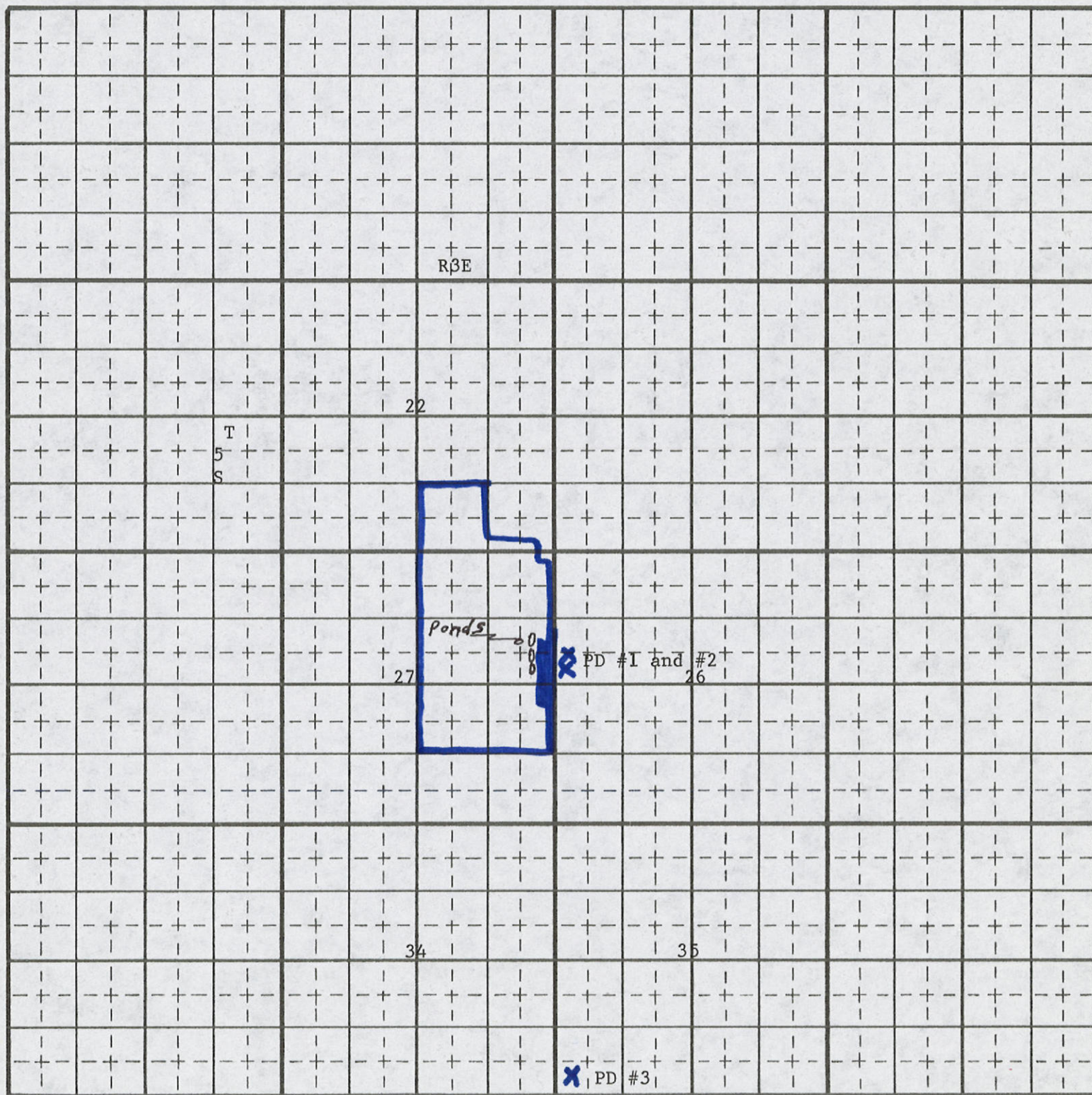


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



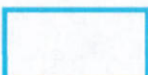
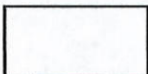
Last Name Draper #3 Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 07 1992

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-02234
Legal: T05S, R03E, S22, 27
Reviewed By:

-  Point of Diversion
(3 located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarters
-  Township/Range



DRAPER/BYBEE - RATE OF FLOW / VOLUME WORKSHEET (2 pgs)

a) WELL	CFS	
1	1.20	
2	.76	
3	1.32	
4	2.51	Excluded from irrigation now
5	.07	
	<u>3.35</u>	Total for wells 1-3 & 5

b) 362 acres 100 w/ 57.02224 Lit., wells 1-3
262 w/ 57.02234 Lit., wells 1-3, 5

c) 246 days/season, 5.0 AFA/ac requirement

d) CURRENT RATE/AC. = $\frac{\text{total cfs}}{\text{total acres}}$ = $\frac{3.35}{362} = .00925$

$(362)(5) = 1810$ • irrigation requirement

$(3.35)(246)(1.4835) = 1634.6$ • system capacity wells 1, 3, 5

e) Previously, Lit 57.02224 100 ac, 2 cfs, implied 500 AF
OLD RATE ac. = $\frac{2.0}{100} = .02$ cfs

f) OLD RATE → current rate for 100 ac. so don't need add'l water right coverage for 100 ac. Also, the 100 ac. receives max allowable cfs + AFA.

g) NEW ACRES → $(262)(.00925) = 2.42$ cfs
 $(262)(5) = 1310$ AFA

$(2.42)(246)(1.4835) = 1180.8$ AFA
(Lit. REC'd 57.02234 2.42 cfs & 1180.8 AFA)

- Continual -

RATE OF Flow/volume WORKSHEET PS 2

i) total flow rates 2.0

2.42

4.42

system capacity = 3.35 cfs

ii) total volume

500

1180.8

1680.8

volume limit per item d = 1634.6 acft

j) items h & i require lic. conditions for
permit 57.02234

R17: 57.02234 + 57.02234 = 3.35 cfs

combined div. volume both rights 1634.6 acft

Since wells are supplemental, shortfall in
cfs & acft is not a problem for
irrigated land.

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: A57-02234
Date Received: 1/19/1989
Receipt No: W002038
Received By: DE AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES RAYMOND DRAPER 208-834-2245
Address: HC 85 BOX 321
GRANDVIEW, ID 83624

OR

Name: CELIA DRAPER 208-834-2245
Address: HC 85 BOX 321
GRANDVIEW, ID 83624

2. Date of Priority: OCT 26, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	03E	26	SW	NW			OWYHEE
		35	SW	SW			OWYHEE

5. Description of diverting works:
WELLS, DITCHES, COOLING PONDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.040		1215.00
HEATING	09/01	05/01	0.040		28.00
FISH PROPAGATION	01/01	12/31	1.500		1086.00

7. Total Quantity Appropriated is:
3.040 C.F.S. (and/or) 1215.00 A.F.A.

8. Total consumptive use is 945.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-02234

Page 1

Date: 04/12/89

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	22	SW	SE		IRR	40.0
			SE	SE		IRR	4.5
			Section Acres				44.5
		27	NE	NE		IRR	37.5
			NW	NE		IRR	40.0
			SW	NE		IRR	38.0
			SE	NE		IRR	33.0
			SE	NE		HEAT	
			SE	NE		FISH	
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			Section Acres				225.5
			Total Acres				270.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-2274, 57-2224, 57-2264, 57-2324

14. Remarks:
2 P/D IN SWNW, S26, T5S, R3E.

15. Basis of Claim: PERMIT
Water Right Number: 28239

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
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A57-02234

1-19-89

W002038

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Charles Raymond or Celia Draper Phone (208) 834-2245Mailing Address HC 85, Box 321, Grand View, Idaho Zip 836242. Date of Priority (Only one (1) per claim) 10/26/593. Source of water supply (a) Ground Water
which is tributary to (b) N/A4. a. Location of existing point of diversion is: Township 5S Range 3E Section 26,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of OwyheeAdditional points of diversion if any: SW/4 SW/4, Sec. 35, T5S, R3Eb. If instream flow, beginning point of claimed instream flow is: N/A

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. Three drilled wells discharging directly
into greenhouses or ponds for aquaculture or into ditches for irrigation.Water from well #3 (SW SW, Sec. 35, T5S, R3E) is discharged directly into the Bybee Canal
for irrigation.

MICROFILMED

OCT 07 1992

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 3.04 or 1215

For Space heating purposes from 9/1 to 5/1 amount .04 or 28

For Aquaculture purposes from 1/1 to 12/31 amount 1.5 or 1086

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.04 (cfs) and/or (b) 1215 (acre feet)

8. Total consumptive use claimed is 945 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	3E	22															40	4.5	44.5
5S	3E	27	37.5	40	38	33									38	39			225.5
5S	3E	27				G/H													

Total number of acres irrigated 270

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

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.

57-2274; 57-2224; 57-2264; 57-2324

or None ()

14. Remarks:

Last Name Draper Ident No. _____

MICROFILMED

Copies: White State Yellow Claimant
OCT 07 1992

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.

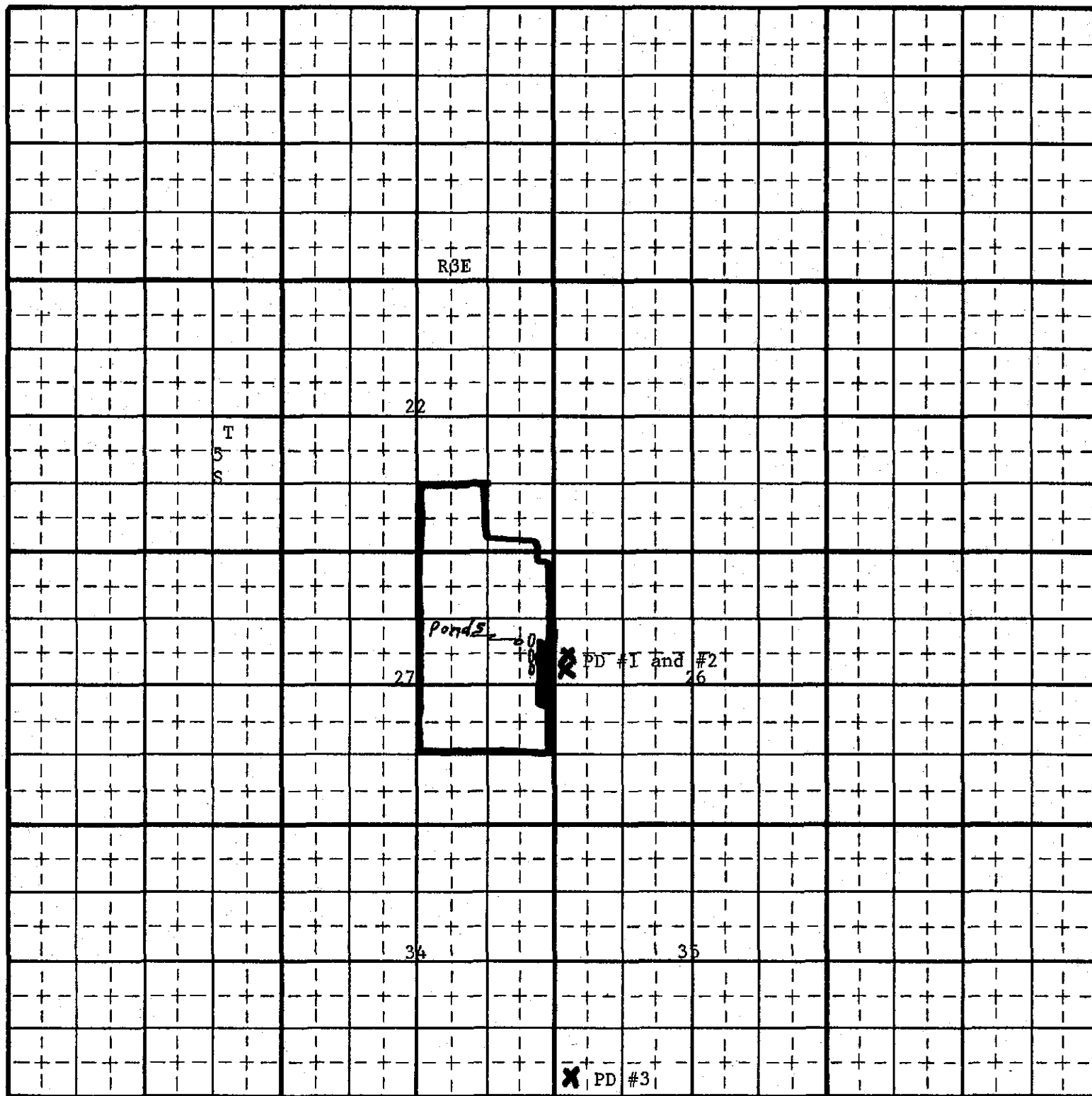
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water 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.

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

Scale: 2 inches equals 1 mile



Last Name Draper #3 Ident No.

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 07 1992

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

Decree _____

If applicable provide IDWR Water Right Number 57-2234

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 ☒ X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) Charles Raymond Draper Date _____

Date _____

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

of _____, Title _____, 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 _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day of January 19 89

Notary Public Sheri L. Chapman

Residing at 457 Willowbrook Meadows Rd

My Commission Expires 6/14/94

Please Print Name Sheri L. Chapman

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 Draper Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 07 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02234

Date: 3-31-03

	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	55	3E	22													18		40	32	90
GIS																20.5		40.5	26.5	87.5
Claim			27	35	40	18	3									37	39			172
GIS				27.9	40.6	38.9	36									37.1	38.1			218.6
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 4

Total Claimed Acres: 262

Overlapping FOU Claim #'s:

Total GIS Acres: 306.1

57-02264, 57-02324, 57-02224, 57-02274

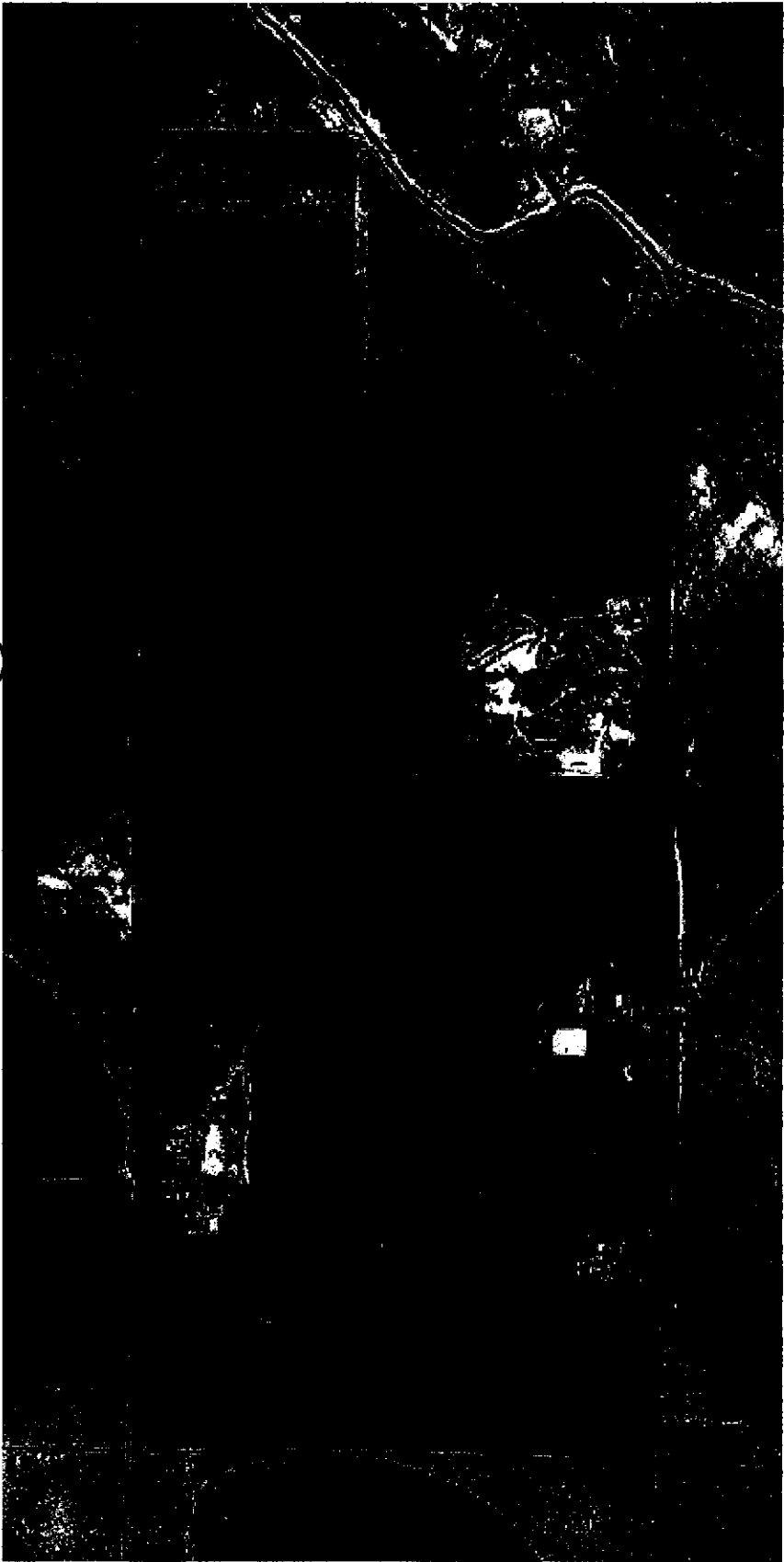
COMMENTS:

Per overlapping claims and claim map in 57-02324:

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-02234
Legal: T05S, R03E, S22, 27
Reviewed By:



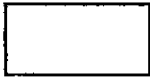
● Point of Diversion
(3 located outside view)



Place of Use



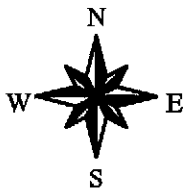
Section Lines



Quarter Quarters



Township/Range



12-29

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02234

1997 DEC 29 AM 9:46
DISTRICT CLERK - SRBA
TWIN FALLS, IDAHO

NAME & ADDRESS: CHARLES RAYMOND DRAPER
CELIA C DRAPER
HC 85 BOX 321
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 2.42 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-02224 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.35 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.24 CFS. COMBINED RIGHT NOS.:
57-02224, 57-02274, & 57-02264

PRIORITY DATE: 10/29/1959

POINT OF DIVERSION: T05S R03E S26 (2) SWNW Within Owyhee County
S27 NWSE
S35 SWSW

TWO POINTS OF DIVERSION LOCATED IN T05S, R03E, S26, SWNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.42 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T05S R03E S22	NESE 18	SWSE 40	SESE 32	
	S27	NENE 35	NWNE 40	SWNE 18	SENE 3
		NESE 37	NWSE 39		
	262 ACRES TOTAL				

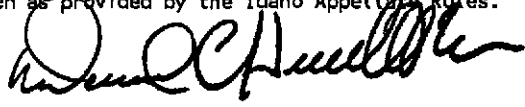
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 362 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-02224, 57-02264,
57-02274 & 57-02324

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

AJ0749NP
No. R57-02234

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES RAYMOND DRAPER	10/29/1959	IRRIGATION	03-15 11-15	2.42 CFS	
C	CELIA C DRAPER					
	HC 85 BOX 321					
	GRAND VIEW ID 83624					
	(208) 834-2245					
				TOTAL DIVERSION:	2.42 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R03E S26
S27
S35

SWNW
NWSE
SWSW

OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	03E	22	:													18		40	32	:	90.0	
05S	03E	27	:	35		40		18		03						37	39			:	172.0	
																			TOTAL ACRES		262.0	

POU County: OWYHEE

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 57-02224 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.35 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.24 CFS. COMBINED RIGHT NOS.:
57-02224, 57-02274, & 57-02264

POD TWO POINTS OF DIVERSION LOCATED IN T05S, R03E, S26, SWNW.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 362 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-02224, 57-02264,
57-02274 & 57-02324

GEN RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: Verified Date: 12/11/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: E

=====

Comments: Date: 06/29/1992 User-ID: MCCARTHY Subject: STATUS OF PERMIT
FIELD EXAM IS COMPLETE. PERMIT IS BEING HELD UNTIL REPAIRS ARE
COMPLETE ON MR. DRAPER'S LEAKING WELLS.

Date: 08/19/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/18/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 08/27/1992 User-ID: MCCARTHY Subject: RECOMMENDATION UNCHANGED
THE COMMERCIAL USE SHOWN ON THE NOE OCCURED AFTER 1963,
IN VIOLATION OF THE MANDATORY PERMIT STATUTE. A LETTER HAS
BEEN SENT TO MR. DRAPER EXPLAINING THE STATUTE AND OUR POLICY
CONCERNING THE EXPANSION OF A PERMIT.

Date: 11/12/1997 User-ID: KWALKER Subject: RECOMMENDATIONS
THIS RIGHT HAS BEEN REFORMATTED TO REFLECT WHAT WAS LICENSED IN
JULY OF 1994.

Date: 12/11/1997 User-ID: KWALKER Subject: CONDITIONS/REMARKS
WE ADDED THE REMARKS AND CONDITIONS THAT APPLIED TO THIS NEWLY
LICENSED RIGHT SO THAT IT IS CONSISTENT WITH THE OTHER RIGHTS ON
THIS PROPERTY.

Audit: 12/11/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-11-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02234

NAME AND ADDRESS: CHARLES RAYMOND DRAPER
~~CELIA C~~ DRAPER
~~CELIA~~ DRAPER
HC 85 BOX 321
~~GRAND VIEW ID888824~~
~~GRANDVIEW ID~~ 83624

SOURCE: GROUNDWATER

QUANTITY: 2.42 CFS
~~3.104 CFS~~USE OF THIS RIGHT WITH RIGHT NO. 57-02224 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.35 CFS.USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.24 CFS. COMBINED RIGHT NOS.:
57-02224, 57-02274, & 57-02264PRIORITY DATE: 10/29/1959
~~10/26/1959~~POINT OF DIVERSION: T05S R03E S26 SWNW Within OWYHEE County
S27 NWSE
S35 SWSW
TWO POINTS OF DIVERSION LOCATED IN T05S, R03E, S26, SWNW.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY	
IRRIGATION		<u>Irrigation Season</u>	<u>2.42</u>	<u>CFS</u>
		~~03/13 11/13~~	~~3.104~~	~~CFS~~

PLACE OF USE:

IRRIGATION	Within OWYHEE County			
<u>T05S R03E S22</u>	<u>NESE 18</u>	<u>SWSE 40</u>	<u>SESE 32</u>	
<u>S27</u>	<u>NENE 35</u>	<u>NWNE 40</u>	<u>SWNE 18</u>	<u>SENE 3</u>
	<u>NENE 40</u>		<u>SWNE 20</u>	<u>SENE 10</u>
	<u>NESE 37</u>	<u>NWSE 39</u>	<u>SWSE 40</u>	<u>SESE 40</u>
	<u>NENE 40</u>	<u>NWSE 40</u>		
<u>262 ACRES TOTAL</u>				
<u>270 ACRES TOTAL</u>				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 362 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-02224, 57-02264,

57-02234 (CONT.)

57-02274 & 57-02324

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PERMIT

CITY
APHS
MED,
E.

MEMORANDUM

TO: JIM JOHNSON
FROM: STEVE LESTER
DATE: MAY 15, 1991
SUBJECT: FIELD EXAMS 57-02234 -02264 -02274 -02324

The b.u. exams were conducted by Sherl Chapman on 6/4/87 and 3/14/88. On 10/11/90 I conducted the SRBA verification field work for the Draper claims which include claims for the above permits (permits in name of Bybee, now deceased). As we previously arranged, an evaluation of Sherl's exams would be provided prior to licensing to deal with any complications related to adjudication recommendations. This memo summarizes my findings and includes attached maps, diagrams, ASCS photo, and worksheets. Photographs from 1990 field work are available if needed (filed with A57-02224, which I have).

The permits involve wells, three streams, and two reservoirs. No IDWR dam safety information is available for either reservoir. Sherl found 366 acres but 362 acres were identified from the 1990 field work and use of ASCS photos, orthophotos, and NAPP photos (see acreage worksheet). In reality, all of the acres are irrigated with co-mingled water from various sources. However, SRBA claims were filed for particular acres for particular rights and will be recommended in that fashion (v. one common P/U). This method also agrees with the manner in which permits were issued.

Permit 57-02234 3 hot wells properly located in preliminary license. 262 acres recommended per acreage worksheet (note 100 acres via license 57-02224). See P/U in Appl. for Amendment. Hot well in SWSWNE S.27 (well #4 on maps and diagram) used to be but no longer is used for irrigation. Well #4 now used for other uses per A57-04108 (Draper) and A57-10442 (Beus) (details in claim recommendations). Recommend adding well identified in A57-10730 (claim by S. Beus also examined by me) that contributes to irrigation of .8 acre in NWNWSE S.27 west of Beus' home & yard and just east of Draper P/U border. This is well #5 in diagram. Also see Beus Home & Yard diagram. This cold water well irrigates 1.3 ac. and supplies water to Beus' home. Beus claims cover internal & external domestic and heating for 1 home. Only 1/2 acre irrigation may occur with Beus claims. The remaining .8 ac. requires an irrigation right but none of the Beus priority dates allow b.u. claim for irrigation. The .8 ac. within pasture but excluded from domestic definition falls within the Draper P/U and can be included in this permit, especially since this parcel was originally developed under this permit.

This scenario adds a P/D to an existing irrigation right instead of deleting .8 ac. from Draper and requiring Beus to file appl. for permit for .8 ac. irrigation in GWMA. Additionally, the pasture is bordered on south, west, and north by Draper crop land and is a small piece of cropland area recently converted to pasture by agreement between Draper and Beus. Although well #5 is not tied into common mainline for other wells, it can be included just as well #3 was permitted in 57-02234 (although #3 well is not physically tied into wells #1 and 2).

After this license is issued, Draper and Beus will be contacted to accomplish a split of claim A57-02234 to show well #5 for .8 ac. for Beus and wells 1-3 for 261.2 ac. for Draper. This seems like a clearer way to deal with inclusion of the pasture and cold well rather than assigning a part of permit to Beus prior to licensing. That alternative would be complicated by tracking down the current owner of Bybee's permit and completing an assignment.

See the Rate of Flow Worksheet concerning the cfs and afa values associated with the permit and license 57-02224.

Permit 57-02254 Unnamed stream for 240 ac. slightly rearranged as shown on Appl. for Amendment. Volume is limited to 1200 afa (5 x 240=1200). A dam straddling the unnamed stream and Shoofly Creek (57-02274) stores about 23 af of onstream storage (see reservoir volume worksheet for estimate) in Tate Reservoir. The dam is in SENE S.2 for unnamed stream. The stream empties into Shoofly Creek in south half of L.2 NWSE S.2, and a diversion ditch for reservoir water and/or live flow from Shoofly Creek is located 500' downstream from the confluence of the streams. A second diversion ditch from Shoofly Creek is located in SWNE S. 35. I would consider the P/D as the dam in SENE with a comment that water from the unnamed stream can be injected into and then withdrawn from Shoofly Creek via the ditches, where injection occurs in L.2 NWSE S. 2 and withdrawal occurs in same legal plus SWNE S. 35. There is no P/D in L.2 for the unnamed stream. See 57-02274 for more information. See topo map. The 10 cfs flow rate for rights involving Tate Reservoir, or this permit and 57-02274, provides about 20 af/24 hr., which is close enough to reservoir estimate that storage can be considered a detail of the system.

Because the unnamed stream has considerably less flow than Shoofly Creek, the dam is relatively more important for this lesser source. This is an additional reason to treat the dam as the P/D.

Permit 57-02274 Shoofly Creek for 362 ac. slightly modified as shown in Appl. for Amendment. Reduce div. volume to 1810 af (5 x 362=1810). This right is the other portion of the Tate Reservoir system. The dam is found in SWNE S. 2 (continued dam from unnamed stream). Stored and/or live flow water can be injected into the Bybee Canal via the ditch in L.2 NWSE S. 2 and flows into Bybee Reservoir in S. 34, from which pumping delivers water to P/U. Also, stored and/or live flow can continue down the creek to be diverted in SWNE S. 35 via a ditch that routes water into the Grand View Mutual Canal at a point in NWSE S. 35. Water is withdrawn from the G.V.M. Canal with a booster pump in NWSE S. 22 and used throughout the entire P/U.

The point of diversion can be defined as the dam with two points of redirection on the creek and occurring at the two ditches below the dam. Alternately, three points of diversion could be shown, 1 at the dam and two for the ditches. A third suggestion, one that I favor, identifies the P/D as the two ditch sites that divert live flow and/or stored water from the creek. Storage would be a detail of the system not requiring the dam to be included as a P/D. However, it is not adequate to simply identify the P/D as L.2 in S. 2 (the upstream diversion ditch).

Permit 57-02324 Twentymile Gulch (not creek and not north fork) tributary to Shoofly Creek per topo/orthophoto for 360 ac. modified as shown in Appl. for Amendment. No P/D's found in S. 2 or 22. The natural drainage was altered via ditch work. The alteration starts on/bear QQ line of NESW-NWSE S. 34. Downstream from this point, the gulch now flows as a ditch running almost due east. The ditch can deliver water into Bybee Canal in NWSE S. 34 (point of injection into canal) and thence to Bybee Reservoir in SWNE and NWSE S. 34. Water is pumped north from the reservoir through a 12" pipe and cement ditch to P/U. Water from the rerouted drainage can also cross Bybee Canal via 2 pipes and continue in the ditch (=gulch) to be injected into Shoofly Creek at a point in SWSE S. 35. Water is then withdrawn from Shoofly Creek via the previously discussed injection ditch for the Grand View Mutual Canal and thence to booster pump from canal in NWSE S. 22. Note that co-mingled reservoir water can return to Twentymile Gulch via ditch leaving SE corner of reservoir.

Thus, it is possible for storage water to be delivered to fields via Shoofly Creek and G.V.M. Canal. Since the permit is a storage right, the injection/withdrawal information refers to stored water routed from the reservoir through a ditch leaving reservoir at SE end and emptying into the gulch and from there into the creek (v. live flow injection via pipes across the canal and then to creek).

Therefore, the P/D is single point on NESW-NWSE line in S. 34 where alteration of the natural drainage begins. Water is conveyed to reservoir via Bybee Canal. Water is stored in Bybee Reservoir.

Sherl estimated the reservoir as a 10 acre pond about 7.5' deep. This seems a little large compared to what I saw, but I do not have any data to dispute his estimate and find it acceptable. However, shouldn't the preliminary license show irrig. storage/irrig. from storage of 75 af rather than 80 af to agree with the total shown?

Misc. Info Per water right and SRBA files, consultant's exams, my exams, and Draper's information:

well no.	casing	depth	temp.	pipeline	cfs	comments *
1	8"	2600-3000	184	8"	1.20	combines w/ #2 to waste ditch to canal, then booster pump
2	12"	"	172	8"	.76	
3	12"	"	160	12"	1.32	open discharge into canal
4	12"	1700	135	-	2.51	1962 exam meas. **
5	6"	140	cold	1.5-2"	.07	1990 sprinkler meas.

* no well logs found.

** 1962 gravity flow, then pumped, now gravity flow 4" pipe to Beus home, 12" open discharge to ditch/pipeline for heating/fish prop but no irrigation use.

CC: Regional files - 82

PIPER/PAGE RATE OF 1447 (WELLS) WORKSHEET (2/15)

a)

WELL	CF
1	1.20
2	.76
3	1.52
4	2.51
5	.07
	<u>3.35</u>

Excluded from irrigation area

Title for wells 1-3 & 5

b) 362 acres 100 ac. 57-02224 City, wells 1-3
 262 ac. 57-02234 County, wells 1-3, 5

c) 246 days/season 580 ac/acre requirement

d) CURRENT RATE/AC total cfs 3.35
total acres 362 00925
 (3.35)(5) = 16.75
 (3.35)(246)(1.4835) = 1184.6
 irrigation requirement
 system capacity wells 1, 3, 3, 5

e) Previously, Lic. 57-02224 100 ac. 1.2 cfs, implied SW AFA
 OLD RATE AC $\frac{2.40}{100} = 2.40$ cfs

f) OLD RATE $\rightarrow$ CURRENT) rate for 100 ac. So don't need
 add'l water right coverage for 100 ac. Also, the 100 ac.
 receives max allowable cfs 1 AFA.

g) NEW ACRES $\frac{(2.42)(0.00925)}{(2.42)(5)} = 2.42$ cfs
 $\frac{(2.42)(246)(1.4835)}{(2.42)(5)} = 1180.8$ AFA
 (Lic. REC'd 57-02234) 2.42 cfs $\neq$ 1180.8 AFA

- Continual -

RATE OF FLOW / VOLUME / WORKSHEET PG 2

1) total flow rate 2.0

2.92

0.92

System capacity = 2.92 cfs

2) total volume

5000

10000.0

1634.6

volume limit per item 1634.6 cfs

3) Item 1 is a Region 10. combination for permit 57 12294

R10 5700000 12294 2.92 cfs

combined div volume with region 1634.6 cfs

Since wells are supplemental, rainfall is cfs & cfs is not a problem for irrigated land

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 57-02234

Priority: October 29, 1959 Maximum Diversion Rate: 2.42 CFS

This is to certify, that CHARLES RAYMOND DRAPER
CELIA C DRAPER

HC 85 BOX 321

GRAND VIEW ID 83624

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 26, 1959; and has submitted Proof of Beneficial Use on November 30, 1964. An examination indicates that the works have a diversion capacity of 3.350 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	2.42 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 05S, Range 03E
NWSE , Sec. 27, Township 05S, Range 03E
SWSW , Sec. 35, Township 05S, Range 03E
OWYHEE 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>
05S	03E	22	NESE 18	SWSE 40	SESE 32	90
		27	NENE 35	NWNE 40	SWNE 18	
			SENE 3	NESE 37	NWSE 39	172

Total number of acres irrigated: 262

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
5. This right when combined with Right 57-02224 shall not exceed a diversion rate of 3.35 cfs nor provide more than 4.5 afa per acre for the lands above.
6. Two points of diversion are located within SWNW, S26, T05S, R03E.

MICROFILMED

SEP 25 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-02234

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 29th
day of July, 1994.

Acting for  R. Keith Higginson, Director

MICROFILMED

SEP 25 1996

Copy in 57-02234

MEMORANDUM

November 6, 1997

TO: FILE FOR CLAIM NO. 57-02234A

FROM: JAN SHURTE

RE: REASON FOR DISALLOWAL

In our review of 57-02234 for reformatting in preparation for decree, the above disallowed water right was also reviewed.

This memo is being written to help clarify what this claim represented and why it was disallowed. The file was not too clear on this.

It appears that this claim was filed as an expansion of Right No. 57-02234. The original water right on 57-02234 was for irrigation only and this claim was filed for fish propagation and heating uses with a 1979 priority date. The original right has now been licensed with a 1959 priority date and is being recommended for decree as licensed (irrigation only).

From what I can tell in the file it appears this claim was disallowed because the claim was based on a permit and the date claimed was within the mandatory permit filing date for groundwater. Normally an application for permit should have been filed for these 1979 uses. There was an application for permit filed in 1987 for the fish propagation portion, which is still in the application stage. There is also an existing statutory claim - 57-04108 - recommended for .02 cfs for heating of the barn. If the water is also used for a greenhouse, then an application for permit should be filed to cover that use.

AJ5809NP
No. 57-02234

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/20/93
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES RAYMOND DRAPER	10/26/1959	IRRIGATION	03-15 11-15	3.04 CFS	
C	CELIA DRAPER HC 85 BOX 321 GRANDVIEW ID 83624 (208) 834-2245					
TOTAL DIVERSION:					3.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T05S R03E S26
S35

SWNW
SWSW

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	03E	27	:	40		40		20		10								40		40		270.0
																			TOTAL ACRES			270.0

POU County: OWYHEE

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: E

Comments: Date: 06/29/1992 User-ID: MCCARTHY Subject: STATUS OF PERMIT
FIELD EXAM IS COMPLETE. PERMIT IS BEING HELD UNTIL REPAIRS ARE
COMPLETE ON MR. DRAPER'S LEAKING WELLS.

Date: 08/19/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/18/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 08/27/1992 User-ID: MCCARTHY Subject: RECOMMENDATION UNCHANGED
THE COMMERCIAL USE SHOWN ON THE NOE OCCURED AFTER 1963,
IN VIOLATION OF THE MANDATORY PERMIT STATUTE. A LETTER HAS
BEEN SENT TO MR. DRAPER EXPLAINING THE STATUTE AND OUR POLICY
CONCERNING THE EXPANSION OF A PERMIT.

Audit: 06/29/92 MCCARTHY 07/29/92 PR-PROD 08/19/92 SCHULTZ 08/27/92 MCCARTHY
10/13/92 CPSHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES RAYMOND DRAPER	10/26/1959	IRRIGATION	03-15 11-15	3.04 CFS	
C	CELIA DRAPER					
	HC 85 BOX 321					
	GRANDVIEW ID 83624					
	(208) 834-2245					
				TOTAL DIVERSION:	3.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T05S R03E S26
S35

SWNW
SWSW

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

										NE				NW				SW				SE																						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																			
05S	03E	27	:	40		40		20		10	:						:							:																				
																							40		40		40																	
																							TOTAL ACRES																					

POU County: OWYHEE

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
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- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: E

Comments: Date: 06/29/1992 User-ID: MCCARTHY Subject: STATUS OF PERMIT
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THE COMMERCIAL USE SHOWN ON THE NOE OCCURED AFTER 1963,
IN VIOLATION OF THE MANDATORY PERMIT STATUTE. A LETTER HAS
BEEN SENT TO MR. DRAPER EXPLAINING THE STATUTE AND OUR POLICY
CONCERNING THE EXPANSION OF A PERMIT.

Audit: 00/00/00

MICROFILMED
OCT 07 1992

Charles Raymond Draper
HC 85, Box 321
Grand View, ID 83624

Re: Snake River Basin Adjudication
Notice of Error Response
Recommended Right Nos. 57-02234, 57-04108

Dear Mr. Draper,

We recently received your Notice of Error Form concerning the Water Rights referenced above. Changes to the Rights have not been recommended at this time.

Permit 57-02234 is for the irrigation of 270.0 acres from groundwater. The adjudication process will not change the status of this Permit; the statutory appropriation procedure must be completed before 57-02234 becomes a valid licensed water right for irrigation.

On November 21, 1990, the Department received written information, signed by you and others, documenting the first use of the greenhouse in 1967. Unfortunately, this use is in violation of the Ground Water Statute at §42-229 and defined in §42-230, Idaho Code, and Water Appropriation Rules and Regulations, paragraph 2,15.

Our Department does recognize the expansion of existing water rights under some circumstances (§42-1416, Idaho Code). Your use of water in the greenhouses may be an expansion of 57-04108 but we will require additional information to confirm this fact. Please supply this Department with information concerning the rate of flow required to heat both the barn and the greenhouses. As soon as I receive this information I will be able to continue my investigation of these rights.

Please review your rights carefully and contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

MICROFILMED
OCT 07 1992

NOTICE OF ERROR FORM

JUL-20-1992

RECEIVED

AUG 18 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: A57-04108[✓] / A57-02234[✓]
2. Name: Charles Raymond Draper
Address: HC 85 Box 321
Grand View, Id 83624
Weekday Telephone Number: 834-2245

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

MICROFILMED

OCT 07 1992

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

*Deletion/reduction of commercial & heating
user*

4. Describe the changes you wish to have made in the proposed recommendation:

Commercial use (greenhouses) has been used
since 1967

5. Describe why you disagree with the proposed recommendation:

*Commercial use has been disregarded, heating
of only a barn has been recognized*

6. Date: *8/18/92*

SIGNATURE

Charles Raymond Daper

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIMS PROOF READING REPORT
 (REGIONAL)

06/29/92 15:12:13

Page 1

VERIFIED BY

R. McCarthy
 6-27-92

Water Right Number - R57-02234

Prefix Translation: RESEARCH

Old (D) Number - 28239

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
 DRAPER

CHARLES RAYMOND

1 - HC 85 BOX 321

2 -

3 -

City- GRANDVIEW

State- ID Zip- 83624

Phone - 208-834-2245

1 - HC 85 BOX 321

2 -

3 -

City- GRANDVIEW

State- ID Zip- 83624

Phone - 208-834-2245

DRAPER

CELIA

*** O - ORIGINAL OWNER ***
 ROBERTS

V. A.

1 -

2 -

3 -

City- XXXXX

State- ID Zip- 000000

Phone - 208-000-0000

1 - RT. B, BOX 318

2 -

3 -

City- GRAND VIEW

State- ID Zip- 83624

Phone - 208-000-0000

BYBEE

D. O.

ROBERTS

ELLEN M.

1 -

2 -

3 -

City- XXXXXXXX

State- ID Zip- 00000000

Phone - 208-000-0000

+ - - Priority Date - - +
 10/26/1959

+ - - - Region - - - +
 14 WESTERN

+ - - - Stage - - - +
 P - PERMIT

+ - - - Status - - - +

+ - - - - Source - - - - - +
 GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
 Twn Rng Sec Tract Lot RFlg County

05S 03E 26 SW NW (73) OWYHEE
 35 SW SW (73) OWYHEE

+ - - - - Water Use - - - - - +
 Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 3.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
 3.040 0.0

MICROFILMED
 OCT 07 1992

Water right number - R57-02234

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
05S	03E	27	NE NE		40.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	NW NE		40.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	SW NE		20.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	SE NE		10.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	NE SE		40.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	NW SE		40.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	SW SE		40.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	SE SE		40.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 270.0

+ - - Diversion Means - WELLS, DITCHES, COOLING PONDS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -

Date: 06/29/1992 User Id: MCCARTHY Subject: STATUS OF PERMIT

FIELD EXAM IS COMPLETE. PERMIT IS BEING HELD UNTIL REPAIRS ARE COMPLETE ON MR. DRAPER'S LEAKING WELLS.

+ - - Audit Fields - - +
06/29/92 MCCARTHY

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/29/1992	Old Judicial District	-
Claim Received Date	- 01/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R57-02234

Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Receipt Number	- W002038	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	- OR	Presumption Flag	- E
		Notice of Error Flag	-

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MEMORANDUM

To: A57-02234

From: Roxanne McCarthy *RMC*

Re: Status of Permit

Date: June 29, 1992

=====

The field exam for this Permit was completed in 1988 by Sherl Chapman. Steve Lester completed an adjudication exam in 1991. During the pre-licensing review, it was noted that the wells used by this right are leaking. It has been recommended that the Permit be held until repair of the wells is complete, a period of one year may be involved.

As of this date, it is felt that Permit 57-02234 will be held and that adjudication claim A57-02234 should be recommended as a Permit.

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Should questions arise during the processing of this application please contact:

Form 219
6/86

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

RECEIVED
APR 06 1988

A. GENERAL INFORMATION

Permit No. 57-2234

1. Owner: D. O. Bybee

Phone No. 834-2737

Current Address: HC 85, Box 321, Grandview, ID 83624

2. Accompanied by: Raymond Draper

EXAM. DATE 3/14/88

Address: HC 85, Box 321, Grandview, ID

Phone No. 834-2245

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 57-2324; 57-2264; 57-2274

☐ Copies Attached

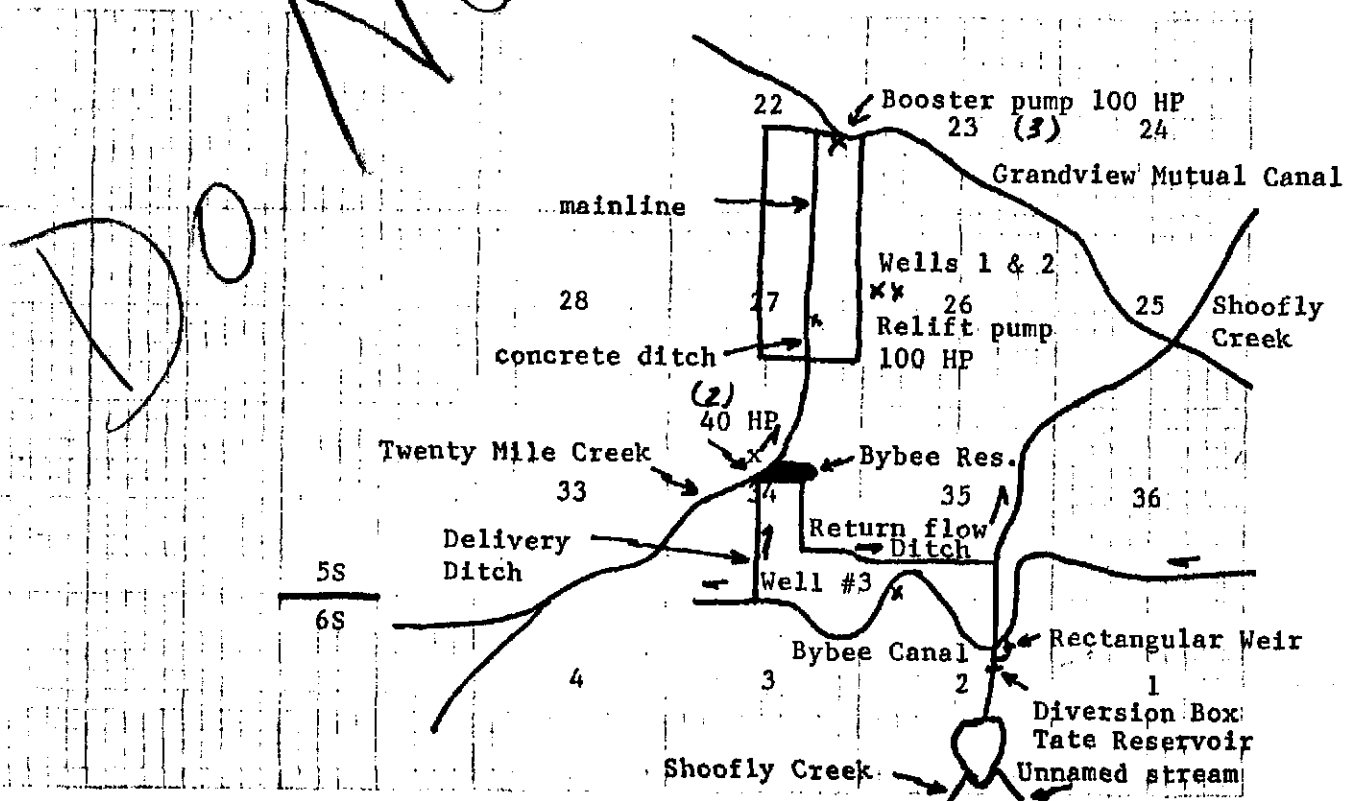
2. Other water rights with same point of diversion: 57-2324; 57-2264; 57-2274

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

- ☒ Aerial Photo Attached

(required for irrigation of 10 acres or more)

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System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	None				8"
2	None				8"
3	None				12"

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	26	5S	3E	Owyhee	Field/map
			SW	NW	26	5S	3E	Owyhee	Field/map
			SW	SW	35	5S	3E	Owyhee	Field/map

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	3E	22															40	4.5	44.5
5S	3E	27	37 1/2	40	38	33									38	39			225.5

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Monometer	air/water	Collins	36"	None	---	1985

2. Measurements:

Well #3 was measured using a 55 gal drum and stopwatch - no opportunity for attachment of equipment due to construction and water temperature. Flow:

Well #1 = 1.2 cfs; Well #2 = .76 cfs; Well #3 = 1.32 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 270 \times 4.5 = 1,215$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1,471$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1,215$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Water from wells #1 and #2 is discharged into greenhouses or ponds for aquaculture or directly into a ditch/pipeline system for irrigation. Water from well #3 is discharged into the Bybee canal and relifted out of the canal for application on cropland.

I. RECOMMENDATIONS

1. Recommended Amounts

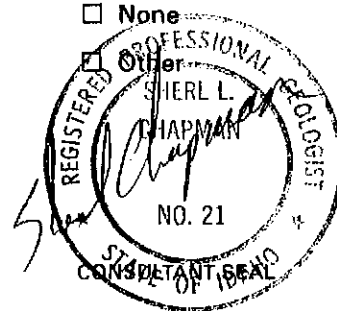
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15/	11/15	3.04	1,215
Totals:			3.04	1,215

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name Sheri L. Chapman
Signature *Sheri L. Chapman*
Certification Date 5/5/87
Field Report Preparation Date 3/15/88



- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-02234

3 hot artesian flowing wells, no pumps at wells.

Owner estimates depths at 2600-3000 ft.; No well logs.

Well #1

8", 184°F according to owner (couldn't measure at pld).

8" mainline buried to pln.

Common
mainline
crosses
large stream
ditch & flows
under Hwy 78
to pld on
W. side of
road.

Well #2

Water to heating, comm. & then to pond for fish prop.; Also to irrigate via feeder ditch from wells to waste ditch

12", 172°F (measured at base of casing where leaks).

8" mainline joins 6" main from well #1.

Control valve found but excessive leak at casing (see well inspection form)

Well #3

12"

160°F measured temp. on 10/11/90

open discharge into Bybee Canal via 16' of

12" pipe to side channel then to canal.

Water is delivered to Bybee Reservoir where it combines with other sources. It is used in overall system.

Measurements - Field exam 3/14/88

Well 1 = 1.2 db, Well 2 = .76 db, Well 3 = 1.32 db

See A57-02224 for system diagram.

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