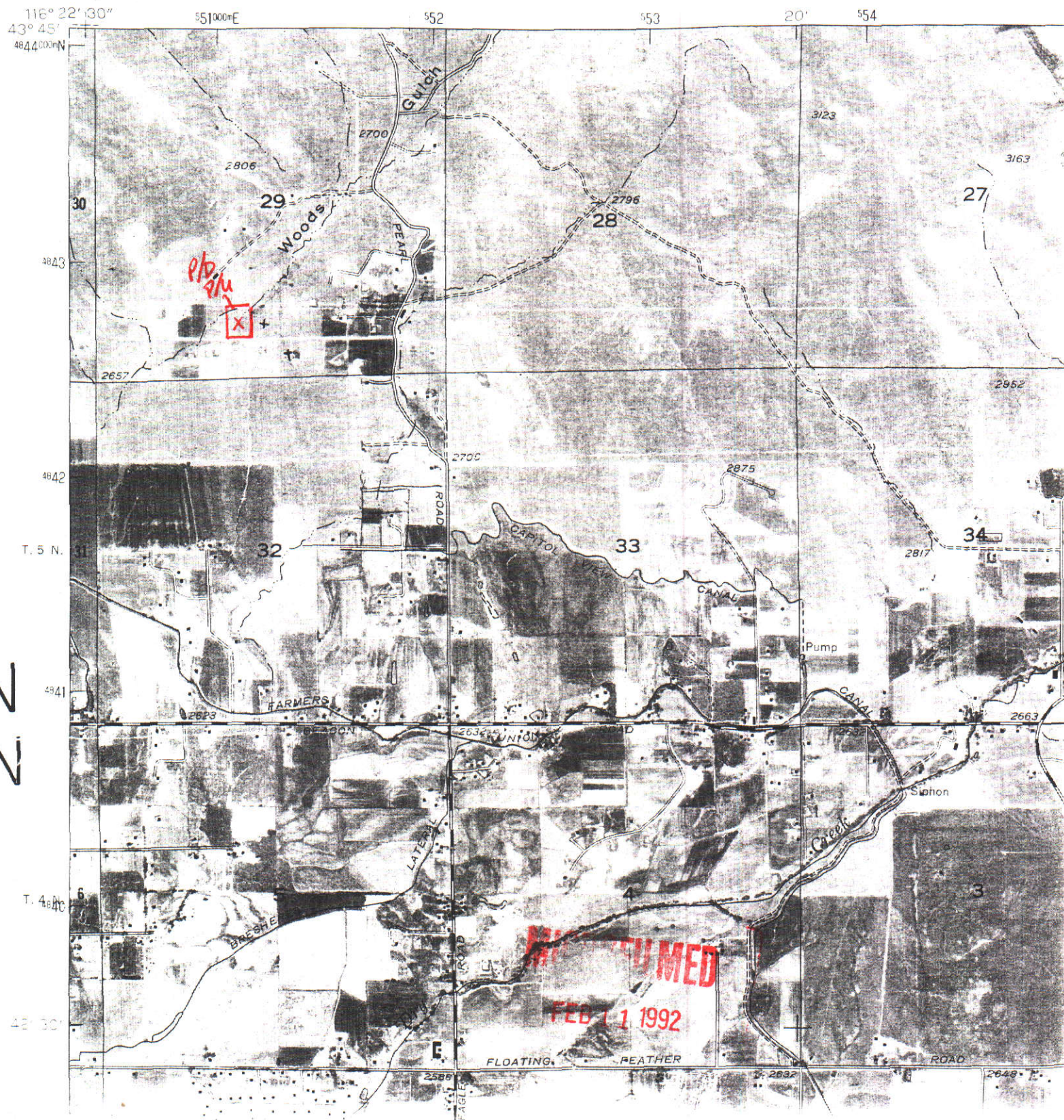




UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

5N 1E
SEC 29



MA

1977

STILLWELL ESTATES no. 4

A PART OF THE SW 1/4, SEC. 29, T5N, R1E, BM,
ADA COUNTY, IDA.



SCALE 1"=200'

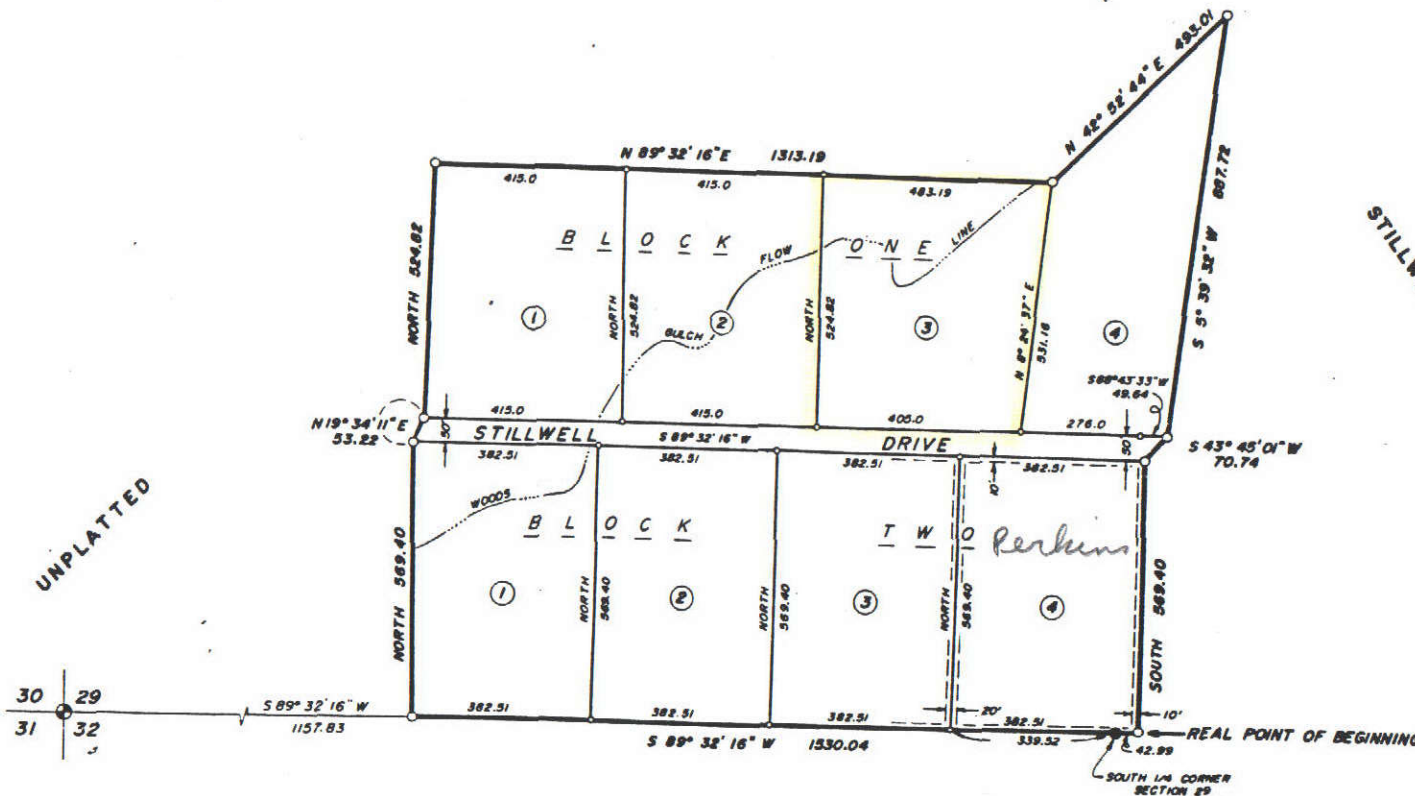
MICROFILMED
FEB 11 1992

ALL STRUCTURES LOCATED WITHIN 200 FEET OF
THE EXISTING WOODS GULCH FLOW LINE SHALL BE
ELEVATED 3 FEET ABOVE THE EXISTING GROUND
LINE.

STILLWELL
ESTATES
no. 3

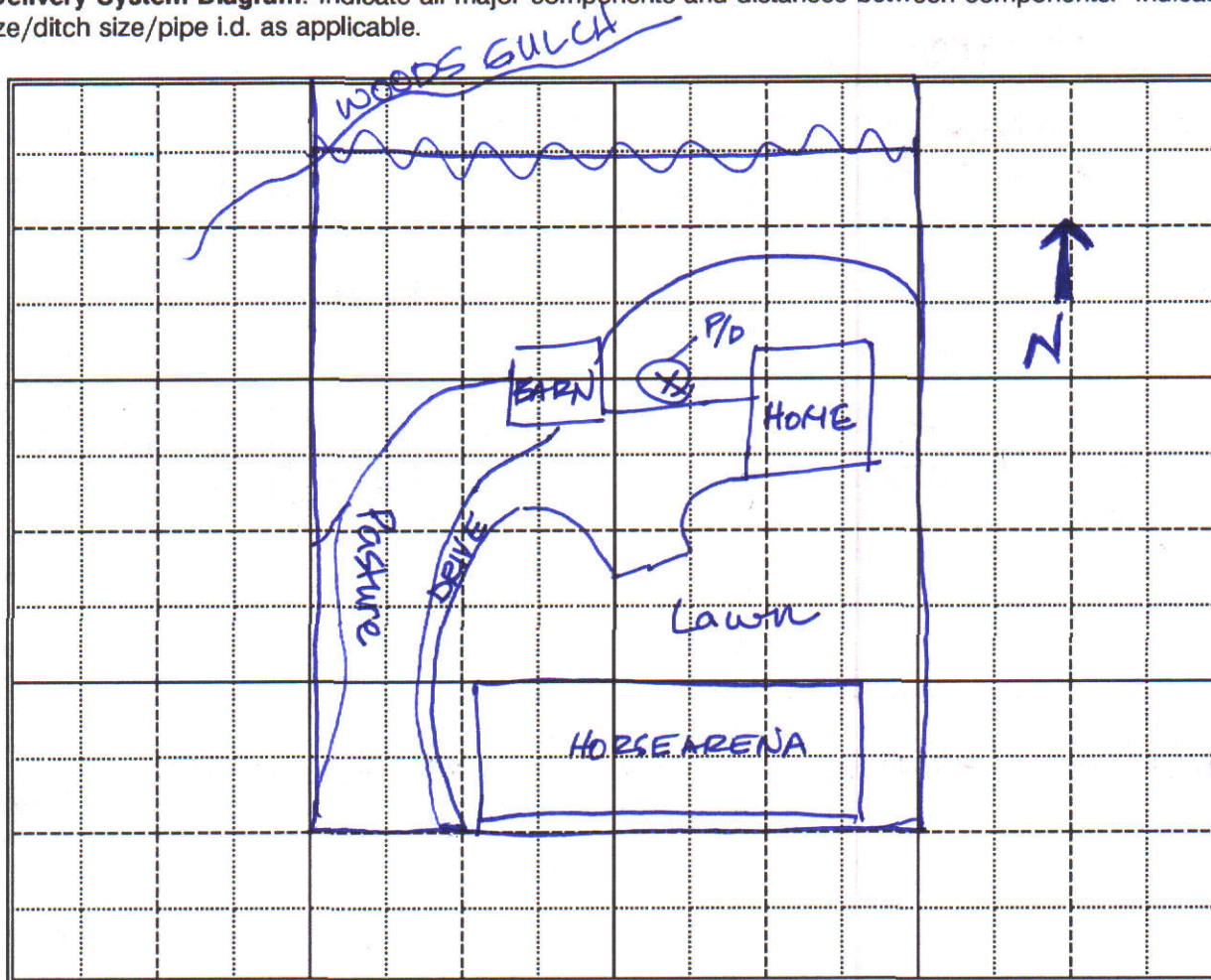
LEGEND
○ 1/8" REBAR
○ 5/8" REBAR

10' UTILITY EASEMENT ON ALL EXTERIOR LOT LINES
20' UTILITY EASEMENT CENTERED ON ALL INTERIOR LOT LINES
BUILDING SETBACKS
FRONT YARD 30'
REAR YARD 25'
SIDE YARD 10'



UNPLATTED

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
		~~2.0~~	Submersible		
	Franklin	2.0	2823018110		

*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
Theoretical						

2. Measurements:

Total Underground System, uses pop-ups.
Pump Set approx 300 feet, per owner. PL est 280'

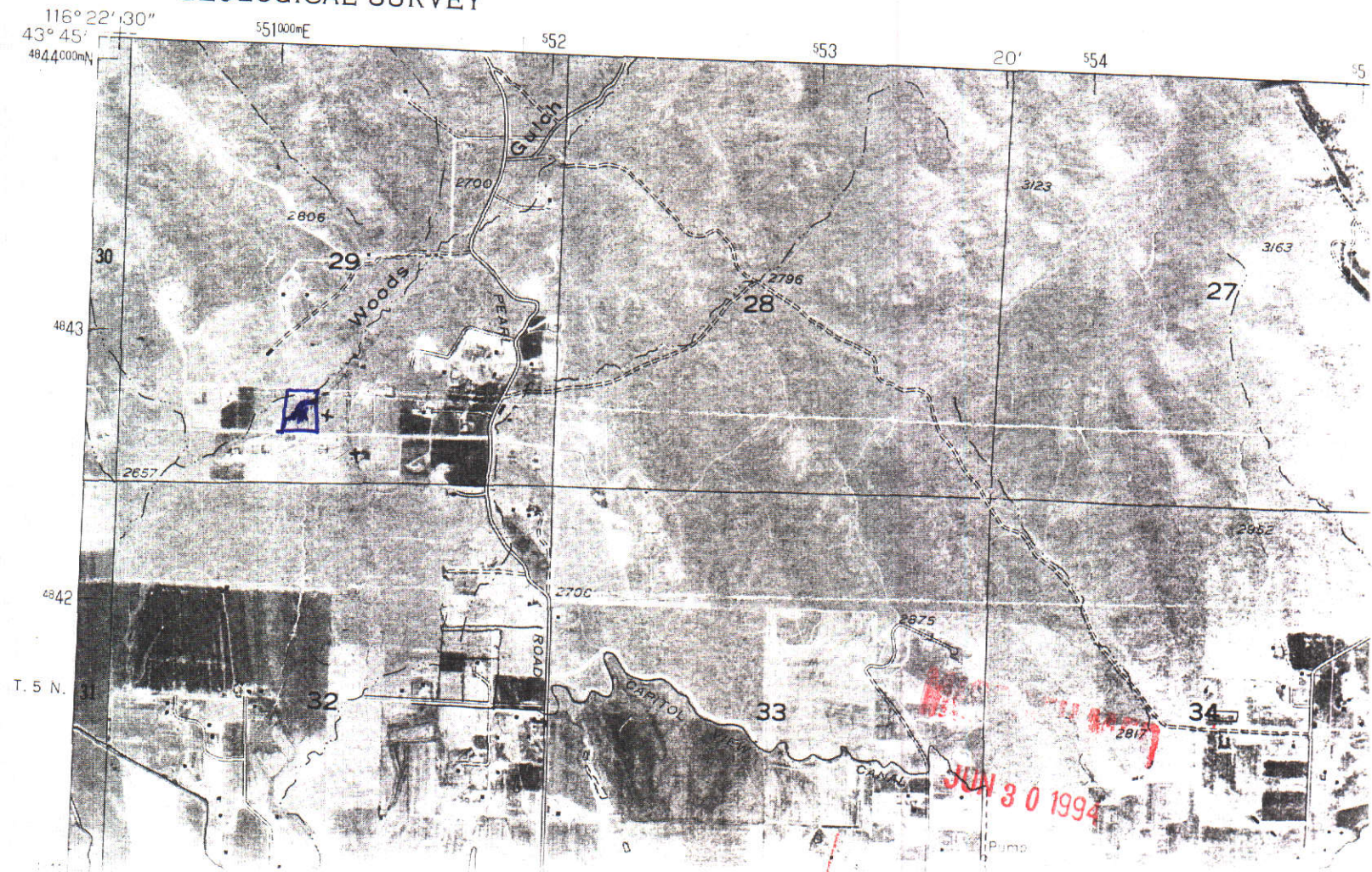
JUN 30 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES

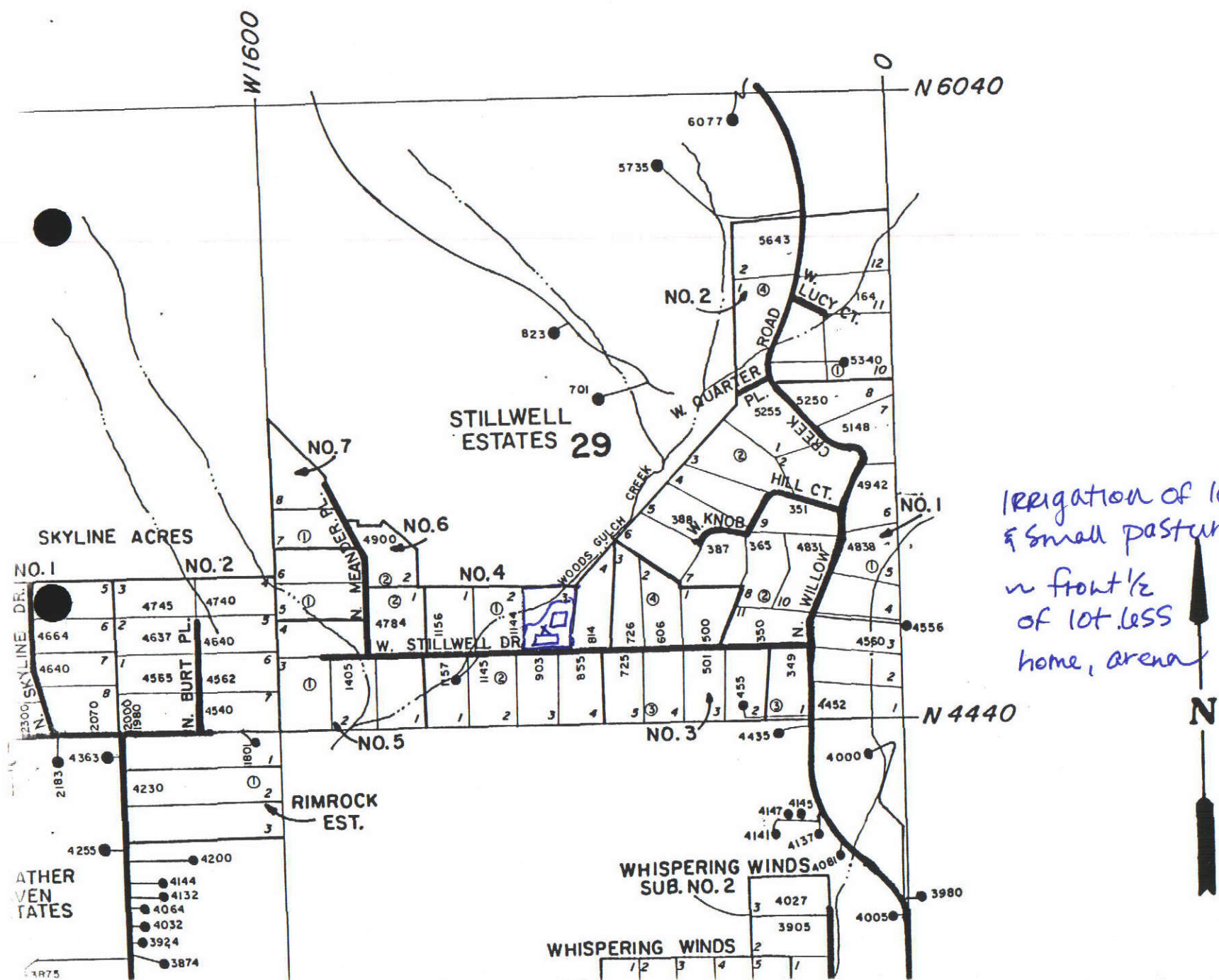
63-11588

SNIE 29

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



RECEIVED
JUN 30 1994



irrigation of lawn
& small pasture,
in front 1/2
of lot less
home, arena

63-11588 cy4



P/O

↙ P/u Home & Lawn



↙ P/u Pasture/
Stock

MISSOURI MED

JUN 30 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-11588

Priority: November 4, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

9.7 AF

This is to certify, that CINDY PHELAN
CRAIG PHELAN

PO BOX 1044

EAGLE ID 83616

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 12, 1991; and has submitted Proof of Beneficial Use on March 26, 1993. An examination indicates that the works have a diversion capacity of .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>
IRRIGATION	03/15 to 11/15	0.04 CFS	9.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.04 CFS	9.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 29, Township 05N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01E	29	SESW	2		2

Total number of acres irrigated: 2

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/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 that 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.

JUN 30 1994

State of Idaho
Department of Water Resources

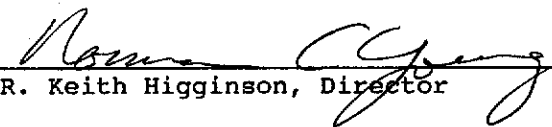
WATER RIGHT LICENSE

WATER RIGHT NO. 63-11588

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Place of use is located within Lot 3, Block 1, Stillwell Estates No. 4.
7. Stockwater use is for 4 horses.
8. 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 10th day of MAY, 1994.

Acting for 
R. Keith Higginson, Director

JUN 30 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-11588)
IN THE NAME OF CRAIG AND CINDY PHELAN) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before February 1, 1993; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

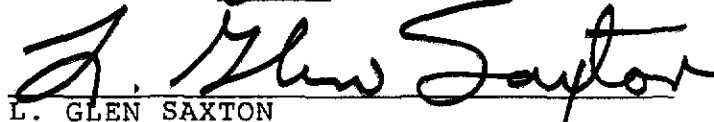
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on March 26, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-11588 be REINSTATED with an advance in priority to November 4, 1991.

Dated this 30th day of March, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

APR 26 1993

RECEIVED

FEB 8 1993

Department of Water Resources

STATE OF IDAHO
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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 6311588 Telephone No. 9391939
2. Name(s) of Permit Holder(s): Cindy + Craig Philan
3. Mailing Address: Box 1044 Eagle 83616
4. Source of Water: well

If **GROUNDWATER**, Well Driller's Name: Canada Date Drilled: 1- 92

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater 4 horses, 1 cat (No. and type of stock)
Irrigation 5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.16 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes NO Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Cindy Philan 9391939
Name Telephone No.
902 W Stillwell Eagle Id 83616
Address

10. The above information 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.

APR 26 1993

2-1-93
Date

Cindy Philan
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11588

Proposed Priority: September 12, 1991 Maximum Diversion Rate: 0.16 CFS
This is to certify, that CRAIG PHELAN

CINDY PHELAN
PO BOX 1044
EAGLE ID 83616

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.10 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESW , Sec. 29, Township 05N, Range 01E
ADA County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>					
05N 01E 29	SESW	5			5
Total number of acres irrigated:					5

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
5. Stockwater use is for 10 horses.
6. Domestic use is for 1 home.
7. Place of use located within Lot 3, Block 1, Stillwell Estates Number 4.

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FEB 11 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11588

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

27th day of January, 1992

R. Keith Higginson
for R. Keith Higginson, Director



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FEB 11 1992

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Form 202
6/85

SEP 12 1991

STATE OF IDAHO

Ident. No. 63-11588

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant CRAIG &/or LINDY PHELAN Phone 853-7541
Post office address BOX 1044 EABLE, ID 83616

2. Source of water supply GROUNDDWATER which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 5N Range 1E B.M. ADA County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for STOCK purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .10 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .16 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP, SPRINKLERS

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 6-8 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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

60-90 days years (minimum 1 year).
1 YR

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FEB 11 1992

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. 10 HORSES
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 (assumed per appl. information) 12/23/91
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	1E	29											5						5
													D						
													5						

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. _____

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

12. Remarks: LOT 3 BLK 1 STILLWELL ESTATES SUBDIVISION #4

RECORDED

FEB 11 1992

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

A large grid of graph paper with a 15x15 square pattern. A stamp in the bottom right corner reads "RECORDED".

Scale: 2 inches equal 1 mile.

~~FEB 11 1992~~

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.

Cindy Phelan
(Applicant)

(Applicant)



Received by MM Date 09-12-91 Time 11:11 am Preliminary check by lw
Fee \$ 30⁰⁰ Receipted by LD # W013668 Date 9-12-91
Publication prepared by GG Date 9-25-91 Published in Idaho Statesman
Publication approved ST Date 12-18-91 10/03 & 10/10/91

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:

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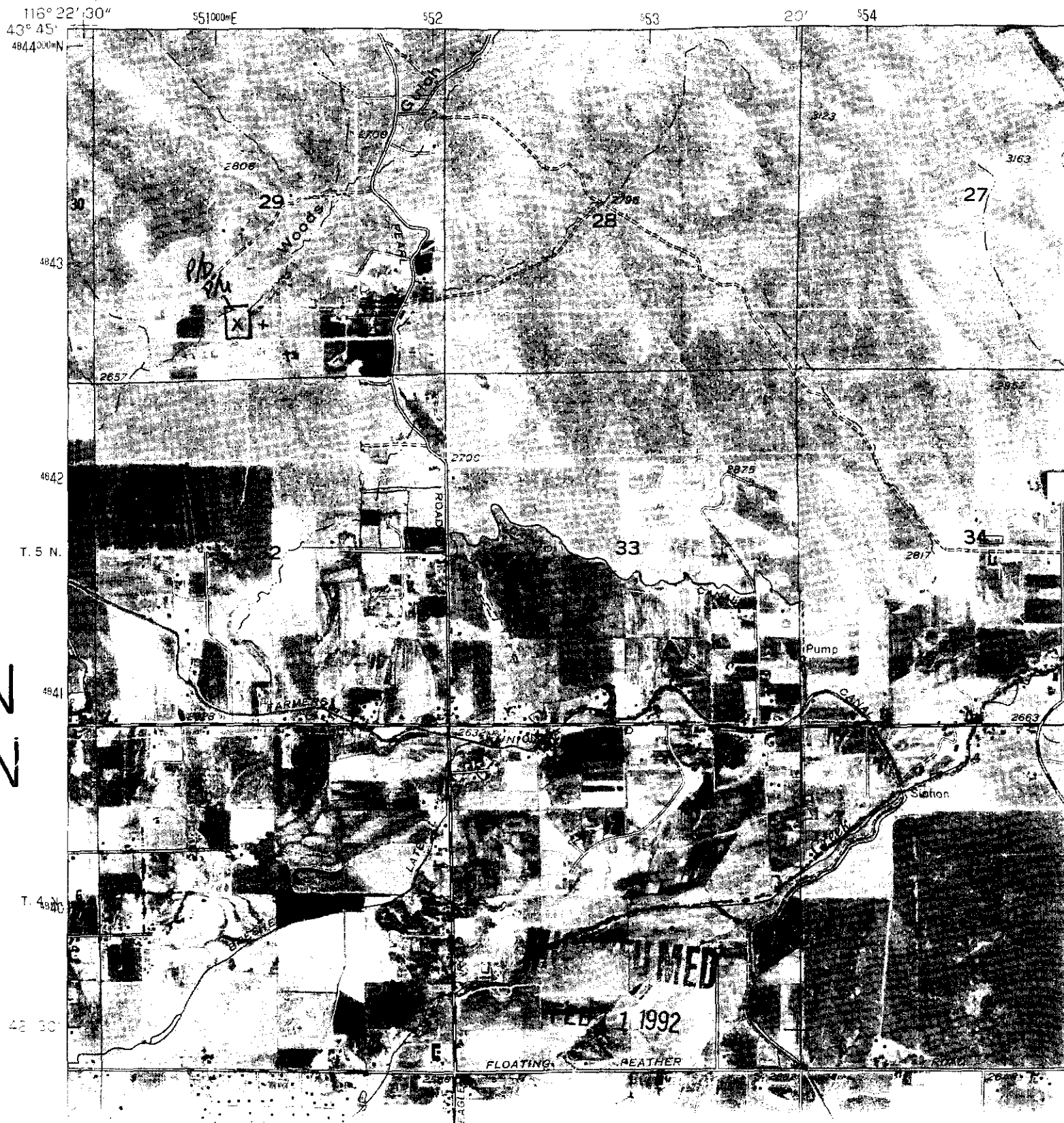
FEB 11 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

5N 1E
SEC 29



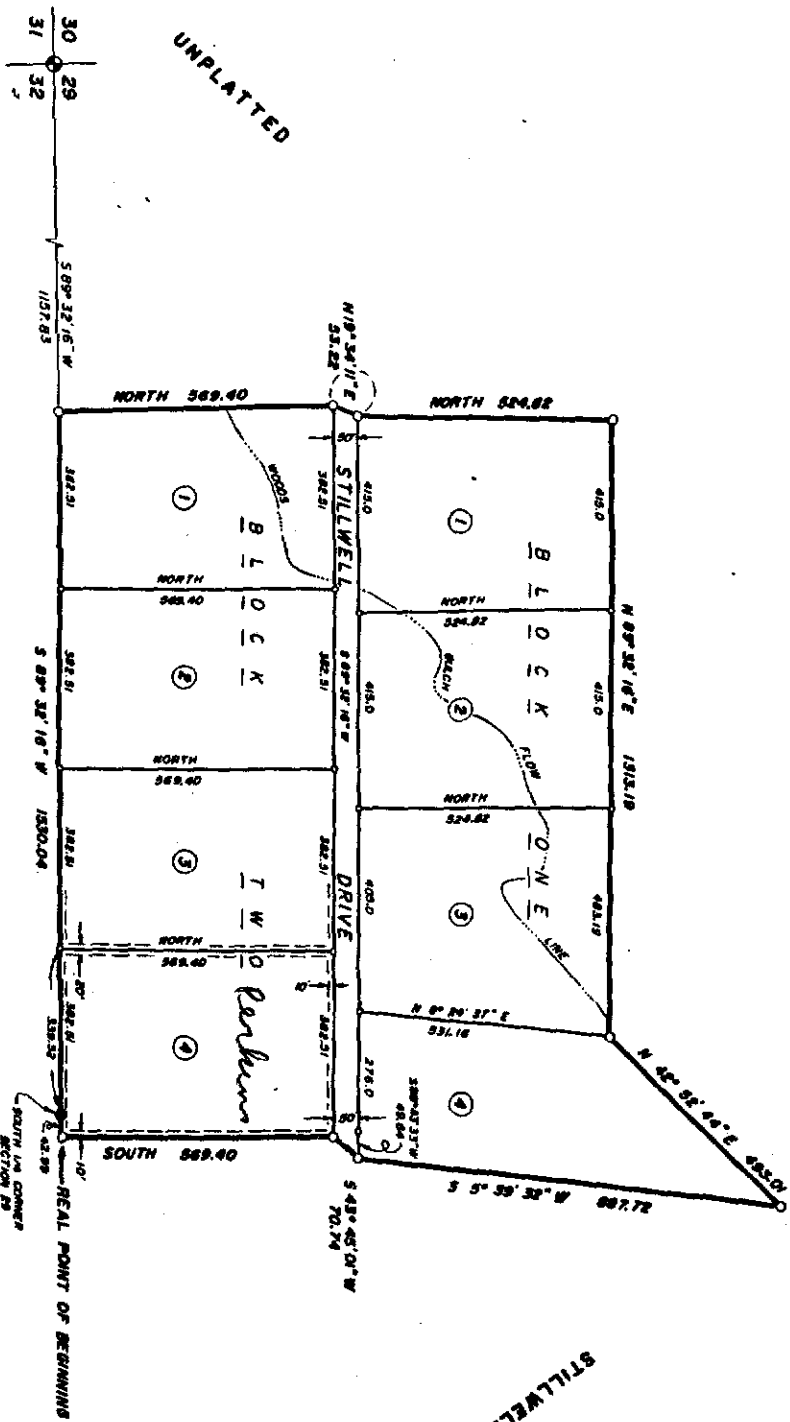
STILLWELL ESTATES NO. 4

A PART OF THE SW 1/4, SEC. 29, T3N, R1E, S4W,
ADA COUNTY, IDA.

1977



SCALE 1"=100'
200 0 100 200 400



STILLWELL
ESTATES
NO. 3

LEGEND
0 1/2" ROAD
1/4" ROAD

ALL STRUCTURES LOCATED WITHIN 200 FEET OF
THE EXISTING CROSS CREEK FLOW LINE SHALL BE
ELEVATED 3 FEET ABOVE THE EXISTING GROUND
LINE.

MICROFILMED

FEB 11 1992

10' UTILITY EASEMENT ON ALL EXTERIOR LOT LINES
20' UTILITY EASEMENT CENTERED ON ALL INTERIOR LOT LINES
BUILDING SETBACKS
FRONT YARD 20'
REAR YARD 10'
SIDE YARD 10'



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

January 16, 1997

MICHAEL K MCMURRAY
MARTHA E MCMURRAY
902 W STILLWELL DR
EAGLE ID 83616

RE: Water Right License No. 63-11588

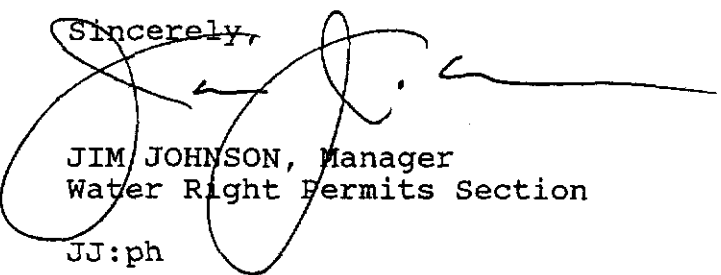
Dear Mr. and Mrs. McMurray:

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. We have also enclosed a report regarding this water right.

Just a reminder, because of the new law that went into effect July 1, 1996, water right owners are required to report any change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

MICROFILMED
JAN 23 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JAN 08 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 63-11588
Adjudication Claim Number(s) N/A

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Jeffrey S. Granes and Tracy C. Granes
902 W. Stillwell Drive Eagle Id 83616

4. New Owner/Claimant(s) Michael K. McMurray and Martha E. McMurray

New Mailing Address 902 W. Stillwell Dr. Eagle

City, State and ZIP Code Eagle Id 83616

New Telephone Number () - -

5. Date you acquired the property 12/27/96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____ MICROFILMED

Diversion rate in CFS _____ Number of homes _____ Other uses _____ JAN 23 1997
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Michael K. McMurray Date 12/26/96
Martha E. McMurray Date 12/26/96

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. State Dr., Suite 410, Filer, ID 83402-1718 (208) 769-7111

MICROFILMED
JAN 23 1997

The Grantees herein have read and approved the following:

Title File No.: B94-26382

WARRANTY DEED

1718000063

FOR VALUE RECEIVED

CRAIG PHELAN; and CINDY PHELAN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto JEFFREY S. GRAVES and TRACY C. GRAVES, husband and wife

GRANTEES(s), whose current address is: 902 West Stillwell Drive, Eagle, Idaho 83616 the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

Lot 3 in Block 1 of STILLWELL ESTATES NO. 4, according to the official plat thereof, filed in Book 41 of Plats at Pages 3398 and 3399, records of Ada County, Idaho.

94040102

IDAHO RECORDER
J. DAVID VALVARRO
BOISE ID
BOISE TITLE & ESCROW

'94 APR 29 PM 4 42

FEE \$11.00
RECORDED AT THE REQUEST OF

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) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/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, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 27, 1994

Craig Phelan
Craig Phelan

Cindy Phelan
Cindy Phelan

STATE OF Idaho, County of Ada, ss.

On this 27th day of April in the year of 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Craig Phelan and Cindy Phelan

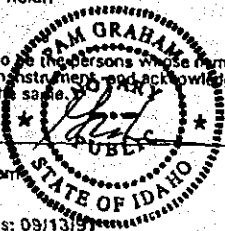
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature

Name: Pam Graham

Residing at: Boise

My commission expires: 09/13/97



MICROFILMED

JAN 23 1997

Boise Title & Escrow, Inc.

AT-45611-500/50
Pam & Cindy Phelan

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID'96 DEC 27 PM 4 16
FEE 3.00
ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S)

RECORDED AT THE REQUEST OF
SPACE ABOVE THIS LINE FOR RECORDING DATA

{0150}

Order No.: 96064544 JG/SB

WARRANTY DEED

FOR VALUE RECEIVED JEFFREY S. GRAVES AND TRACY C. GRAVES, HUSBAND AND WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto MICHAEL K. MCMURRAY and MARTHA E. MCMURRAY, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 902 W. STILLWELL DRIVE, EAGLE, ID 83616
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

Lot 3 in Block 1 of STILLWELL ESTATES NO. 4, according to the Official Plat thereof, filed in Book 41 of Plats at Page(s) 3398, records of Ada County, Idaho.

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) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/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, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 24, 1996

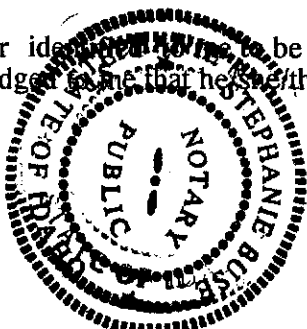
JEFFREY S. GRAVES

TRACY C. GRAVES

STATE OF IDAHO
COUNTY OF ADA

On this 27th day of December, in the year of 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JEFFREY S. GRAVES AND TRACY C. GRAVES

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



MICROFILMED

JAN 23 1997

Signature: Stephanie Buse

Name: STEPHANIE BUSE

(type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 08/31/02



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1994

CINDY PHELAN
CRAIG PHELAN
PO BOX 1044
EAGLE ID 83616

RE: WATER RIGHT NO. 63-11588

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MAILING UNIT

JUN 30 1994

WR0749NP
No. L63-11588

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/05/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CINDY PHELAM	09/12/1991	IRRIGATION	03-15 11-15	0.04 CFS	9.00 AFA
C	CRAIG PHELAM		STOCKWATER	01-01 12-31	0.01 CFS	0.10 AFA
	PO BOX 1044		DOMESTIC	01-01 12-31	0.04 CFS	0.60 AFA
	EAGLE ID 83616					
	(208) 939-1939					
TOTAL DIVERSION:					0.04 CFS	9.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T05N R01E S29 . SESW ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW			
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N	01E	29	:	:	:	:	:	:	:	:	:	:	:	:	:
														02	:
														TOTAL ACRES	
														2.0	
														2.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion and Source:
63-10236

Other Water Rights Listing Overlapping Place(s) of use:
63-03016 63-03483 63-10236 63-11588

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Remarks: Place of use is located within Lot 3, Block 1, Stillwell Estates No. 4.
Stockwater use is for 4 horses.
Domestic use is for 1 home.

Dates: App. Received: 09/12/1991 Priority Date: 09/12/1991 (Priority Date Advanced.)
Proof Due Date: 02/01/1993 Proof Made Date: 03/26/1993 (Proof Received Late.)
Exam Made Date: 08/26/1993 Exam Sent to S.O.: 03/28/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

WR0749NP
No. L63-11588

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/05/94
PAGE: 2

=====

Comments: Date: 02/04/1993 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 02/09/1993 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 03/26/1993 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 05/05/94 CHAPMAN

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11583 DATE 5-5-94



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	Yes ☒ No ☐	Advance? <u>YES</u> Advanced to: <u>11-04-1991</u> Order to reinstate needed? <u>DONE</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	Yes ☒ No ☐	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	Yes ☒ No ☐	Amendment needed? _____ Overlaps? _____
PLACE OF USE	Yes ☒ No ☐	Amendment needed? _____ Overlaps? <u>Older ones probably not - no longer there.</u>
DIV RATE	Yes ☒ No ☐	Measurement done? _____ Theoretical only? ☒ <u>2 acres @ .02 = .04</u> <u>4 HORSES = .01</u> <u>1 Domestic = .04</u> Capacity: <u>.04</u> Combined rates exceed capacity _____ Allowable amount: <u>.04</u>
ANNUAL VOLUME	Yes ☒ No ☐	Season of use: <u>0/4.5</u> Calculations: <u>2 x 4.5 = 9 af</u> <u>1 DOM = .6</u> <u>4 HORSES = .1</u> Flow limit: <u>.04</u> cfs x <u>246</u> x 1.9835 = <u>19.5</u> Combined volumes exceed capacity/allowable _____
USES	Yes ☒ No ☐	Change(s) in Nature of Use? _____ Amendment necessary? _____
REMARKS	Yes ☒ No ☐	Multiple p/d(s) in 1/4 1/4? _____ Other <u>NO SURFACE WATER AVAILABLE</u>
CONDITIONS	Yes ☒ No ☐	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ Other _____

COMMENTS: Reduce acres; reduce rate to capacity of well

RECOMMENDED	CFS	VOLUME	LICENSE ☒
<u>Irrigation</u>	<u>.04</u>	<u>9.0</u>	
<u>Stockwater</u>	<u>.01</u>	<u>.1</u>	
<u>Domestic</u>	<u>.04</u>	<u>.6</u>	
<u>Totals</u>	<u>.04</u>	<u>9.7</u>	
			1ST AMENDMENT LETTER _____
			FINAL AMENDMENT LETTER _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 01 1994

Department of Water Resources

A. GENERAL INFORMATIONmailing
addressPermit No. 63-115881. Owner: CRAIG & OR CINDY PHELAN Phone No. 939 1939Current Address: ~~4902nd Stillwell~~ (Box 1044) Eagle ID 836162. Accompanied by: CINDY Phelan EXAM DATE: 8/26/93

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: 63-3016, 3483, 102362. Other water rights with the same point of diversion: 63-10236**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
		NE	SE	SW	29	SN	1E	Ada	Site Visit, Orthophoto, Plat Map

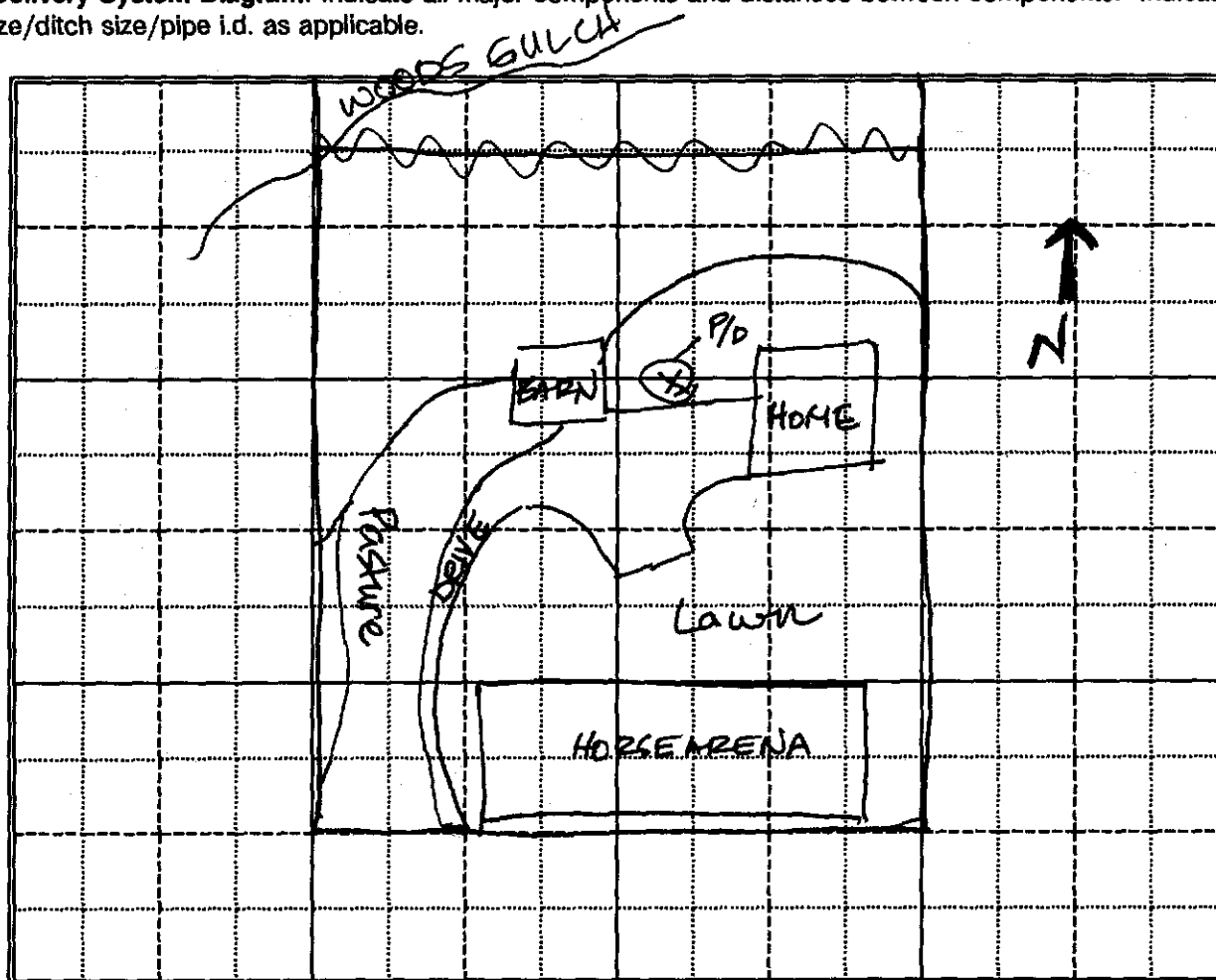
2. Place(s) of Use:

Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
SN	1E	29												2					2

JUN 30 1994

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
		~~2.0~~	Submersible		
	Franklin	2.0	2823018110		

*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
Theoretical						

2. Measurements:

Total Underground System, uses pop-ups.
Pump Set approx 300 feet, per owner. Pl est 280'

JUN 30 1994

E. NARRATIVE/REMARKS/COMMENTS

6" x 3/5' well, used for Domestic, stock & irrigation.

Domestic - one home

Stock - 4 horses

Irrig - Est 2 acres.

Street address = 902 W Stillwell AKA Lot 3 BK 1

Stillwell Estates #4

All irrigation by pop-up sprinklers. Well drilled 2/91,
deepened 4/92. Do not have accurate well log.

Overlap Review: 63-3016 & 63-3483 were licensed (1960 & 1973)
on what appears to be the Stillwell Estates Subdivision.
However, 1987 Napp photography shows no irrigation
evident on this parcel. Rights have likely forfeited
at this location. Unlikely that original system still in place.
Since this is a new P/D, (originals in SWSE & SNISN) even if
licenses were active this could be considered Supplemental
right. Use .02/all sources condition uninter.

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

Hickory

JUN 30 1994

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{2 \times 8.8 \times .7}{280 + (30 \times 2.31)} = .035 \quad \text{System capacity} \quad \frac{.04}{.04}$$

G. VOLUME CALCULATIONS

allow .04 for 2 ac

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 4.5 = 9.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \times 240 \times 1.9835 = 19.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 9.0$$

2. Volume Calculations for Other Uses:

$$D/I \text{ home} = .6 \text{ AF internal}$$

$$S/4 \text{ horses} = .2 \text{ AF (from stock table)}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOM	1/1	12/31	.04	0.6
IRR	3/15	11/15	.04	9.0
STOCK	1/1	12/31	.02	0.2
Totals:			.04	9.8

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. AUTHENTICATIONField Examiner's Name Cindy Hodges Date 8/30/93

Reviewer _____ Date _____

SEAL

MAINTENANCE

JUN 30 1994

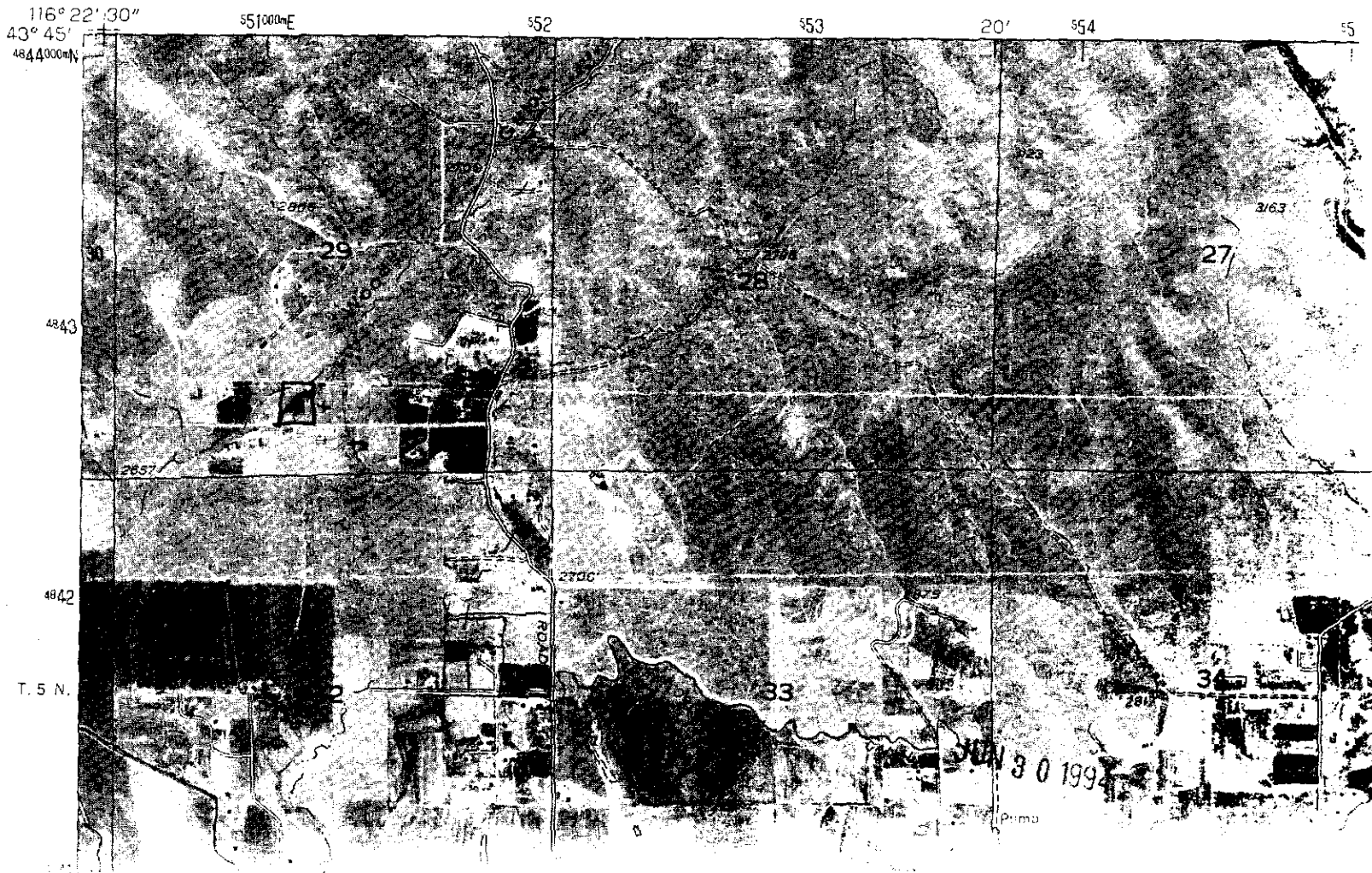


State of Idaho
DEPARTMENT OF WATER RESOURCES

63-11588

SNIE 29

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-92-W-136 OTHER APPLICABLE NO: 63-11588
2. OWNER: Phalen Phone: 939 1939
Address: 902 W Stillwell Eagle ID
3. WELL LOCATION: Twp 5N, Rge. 1E, Sec. 29, SE 1/4 SW 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: Can-Ada Lic. No. 304
When Drilled? 4/92 (orig 11/91)
TD 315 - Deepened in 4/92
~~TD 215~~ ~~FD 200~~
5. WELL CONSTRUCTION

Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe
Depth of Casing 213 ft. Method Drilled Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving OK
Auger to a depth of ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious constuction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

HYDROLOGIC INFORMATION

Depth to Static Water 147 ft. Water Temperature °F
Flowing Artesian ☐ Yes ☒ No Pressure: (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose
Water Quality Measurements/Observations (Describe)

WELL USE:

- ☒ Domestic ☒ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other:

PHALAN
JUN 30 1994

C. Hodges

Signature of Dept. Representative & Title

8/26/93

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

RECEIVED

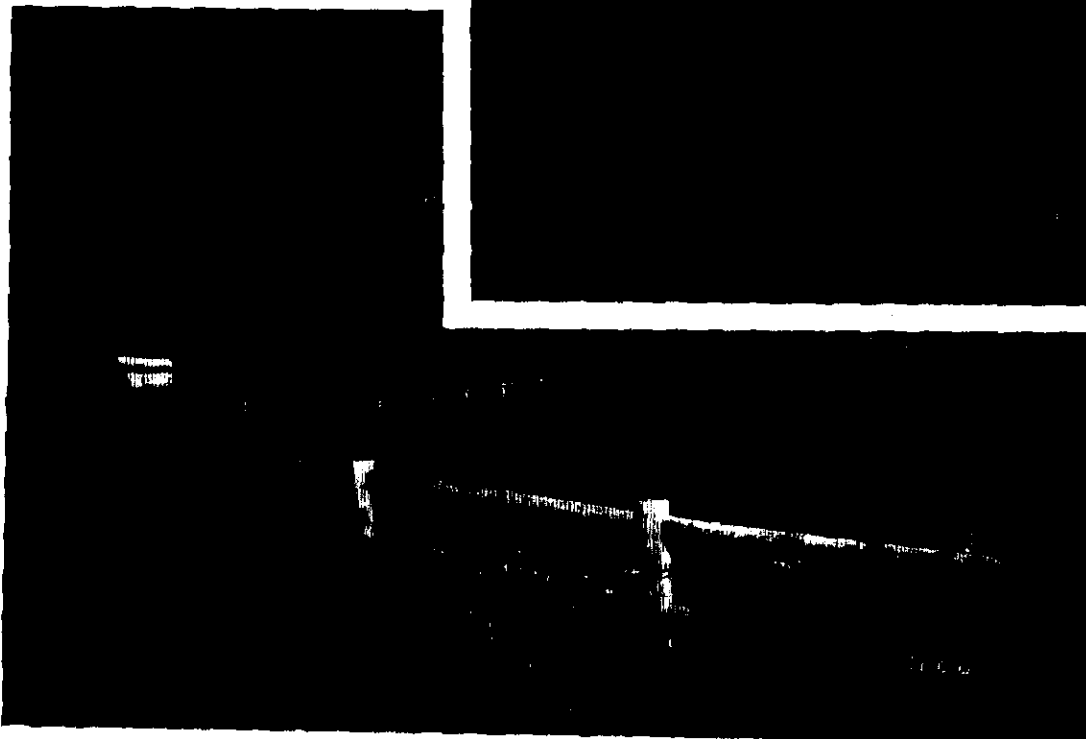
JUN 30 1994

63-11588 cy4



P/O

↙ P/u Home & lawn



↙ P/u Pasture/
Stock

MILWAUKEE

JUN 30 1994

April 2, 1993

CRAIG PHELAN
CINDY PHELAN
PO BOX 1044
EAGLE ID 83616

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11588

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

APR 26 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11588 Reviewed by Klg Date 2/9/93

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

✓ Surface water source
✓ Ground water source

yes Drilling permit required?
data Copy in the file? Drilling Permit No. 63-92-W-136
200 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 3/26/93 85
Date proof due 2/1/93 - 32
No. of days late = 53
Priority Date 9/12/91 + 255
New Priority Date 11/4/91 308

DEFICIENCIES OR ACTION ITEMS

need to know Kats & possible fee

Proof acceptable

DATA ENTRY

New Address _____

needs an order
Proof Made 3/26/93
4/2/93 Klg



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 9, 1993

Craig and Cindy Phelan
PO Box 1044
Eagle, ID 83616

Re: Permit No. 63-11588

Dear Permit Holder:

Returned is the proof of beneficial use you submitted to this office. Unfortunately, it is unacceptable as filed. In order for the Department to complete processing, further information is required. You failed to complete #6 (total rate and/or volume). Since the Department cannot determine from this information exactly how much water you are diverting, we can only inform you of the amount appropriated on your permit. Your permit was issued for 0.16 cfs. I have enclosed a copy of your permit in case you have misplaced the original that was mailed to you on January 30, 1992.

When the total rate or volume is 0.04 cfs or greater, a license examination fee applies. A license examination fee based on a rate of 0.16 cfs is \$50. I have enclosed an instruction sheet and fee schedule for your convenience.

Since your permit lapsed on February 1, 1993, it is imperative that you return the properly completed form and fee as soon as possible. The Department will not be able to accept the proof after April 1, 1993. Furthermore, your priority date is being penalized one day for every day the proof and fee are not returned to the Department.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED

APR 26 1993

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
63-92-W-0136-000	O	CRAIG PHALEN	05N	01E	29	SE SW		ADA
	O	CINDY PHALEN						
		PO BOX 1044						
		EAGLE, ID 83616						
		(208) 853-7541						

Subdivision Location and Description:

Subdivision Name: STILLWELL ESTATES #4

Well Site Address:

City, State:

Lot(s): 003

Block(s): 001

Geographic Location:

Accuracy Code:

Lat: : :

Long: : :

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 6 In.

Proposed Depth: 215 Ft.

Well Use Comments:

Driller License No: 0304

Firm Name: CAN-ADA WELL DRILLING

Official: EARL F SKINNER

Permit Status: Permit

Verbal Issue Date:

Date Received: 06/24/1992

Date Approved: 06/25/1992

Proposed Start Date: 11/29/1991

Extension Date:

Extension Expiration:

Receipt No.

W014952

Receipt Date

06/24/1992

Fee

\$ 200.00

Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 63-92-W-0136-000

Water Right No: 63-11588

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY

Number of Monitor Wells:

Casing Diameter: 6 In.

Depth of Casing: 213 Ft.

Total Depth: 215 Ft.

Screen Installed? No

Static Water Level: 147 Ft.

Temperature: 57 F.

Production Rate: 45.00 GPM

Actual Start Date: 11/29/1991

Well Finish Date: 11/30/1991

Log Received Date: 03/12/1992

Certification Date: 02/10/1992

Field Inspection Date:

Inspector:

Well Log Remarks:

APR 26 1993

February 4, 1993

CRAIG PHELAN
CINDY PHELAN
PO BOX 1044
EAGLE ID 83616

LAPSE NOTICE

RE: PERMIT NO. 63-11588

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated November 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 2/4/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Elg
RECEIVED

APR 26 1993

November 30, 1992

CRAIG PHELAN
CINDY PHELAN
PO BOX 1044
EAGLE ID 83616

PROOF DUE NOTICE

RE: PERMIT NO. 63-11588

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

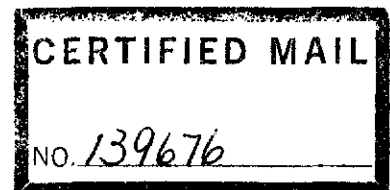
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

APR 26 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 30, 1992

CRAIG PHELAN
CINDY PHELAN
PO BOX 1044
EAGLE ID 83616

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11588

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

FEB 11 1992

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

RECEIVED
DEC 17 1991

Department of Water Resources
Western Region Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11587

RAUSCH, RICHARD
RAUSCH, LOIS
3727 W DEER FLAT RD
KUNA, ID 83634

Source:

Groundwater

Diversion Pt:

SESWNE Sec 21 T 02N R 01W

Use:

Irrigation (1.600 CFS)

Total Diversion: (1.600 CFS)

Date Filed:

9/9/1991

In:

T02N R01W S21 NWNE SWNE

80.0 ACRES TOTAL

63-11588

PHELAN, CRAIG
PHELAN, CINDY
PO BOX 1044
EAGLE, ID 83616

Source:

Groundwater

Diversion Pt:

NESESW Sec 29 T 05N R 01E

Use:

Irrigation (.100 CFS)

Stockwater (.020 CFS)

Domestic (.040 CFS)

Total Diversion: (.160 CFS)

Date Filed:

9/12/1991

In:

T05N R01E S29 SESW

5.0 Acres Total

63-11589

MORRISON, ROBERT D
MORRISON, BARBARA J
11800 FERAMORZ LN
STAR, ID 83669

Source:

Groundwater

Diversion Pt:

SWSE Sec 31 T 05N R 01W

Use:

Irrigation (.030 CFS)

Total Diversion: (.030 CFS)

Date Filed:

9/16/1991

In:

T05N R01W S31 SWSE

1.0 Acres Total

63-11590

STROM, STEVE
125 WILSON DR
MOUNTAIN HOME, ID 83647

Source:

Groundwater

Diversion Pt:

SENW Sec 22 T 02N R 01W

Use:

Irrigation (.170 CFS)

Domestic (.020 CFS)

Total Diversion (.190 CFS)

Date Filed:

9/9/1991

In:

T02N R01W S22 SWNE SENW

8.5 Acres Total

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before OCTOBER 21, 1991.

R. Keith Higginson,
Director

Pub. October 3, 10, 1991 9552

DONNA M. CALHOUN

, being duly

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

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of October 3, 19 91

and ending with the issue of October 10, 19 91

Donna M. Calhoun

RECEIVED

STATE OF IDAHO)

ss.

COUNTY OF ADA)

FEB 11 1992

On this 13th day of December in the year of 91, before me, a Notary Public, personally appeared DONNA M. CALHOUN, 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.

Donna M. Calhoun
Notary Public for Idaho

Residing at

Boise, Idaho

My commission expires:

11-27-93

63-11588

PHELAN, CRAIG
PHELAN, CINDY
PO BOX 1044
EAGLE, ID 83616

Source: GROUNDWATER

Division No.:

NESEEW Sec 29 T 05N R 01E

Form 238-7
8/90STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name PHALAN, CRAIG 850-7241
Address STILLWELL ESTATES Box 1044
EAGLE, ID 63-92-W-136
Drilling Permit No. 63-11588
Water Right Permit No. 63-11588

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

- ☒ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

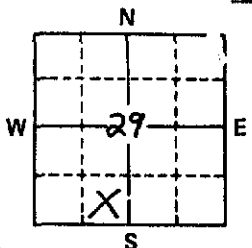
- ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness 250 inches Diameter 6 inches + 1 feet To 213 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 150 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Pudding clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld
☐ Cemented between strata
Describe access port SANITARY WELL CAP

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name STILLWELL ESTATES #4
Lot No. 3 Block No. 1
APR 26 1993

County ADA

BE % SW % Sec. 29 T. 5 N 1 S 1 R. 1 W 1

7. WATER LEVEL

Static water level 147 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 57 °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>45</u>	<u>211</u>	<u>4</u>

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
9"	0	2	TOP SOIL	NO	
9"	2	150	SANDSTONE	NO	
6"	150	160	HEAVING SAND	YES	
6"	160	190	CLAY	NO	
6"	190	205	SAND	YES	
6"	205	213	SANDSTONE	NO	
6"	213	215	~~CRACKED ROCK~~ Sand	YES	

10.

Work started 11/29/91 finished 11/30/91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name Can-Ada Well Drilling Firm No. 304

Address 4250 Murphy Road Date Feb. 10, 1992

Signed by (Firm Official) Earl Skinner

and
(Operator) Brad