

USA
portion
of
Lot 4

4N 4E
5.32
5E 1/4

1852
Tx
6

4856

north 700

E4
1.000

CS

NWSE

NESE

Aiken's
2.6 BL 2

NWSE
9.6.4

63-12185

P/D, P/M mostly SWSE but also
lot partly in other 3 Q's

16.3000
Carol Yarbrough
Setzler

Approx.
the
lines

POND

Den & Judy
Brothers
2 pipes to pond

COMPTON'S APPL.
(REPLACE 4 X 4)
63-12218
6052
TX 124-A
5.78 ac.
Steve & Lucia A
Kimball

Comptons
shot

N 89° 40' 00" E
521.38'
A63-30218
A63-30231

8500
TX 203
6.38 ac.

Erna
Heaver

David
& Rita
Jensen

Sally
& Ron
Kelkes

7853
8.08 ac
Tx 146

Marilee
Passenau

0852
Tx 6
8.05 ac
James
Farmer

Lot 1
44.65 ac.

0050
TX 14
6.60

0051

Tax 7
9.865 ac.

0055
TAX ID
2.082 ac

Brothers - long time residents
Kimball - fairly recent

SW SE

*Ponds may or may not be
using H2O from Spring (capturing
flow) that Allen just E. 1/4
on 3/20/45.
Check for WRS - send info letter
+ poles/claims?

LOT 2
44.48 ac

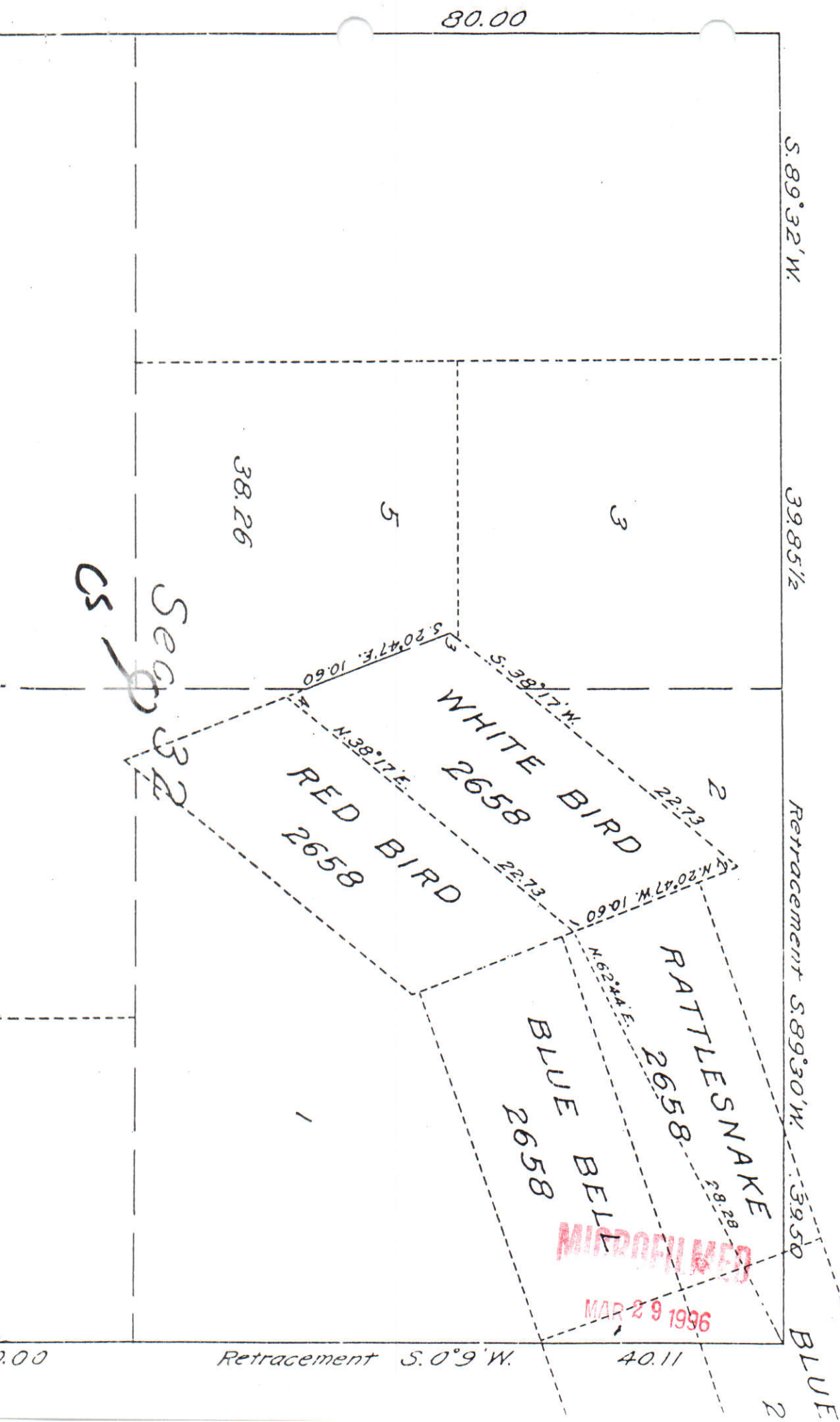
5 1/4

63-12218 Compton
for lot in Kimball name 1996

-FL 6/13/85

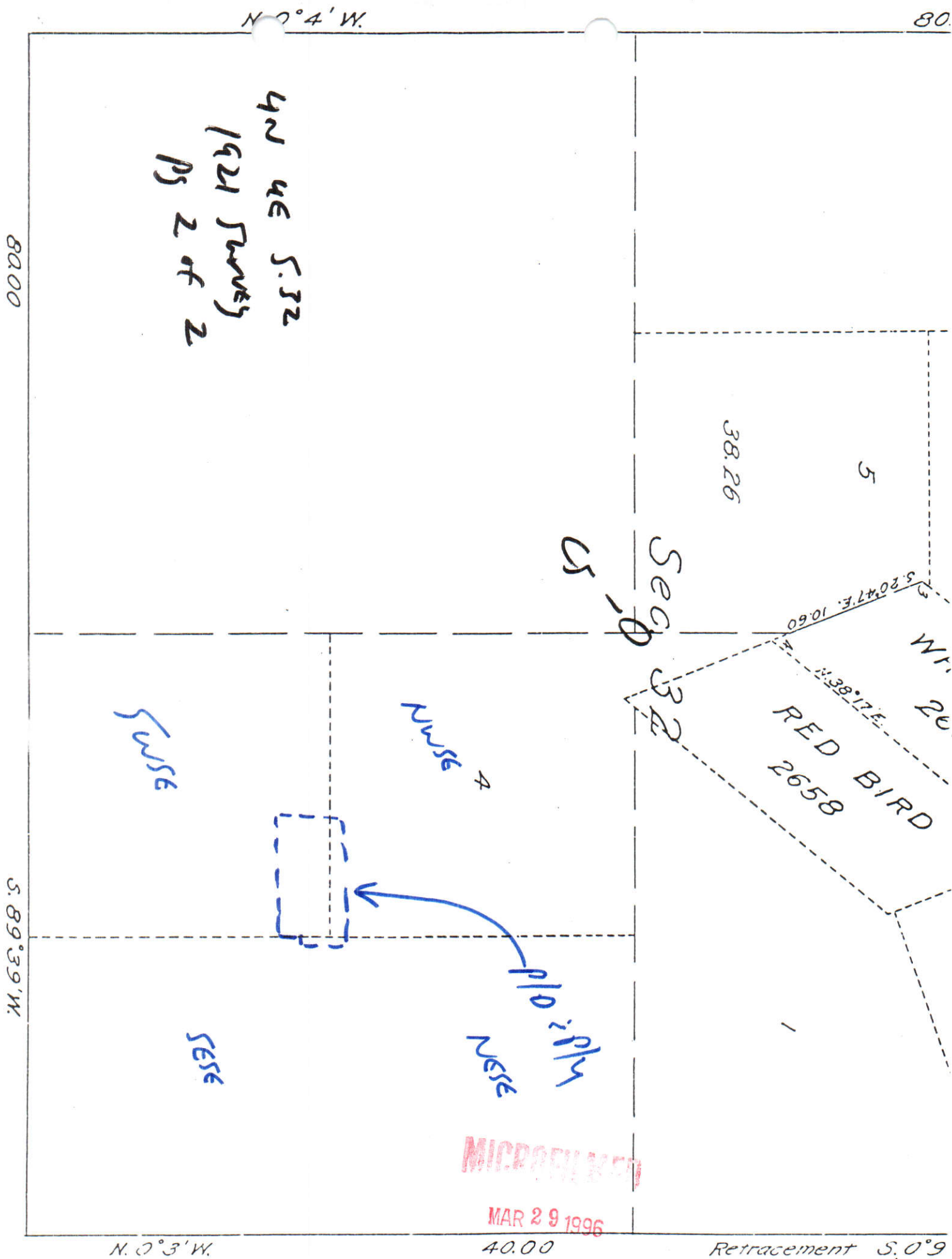
This map provided by
Chris Aiken when Filing
63-12185

42 46 5.32
1921 Turkey
Pg 1 of 2



Note: The field notes of a statement of work of north boundary of a

4 E



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *Sec. 32 Twp 4N R4E*

32

RECORDED

MAR 29 1996

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.

Robert Vann Compton Patricia Jean Compton
(Applicant)

(Applicant)

For Value Received

DeMar C. Burnett and Sharon J. Burnett, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

Leland Patrick, a single person,

the grantee, the following described premises, Boise County Idaho, to wit

Lot No. 1 of The Ranon Subdivision No. 3

Also, including that small portion of land on the East boundary, which was for a public road and has been withdrawn from public use. There is a right-of-way easement to Don Jones along East boundary.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises, that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: January 19, 1976

[Signature]
[Signature]

STATE OF IDAHO, COUNTY OF Boise
On this 9th day of Jan. 1976
before me, a notary public in and for said State, personally
appeared DeMar C. Burnett and Sharon
J. Burnett, husband and wife

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Boise, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at
the request of Leland Patrick
at minutes past 4:25 o'clock, m. T.
this 19 day of January
1976, in my office, and duly recorded in Book of Deeds at page

[Signature]
Ex-Officio Recorder
[Signature]
Deputy
122935

INSTRUMENT NO.

The Idaho World

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED

JUL 07 1995

WATER RESOURCES
WESTERN REGION

State of Idaho >

County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 21, 1995 and ending with the issue of June 28, 1995.

State of Idaho >

County of Boise >

On this 6 day of July in the year 1995, before me, a notary public, personally appeared Deanna Stevenson 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.

V. Cadotte
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6-25-2000

MAR 29 1996

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12218

COMPTON, ROBERT WARREN
COMPTON, PATRICIA JEAN
HC 33 BOX 1175
BOISE, ID 83706

Source: UNNAMED STREAM

Tributary: ROBIE CREEK

Diversion Pt: SWNESE
LOT 4 (SENESE)
NESWSE
NWSESE

Sec 32 T 04N R 04E in BOISE County.
Sec 32 T 04N R 04E in BOISE County.
Sec 32 T 04N R 04E in BOISE County.
Sec 32 T 04N R 04E in BOISE County.

Use: STOCKWATER	(	0.020 CFS)	
STOCKWATER STORAGE	(		0.50 AF)
WILDLIFE	(	0.020 CFS)	
WILDLIFE STORAGE	(		0.50 AF)
DIVERSION TO STORAGE	(	0.020 CFS)	
Total Diversion:	(	0.020 CFS)	

Date Filed: 4/20/1995

In: BOISE County
T04N R04E S32 NESE Lot 4 (NWSE) SWSE SESE

Single point of diversion and place of use for existing system composed of 2 small ponds is found near center of SE 1/4 but primarily located in NESWSE, S32, T04N, R04E.

65-13621

WOLFF, ZANE
PO BOX 38
GARDEN VALLEY, ID 83622

Source: EDDY CREEK

Tributary: PAYETTE RIVER

Diversion Pt: NWSE
SWSE

Sec 19 T 09N R 04E in BOISE County.
Sec 19 T 09N R 04E in BOISE County.

Use: IRRIGATION	(	0.120 CFS)	
DOMESTIC	(	0.080 CFS)	
POWER	(	1.000 CFS)	
Total Diversion:	(	1.000 CFS)	

Date Filed: 6/2/1995

In: BOISE County
T09N R04E S19 NWSE SWSE

4.0 ACRES TOTAL

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 10, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World June 21 and 28, 1995

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

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ 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

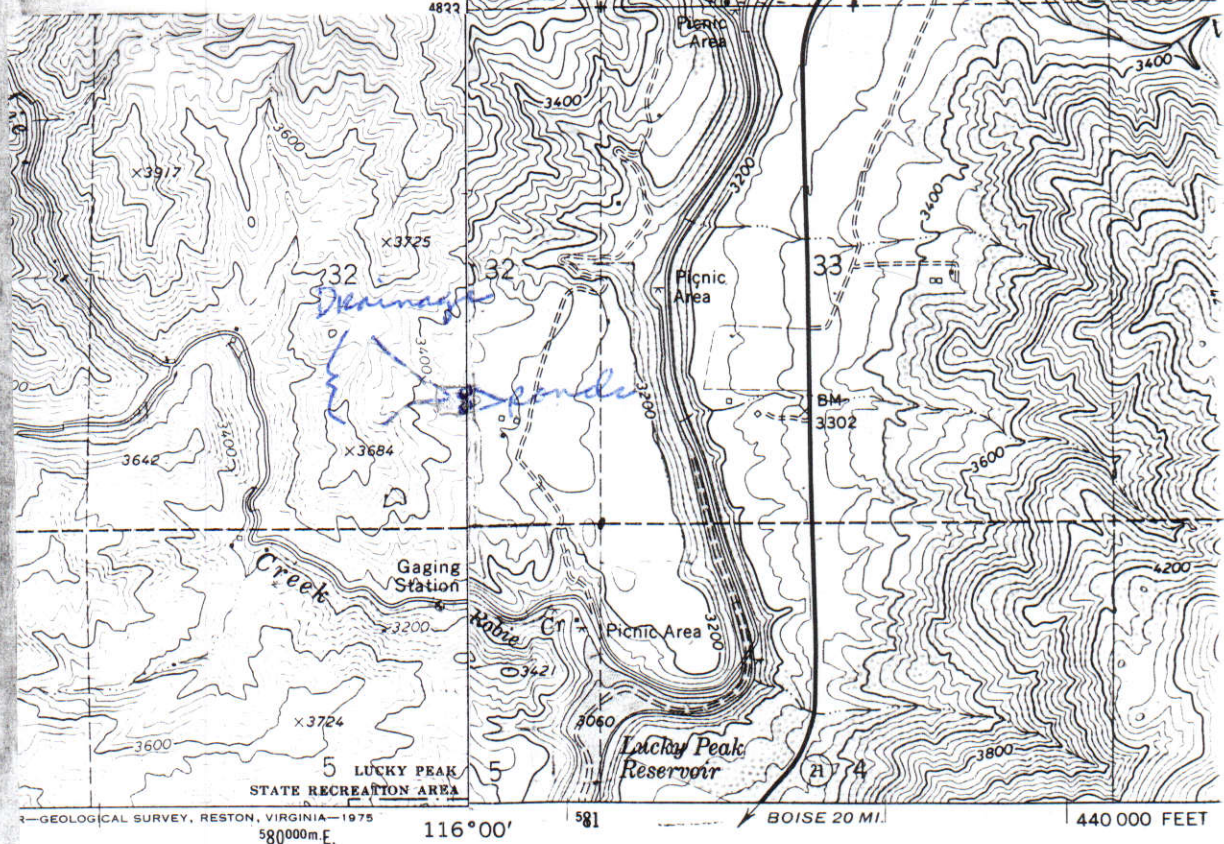
2. Measurements: _____

MICROFILMED

APR 19 1997

Gov 64 in NWSE

T4N SE qtr
R4E
Sec 32



ROAD CLASSIFICATION

- Light-duty road, hard or improved surface
- Unimproved road
- U. S. Route
- State Route

ROBIE CREEK, IDAHO

Mapped by the U. S. Forest Service

Edited and published by the Geological Survey

Control by the USGS, USC&GS, and USFS

Topography by photogrammetric methods from aerial photographs taken 1963. Field checked by USGS 1969. Underwater contours by USCE

Polyconic projection. 1927 North American datum. 10,000-foot grid based on Idaho coordinate system, west zone

1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue

MICROFILMED
APR 9 1997

63-12218

200

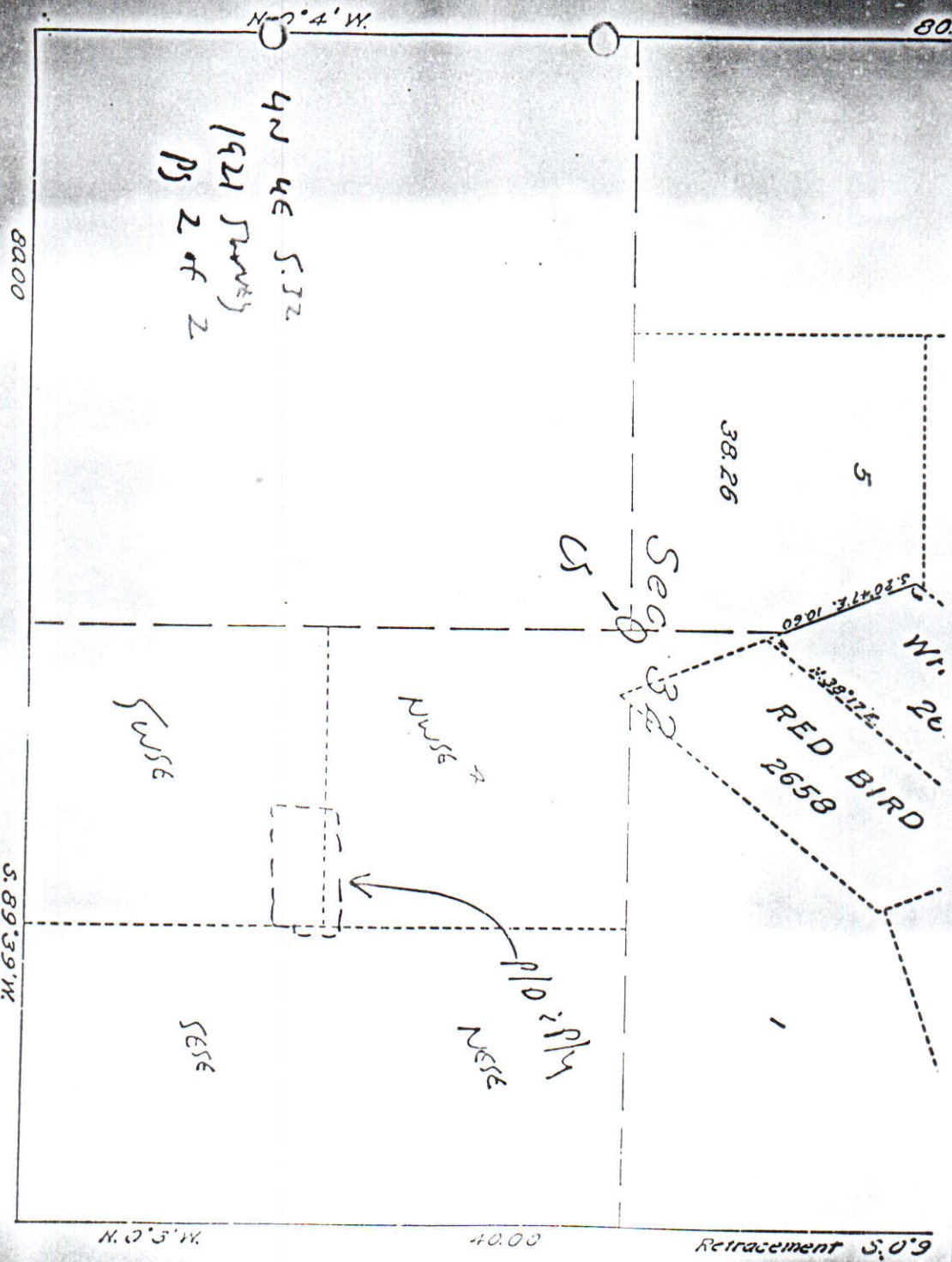
Retracement S. 0° 9' W.

40.11

BLUE
2

80.

Notes: The field notes of a tracement of north boundary of section 79



MICROFILMED

AUG 19 1997

63-12218



Drainage area

small pond
20' x 50' x 4'



big pond
40' x 70' x 4'

MICROFILMED

AUG 19 1997

63-12218

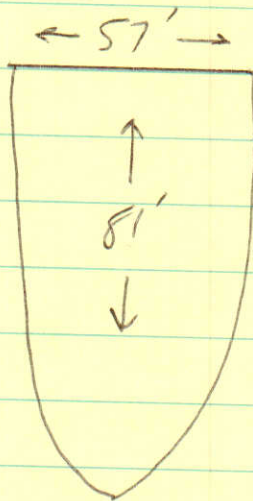
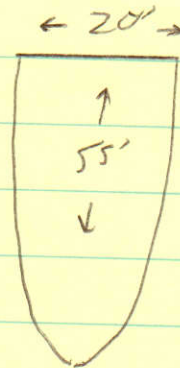
G3-12218

Storage NotesSL
5/18/95From Apple info

- 2 "rounded triangle" ponds, dam ~ 5'
- 1 pond 57' x 81', other pond 20' x 55'

So: assume average depth ~ 4' or 3'

calculate surface area as average of rect. & triangle methods ("rounded triangle")

Pond:LargerSmaller A_{rect}

$$\frac{57 \times 81}{43560} \approx .106 \text{ acre}$$

$$\frac{20 \times 55}{43560} \approx .025 \text{ acre}$$

 A_{triang}

$$\frac{1/2 (57 \times 81)}{43560} \approx .053 \text{ acre}$$

$$\frac{1/2 (20 \times 55)}{43560} \approx .013 \text{ acre}$$

 $A_{averaged}$

$$\approx .32 \text{ acre}$$

$$\approx .02 \text{ acre}$$

Total Surface area $\approx .34 \text{ acre}$ average depth $\approx 3' \text{ or } 4'$ (use 3.5')

probable V shape per Apple info

EST CAPACITY

$$= .34 \text{ acre} \times 3.5' \times .4 = .476 \approx .5 \text{ Af}$$

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12218

Priority: April 20, 1995

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.3 AF

This is to certify, that ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON

HC 33 BOX 1175

BOISE ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 20, 1995; and
has submitted Proof of Beneficial Use on April 2, 1996. An examination indicates
that the works have a diversion capacity of 0.020 cfs of water from:

UNNAMED STREAMS

tributary to ROBIE CREEK

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>
STOCKWATER	04/01 to 09/30	0.02 CFS	0.1 AF
STOCKWATER STORAGE	11/01 to 06/15		0.2 AF
WILDLIFE STORAGE	11/01 to 06/15		0.2 AF
	Totals	0.02 CFS	0.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWSE), Sec. 32, Township 04N, Range 04E
SWSE , Sec. 32, Township 04N, Range 04E
BOISE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 04E 32

NESE

Lot 4(NWSE)

SWSE

SESE

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.

MAILED
AUG 19 1997



100

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12218

CONDITIONS OF APPROVAL AND REMARKS

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation and seepage.

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 14th day of August, 1977.

Acting for


KARL J. DREHER, Director

MICROFILMED

AUG 19 1977



7/94

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. 635207Receipt By: gwhDate Received: 4-29-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 2 - 1996

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. 63-12218 Telephone No. 208-343-4321

2. Name(s) of Permit Holder(s): Robert Warren Compton - Patricia Jean Compton

3. Mailing Address: H.C. 33 Box 1175 Boise ID 83706

4. Source of Water: Unam/Stream Tributary If GROUNDWATER (well), Date Drilled: mo. 11 yr. 87
to Robic Creek

a. Well Driller: _____ Drilling Permit Number: _____

b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): 102 CFS

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR .5 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 ☒

Has the measuring device been installed?

Yes _____ or No ☒

Flow Measurement Port: Is a flow measurement port required?

Yes _____ or No ☒

Has the measurement port been installed?

Yes _____ or No ☒

8. Fee Enclosed: \$ 50.00 (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: Robert Compton Telephone Number: 208-343-4321

Address: H.C. 33 Box 1175 Boise ID 83706

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:

Robert Warren Compton
(include your title, if on behalf of company or organization)
Patricia Jean Compton

Date: March 30, '96

March 30, '96

APR 30 1996

1. 1. 1.

2. 2. 2.

3. 3. 3.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12218

Proposed Priority: April 20, 1995

Maximum Diversion Rate:

0.02 CFS

This is to certify, that ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of ROBIE CREEK

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>	<u>ANNUAL VOLUME</u>
STOCKWATER	04/01 to 09/30	0.02 CFS	
STOCKWATER STORAGE	11/01 to 06/15		0.5 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	
WILDLIFE STORAGE	11/01 to 06/15		0.5 AF
DIVERSION TO STORAGE	11/01 to 06/15	0.02 CFS	
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 32, Township 04N, Range 04E
Lot 4(NWSE), Sec. 32, Township 04N, Range 04E
SWSE , Sec. 32, Township 04N, Range 04E
SESE , Sec. 32, Township 04N, Range 04E
BOISE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 04E 32 NESE Lot 4(NWSE) SWSE
 SESE

PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Single point of diversion located on or near the lines at the center of SE, S32, T04N, R04E.

RECEIVED
MAR 29 1996

MAR 29 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12218

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

27 day of March, 1996

Karl J. Dreher
Karl J. Dreher, Director
for

MAR 29 1996

RECEIVED

MAR 19 1996

Ident. No. 63-12218

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROBERT WARREN COMPTON 208-343-4321
Address: HC 33 BOX 1175
BOISE ID 83706

AND/OR

Name: PATRICIA JEAN COMPTON 208-343-4321
Address: HC 33 BOX 1175
BOISE ID 83706

2. Source: UNNAMED STREAM

3. Location of Point of Diversion:

Below OK
Trib. to: ROBIE CREEK
(SWNESE Sec. 32, Township 04N, Range 04E
Lot 4 (SENWSE) Sec. 32, Township 04N, Range 04E
NESWSE Sec. 32, Township 04N, Range 04E
NWSESE Sec. 32, Township 04N, Range 04E
BOISE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	04/01	09/30	0.020		
STOCKWATER STORAGE	01/01	12/31			0.50
WILDLIFE	01/01	12/31	0.020		
WILDLIFE STORAGE	01/01	12/31			0.50
DIVERSION TO STORAGE	01/01	12/31	0.020		

5. Total quantity to be appropriated is:

0.020 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

EXISTING SYSTEM: PIPE COLLECTS RUNOFF & DELIVERS TO 2 PONDS

b. Height of storage dam 5 feet; active reservoir capacity 0.50
acre-feet; total reservoir capacity 0.50 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.

c. Proposed well diameter is inches; proposed depth of well is
feet.

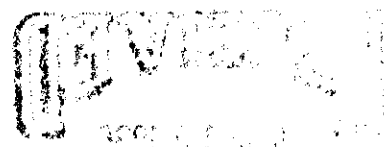
d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

MAR 29 1996



U.S. DEPARTMENT OF AGRICULTURE

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

8. Place of Use: STOCKWATER

TWN RGE SEC
04N 04E 32

NESE
SESE

Place OK - SL
Lot 4 (NWSE)

SWSE

Place of Use: WILDLIFE, same as STOCKWATER use

9. a. Who owns the property at the point of diversion?

S. KIMBALL & L. McDONALD

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

S. KIMBALL & L. McDONALD

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.
5 YEAR LEASE / OPTION TO BUY AGREEMENT COMPLETED 10-9-1994

10. Remarks:

Single point of diversion and place of use for existing system composed of 2 small ponds is found near center of SE 1/4 but primarily located in NESWSE, S32, T04N, R04E.
Stockwater use is for 4 horses and 2 cattle.

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.

See original
Applicant

Received by CJH Date 4/20/95 Time 4:30 Preliminary check by SL

* Fee \$ 75.00 Received by CJH #W018992 Date 4/20/1995

Publication prepared by SL Date 6-14-95 Published in Id. World

Publication approved SL Date 7-11-95

* Fee for Appl = \$50, other fee paid with same \$

- SL

MAR 29 1996

Comments: Date: 6/ 13/ 1995 User-ID: SLESTER

Subject:
CLARIFICATION

This application is clarified from original per applicant's info submitted on original and per additional background material in protested application 63-12185. Comptons protested Allen's appl. 63-12185.

Applicant lists source as a spring, which is mentioned in the deed (Instrument #37468) submitted with application. Considerable controversy seems to surround a spring in the general site - and that is the spring filed upon in Allen's 63-12185, it appears. Appl. 63-12218 originally lists source as spring but other info in filing actually describes a pipe collecting runoff water that is channeled to 2 small ponds (total surface area < 1/2 acre and total storage @ 1/2 af). Ponds dry up by May-June per applicant's 6-6-95 response letter. Thus it appears that the issue of cons. use (evaporative loss acting same as yard use in this case) from June 15 through Nov. 1 (Admin. Memo #13) is addressed. There is at least a basis to consider this application instead of using the transfer option outlined in my 6-1-95 letter to applicants. For this reason the filing was advertised to avoid further delay. Note that legal is based on county assessor's info, subd. plat from 63-12185, and topo map. Most of lot is in SWSE but does appear to fall somewhat within other QOs of SE 1/4. Typical flow and volume (storage) methods were used in revising the filing. The original application states that system in place since @ 1980

1996

although applicant's letter refers to spring use up to 50-60 yrs.
old. There does not appear to be adequate information to show
that ponds were installed prior to 1971 for a SRBA route instead
of appl. for permit.

Allen (applicant in protested 63-12185) is aware of this filing
per recent office visit & therefore does not need comment letter.

RECEIVED
MAR 29 1996

ROBIE CREEK, IDAHO

10,000-foot grid based on Idaho coordinate system.

in Compton's 4/24/95
App'd 4/24/95 by [signature]

- ROAD CLASSIFICATION**
- Primary highway, hard surface
 - Secondary highway, hard surface
 - Unimproved road
 - Interstate Route
 - U. S. Route
 - State Route

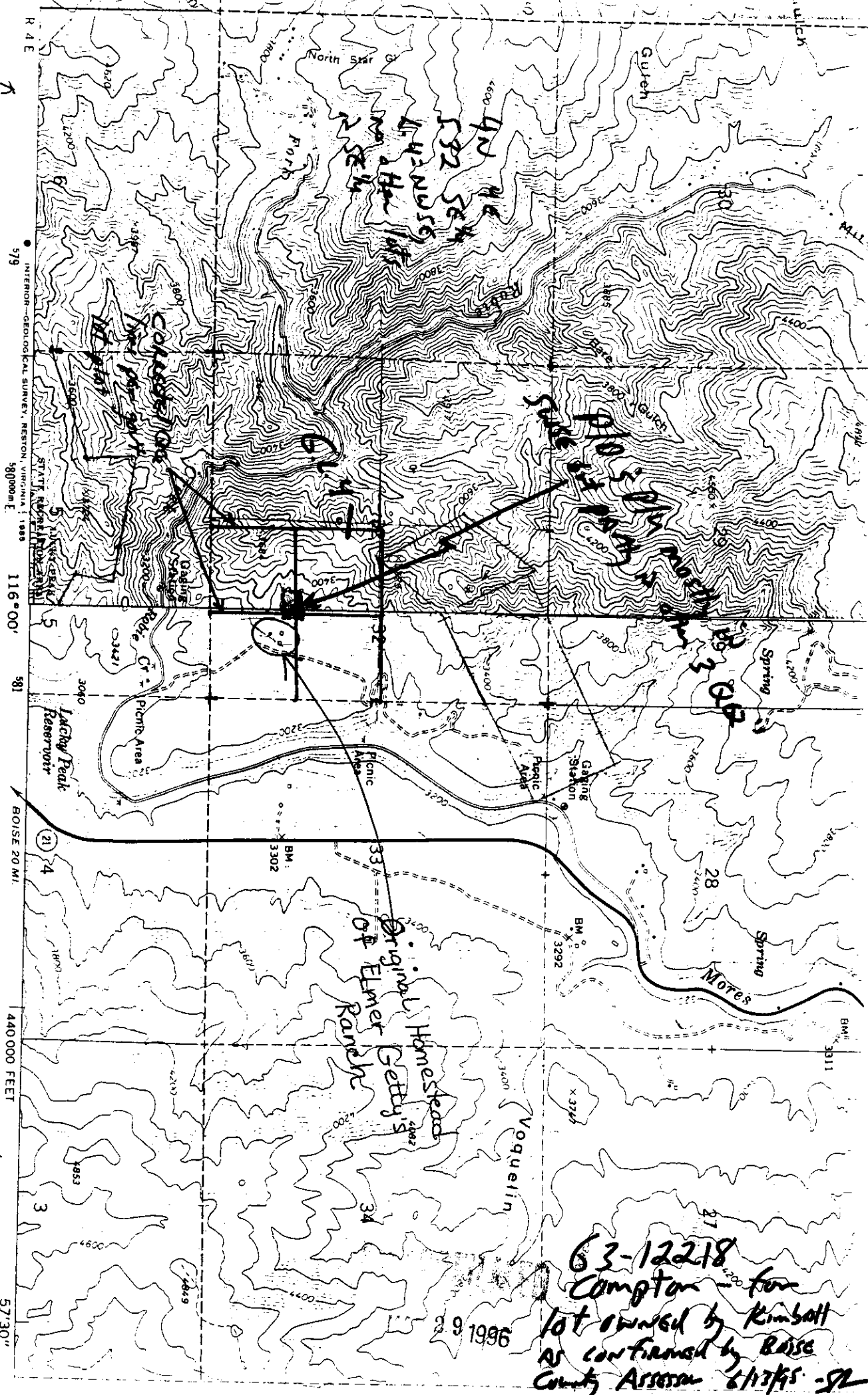
Control by the USGS, USCGS, and USFS

Topography by photogrammetric methods from aerial photographs taken 1963. Field checked by USGS 1969

Underwater contours by USCE

Polyconic projection. 1927 North American datum

This top was selected



USA
portion
of
Lot 4

4N 4E
5.32
5E 1/4

1852
72
6

4856

4N
1/4

CS

NW 5E

NESE

Allen's
2.6 BL 2

NWSE
9.6.4

63-12185

P/D, PM mostly SWSE but also
lot partly in other 3 Q's

16.3080
Carol Yarbrough
Setzler

Approx.
the
lines

Ponds

Den & Judy
Brothers
2 pipes, 20 ft

COMPTON APPL.
(REPLACEMENT)
63-12218
8052
TX 124-A
5.78 ac.
Steve & Lucille
Kimball

Compton
otstut

N 88°48'00"E
321.80'

David & Rita
Jensen

Sally
Ron

8500
TX 203
6.38 ac.
Erna
Heaver

7853
6.08 ac
Tx 148
Marlene
Passenau

0652
Tx 8.05 ac
James
Farmer

Lot 1
44.65 ac.

0050
TX 14
6.60

0051
Tax 7
9.865 ac.

0052
TAXID
2.082 ac.

Brothers - long time residents
Kimball - fairly recent

*Ponds may or may not be
using H₂O from spring (capturing
flow) that Allen first E. 164
on 3/20/45.
Check for WRS - send info letter
+ poles/claims?

LOT 2
44.48 ac

5 1/4

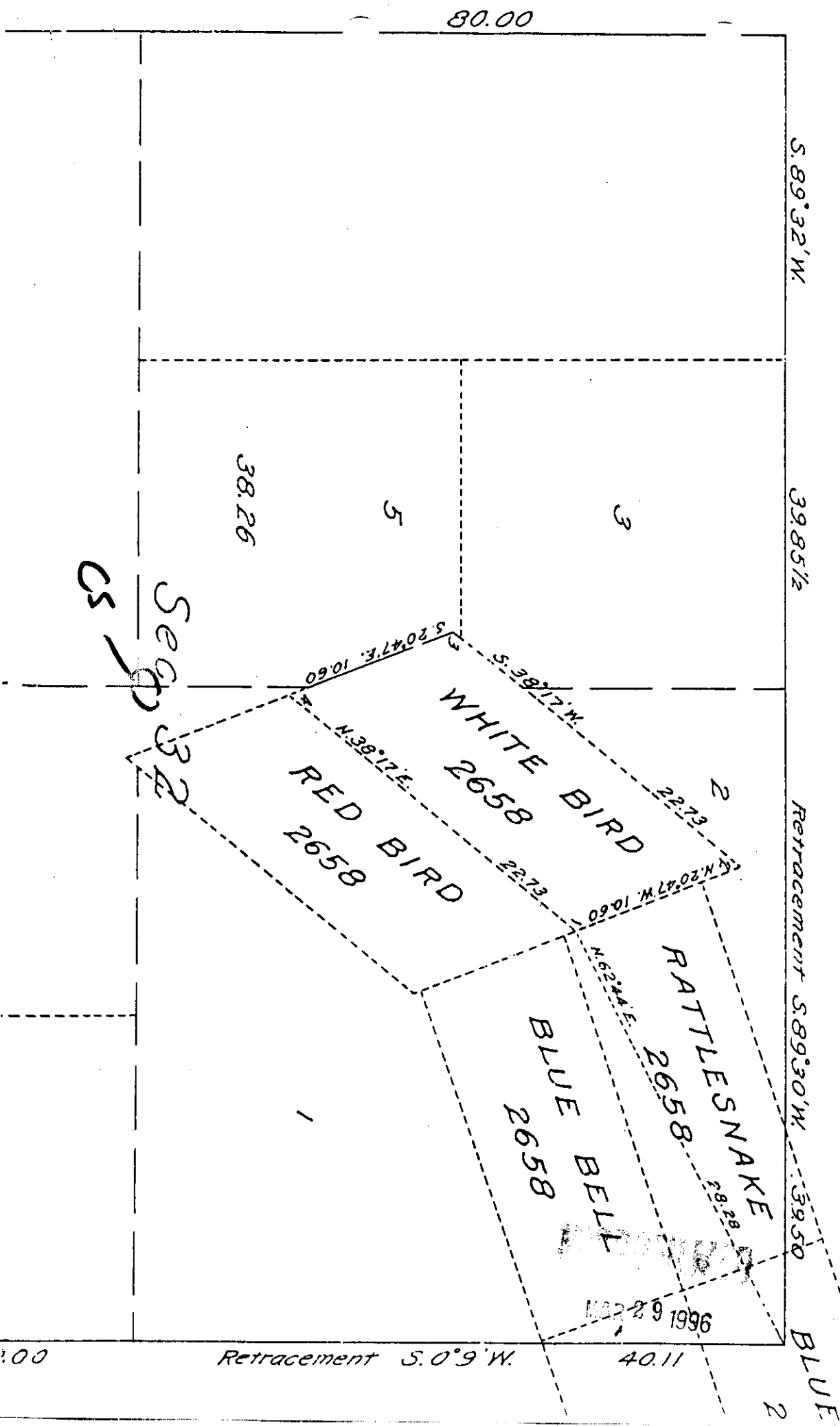
63-12218 Compton

for lot in Kimball

This map provided by
Chris Allen when filing
63-12185

-FL 6/13/95

42 46 5.32
1921 Twenty
pg 1 of 2



N 7° 4' W.

8000

4N 4E S. 32
1921 Survey
Pj 2 of 2

38.26

5

Sec 32
U

S 20° 47' E. 10.60

Wt. 20

RED BIRD
2658

S 38° 12' E.

SWSE

NWSE 4

S. 89° 39' W.



p/o 2/1/94
NWSE

SESE

MAR 29 1996

40.00

Retracement S. 0° 9

N. 0° 3' W.

Note: The field notes of retracement of north boundary of Section 70

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert Warren and Patricia Jean Compton Phone 343-4321
Post office address HC 33 BOX 1175 Boise Idaho 83706
2. Source of water supply Spring near stream which is a tributary of Robic Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 32 Township 4N Range 4E B.M. Boise County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .02 for Stock Water purposes from 4/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR WILDLIFE
- Amount .45 for POND/STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR
- Amount .028 for POND/WILDLIFE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STOCKWATER/WILDLIFE
- Amount .53 for FROM STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) WILDLIFE FROM STORAGE
5. Total quantity to be appropriated is (a) .02 CFS and/or (b) .53 AF
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 2-4" plastic pipe under road crossing 1-4" plastic pipe overflow at Sam. Lagoon pond 57' widest Dam 81 feet long (rounded Triangle) small pond 20' wide at Dam 55' long (rounded Triangle)
- b. Height of storage dam 5' feet; active reservoir capacity .45 acre-feet; total reservoir capacity .45 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____; Well was drilled for (well owner) _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

2 years (minimum 1 year). Majority of the work was constructed 15 years ago (1980-1990)

MAR 29 1996

heavy rain.

12. Remarks: These ponds were established in 1980 to catch and hold excess run off. The ponds fill only with snow melt or agreement with owners. This agreement was initiated and signed on 10/9/94. Applicant has a 5 year lease-option to purchase applicant to make this filing. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use? Steven C. Kimball and Kevin McDonald
11. a. Who owns the property at the point of diversion? Steven C. Kimball and Kevin McDonald
10. Describe any other water rights used for the same purposes as described above. No other water rights on this property. Ranch 5 & 6 #3 - Lot 1 (Old) Lot 2 (Steven) use water from the Spring. Illions have applied on this same spring # 63-12185.

Total number of acres to be irrigated

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4E	32																	
4N	4E	32																	

ponding place of use below. See instructions for standard symbols.

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.

Other, describe fully. Pond used primarily to slow and hold Spring Run off. Water for wildlife. Deer, elk, quail, rabbit, coyote, ducks.

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. 4 horses 2 cattle
- c. Municipal; show name of municipality.
- d. Domestic; show number of households.
- e. Other; describe fully.

Sec. 32 Twp 4N R4E

RECEIVED
MAR 29 1996

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.

(Applicant)

Received by Cy4 Date 4/20/95 Time 1630 Preliminary check by _____
Fee \$ 50- Receipted by Cy4 # W018992 Date 4/20/95
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:

APPROVED
1995 29 1996

BARGAIN AND SALE DEED

THIS INDENTURE, Made the third day of October in the year of our Lord one thousand nine hundred and thirty between Elmer C. Gettys, a single man of Boise County of Ada, State of Idaho, the party of the first part, and W. W. White of Boise, County of Ada, State of Idaho, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Twenty (\$20.00) Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns, forever, all those two certain springs situate, lying and being in the County of Boise, and State of Idaho, particularly described as follows, to-wit:

All the waters of those two certain springs situated on the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-two (32), in Township Four (4) North of Range Four (4) East of the Boise Meridian, which said springs are located about 150 West of the East boundary line of said above described eighty acre tract and about the middle of said tract on a north and south line, together with the right of way necessary to convey the waters of said springs across the above described lands to the lands of the said party of the second part;

together with all and singular the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Elmer C. Gettys (SEAL)

STATE OF IDAHO)
 :SS
COUNTY OF ADA)

On this 3rd day of October in the year 1930, before me Luther W. Tennyson a Notary Public in and for said State, personally appeared Elmer C. Gettys, a single man, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

1930
OCT 3 1930

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

(SEAL)

Luther W. Tennyson
Notary Public for the State
of Idaho, residing at Boise,
Idaho

STATE OF IDAHO)
 :SS
COUNTY OF BOISE)

I hereby certify that this instrument was filed for record at request of
W. W. White at 20 minutes past 2 o'clock P. M., this 29th day of October A.
1930 in my office and duly recorded in Book 45 of Deeds at page 502.

Katherine M. Brogan
Ex-Officio Recorder

By *[Signature]*
Deputy

RECORDED

MAR 29 1931

WARRANTY DEED

FOR VALUE RECEIVED, WILLIAM W. WHITE and G. JOSEPHINE WHITE, Husband and wife, the grantors, do hereby grant, bargain, sell and convey unto HARVEY M. BURNETT and MARTHA C. BURNETT, husband and wife, the grantees, the following described premises in Boise County, Idaho, to-wit:

Lot 4, Section 4;
 Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 3 North
 Range 4 East, B. M.
 S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 29;
 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30;
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31;
 W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 1, 3 and 5, Section 32;
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 1, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 33, Township
 4 North, Range 4 East, B. M.

Together with all water, water rights, ditches
 and ditch rights thereunto belonging, including
 all water rights that have been established
 and used pertaining to the said property flowing
 from Ruby Creek and all other sources.

EXCEPTING THEREFROM THE FOLLOWING:

The E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Government
 Lot 1, all in Section 5, T. 3 N., R. 4 E., B. M.,
 Boise County, Idaho.

All that portion of Government Lot 4 in Section
 4, of said township and range lying Southwesterly of
 a line described as follows: Beginning at a point
 on the West line of said Section 4, said point lying
 900 feet South of the Northwest corner thereof; thence
 South 41° 30' East to the south line of said Lot 4 and
 a point of terminus of the above described line.

ALSO EXCEPTING THE FOLLOWING: All that portion of the
 S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33, T. 4 N., R. 4
 E.B.M., and government Lot 4 in Section 4, T. 3 N., R.
 4 E.B.M., Boise County, Idaho, lying East of a line
 described as follows: Commencing at the NW corner of
 said Section 4; thence South along the West line of
 Section 4 a distance of 900 feet; thence South 41° 30'
 East to the South line of said Lot 4; thence East
 along the south line of said Lot 4 a distance of 710
 feet to the true point of beginning; thence North
 16° 15' West to a point on the south line of the
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33; thence west along said
 south line a distance of 100 feet; thence North
 parallel to the west line of said Section 33 to
 the North line of the said S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section
 33 and point of terminus of the above described
 line.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs
 and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are
 the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant
 and defend the same from all lawful claims whatsoever.

Dated: Delivered in escrow this 4th day of June, 1964.

William W. White
 G. Josephine White

STATE OF IDAHO,)
 COUNTY of Boise) ss

On this 4th day of June, 1964, before me, the undersigned, a Clerk of the District Court in and for said
 State, personally appeared William W. White and G. Josephine White, husband and wife, known to me to be the
 persons whose names are subscribed to the within 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.

SEAL Katherine M. Brogan
 Ex-Offi
 Clerk District Court

STATE OF IDAHO,)
 COUNTY of Boise) ss

I hereby certify that this instrument was filed for record at no min. past 10 o'clock A. M., this 30 day of
 June, A. D. 1967, in my office, and duly recorded in Book 58 of Deeds at page 522.

Katherine M. Brogan
 Ex-Officio Recorder

By *Katherine M. Brogan*
 Deputy

9/50
 REG. 11
 (Rev. Stamp) 4742 1967

MAR 28 1968

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That HARVEY M. BURNETT of Boise, County of Ada, and MARTHA C. BURNETT, his wife, of Boise, County of Ada, State of Idaho, parties of the first part, for and in consideration of the sum of TWENTY NINE THOUSAND FIVE HUNDRED AND NO/100ths DOLLARS, in lawful money of the United States of America, and other valuable consideration, to them in hand paid by DEMAR C. BURNETT and SHARON J. BURNETT of Boise, Boise County, Idaho, hereinafter called parties of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second parties, all of the following described property situate, lying and being in the County of Boise, State of Idaho, to-wit:

$E\frac{1}{2}SE\frac{1}{4}$, Section 32, and $W\frac{1}{2}SW\frac{1}{4}$, Section 33, Township 4 North, Range 4 East, Boise Meridian; and Lot 1, Section 5, and Lot 4, Section 4, Township 3 North, Range 4 East, Boise Meridian; EXCEPTING THEREFROM THE FOLLOWING:

(1) $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}$; and $NE\frac{1}{2}SW\frac{1}{4}$ of Government Lot 1, all in Section 5, Township 3 North, Range 4 East, Boise Meridian.

(2) That portion of Government Lot 4 in Section 4, Township 3 North, Range 4 East, Boise Meridian, lying Southwesterly of a line describe as follows:

Beginning at a point on the West line of said Section 4, said point lying 900 feet South of the Northwest corner thereof; thence S. $41^{\circ} 30'$ E. to the South line of said Lot 4 and a point of terminus of the above-described line.

(3) All that portion of the $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ and the $W\frac{1}{2}SW\frac{1}{4}$ of Section 33, T. 4 N., R. 4 E.B.M., and the Government Lot 4 in Section 4, T. 3 N., R. 4 E.B.M., lying East of a line described as follows:

Commencing at the Northwest corner of said Section 4; thence South along the West line of Section 4 a distance of 900 feet; thence S. $41^{\circ} 30'$ E to the South line of said Lot 4; thence East along the South line of Lot 4 a distance of 710 feet to the true point of beginning; thence N. $16^{\circ} 15'$ W to a point on a South line of the $NW\frac{1}{4}SW\frac{1}{4}$ of said Section 33; thence West along said South line a distance of 100 feet; thence North parallel to the West line of said Section 33 to the North line of the said $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ of said Section 33 and point of terminus of the above-described line.

(4) Land lying Southwest of county road in $E\frac{1}{2}SE\frac{1}{4}$, Section 32, Township 4 North, Range 4 East, Boise Meridian.

(5) A tract of land lying in Government Lot 1, Section 5, T. 3N., R. 4 E.B.M., more particularly described as follows:

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to rights to 3.0 c.f.s. of the waters of More's Creek with beginning at a point on the South line of said Lot 1, said point being at the North-South centerline of said Lot 1; thence Northerly and parallel with the West line of said Lot 1, to the Southeast corner of the Northeast quarter of the Southwest quarter of said Government Lot 1; thence Westerly and parallel with the South line of the West line of said Lot 1, to the South line thereof; thence Easterly along the South line of said Government Lot 1, to the point of beginning.

Together with all irrigation equipment of every kind and character and replacements thereof and additions thereto, including but not limited to pumps, pipe, electrical panels and sprinkler irrigation systems and accessories to each.

Subject to exceptions and reservations contained in patents from the United States.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to right of way, as described in the instrument in favor of the State of Idaho, recorded August 15, 1914, in Book 38 of Deeds at page 44, records of Boise County, Idaho.

Subject to the transmission line easement in favor of the Idaho Power Company, as disclosed by the instrument recorded August 2, 1948, in Book 11 of Miscellaneous Records at page 600, records of Boise County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the parties of the second part, as community property, and to the heirs and assigns of the second parties forever.

The parties of the first part, for themselves and for their heirs, executors and administrators, do hereby covenant to and with the parties of the second part, and with the heirs and assigns of second parties, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals this 29th day of June, 1967.

Harvey M. Burnett
Martha C. Burnett

SEAL
SEAL

MAR 29 1968

STATE OF IDAHO,)
COUNTY of ~~Blaine~~ ADA)^{as}

On this 29th day of June, 1967, before me, a Notary Public in and for said County and State, personally appeared Harvey M. Burnett and Martha C. Burnett, his wife, to me known to be the identical individuals described in and who executed the within and foregoing instrument and whose names are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

SEAL Ruth Stull Deasloy
Notary Public in for the State of
Idaho, residing at Boise, Idaho
My commission expires: 8-30-1970

Recorded in Boise County, Idaho on 30 June, 1967 in Book 58 of Deeds at page 523.

Katherine M. Brogan
Ex-Officio Recorder

By *Katherine M. Brogan*
Deputy

Fee \$2.25

MAR 29 1966

Value Received

DeMar C. Burnett and Sharon J. Burnett

the following described premises:

Lot No. 1 of T1E Range Subdivision No.

Also, including that small portion of land on the south corner of said lot which was for a public road and has been withdrawn from public use. There is a right-of-way easement to said lot on the east boundary.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantors do hereby covenant to and warrant to the said Grantee that they are the owners in fee simple of said premises, that said premises are free from all incumbrances.

And that they will warrant and defend the same from all lawful claims whatsoever.

STATE OF IDAHO, COUNTY OF

On this 9th day of Jan. 1976 before me, a notary public in and for said State, personally appeared DeMar C. Burnett and Sharon J. Burnett, husband and wife.

known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Residing at Boise, Idaho.

STATE OF IDAHO, COUNTY OF Boise

I hereby certify that this instrument was filed for record at the request of Robert Petrich.

at minutes past 4:25 o'clock on this 17th day of January 1976, and duly recorded in Book of Deeds at page.

Robert C. Nelson, Notary Public.

Residing at Boise, Idaho.



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

P134844 80/89

REVIEWED AND APPROVED TWO AMO

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED JOEANN PATRICK, Personal Representative of the ESTATE OF LELAND PATRICK, Deceased and JOEANN PATRICK, as Her Separate Estate

Grantor s , do hereby grant, bargain, sell and convey unto TODD MICHAEL OTSTOT and KARI MARIE OTSTOT, Husband and Wife

the Grantee s , whose current address is: 1330 C Eldorado, Boise, ID 83704
the following described real property in Boise County, State of Idaho, more particulary described as follows, to-wit:
See attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of one (1) page.

CERTIFIED TO BE A TRUE
AND CORRECT COPY OF THE
ORIGINAL

154577

BOISE COUNTY IDAHO SS
REQUEST OF

DATE 12-06-94 TIME 11:00

94 DEC 30 PM 3:56

Rosa A. Canady
Shirley George
\$19.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , and Grantee s heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees , the Grantors are the owner s in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s ; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: December 06, 1994

JoeAnn Patrick PR
JoeAnn Patrick, Personal Representa

JoeAnn Patrick
JoeAnn Patrick

STATE OF IDAHO , County of ADA , ss.

On this 30th day of Dec. , in the year of 1994 , before me Sharlot Oien , a notary public, personally appeared JoeAnn Patrick known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public: Sharlot Oien
Residing at: Caldwell, Idaho
My Commission Expires: 6-23-95
MAR 29 1995

EXHIBIT "A"

LOT 1 OF THE RANCH SUBDIVISION NO. 3, SITUATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" PIPE AND BRASS CAP MARKING THE SECTION CORNER COMMON TO SECTIONS 32 AND 33, TOWNSHIP 4 NORTH, RANGE 4 EAST, BOISE MERIDIAN, AND SECTIONS 4 AND 5 TOWNSHIP 3 NORTH, RANGE 4 EAST, BOISE MERIDIAN,

THENCE SOUTH 89 DEGREES 40'00" WEST, 1308.94 FEET ALONG THE SECTION LINE COMMON TO SECTIONS 32, 8, 5 TO AN IRON PIN, SAID PIN BEING THE EAST 1/4 CORNER,

THENCE NORTH 00 DEGREE 04'17" EAST, 79.3 FEET TO AN IRON PIN;

THENCE NORTH 89 DEGREES 40'00" EAST, 521.58 FEET TO AN IRON PIN;

THENCE SOUTH 12 DEGREES 03'33" WEST, 205.14 FEET TO AN IRON PIN ON THE NORTHERLY LINE OF LOT 2 OF SAID SUBDIVISION;

THENCE NORTH 76 DEGREES 29'43" WEST, 543.70 MORE OF LESS FEET TO AN IRON PIN;

THE REAL POINT OF BEGINNING.

EXCEPT THAT PORTION, IF ANY, LYING WITHIN THE EXISTING PLATTED 50 FOOT ROAD AS SHOWN ON SAID PLAT.

MAR 29 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

August 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706

RE: WATER RIGHT NO. 63-12218

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.

MICROFILMED

AUG 19 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.

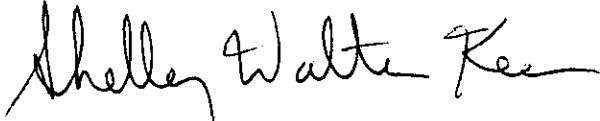
APPEAL OF FINAL ORDER TO DISTRICT COURT

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 6/-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:klt

Enclosure

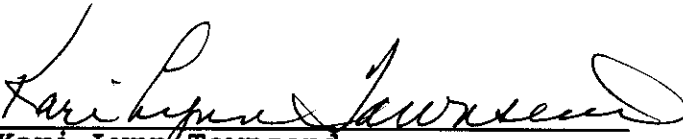
MICROFILMED
AUG 19 1987

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of August, 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. 63-12218

ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706


Kari Lynn Townsend
Secretary

WCH/CLM

AUG 19 1997

MEMORANDUM

DATE: August 11, 1997

TO: Water Right File 63-12218

FROM: Shelley W. Keen *swk*

RE: No need for licensing amendment

Last week Robert Compton called me to discuss the amendment request I sent him for permit 63-12218. Mr. Compton does not think he should have to amend his permit before a license is issued because the actual development is consistent with his application for permit and with the advertisement of the application, both of which described two ponds located near the center of center of the SE¼ of Section 32, T4N, R4E.

The amendment was requested because of the appearance that Mr. Compton developed two points of diversion after describing only one in his application. However, after reading Mr. Compton's handwritten application again, I am convinced that IDWR's interpretation that the development would include one point of diversion for two off-stream storage facilities was mistaken. In fact, both reservoirs, which were already constructed by the time the application was made, are on-stream and should have been described with two distinct points of diversion. Therefore, condition no. 5 on the permit, which indicates that only one point of diversion would be developed, was included in error. I recommend that Mr. Compton be issued a license without requiring the permit to be amended.

EX-100-1111

AUG 19 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

July 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706

RE: WATER RIGHT NO. 63-12218

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

ENCLOSURE

AUG 19 1997

MEMORANDUM

TO: File 63-12218

FROM: Sharla Curtis

DATE: July 21, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 63-12218 are based on the following:

A. GENERAL INFORMATION

3. Source: unnamed streams tributary to Robie Creek

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

T4N, R4E, S32 - NWSE (Lot 4), SWSE

H. RECOMMENDATIONS

Stockwater	4/1 - 9/30	0.02 cfs	0.1 afa
Stockwater Storage	11/1 - 6/15		0.2 afa
~~Wildlife~~	~~1/1 - 12/31~~	~~0.02~~	~~0.1 afa~~
Wildlife Storage	11/1 - 6/15		0.2 afa
~~Div. to Storage~~	~~11/1 - 6/15~~	~~0.02~~	
	TOTALS	0.02 cfs	0.3 afa

As shown by the examiner, there are two streams (drainage) to the ponds and can be narrowed to the W1/2SE, rather than listing all 4 1/4s of the SE. The source then becomes "streams" and an amendment is required to pick up the second "diversion".

The volume for the direct flow components is additive to the storage volume.

Examiner: Lori Graves
Exam Date: July 10, 1996

NOT RECORDED

AUG 18 1997

Because the storage is on-stream, div. to storage is not necessary. Also, flow for wildlife is not appropriate if there is no off-stream diversion. Stockwater can be recommended per I.C. §42-113.

*S.W. Keen
8/11/97*

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-12218

DATE 7/21/97

REVIEWER: SHARLA

NAME Change OK Address Change NO
 SOURCE Change OK Is change clarification of originally intended source? NO
 POINT OF DIV 2 pld NWSE, SWSE If not, prepare Notice of Intent to Void NO
 PLACE OF USE SE 1/4 Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .02 cfs
 Fee limit .20 cfs \$50⁰⁰
 Measured ✓ cfs
 Theoretical ✓ cfs

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/
NATURE OF USES ✓

Use	Volume Calculation
<u>Stock</u>	<u>.1</u> af
<u>Stor</u>	<u>.2</u> af
<u>Wild</u>	<u>.1</u> af
<u>Wild St</u>	<u>.2</u> af
SUBTOTAL	.3 af
<u>DW to Stor</u>	<u>N/A</u>

Flow rate .02 cfs X 365 days X 1.98% = 14.5 af
 Total volume recommended .3 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS 2 pld in

CONDITIONS R04 Watermaster Control WD# 63

GW Measurement/Measuring Device
Overlap
Use-specific conditions Q80

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A
 Adjustment Memo pld

1st Amend Letter P39, P38
 2nd Amend Letter P42

total volume
pld stock vs stock stor.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 03 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12218

1. Owner: Robert + Patricia Compton Phone No. 343-4321

Current Address: HC 33 Box 1175 Boise 83706

2. Accompanied by: Robert EXAM DATE: 7/10/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: unnamed stream tributary to Robin Cr

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
	<u>4</u>		<u>NE</u>	<u>SE</u>	<u>32</u>	<u>4N</u>	<u>4E</u>	<u>Boise</u>	<u>USGS Quad</u>
<u>2</u>	<u>4</u>		<u>NW</u>	<u>SE</u>					
<u>Ponds</u>			<u>SW</u>	<u>SE</u>					
			<u>SE</u>	<u>SE</u>					

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	
<u>4N</u>	<u>4E</u>	<u>32</u>													<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	
															<u>SS</u>	<u>SS</u>	<u>SS</u>	<u>SS</u>	
															<u>W</u>	<u>W</u>	<u>W</u>	<u>W</u>	
															<u>WS</u>	<u>WS</u>	<u>WS</u>	<u>WS</u>	

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AUG 19 1997

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

105 af
triangle little pond
20' x 50' x 4'

to nat. drainage

ditch dam 20' 40'

outlet pipe

13 af
triangle big pond
40' x 70' x 4'

to nat. drainage

ditch dam 70' 40'

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ 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: _____

MICROFILM

AL 19 1957

E. NARRATIVE/REMARKS/COMMENTS

Natural drainage channels form an unnamed stream that feeds two small ponds. The ponds combined surface area only amounts to ~.04 ac. Each pond consists of a dirt dam and outlet pipe. The ponds are centered in the SE qtr of sec 32. The period of use recommended reflects the permit. No other water rights are used.

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

MICROFILMED
AUG 19 1987

Pond volume

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

small pond:

$$\frac{1/2(50') \times 20'}{43560} = .01 \text{ ac} \times 4' = .05 \text{ af}$$

big pond:

$$\frac{1/2(70') \times 40'}{43560} = .03 \text{ ac} \times 4' = .13 \text{ af}$$

$$.05 \text{ af} + .13 \text{ af} = .18 \text{ af (allow .2 af)}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$5 \text{ misc stock horses, cattle} \times .0134 = .07 \text{ afa} \\ \text{allow .1 afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stock	4/1	9/30	.02	.1
Stockwater stor	11/1	6/15		.2
Wildlife	1/1	12/31	.02	.1
Wildlife stor	11/1	6/15		.2
Dir to stor	11/1	6/15	.02	
Totals:			.02	.2

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name Jon Graven Date 5/29/97

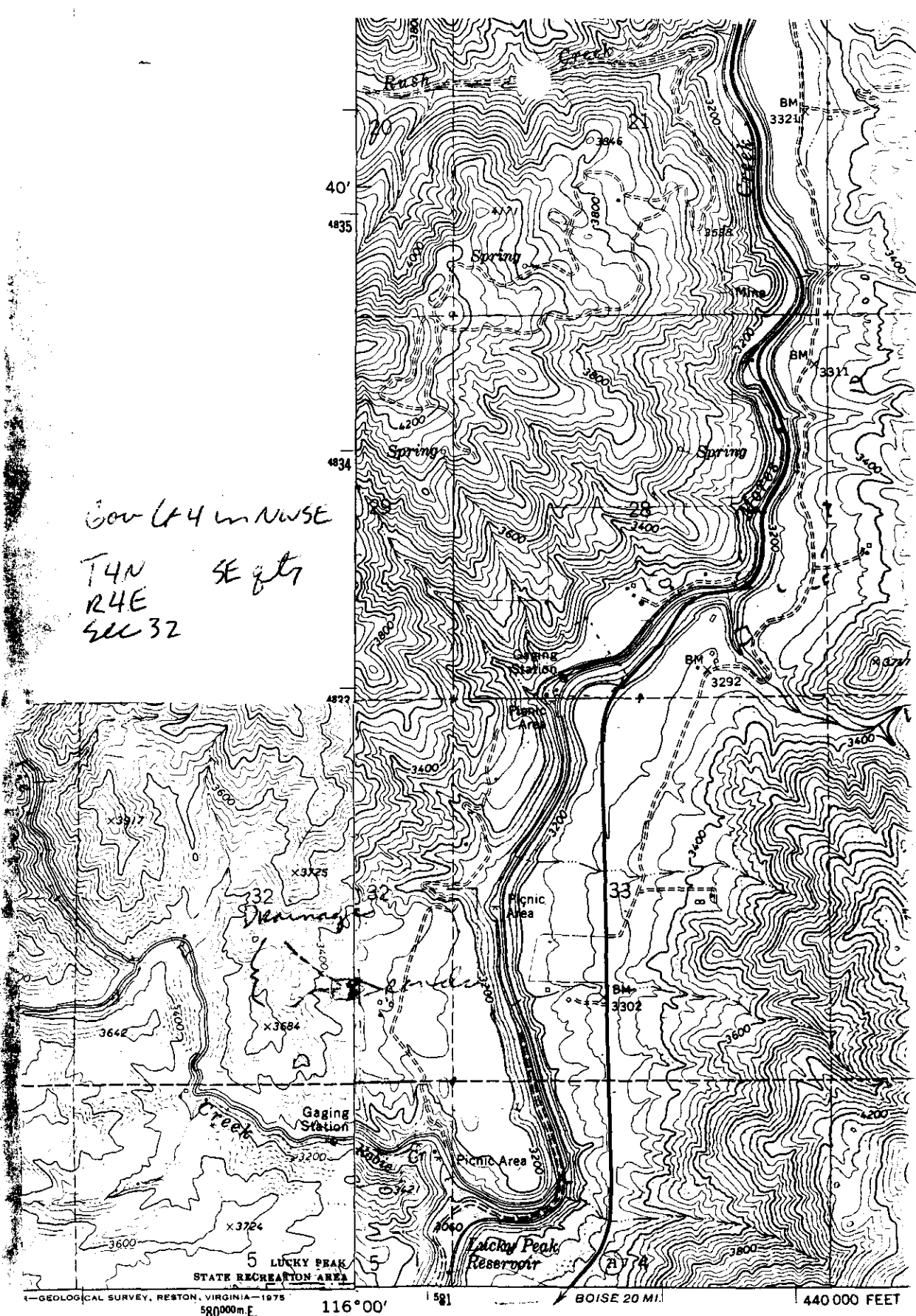
Reviewer _____ Date _____

SEAL

MICROFILMED

AUG 19 1997

Gov 64 m NWSE
 T4N SE qtr
 R4E
 Sec 32



ROAD CLASSIFICATION

- Light-duty road, hard or improved surface
 — Unimproved road
 — U. S. Route
 — State Route

Mapped by the U. S. Forest Service
 Edited and published by the Geological Survey
 Control by the USGS, USC&GS, and USFS

Topography by photogrammetric methods from aerial photographs taken 1963. Field checked by USGS 1968
 Underwater contours by USCE

Polyconic projection. 1927 North American datum
 10,000-foot grid based on Idaho coordinate system,
 west zone
 1000-meter Universal Transverse Mercator grid ticks.
 11 shown on page

ROBIE CREEK, IDAH

UTM GF
 63-12218

2

W. G. S. Lucretius
Refinement S. O. S. W.

200

03

in, & with

4N 4E S.32
1921 Survey
Pg 2 of 2

38.26

Sec 32
U

W. 20

RED BIRD
2658

NW56

SWSE

10/10/14
Nese

5E5E

Reinforcement S.O.'s

20.00

2015.5.14

8200

5. 89'39"N

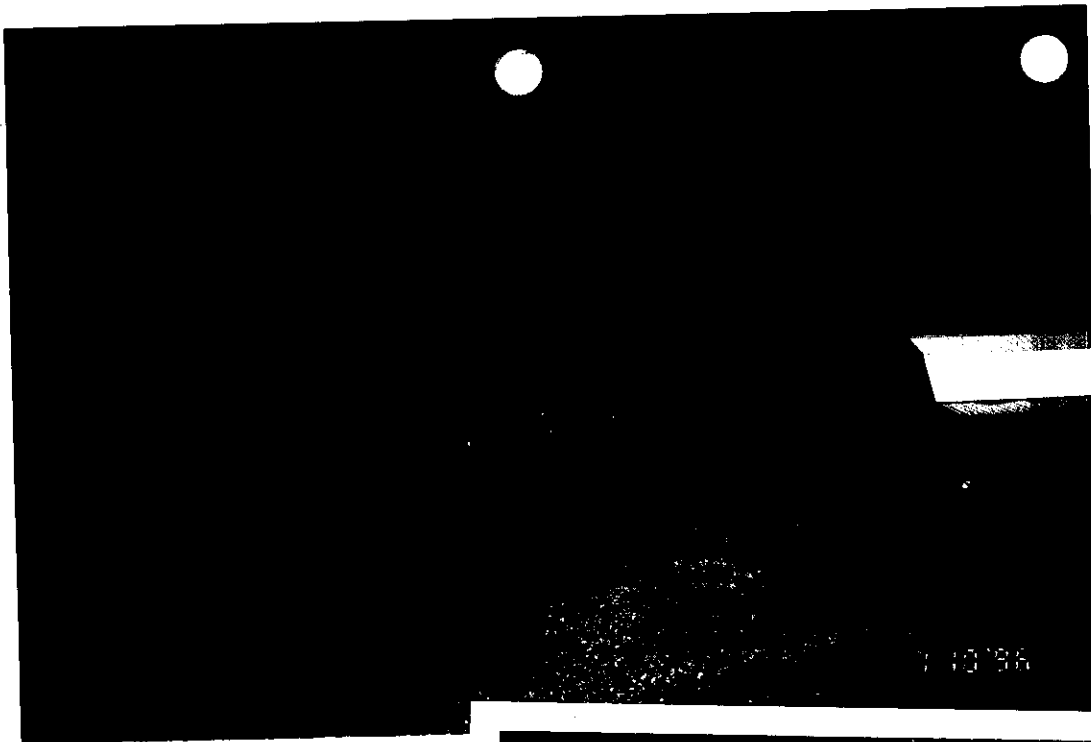
Not The field notes of a tracing of part of north boundary of Section 70

4

MICHOFFINER

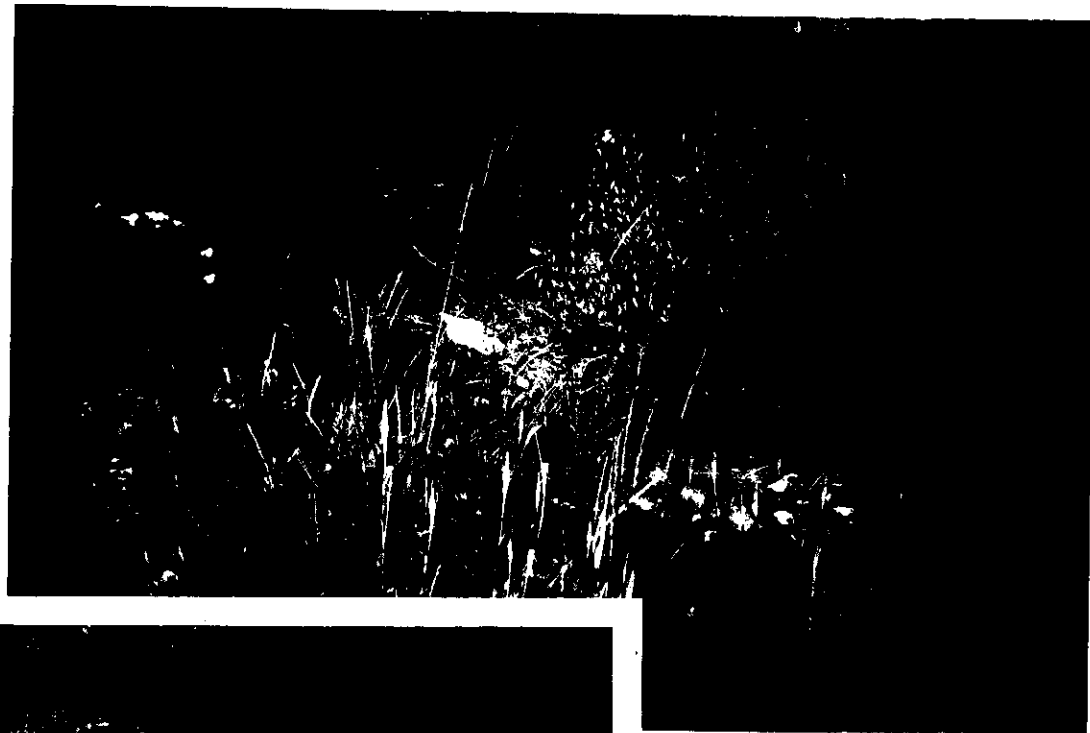
136

63-1271-8



Drainage area

small pond
20' x 50' x 4'



big pond
40' x 70' x 4'

ENCLOSURE

AUG 19 1957

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12218 Reviewed by Jf Date 4-4-96

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stock

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit

 Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 4-2-96

April 4, 1996

ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12218

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 this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 30 1996



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

March 27, 1996

ROBERT WARREN COMPTON
PATRICIA JEAN COMPTON
HC 33 BOX 1175
BOISE ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12218

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

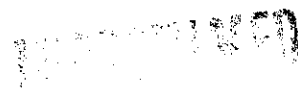
Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures



MAR 29 1996

MEMORANDUM

DATE: March 25, 1996

TO: File 63-12218

FROM: Shelley W. Keen *SK*

RE: Recommendation for Approval

Application for Permit No. 63-12218 proposes a diversion of water from an unnamed stream tributary to Robie Creek to fill a 0.5 AF reservoir for stockwater and wildlife purposes. The 1995 *Amended Moratorium Order* for the Boise River drainage area states that applications proposing the use of surface water upstream from Star Bridge will be denied unless the applicant files an acceptable plan to avoid or mitigate material injury to existing water rights. Moreover, *Application Processing Memorandum No. 13*, issued in 1980, states that no permits will be issued for consumptive uses of surface water above Lucky Peak Reservoir during the period of June 15 to November 1.

I recommend the approval of Application for Permit No. 63-12218 despite the moratorium and the memorandum because I believe the proposed use will be virtually non-consumptive and will, therefore, cause no material injury to existing rights. In addition, to avoid conflict with senior irrigation rights, the diversion to storage can be limited to the period from November 1 to June 15 and can be placed under watermaster control.

APPROVED
MAY 1 1996

MAY 29 1996

MEMORANDUM

DATE: March 19, 1996
TO: Shelley Keen, File No. 63-12218
FROM: Cindy Zimmerman 
SUBJECT: Review of Application

=====

This application is requesting a permit to use surface water for stockwater from 4/1-9/30, and stockwater storage, wildlife, wildlife storage, and diversion to storage year round. The source is a tributary to the Boise River. The point of diversion is located upstream of the Star Bridge. The total combined surface area of the two ponds is approximately 0.34 acre. The application identifies the ponds were developed in 1980.

Application Processing Memo. #13 allows for non-consumptive uses such as stockwater and wildlife, but prohibits consumptive use of water from 6/15-11/1, specifically stating "...no water can be used for irrigation, lawns or garden watering as a part of a domestic water right."

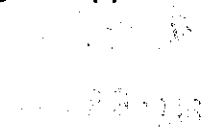
The applicant, in his 6/6/95 letter, states the diversion to storage usually dries up by April or May and the ponds dry up by May or June.

Limiting storage and diversion to storage to eliminate the period from 6/15-11/1 would, I think, satisfy the requirements of App. Proc. Memo #13 and be consistent with actual use.

However, Item #4, of the Order portion of the Amended Moratorium Order on the Boise River Drainage Area, dated 5/3/95, states in whole "Applications which propose use of surface water upstream from the Star Bridge will be denied unless the applicant files an acceptable plan to mitigate or avoid any material injury to existing water rights.". The order does not define which, if any, uses of surface water would be exempt from filing a plan. No plan has been addressed, the region has recommended exemption via the "42-111 concept".

My question is: Can the department permit this application with its uses of surface water upstream of the Star Bridge?

As you requested, I have prepared the permit document with season of use limitations and am sending the application on for your review and consideration.



**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 63-12218 Name: Compton Date: 3/19/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: W018992 Priority: 4/20/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? ^{stream star} ~~Bridge~~ - No/Yes BRD Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District (dem) - 005 (req) WD # 63 <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

- 004 (PD/PU) Kimball's lease purchase agreement

OTHER CONDITIONS:**STANDARD REMARKS:**

- 0 w34 / up to 10 head livestock.
0 w32 / center SE

BENEFICIAL USE DUE:

- 4-1-1997

COMMENTS:

- reduce div to storage to 10/1-10/1

1/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAR 19 1996

Department of Water Resources

INITIAL REVIEW BY: RZ DATE: 6/13/95 APPLICATION: 63-12218

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. ≥ 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:

Y P/D
Y P/U

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☒ ☐ Critical groundwater area:
☒ ☐ Groundwater management area:
☒ ☐ 1992 moratorium: *not held by backlog processing "42-111" concept*
☒ ☐ Copy to SCA staff: (perennial stream, non-pump diversion)
☒ ☐ 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

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION

63-12218

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

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

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:

Protests received. Final date for protest _____

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approved

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 2 yrs)

See below for additional information

Recommended Date or Priority 4/20/1995

Recommended by: Dr

Date 3/15/1996

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Overlap

Note: Companion protested app in the name

63-00318 Robin Ak, river use. of Bill & Christine Allen 63-12185

63-12185 spring just west of 63-12218; probably same relation to is being cancelled.

"spring" listed in 12218 but represents different diversion.

Boise R. upstream from Lucky Peak ext use & pond - see

appl. "Comments" + Applicant; 6/6/95 letter; also see
attached pgs (2).

63-12218

5/18/95

Storage Notes

from appl. info

- 2 "rounded triangle" ponds, dam ~ 5'
- 1 pond 57' x 81', other pond 20' x 55'

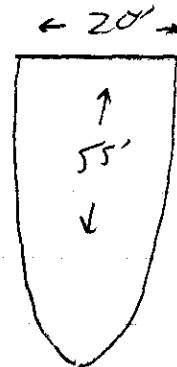
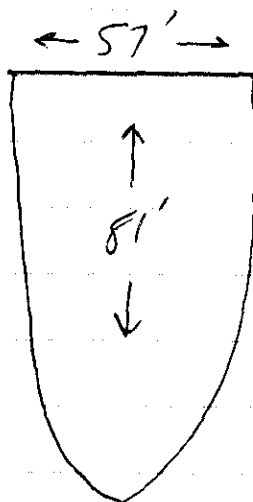
So: assume average depth ~ 4' or 3'

calculate surface area as average of rect. & triangle methods ("rounded triangle")

Pond:

Larger

Smaller



A_{rect}

$$\frac{57 \times 81}{43560} \approx .106 \text{ acre}$$

$$\frac{20 \times 55}{43560} \approx .025 \text{ acre}$$

A_{trngl}

$$\frac{\frac{1}{2}(57 \times 81)}{43560} \approx .053 \text{ acre}$$

$$\frac{\frac{1}{2}(20 \times 55)}{43560} \approx .013 \text{ acre}$$

$A_{aver-gal}$

$$\approx .32 \text{ acre}$$

$$\approx .02 \text{ acre}$$

Total Surface area $\approx .34$ acre

average depth ≈ 3 or $4'$ (use 3.5')

probable V shape per appl. info

$$\boxed{\text{EST CAPACITY}} = .34 \text{ acre} \times 3.5' \times .4 = .476 \approx .5 \text{ Af}$$

COPY for Compton App.
63-12218

Summary of Rights/Claims in

SE 1/4 S.32 T4N R4E

PL
6/1/95

Pertaining to spring(s) s/or other surface water
(but not Rubie Creek diversions):

NAME	#	Source	PL location
AIKEN	63-12185 (Appl.)	Spring	L. 6 BL2 Flowing Spring Subd.
Brothers	63-10021 (License)	lower stream	L. 2 Ranch Subd. #2
OSTOT	A63-30228	Spring *	L. 1 Ranch Subd. #3
JENSEN	A63-30231	Spring *	L. 2 Ranch Subd. #3
COMPTON	63-12218 ? **	? lower stream (runoff)	for use on Lot - Ranch Subd. # - currently owned by Kimball but Compton with lease/option to buy

protestants in 63-12185

no lot or
sub. #
per answer

File this in 63-12185 ← profile reports,
Subd. # lot,
etc.

NO-
see
"comments"
in
63-12218

* source - developed c. spring(s) re: springbox etc.? or just runoff
f/or lower stream(s) which spring(s) feeds?

→ ** ~1980 use, 2 ponds (?), 4/20/95 Appl for Permit (NW #) needs Xten instead

The Idaho World

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED

JUL 07 1995

WATER RESOURCES
WESTERN REGION

State of Idaho >
>
County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for 100 (100) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with JUL 21, 1995 and ending with the issue of Aug 28, 1995.

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 6 day of July in the year 1995, before me, a notary public, personally appeared Deanna Stevenson 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.

V. Cadotte
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6-25-2001 Date Filed: 6/2/1995

MAR 29 1996

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12218

COMPTON, ROBERT WARREN
COMPTON, PATRICIA JEAN
HC 33 BOX 1175
BOISE, ID 83706

Source: UNNAMED STREAM

Tributary: ROBIE CREEK

Diversion Pt:	SWNESE	Sec 32 T 04N R 04E in BOISE County.
LOT 4	(SENWSE)	Sec 32 T 04N R 04E in BOISE County.
	NESWSE	Sec 32 T 04N R 04E in BOISE County.
	NWSESE	Sec 32 T 04N R 04E in BOISE County.

Use: STOCKWATER	(	0.020 CFS)	
STOCKWATER STORAGE	(		0.50 AF)
WILDLIFE	(	0.020 CFS)	
WILDLIFE STORAGE	(		0.50 AF)
DIVERSION TO STORAGE	(	0.020 CFS)	
Total Diversion:	(	0.020 CFS)	

Date Filed: 4/20/1995

In: BOISE County
T04N R04E S32 NESE Lot 4 (NWSE) SWSE SESE

point of diversion and place of use for existing system composed of 2 small ponds is found near center of SE 1/4 but primarily located in NESWSE, S32, T04N, R04E.

65-13621

WELLS, JANE
PO BOX 38
GARDEN VALLEY, ID 83622

Source: EDDY CREEK

Tributary: PAYETTE RIVER

Diversion Pt:	NWSE	Sec 19 T 09N R 04E in BOISE County.
SWSE		Sec 19 T 09N R 04E in BOISE County.

Use: IRRIGATION	(	0.120 CFS)
DOMESTIC	(	0.080 CFS)
POWER	(	1.000 CFS)
Total Diversion:	(	1.000 CFS)

BOISE County
T09N R04E S19 NWSE SWSE

4.0 ACRES TOTAL

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 10, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World June 21 and 28, 1995

RECEIVED

JUN 07 1995

WATER RESOURCES
WESTERN REGION

June 6, 1995

Mr. Steve Lester
Water Rights Supervisor
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Lester,

I am responding to your letter of June 1, 1995 and our telephone conversation of June 5, 1995. Thank you for listening to my explanation of the circumstances concerning our little ponds.

These ponds were constructed to enhance the spring flow which furnished water for the old homestead. The spring had furnished water for the homestead for 50-60 years until the cycles of drought started 20-30 years ago. The ponds fill *ONLY* from the spring runoff. The inflow to the ponds from the springs dries up by April or May. The outflow from the ponds dries up in May or June and, correspondingly, the ponds are usually dry in May or June. If we could actually measure the downstream discharge, I believe we would find a longer more uniform flow because of the pond's increasing ground water. The ponds lose very little to evaporation because they drain prior to the beginning of hot weather. Because of these circumstances I believe that consumptive use of water by way of evaporation from the ponds is of no consequence.

If you have any further questions, please contact me at 343-4321.

Sincerely,



Bob Compton

RECEIVED

MAR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 1, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Robert W. and/or Patricia J. Compton
HC 33 Box 1175
Boise, ID 83706

RE: APPLICATION FOR PERMIT

Dear Applicants:

Your recent Application for Permit for a water right from a spring for two small stockwater ponds has been received and reviewed. Surface water tributary to the Boise River system upstream from the Star Bridge involves limitations regarding new water right permits. A new permit cannot be approved for uses that include any consumptive aspects unless adequate mitigation can offset the consumptive use loss to the river and reservoir system.

Stockwater is not usually considered to be a consumptive use. However, in this case the inclusion of two ponds introduces a consumptive component due to evaporative loss from the exposed surface area of the ponds -- about one-half acre surface area in your case. Mitigation for this loss can sometimes but not always be obtained via purchases of storage water from the reservoir system. The ability to purchase excess storage water depends on the water supply for any given year. As you can imagine, not every year will provide extra water for such purchases to cover the consumptive component of your ponds.

Therefore, the Application for Permit for a new water right is not a viable option. Instead, please consider an alternative method -- the Application for Transfer ("change") of an existing water right. This option can allow movement of water under an established right from one location to another.

A precedent for a similar situation in the Clear Creek area exists whereby a water user was able to purchase one share from an irrigation ditch company located in the valley for use of water to be moved upstream to the Clear Creek site, thus allowing consumptive use to proceed.

Please refer to the enclosed information for help in filing a transfer. I will hold your current application until it can be replaced by a transfer filing. The \$50 fee that was already paid can be applied to the \$100 transfer fee.

Please contact me at your convenience for help in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MAR 29 1996

*See applicant's 6/6/95
response indicating no
significant consumptive use
due to limited H2O storage.*

63-12218

COMPTON, ROBERT WARREN
COMPTON, PATRICIA JEAN
HC 33 BOX 1175
BOISE, ID 83706

Source: UNNAMED STREAM

Tributary: ROBIE CREEK

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 LOT 4 (SENWSE) Sec 32 T 04N R 04E in BOISE County.
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Use: STOCKWATER	(	0.020 CFS)	
STOCKWATER STORAGE			(0.50 AF)
WILDLIFE	(	0.020 CFS)	
WILDLIFE STORAGE			(0.50 AF)
DIVERSION TO STORAGE	(	0.020 CFS)	
Total Diversion:	(	0.020 CFS)	

Date Filed: 4/20/1995

In: BOISE County
T04N R04E S32 NESE Lot 4 (NWSE) SWSE SESE

Single point of diversion and place of use for existing system composed of 2 small ponds is found near center of SE 1/4 but primarily located in NESWSE, S32, T04N, R04E.

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MAR 29 1996