

AYETTE CO
CANYON CO

Sand

Holle

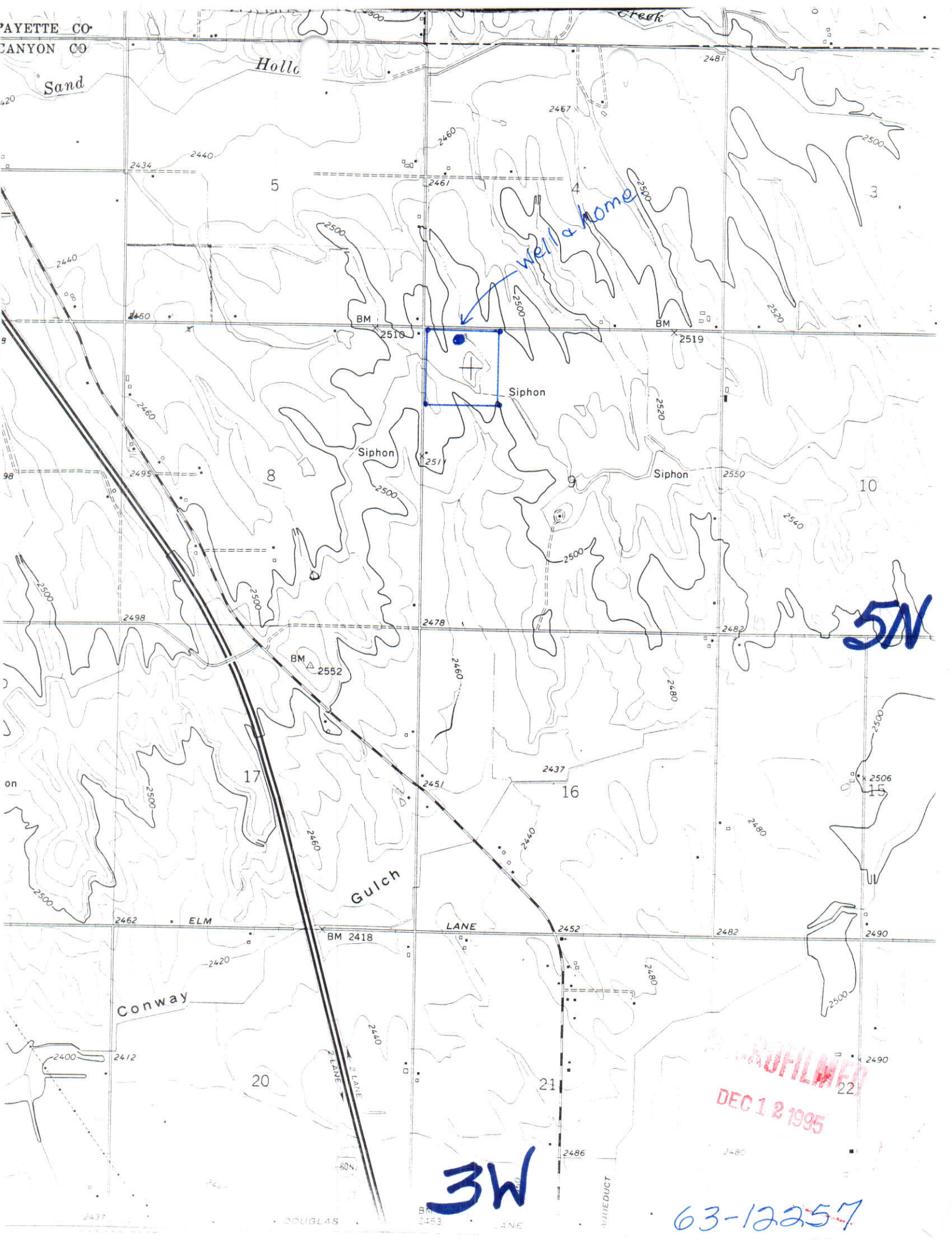
Creek

well a home

5N

3W

63-12257



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12257

Priority: August 7, 1995

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JOSEPH M NOMEJL
15896 HOLLOW RD
CALDWELL ID 83605

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 7, 1995; and
has submitted Proof of Beneficial Use on November 27, 1995. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 9, Township 05N, Range 03W
CANYON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 03W 9

HWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3RD
day of JUNE, 1997.

MICROFILMED

JUN 10 1997

Acting for

KARL J. DREHER, Director

RECEIVED

NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-12257 Telephone No. 208-454-5524
2. Name(s) of Permit Holder(s): JOSEPH M. NOHEJL
3. Mailing Address: 15869 HOLLOW RD CALDWELL ID 83605
4. Source of Water: Well → If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 95
6395W 06 32000
- a. Well Driller: Davis Well Drilling Drilling Permit Number: 65-95-W-0383000
- b. **OPTIONAL:**
Pump Horsepower: 1 Pressure (psi): 40-50 Dynamic pumping level (ft): ~140 ft??
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | | | |
|------------------------|--|-----------|----|-------------|
| Measuring Device: | Is a measuring device required? | Yes _____ | or | No <u>X</u> |
| | Has the measuring device been installed? | Yes _____ | or | No <u>X</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No <u>X</u> |
| | Has the measurement port been installed? | Yes _____ | or | No <u>X</u> |
8. Fee Enclosed: \$ 0 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: _____ Telephone Number: _____
Address: _____
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Joseph M. Nohejl Date: 11-22-95
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12257

Proposed Priority: August 7, 1995

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JOSEPH M NOHEJL

2107 E LINDEN #109

CALDWELL ID 83605

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 9, Township 05N, Range 03W
CANYON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 03W 9

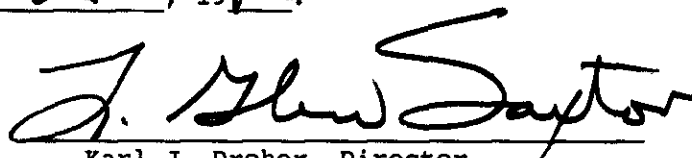
NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Construction of the well must comply with Idaho well construction standards.
5. Domestic use is for 1 home.

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

14 day of November, 1995


for Karl J. Dreher, Director

RECORDED

DEC 12 1995

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OCT 20 1995

Department of Water Resources

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NOV 7 1995

Ident. No. 63-12257

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOSEPH M NOHEJL 208-454-5524
Address: 2107 E LINDEN #109
CALDWELL ID 83605
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWNW Sec. 9, Township 05N, Range 03W
CANYON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP & PIPELINE TO HOUSE AND LAWN.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 150
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: DOMESTIC

TWN RGE SEC
05N 03W 9

NWNW

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9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks: Domestic use is for one home. (DB update 8-14-95 gyt)

11. Map of proposed point of diversion and place of use attached? ☒

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

X Joseph M. Nohejl
Applicant

Received by KW Date 8/7/95 Time 2:05 Preliminary check by gyt

Fee \$ 50.00 Receipted by KW # W019703 Date 8/7/95

Publication prepared by AT Date 8-29-95 Published in Press-Tribune

Publication approved AT Date 9-25-95

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AUG 12 1995

AYETTE CO
JANYON CO

Sand

Holla

Wellahome

Siphon

Siphon

Siphon

Gulch

Conway

ELM

LANE

2 LANE

DOUGLAS

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63-12257

AYETTE CO
JANYON CO

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63-12257

AYETTE CO
JANYON CO

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Gulch

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DOUGLAS

DEC 1963

5N

3W

63-12257



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOSEPH M NOHEJL
15896 HOLLOW RD
CALDWELL ID 83605

RE: WATER RIGHT NO. 63-12257

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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JUN 10 1997

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

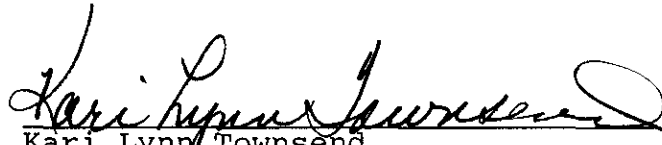
MICROFILMED
JUN 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of June, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12257

JOSEPH M NOHEJL
15896 HOLLOW RD
CALDWELL ID 83605


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 22 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12257

1. Owner: Joseph M. Noheil Phone No. (208) 454-5524

Current Address: 15869 Hollow Rd Caldwell, ID 83605

2. Accompanied by: N/A EXAM DATE: 6-17-96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	9	5N	3W	Canyon	Assessors Office

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	9					D												

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JUN 10 1997

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

Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of _____
 _____ Aerial Photo Attached _____
 _____ (required for irrigation of 10+ acres)
 _____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

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JUN 10 1997

E. NARRATIVE/REMARKS/COMMENTS

Called Canyon County Assessors Office
on 6-17-96. House located at 15869 Hollow Rd.,
NW NW, T5N, R3W, Sec. 9, as shown on permit.

Drilling permit 63-95-W-0632-000

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

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JUN 10 1997

Additional Computation Sheets Attached

At low 0.04 cfs

1. Volume Calculations for Irrigation:

$$V_{Dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

2. Volume Calculations for Other Uses:

Allow 1.2 AF

1. Recommended Amounts

Domestic

10/10

12/31

0.0

201

Change P.D. as reflected above

None

Add P.U. as reflected above

Other _____

Field Examiner's Name _____

Date _____

SEAL

Date 6-17-56

48 April 27 1976

MICROFILMED
JUN 10 1997

2661 0 1 NUR

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 5, 1995

JOSEPH M NOHEJL
15896 HOLLOW RD
CALDWELL ID 83605

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-12257

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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DEC 12 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

JOSEPH M NOHEJL
2107 E LINDEN #109
CALDWELL ID 83605

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12257

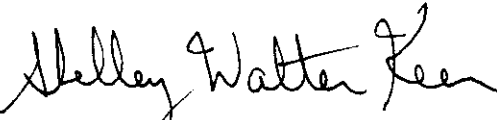
Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

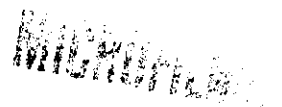
If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures


DEC 12 1995

NOTICE APPLICATION FOR WATER RIGHT
The Following applications have been filed to appropriate the public waters of the State of Idaho:

63-11674

SCROGGINS, JEROME
17311 PRIDE LANE
CALDWELL, ID 83605
Source: GROUNDWATER
Diversions Pt: SWNW Sec 2 T 03N R 04W in CANYON County.
SENW Sec 2 T 03N R 04W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 2/25/1992
In: CANYON County
T03N R04W S02 SWNW SENW
80.0 ACRES TOTAL
Water bearing zone to be appropriated is 40 to 300 feet.

63-11718

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686
Source: GROUNDWATER
Diversions Pt: NENE Sec 13 T 03N R 03W in CANYON County.
Use: IRRIGATION (0.720 CFS)
Total Diversion: (0.720 CFS)
Date Filed: 3/17/1992
In: CANYON County
T03N R03W S13 NENE
36.0 ACRES TOTAL
Water bearing zone to be appropriated is 200 to 250 feet.

63-11719

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686
Source: GROUNDWATER
Diversions Pt: SWNE Sec 7 T 03N R 04W in CANYON County.
Use: IRRIGATION (4.540 CFS)
Total Diversion: (4.540 CFS)
Date Filed: 3/17/1992
In: CANYON County
T03N R04W S07 SWNE NWSE SWSE SESE
S08 NWSW SWSW
227.0 ACRES TOTAL
Water bearing zone to be appropriated is 350 to 400 feet.

63-11781

ZAMORA JR, RUBEN
PO BOX 57
HUSTON, ID 83630
Source: GROUNDWATER
Diversions Pt: LOT 4 (SWSW) Sec 18 T 03N R 03W in CANYON County.
SESW Sec 18 T 03N R 03W in CANYON County.
Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 4/7/1992
In: CANYON County
T03N R03W S18 Lot 3(NWSW) Lot 4(SWSW) SESW
S36
51.1 ACRES TOTAL
Water bearing zone to be appropriated is 80 to 300 feet.

63-11773

TRACY, MARK S
TRACY, SUSAN
10506 FARNER RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversions Pt: SENW Sec 10 T 02N R 03W in CANYON County.
Use: IRRIGATION (1.140 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (1.180 CFS)
Date Filed: 4/16/1992
In: CANYON County
T02N R03W S10 SWNW SENW NESW NWSW
97.0 ACRES TOTAL
Water bearing zone to be appropriated is 200 to 300 feet.

63-11776

BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686
Source: GROUNDWATER
Diversions Pt: NWSE Sec 11 T 02N R 02W in CANYON County.
Use: IRRIGATION (1.260 CFS)
Total Diversion: (1.260 CFS)
Date Filed: 4/8/1992
In: CANYON County
T02N R02W S11 NESW SESW NWSE
63.0 ACRES TOTAL
Water bearing zone to be appropriated is 50 to 180 feet.

63-11833

GOODING, FRED
23669 BATT CORNER RD
PARMA, ID 83660
Source: GROUNDWATER
Diversions Pt: LOT 2 (NENWNE) Sec 2 T 04N R 05W in CANYON County.
Use: IRRIGATION (2.160 CFS)
Total Diversion: (2.160 CFS)
Date Filed: 5/15/1992
In: CANYON County
T04N R05W S02 Lot 1(NENE) Lot 2(NWNE) SWNE
108.0 ACRES TOTAL
Water bearing zone to be appropriated is 125 to 510 feet.

63-11885

ROBERTSON, STEPHEN C
18835 SYMMS RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversions Pt: NWNW Sec 36 T 03N R 04W in CANYON County.
Use: IRRIGATION (0.150 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.190 CFS)
Date Filed: 6/24/1992
In: CANYON County
T03N R04W S36 NWNW
5.0 ACRES TOTAL
Water bearing zone to be appropriated is 150 to 200 feet.

63-11933

ASCUAGA FARMS INC
18785 ELTON LN
CALDWELL, ID 83605
Source: GROUNDWATER
Diversions Pt: NESE Sec 36 T 05N R 04W in CANYON County.
Use: IRRIGATION (3.000 CFS)
Total Diversion: (3.000 CFS)
Date Filed: 9/28/1992
In: CANYON County
T05N R04W S36 NESW SESW NESE NWSE
SWSE
161.0 ACRES TOTAL
Water bearing zone to be appropriated is 80 to 100 feet.

63-12257

NOHEJL, JOSEPH M
2107 E LINDEN #109
CALDWELL, ID 83605
Source: GROUNDWATER
Diversions Pt: NWNW Sec 9 T 05N R 03W in CANYON County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 8/7/1995
In: CANYON COUNTY
T05N R03W S09 NWNW
63-12266

M & M MOUNTAINVIEW SUBDIVISION INC
4319 DIANE ST
NAMPA, ID 83686
Source: GROUNDWATER
Diversions Pt: SWNW Sec 8 T 02N R 01 W in CANYON County.
Use: DOMESTIC (0.250 CFS)
Total Diversion: (0.250 CFS)
Date Filed: 8/23/1995
In: CANYON County

RECORDED

DEC 12 1995

63-12257

NOHEJL, JOSEPH M
2107 E LINDEN #109
CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: NWNW Sec 9 T 05N R 03W in CANYON County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 8/ 7/1995

In: CANYON County
T05N R03W S09 NWNW

MICRO

DEC 12 1995