

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03483J
Date Received: 9/08/1989
Receipt No: W005793
Received By: DE JED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REBECCA A. BRESHEARS 208-939-4220
Address: 387 KNOB HILL CT.
EAGLE, ID 83616-2035

AND

Name: VERLE E. BRESHEARS 208-939-4220
Address: 387 KNOB HILL CT.
EAGLE, ID 83616-2035

2. Date of Priority: AUG 31, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01E	29	NW	SE			ADA

5. Description of diverting works:
300 FT. WELL W/5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.190 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME, STOCK 8 HEAD CATTLE, 4 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	29	NW	SE		IRR	1.0
			NW	SE		DOMEST	
			SW	SE		IRR	4.0
			SW	SE		STOCK	
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 7 BLOCK 2 STILLWELL ESTATES #1, PARCEL #R8163150150. PLAN
EVENTUAL INSTALLATION OF SWIMMING POOL. THIS IS A SPLIT OFF OF
63-03483.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number

AG 3-3483 J

Date Received

9-8-89

Receipt Number

W 5793

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Verle E & Rebecca A Breshears Phone (208) 939-4220Mailing Address 387 Knob Hill Ct. Eagle, ID Zip 83616-20352. Date of Priority (Only one (1) per claim) August 19813. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township Eagle^{5N} Range 1E Section 29,
SW 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 5 HP PUMP - 300 ft WELL -

MICROFILMED

JUL 25 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount .12 or .15

For Domestic Use purposes from 1-1 to 12-31 amount .08 or .10

For Stockwater purposes from 1-1 to 12-31 amount .02 or .02

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .22 .19 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use in 1 household. 8 head cattle/4 horses
Lawn, Garden

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>5N</u>	<u>1E</u>	<u>29</u>	<u>1/8</u>												<u>1/8</u>	<u>1/4</u>			<u>5/8</u>
		<u>29</u>														<u>D</u>	<u>S</u>		

Total number of acres irrigated 5

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

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

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

14. Remarks: Lot 7 Blk 2 Parcel # R8163150150
Stillwell Estates #1
#8565458
018490000000 5N 1E 29

Plan eventual installation of swimming pool
This is a split off of G3-3483

MICROFILMED

Last Name Breshears Ident No. _____

Copies: White - State, Yellow - Claimant

JUL 23 1994

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Decree _____

If applicable provide IDWR Water Right Number 03-3483

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Rebecca A. Breshears Date 9/8/89

Date 8-8-89

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 5th day of August 19 89

SEAL

Notary Public Thomas F. Dyer

Residing at Meridian, Id.

My Commission Expires 9/08/89

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Breshears Ident. Number _____

MICROFILMED

COPIES JUL 25 1994
White-States Yellow-Claimant

Full Name _____

Ident. Number _____

Date _____

Address _____

Signature _____

should be mailed to me at the address listed below.

Notice is hereby given that I, _____, of the county of _____, State of _____, do hereby certify that _____, who is presently residing at _____, is the person named in the claimant's affidavit above, and that all notices required by law to be mailed by him to the claimant's attorney at law on behalf of the claimant shall be mailed to me at the address listed below.

Please Print Name

My Commission Expires _____

Resided at _____

Liberty Public _____

Subscribed and sworn (or affirmed) before me this _____ day of _____, 19____.

County of _____

State of Idaho _____

Title and Organization _____

Signature of Authorized Agent _____

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

document in the space below as _____ of _____

Organization _____

that I have signed the foregoing _____

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

Signature of Claimant (s) _____

Date _____

Date _____

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

Signature of claimant(s) _____

(a) By signing below, I do acknowledge that I have received, read, and understood the contents of the foregoing document, and that I have signed the same for the reasons stated therein, and that I have not been coerced or influenced in any way to do so.

Signature (s) _____

Printed Name _____

Case Number _____

County _____

It is hereby provided that the following shall be the rules of the court.

Order _____

Printed Name _____

Printed Name _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32674/63-3483 Priority Jan. 7, 1966 Amount 1.63 cfs

THIS IS TO CERTIFY, that WALTER JR. -or- LUCILLE STILLWELL
of Eagle, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 32674/63-3483 issued pursuant to Application for Permit dated January 7, 1966
and has submitted proof to the Department of Water Administration on September 1, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.63 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.63 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 5 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 887 acre feet per year or _____

4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	1 E	29				10							23				40	13	86

Total number of acres irrigated 86

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of

November, 19 73.


Director

63 3483

9:30 Fri 6 Aug

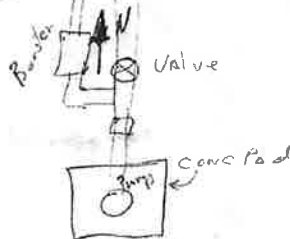
Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

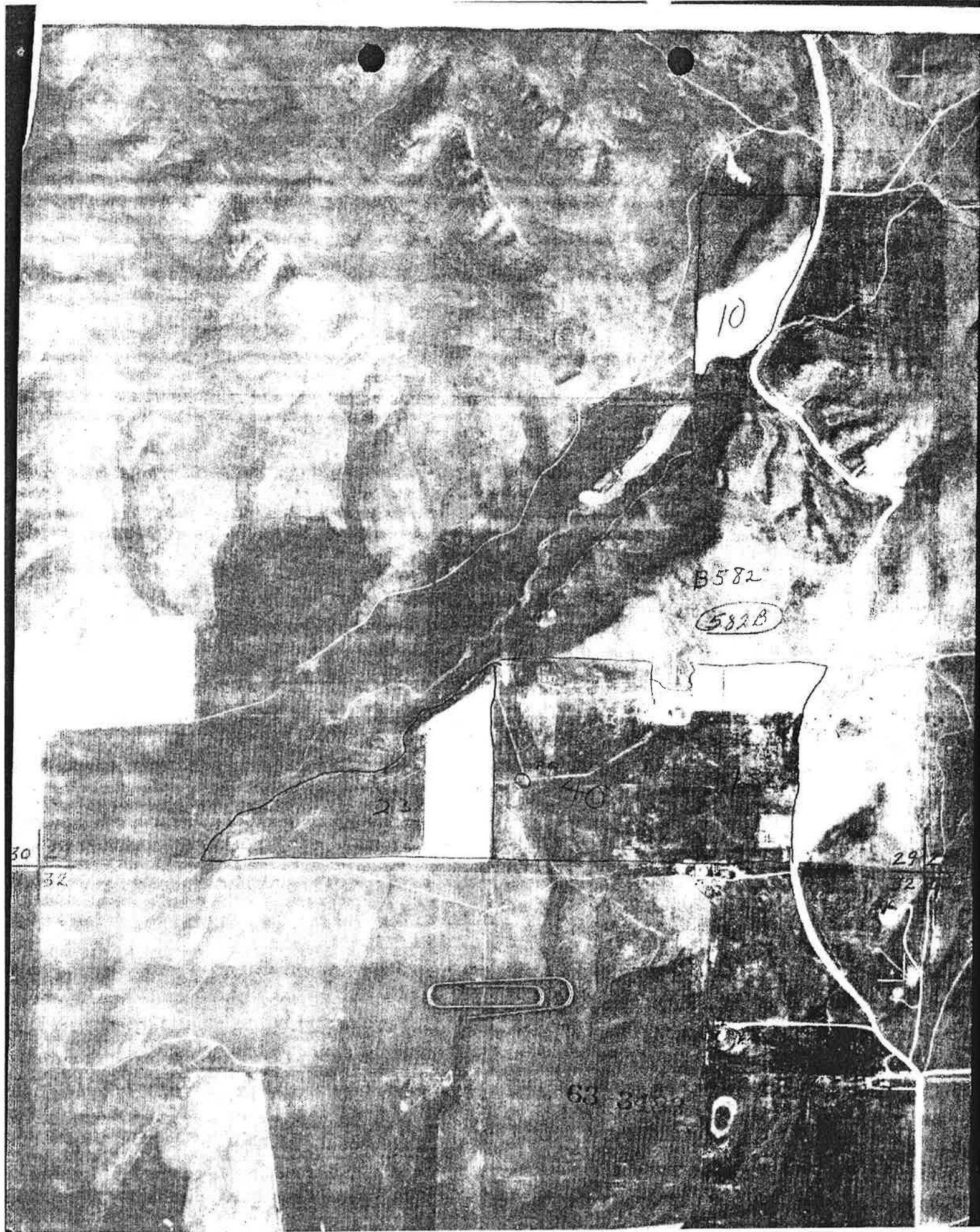
REPORT OF EXAMINER

PERMIT NO. G-32674/63-3483

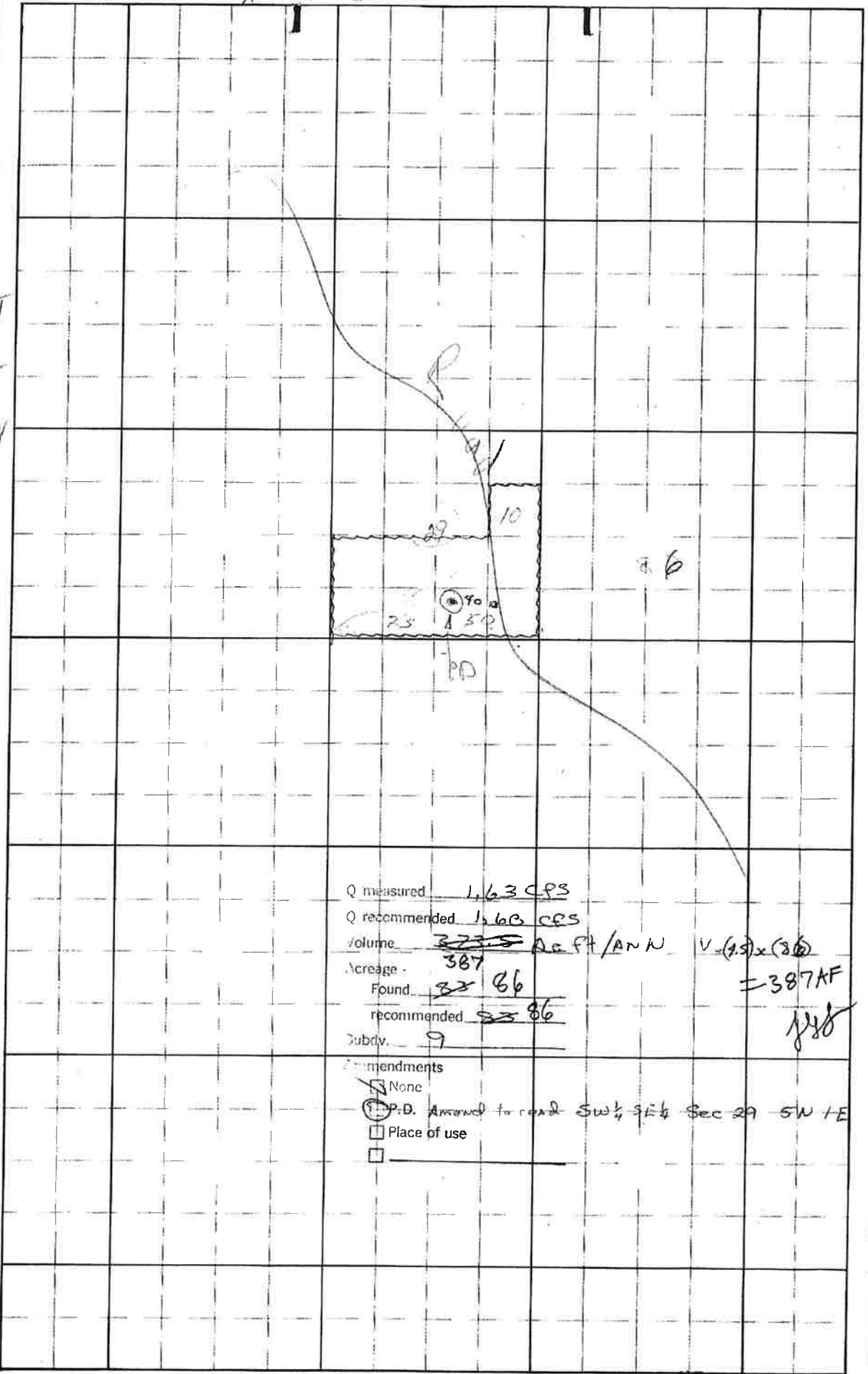
REPORT ON PROOF OF B/U WALTER JR. OR LUCILLE STILLWELL



63 3483



T
S
N



Q measured 1.63 CPS
 Q recommended 1.63 CPS
 Volume ~~323.5~~ 387 AC FT / AN N $V = (1.5) \times (36)$
 Acreage - 387
 Found 387
 recommended 387
 Subdy. 9
 Amendments
☒ None
☒ P.D. Approved for road SW 1/4 SE 1/4 Sec 29 SW 1/4 E
☐ Place of use
☐

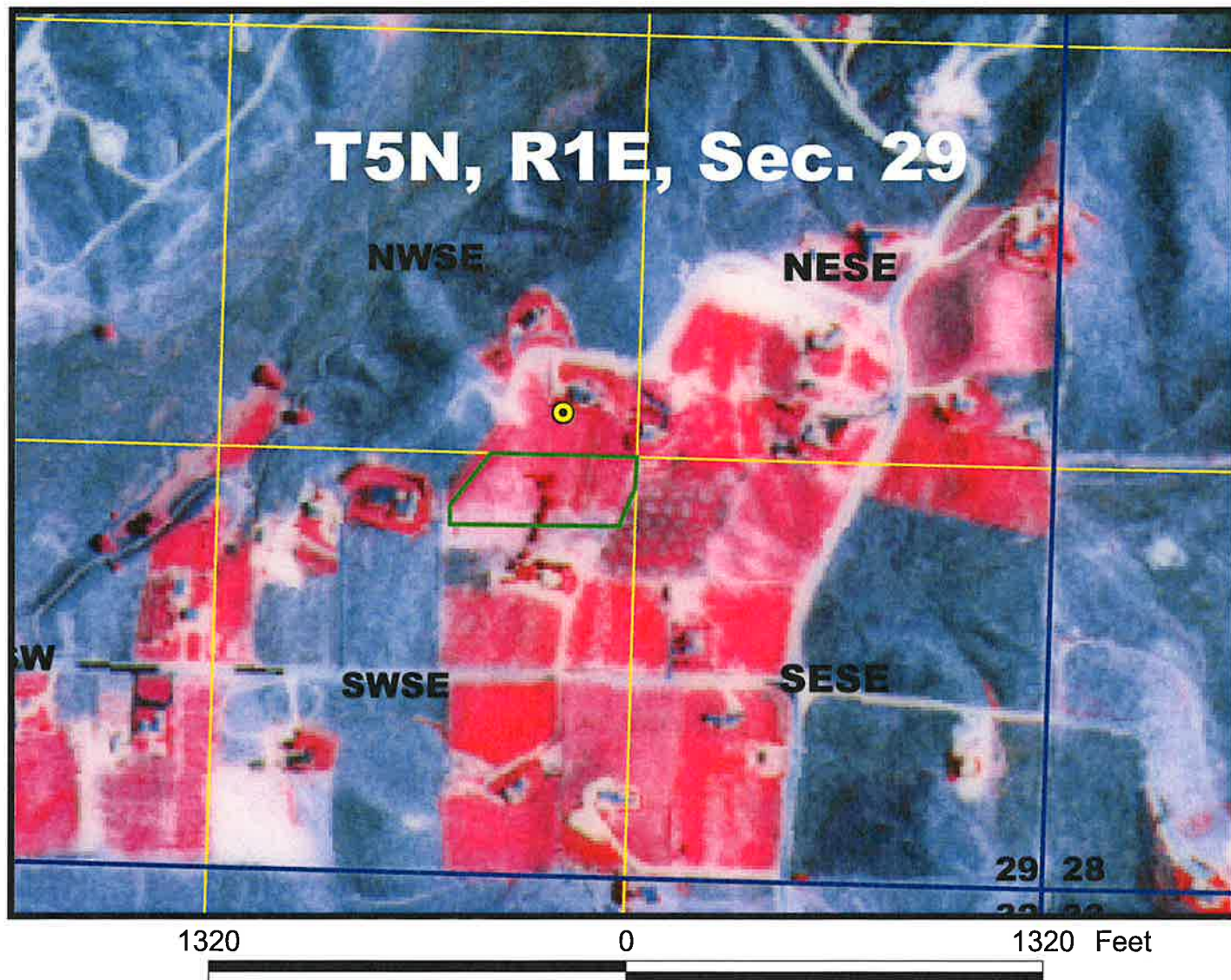
387 AF
1/88



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-03483J



Total Irrigated Acres: 2.7



Point of Diversion



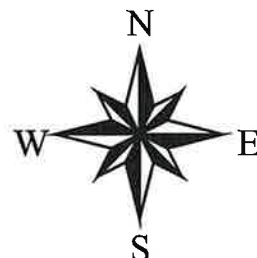
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2005

02/03/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3483J
NAME AND ADDRESS: VERLE E BRESHEARS
387 KNOB HILL CT
EAGLE ID 83616-2035

REBECCA A BRESHEARS
387 KNOB HILL CT
EAGLE ID 83616-2035

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
12.200 AFY

PRIORITY DATE: 01/07/1966

POINT OF DIVERSION:

T05N R01E S29 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.060 CFS 12.20 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE:

IRRIGATION Within ADA County

T05N R01E S29 SWSE 2.7

2.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483J V1

WATER RIGHT NUMBER: 63-3483J V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VERLE E BRESHEARS 387 KNOB HILL CT EAGLE, ID 83616-2035 (208)939-4220
Current Owner	REBECCA A BRESHEARS 387 KNOB HILL CT EAGLE, ID 83616-2035 (208)939-4220

Priority Date: 01/07/1966

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.060 CFS	12.20 AF
	<u>Total Diversion:</u>	0.060 CFS	12.20 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	29															2.7		2.7

Total Acres: 2.7

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483J V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 2/3/2005 No Resumption
Comment: Unlike other splits of original license 63-03483, this right is not based on resumption as 1987, 2000, and 2003 photography show signs of consistent irrigation.
2. csaxton 2/3/2005 Diversion Rate
Comment: Diversion rate recommended at licensed diversion rate of 0.019 cfs per acre.
3. csaxton 2/3/2005 POD(1)
Comment: Property developed in 1981 according to Ada Co taxlot data. Recommend accomplished change in POD (C03).
4. csaxton 2/3/2005 No D&S
Comment: Domestic and Stock use cannot be recommended under this claim. Domestic and Stock uses were not licensed as part of original license 63-03483. Addition of a domestic and stock purpose of use would be an enlargement of the right due to the extended SOU.
5. csaxton 2/3/2005 POD(2)
Comment: No good map in file. POD digitized based on best guess.
6. csaxton 2/3/2005 Priority Date
Comment: Claimant filed this claim as a portion of original license 63-03483. However, the claimant claimed a priority date of 8/31/1981 which appears to be the date the home was built according to Ada County tax lot data. In a discussion with Jan Shurte, guidance was given to recommend the priority date of that of the original license, without an amended claim, as it is clear that the intention of the claimant was to claim a portion of original license 63-03483. In addition, comments in the claim state, "This is a split off of 63-03483."

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☒ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant *N/A*

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-03483J

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Claimant claimed 08-31-1981 Priority Date which is year home was built. Since this was claimed as a portion of 63-03483, Drop rec priority date back to Licensed Date of 1-7-1966. Guidance Per Jan Shurte on 2-2-05, no amended claim needed.

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: *Property Developed in 1981. Rec Accomplished*
- ☐ If different, when did POD change? *1 in POD. Add 63.*

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NW	SE	29	5N	1E	Ada	Digitized

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
☒ Different Uses

Use Irri From 3-15 To 11-15 Amount 0.05 CFS 12.2 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

— NO D+S —**TOTAL VOLUME – Groundwater only**

- ☒ Incomplete on claim, the total is, Amount 0.05 CFS 12.2 AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change — NO D+S —
☒ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5 N	1 E	27															2.7		2.7

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

- Not Resumption
- See Priority date issue in ECDR

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: 2-3-06

4

Claimed

Recommend

A Head, David		<i>Recommended</i>	
0.095 Irr + Dom	0.08	Built 1981	
4	4	C03	
	18	Irr only	
B Stillwell, Walter		<i>Recommended</i>	
0.14 Irr + Dom	0.080	Built 1980	
5	4.2	C03	
15	18.9	Irr only	
C Tennant, Donley		<i>Recommended</i>	
0.08 Irr	0.08	Built 1981	
4	4	C03	
	18	Irr	
D Russell, Charles		<i>Recommended</i>	
0.14 Irr+Dom+Stock	0.07	Built 1978	
4	3.8	C03	
	17.1	Irr	
E Thompson, Carol		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.06	Built 1976	
5	3.1	C03	
	14.0	Irr	
F Metzger, Richard		<i>Recommended</i>	
0.11 Irr + Dom	0.09	Built 1979	
4.5	4.5	C03	
	20.3	Irr	
G Dalessio, Gerald		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.080	Built 1984	
5	4.2	C03	
	18.9	Irr	
H Jones, William		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.061	Built 1975	
5	3.2	C03	
	14.4	Irr	
J Breshears, Verle		<i>Recommended</i>	
0.19 Irr+Dom+Stock	0.05	Built 1981	
5	2.7	C03	
	12.2	Irr	
K Davey, Richard		<i>Recommended</i>	
0.08 Irr	0.07	Irr	
4	3.5		
	15.8		
L Geary, Timothy		<i>Recommended</i>	
0.13 Irr	0.13	Per TR 5274	
7	7		
31.5	31.5		
M West, Robert		<i>Disallowed</i>	
0.16 Irr+Dom+Stock	0	Built 1984	
5	0		
	0		
N McMurray, Michael		<i>Recommended</i>	
0.04 Irr	0.03	Built 1992	
2	1.8	Irr	
	3.2	Licensed POD	
P Graybadger, Gregory		<i>Recommended</i>	
0.057	0.06	Per Tr 70172	
3	3		
	13.5		
Q Barats, Kurt		<i>Recommended by Ron</i>	
0.076 Irr	0.076		

Had to Recommend 15 afa

Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POU

Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POU

Didn't claim Licensed priority Date
Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POU

63-03483

1.63 cfs
86 ac
387 afa

	4	4
		18
R Peeterson, Jerry		<i>Recommended by Ron</i>
	0.085 Irr	0.082
	4.5	4.3
	20.25	19.35
S Ellis, Dwayne		<i>Recommended by Ron</i>
	0.078 Irr	0.078
	4.1	4.1
	18.45	18.45

Sum CFS=	1.941
Sum Acre=	75.1
Sum Div Vol =	85.2

Un-accounted for CFS=	-0.311
Un-accounted for Acres=	10.9
Un-Accounted for Vol =	301.8

Diversion Rate per Acre =	0.019
Diversion Vol per Acre =	4.5

Sum CFS=	1.161
Sum Acre=	61.4
Sum Vol =	271.44

Un-accounted for CFS=	0.469
Un-accounted for Acres=	24.6
Un-accounted for Vol=	115.56

Memorandum

Date: January 26, 2005

To: File

From: Craig L. Saxton

Subject: Recommendation for splits of 63-03483

Domestic and Stock:

Domestic and Stockwater use was claimed in several of the splits for 63-03483. Domestic and Stockwatering uses cannot be recommended under this original license because those uses were not licensed. Adding those uses to the split portions would be an enlargement of the claim as the season of use would be extended to year round use.

Accomplished Change in POD:

Per discussion with Jan Shurte, it was decided that if the tax lot data showed that the property was developed prior to 1987 and the POD was claimed differently than what was licensed (basically they claimed their personal well on their parcel), we could call it an accomplished change in POD and add C03. This was not done for splits where the property was developed after 1987.

Splits 63-03483E, 63-03483H, and 63-03483J:

These claims claimed a portion of the POU in a QQ that was not originally licensed. Cannot recommend that portion of the claimed POU as part of this right. Only the portion of the claimed POU that fell in the original licensed POU was recommended under the above mentioned splits.

10-25-04 : Part of claimed POA (1.8 ac in NWSE) not originally licensed.
That acreage might be covered under 63-03016. Need
to check. Speak with Jan.

: No D+S as it wasn't licensed.

: No Apparent TR Filed to change POB so rec POB as licensed

: looks irr in 1987

: Parcel # R 8163150150 - Built in 1981 - Poss CØ3

2-2-05 : No other Claims Filed

: Did not Claim licensed Priority date. Claim is in
Violation of the mandatory Permit statute

NOTE TO REVIEWER
AFTER LOOKING AT
THESE SUBD. MAPS
& THOSE IN 3016 IT
APPEARS LOT 7 Bk2
SHOULD BE IN THE
S&SE ONLY.

Receipt Details for ID W005793

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/8/1989 4:42:14 PM	9/8/1989	Western	\$55.00	Check
Payer		BRESHEARS, REBECCA A.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3575			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3483	J	\$55.00	Claim

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Property Details for Parcel R8163150150

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General Information

Property Acres: 4.680
 Zone Code: RR
 Primary Code Area: 270 [Tax Districts](#)
 Group Type: SUB
 Subdivision: STILLWELL ESTATES NO 01
 Section: 5N1E29

Property Description

LOT 7 BLK 2
 STILLWELL ESTATES #1
 #8565458



Property Address

387 W KNOB HILL CT
 EAGLE, ID 83616

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- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method	Code Area
Primary	150-RES SUB LOT	4.680	\$137,500	MARKET	270
Primary	370-RES IMPROVEMENT	0.000	\$260,500	COST	270

Total Assessed Value: \$398,000

Parcel Valuation History

Assessed value for year 2004 \$398,000
 Assessed value for year 2003 \$385,500
 Assessed value for year 2002 \$381,000
 Assessed value for year 2001 \$331,000
 Assessed value for year 2000 \$331,000

Property Characteristics

[Residential](#)
[Land](#)

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Residential

Land

Residential Characteristics 1 for Parcel "R8163150150"

Occupancy Date:	No Date Available
Year Built:	1981
Year Remodel:	0
Effective Age:	0
Construction Class:	5
Number of Bedrooms:	3
Number Bathrooms:	1.75
Number of Fireplaces:	2
Air Conditioning:	Y
Car Storage Sq Ft #1:	600
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	2800
Porch Sq Ft:	0
Deck Sq Ft:	182
Deck Covered:	N
Patio Sq Ft:	410
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	3536
Main Floor Sq Ft:	2004
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	995
Unfinished Lower Floor Sq Ft:	537
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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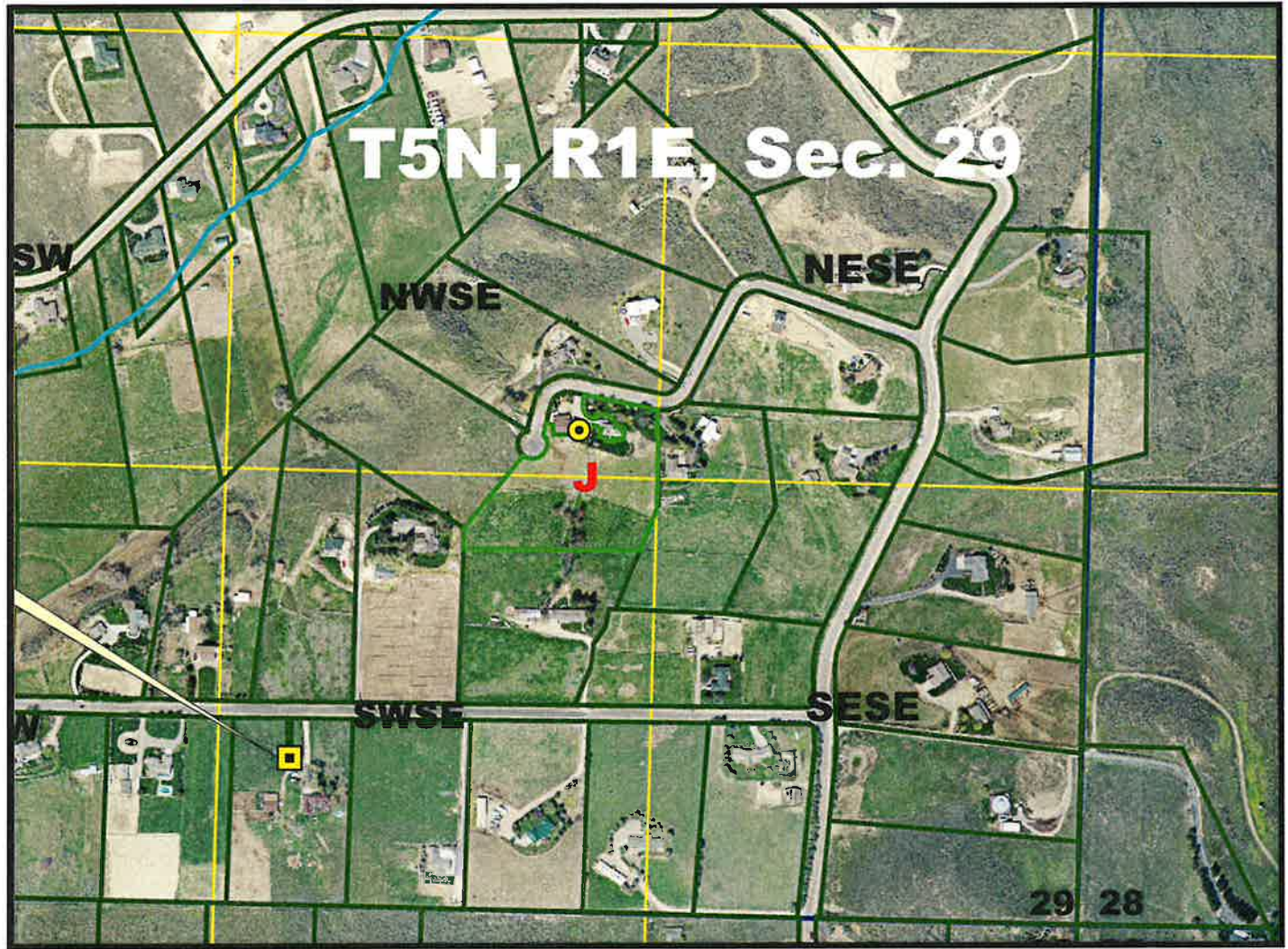
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63-03483J POU & POD Claim Map 2003 Photography



1320

0

1320 Feet

● Claimed Point of Diversion

□ Claimed Place of Use

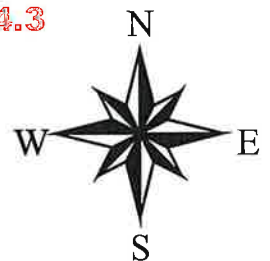
□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 5.0

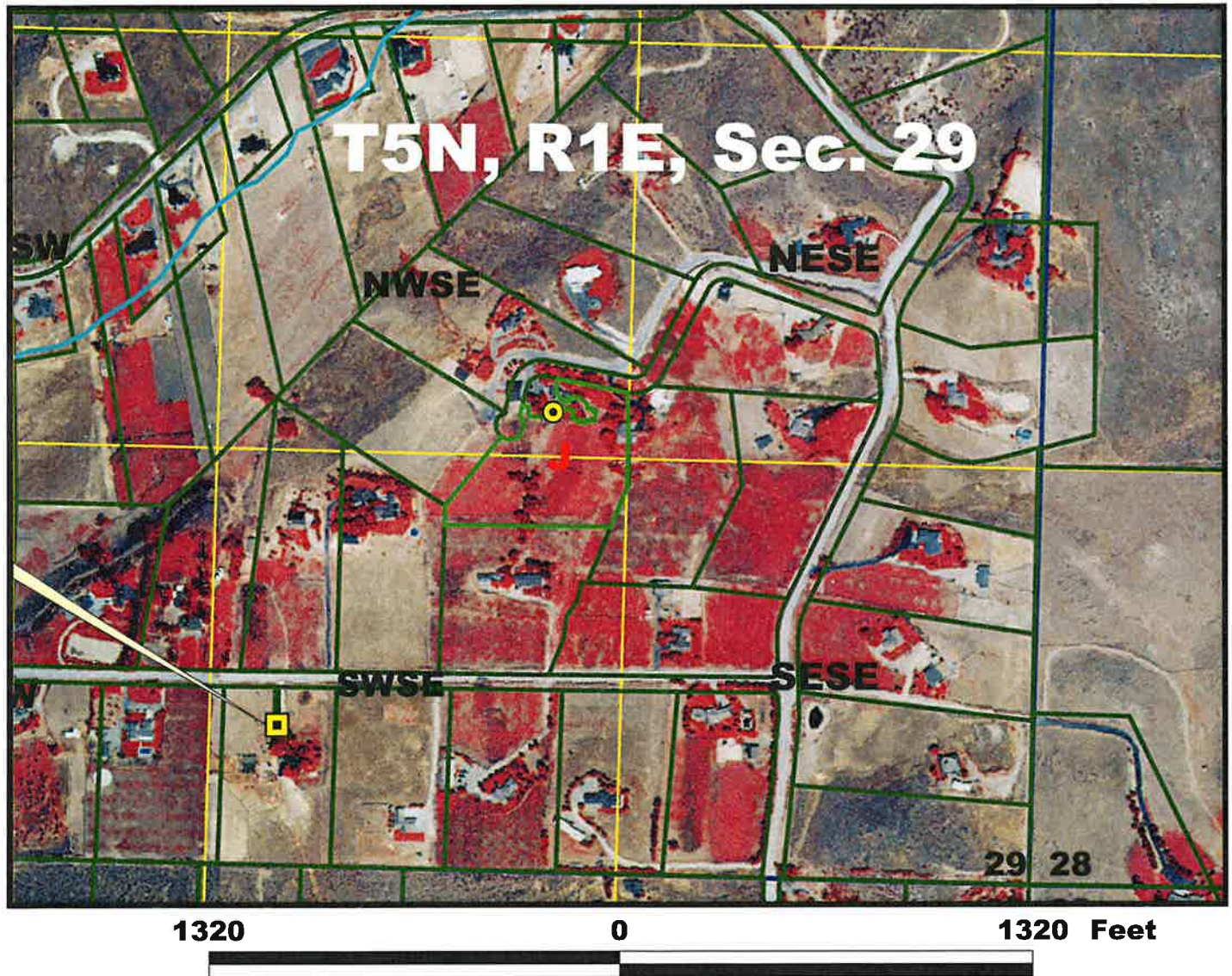
Initial Review found acres: 4.3



Prepared by: C. Saxton
Date: January 2005



63-03483J POU & POD Claim Map 2000 Photography



○ Claimed Point of Diversion

□ Claimed Place of Use

□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 5.0

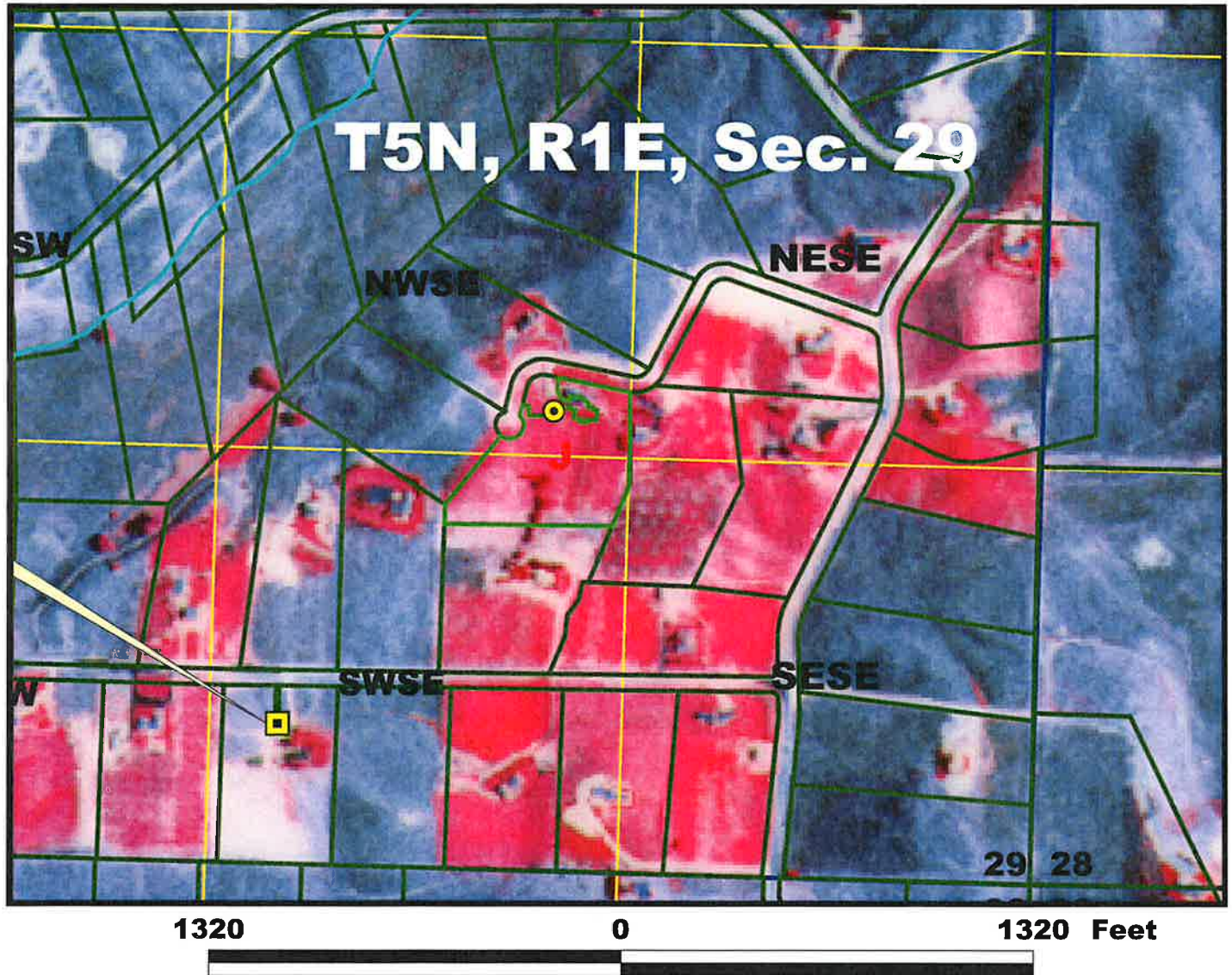
Initial Review found acres: 4.3



Prepared by: C. Saxton
Date: January 2005



63-03483J POU & POD Claim Map 1987 Photography



○ Claimed Point of Diversion

□ Claimed Place of Use

□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 5.0

Initial Review found acres: 4.3



Prepared by: C. Saxton
Date: January 2005

DWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: A63-03483J Date: 8-23-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5N	1E	29														1	4		5
GIS																	2.7	2.3		5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 5

Overlapping POU Claim #'s:

Total GIS Acres: 5

COMMENTS:

per county tax data

Idaho Department of Water Resources

Claim Number: 63-03483J

Legal: T05N, R01E, S29

Reviewed By:



Point of Diversion



Place of Use

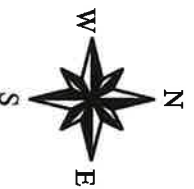


Section Lines



Quarter Quarter Lines

1987 Napp Photo



0 0.25 Miles

Idaho Department of Water Resources

Claim Number: 63-03483J

Legal: T05N, R01E, S29

Reviewed By:



Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo

