your convenience if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

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NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 28, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-12323

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/23/2001. Your cooperation is appreciated.

Sincerely,

Sue Taylor

Senior Secretary

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

63-12323

LULA KIFF
LLOYD F KIFF
9999 W STAR ACRES DR
STAR ID 83669

Point(s) of Diversion SENE S5 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/23/2001

Place Of Use: IRRIGATION

T04N R01W S5 SENE

Number of Acres 2

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 50 to 150 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on July 5 and 12, 2001.

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NOV 26 2001

**NOTICE OF CORRECTION FOR
APPLICATION FOR PERMIT No. 63-12323**

LLOYD F. AND JULIA L. KIFF of 9999 West Star Acres Dr., Star, ID 83669 applied for an Application for permit pursuant to I.C. § 42-203A. The applicant's name and the date filed was incorrectly published in the original legal notice on July 5th and 12th. The corrected notice is as follows:

Permit No. 63-12323, Groundwater, Date Filed 02/26/1996, 0.04 cfs for Irrigation use from 03/01 to 11/15 for 2 acres, Place of use and diversion point in SENE S5 T4N R1W, Ada County.

Any protests against approval of this application must be filed with the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of \$25 for each application on or before August 6, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman July 19 & 26, 2001.

E-mailed 7-11-01 st

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