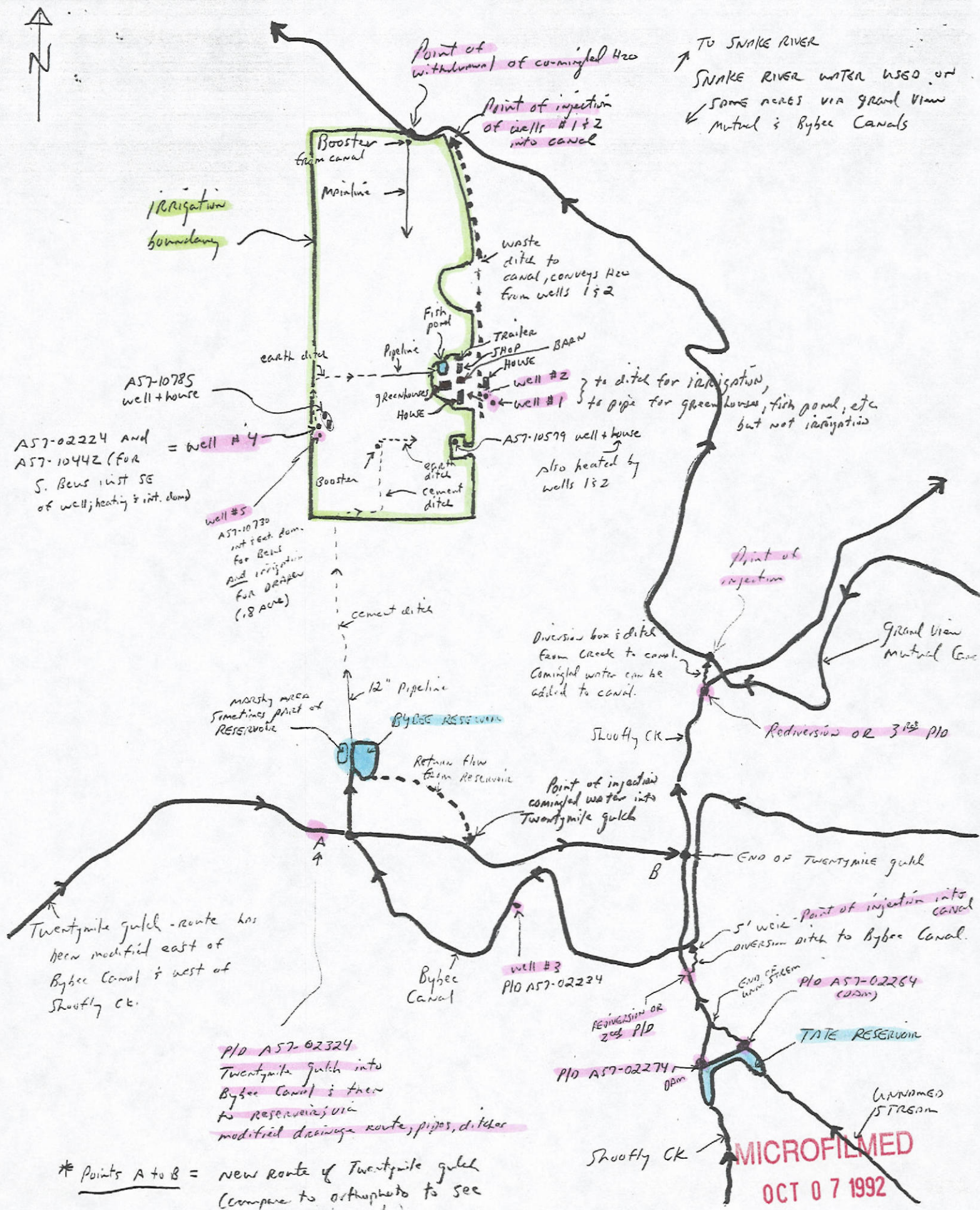
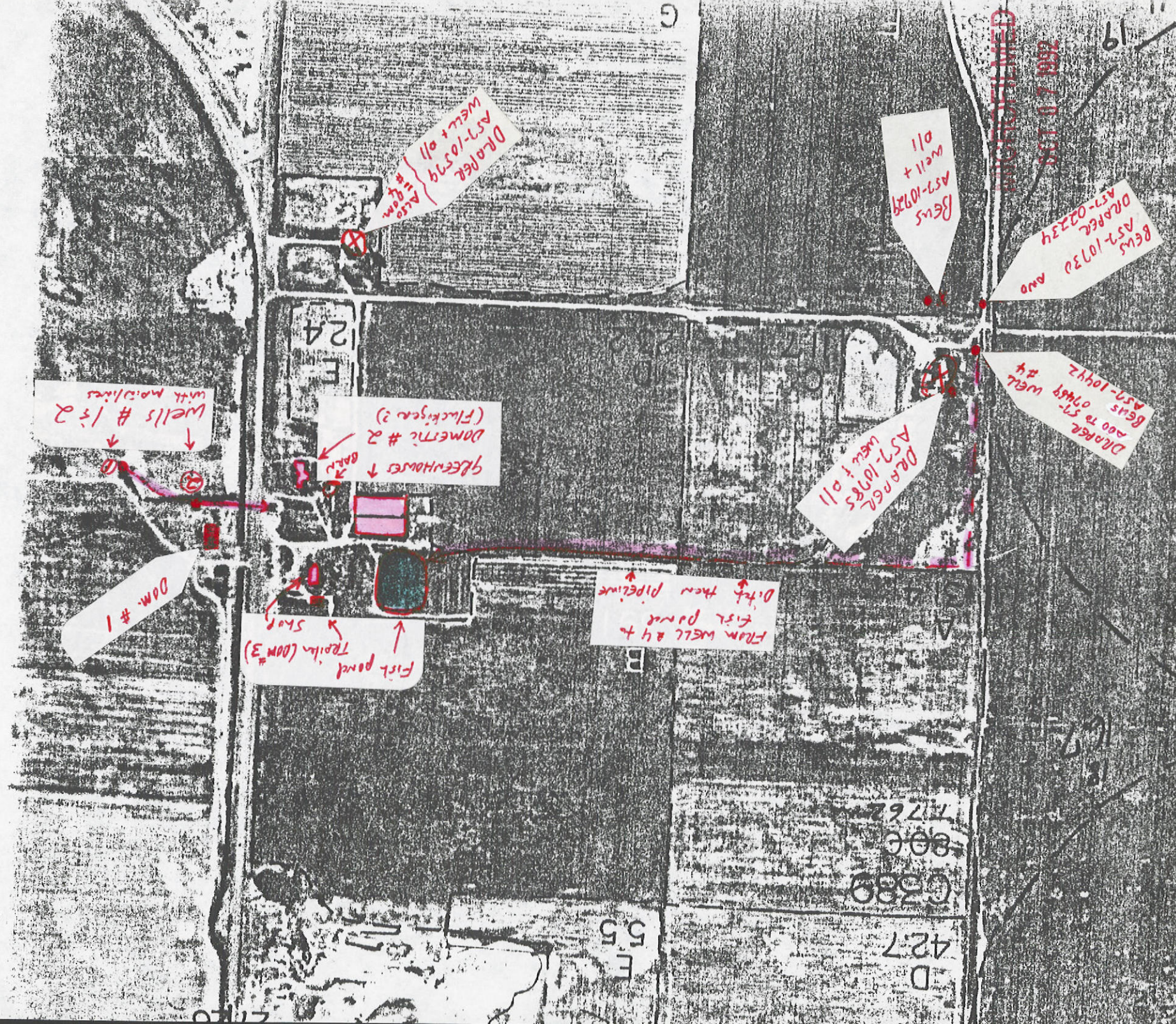




MICROFILMED
OCT 07 1992

NON-IRRIGATION WES

42-



NOT FILLED
JUL 17 1952

BEUS
A57-10730 AND
A57-02234

DRAPER
A57-10442
BEUS TO 57-
A57-10442 well #4

BEUS
A57-10729
well + oil

DRAPER
A57-10765
well + oil

FROM WELL #4 to
first pond
Diff. then pipeline

GREENHOUSES
DOMESTIC #2
(Flickinger 2)

Wells #1 & 2
with moiries

First pond
Trail (DOM #3)
500

DOM. #1

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: A57-04108
Date Received: 1/19/1989
Receipt No: W002038
Received By: DE JH

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: JUN 01, 1962

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

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	1.500		1086.00
HEATING	01/01	12/31	0.500		362.00

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 1086.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/GREENHOUSES, G/HEATING 2 HOMES, 1 SHED, 2 GREENHOUSES

A57-04108

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	26	SW	NW		COMMER	
		27				HEAT	
			SE	NE		COMMER	
			SW	NW		HEAT	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 39576

Ident. Number 057-04108

Date Received 1-19-89

Receipt Number 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) 834-2245

Mailing Address HC 85, Box 321, Grand View, Idaho Zip 82624

2. Date of Priority (Only one (1) per claim) 6/1/1962

3. Source of water supply (a) Ground Water
which is tributary to (b) N/A

4. 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 Owyhee

Additional points of diversion if any: None

b. 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. Two drilled wells, 2,000 feet + deep. Water
temperature is 180°f ±. Both flow under artesian pressure at land surface. Water is
distributed through a buried pipeline to greenhouses and buildings for space heating.
Water is used for heating two single family residences, a large metal shed and two
greenhouses.

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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 Space heating purposes from 1/1 to 12/31 amount .5 or 362

For Commercial purposes from 1/1 to 12/31 amount 1.50 or 1086

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.5 (cfs) and/or (b) 1086 (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) See item 5 C/GREENHOUSES G/HTG. 2 HOMES, 1 SHED 2 GREENHOUSES.

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	26							<u>G/C</u>										
5S	3E	27				<u>G/C</u>													

Total number of acres irrigated

-0-

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.

_____ or None (X)

14. Remarks:

Last Name Draper Ident No. _____

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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.

Scale: 2 inches equals 1 mile

[illegible]

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

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

Decree _____

If applicable provide IDWR Water Right Number 57-4108

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 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 JAN. 17, 1989

Date _____

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

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

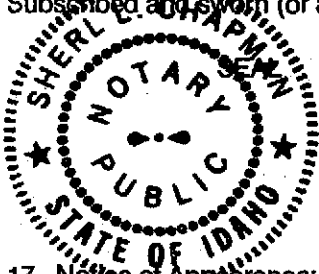
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

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



Notary Public Sherl Chapman

Residing at 451 W. Willowbrook Maudslayi Rd

My Commission Expires 6/14/94

Please Print Name Sherl 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 _____

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OCT 6 7 1992

AJ0749NP
No. R57-04108

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

DATE: 08/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CELIA DRAPER	06/01/1962	HEATING	01-01 12-31	0.02 CFS	
C	CHARLES RAYMOND DRAPER HC 85 BOX 321 GRANDVIEW ID 83624 (208) 834-2245					
TOTAL DIVERSION:					0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R03E S26

NWSWNW

SWSWNW

OWYHEE County

Place of use Legal Description for: HEATING

				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
05S	03E	27	:					H	:												

POU County: OWYHEE

Non-Irrigation Uses: HEATING, 1 BARN

Dates: Exam Made Date: Verified Date: 08/21/1996 Objection Filed Date:

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

Comments: Date: 08/19/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/18/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 7/13/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 08/27/1992 User-ID: MCCARTHY Subject: RECOMMENDATION UNCHANGED
THE COMMERCIAL USE MENTIONED 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
EXPANSION OF BENEFICIAL USE CLAIMS.

Audit: 08/21/96 MSCHULTE

OCT 01 1998
MICROFILMED

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

DATE: AUG-21-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-04108

NAME AND ADDRESS: CELIA DRAPER
CHARLES RAYMOND DRAPER
HC 85 BOX 321
GRANDVIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR: HEATING, 1 BARN

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T05S R03E S26 NWSWNW Within Owyhee County
SWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
HEATING		01-01 12-31	0.02 CFS

PLACE OF USE: HEATING Within Owyhee County
T05S R03E S27 SENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

MICROFILMED

OCT 01 1998

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	CELIA DRAPER	06/01/1962	HEATING	01-01 12-31	0.02 CFS	
C	CHARLES RAYMOND DRAPER HC 85 BOX 321 GRANDVIEW ID 83624 (208) 834-2245					
TOTAL DIVERSION:					0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R03E S26 NWSWNW SWSWNW OWYHEE County

Place of use Legal Description for: HEATING

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	03E	27	:					:					:					:						:	
			:					:					:					:						:	

POU County: OWYHEE

Non-Irrigation Uses: HEATING, 1 BARN

Dates: Exam Made Date: 10/11/1990 Verified Date:

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

Comments: Date: 08/19/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/18/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 7/13/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 08/27/1992 User-ID: MCCARTHY Subject: RECOMMENDATION UNCHANGED
THE COMMERCIAL USE MENTIONED 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
EXPANSION OF BENEFICIAL USE CLAIMS.

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

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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

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OCT 11 1992

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(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
uses

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 Dwyer

AJ0749NP
No. R57-04108

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

VERIFIED BY R. McCarthy
7-13-92

DATE: 07/13/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES RAYMOND DRAPER	06/01/1962	HEATING	01-01 12-31	0.02 CFS	
C	CELIA DRAPER					
	HC 85 BOX 321					
	GRANDVIEW ID 83624					
	(208) 834-2245					
				TOTAL DIVERSION:	0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T05S R03E S26 NWSWNW SWSWNW OWYHEE County

Place of use Legal Description for: HEATING

	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	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
05S 03E 27	:				:				:				:			
	:				:				:				:			

POU County: OWYHEE

Non-Irrigation Uses: HEATING, 1 BARN

Dates: Exam Made Date: 10/11/1990 Verified Date: 07/13/1992

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

Audit: 07/13/92 MCCARTHY

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:12:40
11/01/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04108

LAST: BYBEE
ADDRESS: RT. B BOX 322
CITY: GRANDVIEW
PHONE NUMBER: 208-000-0000

FIRST: D. O.

STATE: ID ZIP: 836240000

OWNER CODE: O

LAST: DRAPER
ADDRESS: HC 85 BOX 321
CITY: GRANDVIEW
PHONE NUMBER: 208-834-2245

FIRST: CHARLES RAYMOND

STATE: ID ZIP: 83624

OWNER CODE: C

LAST: DRAPER
ADDRESS: HC 85 BOX 321
CITY: GRANDVIEW
PHONE NUMBER: 208-834-2245

FIRST: CELIA

STATE: ID ZIP: 83624

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

MICROFILMED
OCT 07 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See Memo in 57-02224.

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OCT 07 1992

A. AJ CLAIM: # A57-04108 PRIORITY DATE: 06-01-1962 STAGE: J
B. WR RECORD: # 57-04108 PRIORITY DATE: 06-01-1962 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(✓) N()
IF YES EXPLAIN.

REMARKS: Evidence of priority was submitted and is attached.
Recommendation: Both, evidence supports priority of 1962;
Greenhouses & Shop, this commercial use was detected in violation
of the mandatory permit statute; House #1, owned by Howard Field
and not recommended here; House #2, owned by Elvira Holladay, she
was given an opportunity to claim a Btu dem. right but did not
do so; Houses #3 & #4, priority dates in 1975 and 1988, the 1975
use could be claimed as a dem Btu claim, neither will be
recommended here.

RECOMMENDED PRIORITY DATE:

6-1-1962

REVIEWED BY

KMF

DATE

1-15-92

MICROFILMED

OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04108	05S	03E	26		SW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-02234 NONE
A57-02234A

WR RECORDS IN SAME 40 ACRE TRACT

57-02234
57-07403
57-07420
57-07469
L57-02234

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04108	05S	03E	26		SW	NW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

57-02234
57-07403
57-07420
57-07469
L57-02234

A57-02234 NONE
A57-02234A

SOURCE: GROUNDWATER

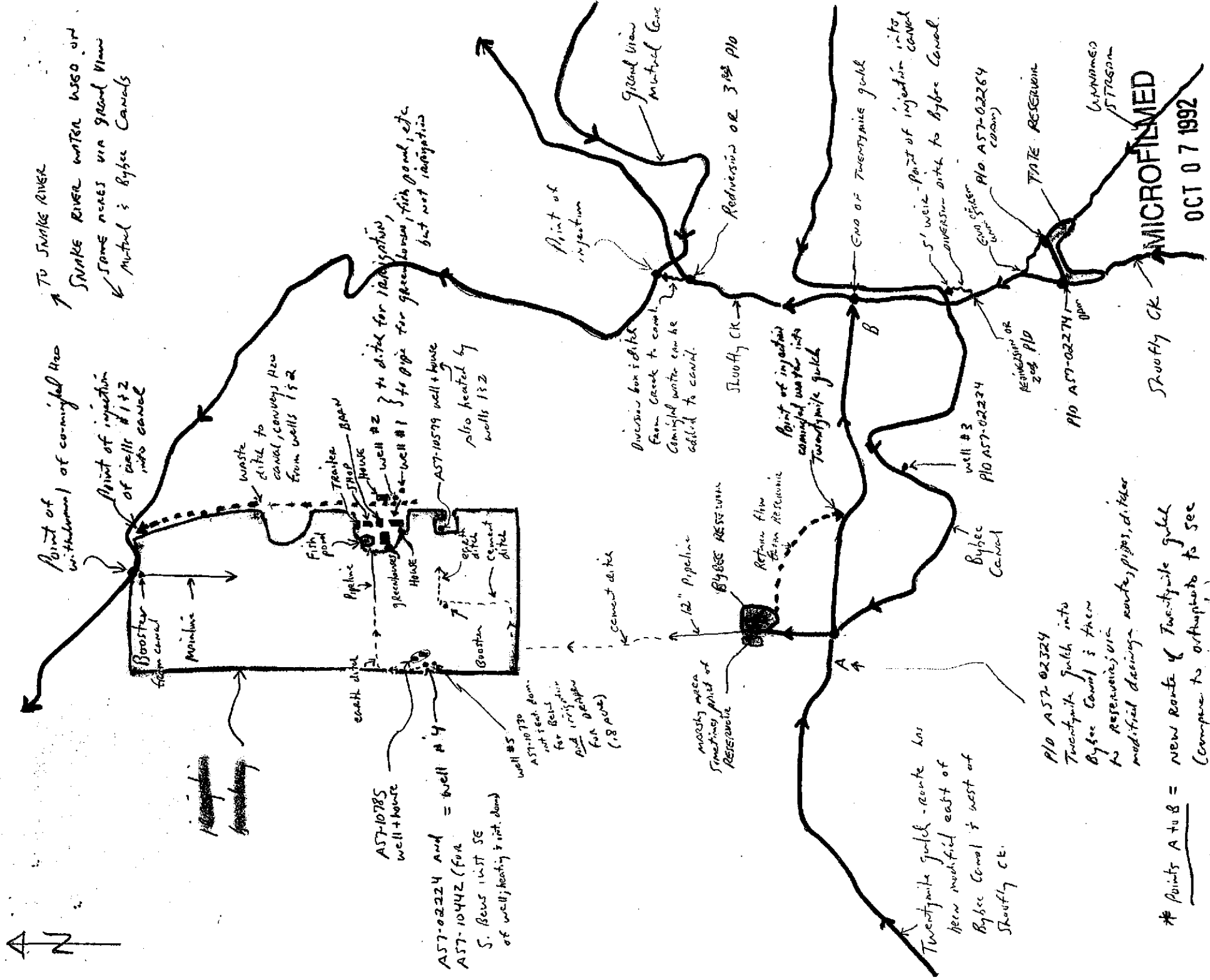
TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	<u>N</u>
			N	<u>N</u>

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OCT 07 1992

SCALE 1" $\approx$ 2030'



* Points A + B = new route of Twenty mile gulch
(compare to orthophoto to see)

Draper,
NON-IRRIGATION

A57-04108
-02234A
-10579
-10785

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO.

FL 10/11/90 Exam

SEE DIAGRAM AT
END OF SYSTEM DESC.
PAGES

A57-02234A - claim for expansion of 57-02234 but cannot
expand a permit. Recommend for disallow. Filed for
water to supplement A57-04108.

A57-10579 - cold H₂O domestic well for Draper home;
yard id S. 27 NENESE. See file A57-10579
for recommendations.

A57-10785 - cold H₂O domestic well for additional Draper
home; yard id S. 27 SWSW NE. See A57-10785
for recommendations. Date of priority issue related
to well log?

A57-04108

This is a claim for wells 1 & 2 for commercial & hunting.
See additional pages for system description* of how this works.

Rate of flow - from 5/15/91 Exam memo (see file A57-02224)

well 1 = 1.20 cfs

well 2 = .76 cfs

1.96 cfs total measured by Karl Chapman,
consultant, id 1987-88.

Uses -

See next pg. for this

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* Labelled system description pg. "FIELD NOTES", pg 2,
item B 1-3, see file A57-02224

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04108 continued pg 2

Uses

CLAIMED with 6/1/1962 D.O.P.

Commercial (greenhouses) = 1.5 cfs
Heating (0/2, 1 shed (shop?), greenhouses) = .5 cfs
TOTAL = 1.5 cfs

FOUNDS PER EXAM

Commercial (greenhouses, shop) allow 1.5 cfs, wells 1 & 2

Heating allow .5 cfs, wells 1 & 2

(greenhouse, shop, 4 houses: 1, 2, 3, 4 as defined
 on evidence of priority info dated 11/20/90;
 and barn)

Fish propagation at 1 a.f. pond from wells 1 & 2 & 4
 via buried line from well 1 & 2 to earth ditch
 to buried line to pond from well 4 (well
 4 is the one previously used in irrigation when
 license exam 57-02224 was originally conducted).

What can recommend in SRBA

from evidence of priority info dated 11/20/1990:

- IF
- a) 1962 heating of barn
 - b) 1965 heating of Dom. #1 in SWNW S. 26 just north of well #2
 - c) 1965 heating of Dom. #2, } in SESENE S. 27 just SE of
 plus int/ext dom. use } greenhouse, owned by
 Kim Flockiger per letter received 10/22/90
 - d) 1967 heating of greenhouse & shop, } in SENE S. 27
 also commercial at same }

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Continued next pg.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04108 cont. pg 3

e) 1975 heating of dom. #3 - trailer in SENE S.27

just N. of stop & E. of pond

f) 1988 heating of dom. #4 - Draper home in NENESE S.27

(Same place as A57-10579)

g) FISH PROPAGATION - annual in disallowal A57-02234A.

APPL. for Permit 57-07469 Filed 6-30-87 for well,

1-3 for 1.5 cfs Fish prop. & .04 cfs heating (0/2).

On hold due to SWMA concerns. This appl. appears to be same info as shown in A57-02234A.

There is no evidence that fish prop. has been in use prior to 3/1983 & therefore it is properly covered on appl. 57-07469 & should not be recommended under any claim in T&BA.

THEN

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a) The only 1962 info is for heating of dom. #2 OCT 07 1992

Recommend .04 cfs (similar to 0/1 heating)?

b) heating of domestic #1, 2, 3, 4 could all be treated as 4 separate 0/1 heating right each with a different drop & each as an exempted use.

Alternatively, could lump by ownership under exempted uses & drop:

1) heating (1 home) & domestic (1 home int+ext) for dom. #2, 1965, for Fluckiger if is owner.
.04 cfs? .08 cfs?

2) heating (3 homes) for dom. #1, 3, & 4, 1988 (latest drop of these homes), for Draper.
Rate? .12 cfs?

- cont. next pg.

could use admin. memo #23 for applications if need some help with rate of flow per heating needs. See pg 5.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04108 cont. pg. 4

c) Commercial & heating of greenhouses & shop show 1967
d.o.p. & suggest rate of flow/volume exceeding
exempted uses.

Therefore, cannot recommend this use in SRBA & shall
replace with a new application or amend
57-07469 to include these uses.

It is possible that could treat heating & commercial
of shop as exempted use & recommend a 1967
.04 cfs / $\leq$ 2500 gpd claim for this.

d) Well #4 shall be added to appl. 57-07469
as another pld or to replace well #3 as
a pld.

Info in C & D has been placed in appl.
57-07469 file on 8/29/91.

Cont. next pg.

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- CONCLUSION
- a) wells 1 & 2 produce 1.96 cfs
 - b) heating requirements could exceed or at least equal this
 - c) heating flow rate is not excessive for the beneficial use.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04108 cont. pg 5

INFO IF USED TO APPLY HEATING FLOW ANALYSIS AS

DESCRIBED IN ADM. MEMO #23.

SITE	SOURCE TEMP	DESIGNED TEMP	SP. FT.
	S	t_i	A
greenhouses	well 1 182°	assume 80°	22,000 (≈ 1/2 acre)
	well 2 172°		
Shop	Same as above	" 70°	2,000
Barn	"	" 70°	2,500
Dom. #1	"	" 70°	1,600
" #2	"	" 70°	2,000
" #3	"	" 70°	1,000
" #4	"	" 70°	1,600
AVERAGE = 177°			TOTAL = 32,700

$$Q = (e \cdot \Delta T) A \quad \text{where} \quad \Delta T = t_i - t_o = \left[\frac{80 + 66.70}{7} \right] - 6 = 65.4$$

$$Q = (43.78)(65.4)(32,700) = 93,627,032.4 \quad e = \text{interpolate from chart, pg 2 of memo, 43.78} \quad \text{adjusted for average } t_o$$

$$\Delta T_s = (.6)(S - t_i) \quad \text{where} \quad S = 177 \quad t_i = \text{average } t_i = 71.4$$

$$\Delta T_s = (.6)(177 - 71.4) = 63.36$$

$$W = \frac{Q}{500(\Delta T_s)} \quad \text{where} \quad Q = Q \quad \Delta T_s = 63.36 \quad W = 9 \text{ gpm}$$

$$W = \frac{93,627,032.4}{(500)(63.36)} = 2955.4 \text{ gpm} = 6.59 \text{ cfs} \quad \text{MICROFILMED}$$

Assume - average energy efficiency
 - outside design temp (t_o) ≈ 6°, more similar to Lewiston than Boise

OCT 07 1992

A57-04108

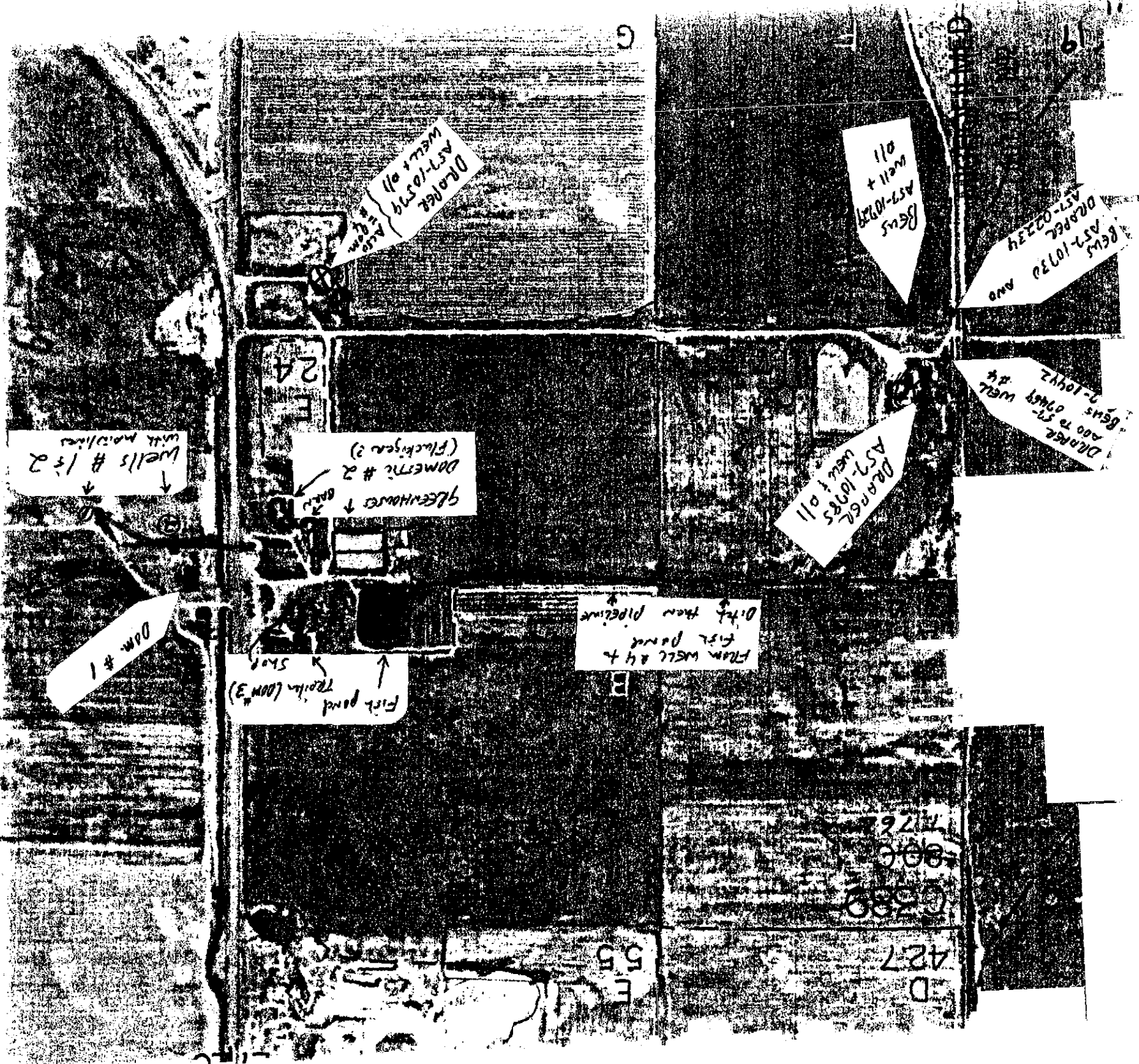
A57-04108

DRAPER

0107

NON-IRRADIATION USES

↓



REMARKS:

See map. Wells #1 & #2 are used for hunting.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>55</u>	<u>3E</u>	<u>26</u>	<u>SW</u>	<u>SW</u>	<u>NW</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>—</u>	<u>—</u>	<u>NW</u>	<u>SW</u>	<u>NW</u>	<u>—</u>	<u>—</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: RTH

DATE: 1-15-92

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A. ROOT WATER RIGHT NUMBERS: A57-04108

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	03E	26	SW	NW		DRAPER , CHARLES RAYMOND	A57-04108 /	57-04108 /	38.0		
			SW	NW		FIELD , HOWARD J.	A02-00053 /37.0	- /			
			SW	NW		FIELD , HOWARD J.	A02-07357 /37.0	02-07357 /37.0			
			SW	NW		BLASER , GLENN F.		57-07403 /			
			SW	NW		FIELD , HOWARD J.		A02-00053 /37.0			
			SW	NW		FIELD , HOWARD J.		A02-07357 /37.0			
05S	03E	27				DRAPER , CHARLES RAYMOND	A57-04108 /	- /			
			NE	NE		BYBEE , ZELLA M.	A57-10117 /	- /			
			NW	SE		BEUS , SPENCER	A57-10730 /	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A02-07032A / 3.0	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A02-00063 / 3.0	- /			
			NW	SE		DRAPER , CHARLES RAYMOND	A02-02271 /37.0	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A02-07032B /22.0	- /			
			SE	NE		DRAPER , CHARLES RAYMOND	A57-02234A /	- /			
			NW	SE		BEUS , NANI C.	A57-10442 /	- /			
			NE	SE		DRAPER , CHARLES RAYMOND	R57-10579 /	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A57-02234 /37.5	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A57-02264 /37.5	- /			
			NE	NE		DRAPER , CHARLES RAYMOND	A57-02274 /37.5	- /			
			NW	NE		DRAPER , CHARLES RAYMOND	A57-02324 /40.0	- /			
			SW	NE		DRAPER , CHARLES RAYMOND	A57-02224 /20.0	- /			
			NW	SE		BEUS , SPENCER	R57-10729 /	- /			
			NW	SE		BEUS , SPENCER	R57-10730 /	- /			
			NE	NE		MOUNTAIN HOME REDI-MIX INC.	A57-10813 /	- /			
			NW	SE		BEUS , NANI C.	R57-10442 /	- /			
			SW	NE		DRAPER , CHARLES RAYMOND	R57-10785 /	- /			
			NE	NW		J. R. SIMPLOT COMPANY	A02-02241 /40.0	- /			
			NE	SE		DRAPER , CHARLES RAYMOND	A57-10579 /	- /			
			NW	SE		BEUS , SPENCER	A57-10729 /	- /			
			SW	NE		DRAPER , CELIA	A57-10785 /	- /			
			NE	NW		CUNNINGHAM , GERALD J.		02-02241 /40.0			
			NE	NE		BYBEE , D. O.		02-07032 /23.0			
			SW	NE		BYBEE , D. O.		57-02224 /20.0			
			NE	NE		BYBEE , D. O.		57-02234 /40.0			
			NE	NE		BYBEE , D. O.		57-02264 /40.0			
			NE	NE		BYBEE , D. O.		57-02274 /40.0			
			NW	NE		BYBEE , D. O.		57-02324 /40.0			
			SE	NE		BYBEE , D. O.		57-04108 /			
			NE	SE		ASTLE , GEORGE E.		57-07259 / 3.5			
			SE	NE		DRAPER , CELIA C.		57-07469 /			
			NE	NE		BYBEE , D. O.		A02-00063 / 3.0			
			NE	NW		SCHUPAK , DR. EUGENE		A02-02241 /40.0			
			NW	SE		WILLIAMS , C. NANNETTE		A02-02271 /37.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NE		DRAPER, C. RAYMOND		A02-07032A	/ 3.0		
			NE	NE		BYBEE, D. O.		A02-07032B	/22.0		
			NE	NE		BYBEE, D. O.		L57-02234	/35.0		
			NE	NE		BYBEE, D. O.		L57-02264	/35.0		
			NE	NE		BYBEE, D. O.		L57-02274	/35.0		
			NW	NE		BYBEE, D O		L57-02324	/40.0		
05S	03E	27	SE	NE		DRAPER, CHARLES RAYMOND	A57-04108	/	57-04108	/	42.0
			SE	NE		DRAPER, CHARLES RAYMOND	A02-07032B	/28.0	-	/	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02234A	/	-	/	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02234	/33.0	57-02234	/10.0	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02264	/33.0	57-02264	/40.0	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02274	/33.0	57-02274	/40.0	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02324	/33.0	57-02324	/40.0	
			SE	NE		DRAPER, CHARLES RAYMOND	A57-02224	/30.0	57-02224	/30.0	
			SE	NE		BYBEE, D. O.		02-07032	/28.0		
			SE	NE		DRAPER, CELIA C.		57-07469	/		
			SE	NE		BYBEE, D. O.		A02-07032B	/28.0		
			SE	NE		BYBEE, D. O.		L57-02234	/ 3.0		
			SE	NE		BYBEE, D. O.		L57-02264	/33.0		
			SE	NE		BYBEE, D. O.		L57-02274	/33.0		
			SE	NE		BYBEE, D O		L57-02324	/33.0		
05S	03E	27	SW	NW		DRAPER, CHARLES RAYMOND	A57-04108	/	-	/	41.0
			SW	NW		J. R. SIMPLOT COMPANY	A02-02241	/40.0	02-02241	/40.0	
			SW	NW		SCHUPAK, DR. EUGENE		A02-02241	/40.0		
TOTAL ACRES							A57-04108			121.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

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PRESUMPTION FLAG:

REMARKS:

*The only use covered by this right is heating for a barn
found at T55, R3E, Sec. 27, SENE.*

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: RTM

DATE: 1-15-92

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-04108	COMMERCIAL	FROM 01-01 TO 12-31	1.500 CFS 1086.00 AF/A
A57-04108	HEATING	FROM 01-01 TO 12-31	.500 CFS 362.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.500 CFS 1086.00 AF/A

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-04108	COMMERCIAL	FROM 01-01 TO 12-31	1.500 CFS
57-04108	HEATING	FROM 01-01 TO 12-31	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD n/a, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A02-00053	SNAKE RIVER	FIELD , HOWARD J.	5.000	0.015		
A02-00063	SNAKE RIVER	DRAPER , CHARLES RAYMOND	0.080	0.020	18.00	4.50
A02-02241	SNAKE RIVER	J. R. SIMPLOT COMPANY	16.120	0.014	5405.00	5.00
A02-02271	SNAKE RIVER	DRAPER , CHARLES RAYMOND	0.740	0.020	167.00	4.51
A02-07032A	SNAKE RIVER	DRAPER , CHARLES RAYMOND	2.640	0.015	788.00	4.50
A02-07032B	SNAKE RIVER	DRAPER , CHARLES RAYMOND	2.060	0.020	464.00	4.50
A02-07357	SNAKE RIVER	FIELD , HOWARD J.	6.800	0.020	1700.00	5.00
A57-02224	GROUNDWATER	DRAPER , CHARLES RAYMOND	2.000	0.020	500.00	5.00
A57-02234	GROUNDWATER	DRAPER , CHARLES RAYMOND	3.040	0.011	1215.00	4.50
A57-02264	UNNAMED STREAM	DRAPER , CHARLES RAYMOND	4.000	0.016	1080.00	4.50
A57-02274	SHOOFLY CREEK	DRAPER , CHARLES RAYMOND	6.000	0.016	1647.00	4.50
A57-02324	TWENTY MILE CREEK, NORTH FORK	DRAPER , CHARLES RAYMOND	7.200	0.025	1620.00	5.72

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10117	DOMESTIC	BYBEE , ZELLA M.	FROM 01-01 TO 12-31	.040 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1086.00 AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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DOMESTIC SPACE HEATING WORKSHEET

Design Heat Load

$$E = [e \times \Delta T] \times A$$

where: E = Btu/hr required

e = efficiency factor

ΔT = design temperature difference ($t_i - t_o$) in °F

A = livable floor space in ft²

$$\Delta T = \left(\frac{60}{t_i} - \frac{4}{t_o} \right) ^\circ F$$

where: t_i = inside design temperature (assume ⁶⁰~~68~~°F)
 t_o = outside design temperature (°F)

$$\Delta T = \underline{56} ^\circ F$$

$t_i = 60^\circ F$ (barn)

$$E = \left[\frac{1.11}{e} \times \frac{56}{\Delta T} \right] \times \frac{2,500}{A}$$

efficiency factors (e): poor = 1.11 (barn)
 ave = 0.67
 good = 0.44
 best = 0.28

$$E = \underline{1.6 \times 10^5} \text{ Btu/hr}$$

Flow Rate Required

$$Q = [E / (500 \times \Delta T_s)] 0.00223$$

where: Q = flow (cfs)

E = Btu/hr

ΔT_s = system temperature difference (°F)

$$\Delta T_s = 0.3(s - t)$$

where: s = source temperature (°F)

t = temperature required by system (assume ⁶⁰~~68~~°F)

$$\Delta T_s = 0.3 \left(\frac{177}{s} - \frac{60}{t} \right) = \underline{35} ^\circ F$$

$$Q = \frac{[1.6 \times 10^5]}{E} (500 \times \frac{35}{\Delta T_s}) 0.00223$$

$$Q = \underline{0.02} \text{ cfs}$$

Note: Consumptive use volume for domestic space heating will be considered de minimus.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
COMMERCIAL	~~01-01~~ 12-31	DATABASE EXAMINER ~~1-500~~	DATABASE EXAMINER	DATABASE EXAMINER
HEATING	01-01 12-31	~~0-500~~ 0.2	~~1086.00~~ 362.00 <i>de minimus</i>	~~0-0~~
TOTAL FOR THIS RIGHT		~~1-500~~	1086.00	

REVIEWED BY:

RMC

DATE:

7-13-92

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04108

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-04108	1.500	-		57-04108	1.500
	TOTAL CFS	1.500				1.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

No splits.

AUTHENTICATION:

SIGNATURE:

James McCarthy

DATE:

7-13-92

NAME OF FIELD EXAMINER:

Steve Foster

TITLE:

Sr. Water Res. Agent

OCT 07 1992
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:12:40
11/01/91

PAGE# 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-04108

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		10-11-90	Y	5	RMF 7-13-91	RMF 7-13-91	RMF 7-13-91
POINT OF DIV								
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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Claim # A-57-04108

RECEIVED
NOV 21 1990

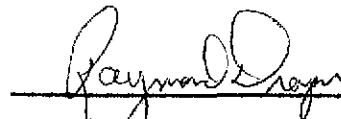
Historical use of hot well water at 4 single family residences, machine shop, barn, and $\frac{1}{2}$ acres of greenhouses approximately three miles south of Grand View, Idaho on state highway 78.

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

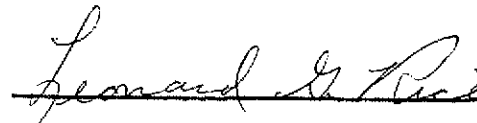
This affidavit is to clarify the beneficial use of hot well water claim # A-57-04108 at the following locations 3 miles south of Grand View, Idaho, Rural Route HC 85.

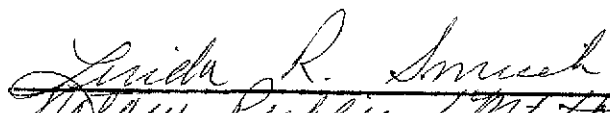
BARN Plumbed for space heating and use of hot well water in 1962. Water was piped for this barn and the greenhouses to follow then. I, Raymond Draper, worked for my Father-in-law then who owned the water and barn and I did the plumbing.


signed Raymond Draper


Notary Public, Mt. Horn, Id
Signed before me this 20 day of
November 1990

Greenhouses and Shop were finished in 1967 & 1968. Water was put to use in 1967. I, Leonard G. Rice went to work for Bybee & Draper in 1968 and helped finish greenhouses and shop putting to beneficial use this hot well water.


signed Leonard G. Rice


Notary Public, Mt. Horn, Id
Signed before me this 20 day of
November 1990

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OCT 07 1992

Historical use of hot well water Claim # A-57-04108

4 single family residences:

- House # 1 Home across Highway from Shoo-Fly Machine Shop on farm. Farm owned by Owyhee Grazing Association when house was built. This house was built and plumbed for hot well water heating about 1965. Farm owned now by Howard Field.

Howard Field

signed Howard Field

Linda L. Smuck
Notary Public, Mt. Home, Id
Signed before me this 20 day of
November 1990

- House # 2 Signed affidavit attached. Original on file at Idaho Department of Water Resources Boise, Idaho.

- House # 3 Trailer house was moved in back of Shoo-Fly Machine Shop and heated with hot well water in 1975 by Jim Rice. Jim is my son and I know this to be true.

Leonard G. Rice

signed Leonard G. Rice

Linda L. Smuck
Notary Public, Mt. Home, Id
Signed before me this 20 day of
November 1990

- House # 4 This is the house where Raymond Draper lives and it was plumbed for hot well water heating in 1988 by myself.

Raymond Draper

signed Raymond Draper

Linda L. Smuck
Notary Public, Mt. Home, Id
Signed before me this 20 day of
November 1990

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 6, 1991

12-5-91

*No response; assume
no claim will be filed
RME*

Cleona Nanette Holladay
P.O. Box 78
Provo, UT 84603

Re: Snake River Basin Adjudication (SRBA)
Owyhee County - Domestic Claim

Dear Ms. Holladay,

As we discussed yesterday on the telephone, you need to file a water right claim on your property in Owyhee County. I have enclosed a form for your use, having partially completed it with information taken from Raymond Draper's claims and our field investigation. Please note the highlighted areas; these items require information that must be provided by you before the claim can be processed.

At Item #2, the year of your priority date was taken from the affidavit provided by you to our Department in 1990. (I have enclosed a copy.) You need to provide a month and day that you feel best represents when the water was first used for heating purposes.

At Item #5, please describe what you know of the diversion works; this is not an essential item.

At Items 6 and 7, provide the diversion rate in cubic feet per second (cfs). This represents the rate at which the water is used.

At Item #13, describe any other water you use on your property. Use Item #14 to clarify any of the information on the claim.

Lastly, you need to sign the form, having your signature notarized. Please call me at (208)327-7925 if you have any trouble

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Cleona Nanette Holladay
November 16 1991
Page 2 - Owyhee County

with the form. Return the completed form to my attention by
November 20, 1991.

Sincerely,



Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures:
 Claim form
 Instruction booklet

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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

Identification No. _____
Date Received _____
Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) C. Nanette Holladay Phone (801) 373-4543
Mailing Address P.O. Box 78, Provo, UT Zip 84603

2. Date of Priority (Only one per claim) 1965 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 05S Range 03E
Section 26, 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Owyhee

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For domestic purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount _____ (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) domestic, 1 home heating

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10. Place of use is: Township: 05S Range 03E

Section 27, SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) **Domestic** **Stock** **Domestic and Stock**

Additional places of use, if any _____

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 _____ 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.

() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) **Beneficial Use** **Posted Notice** **License** **Permit** **Decree**

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) _____ Date _____

_____ Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

) ss.

County of _____)

NOTARIZATION REQUIRED FOR EACH CLAIM

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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RECEIVED
OCT 22 1992

Department of Water Resources
Western Regional Office

NANNETTE HOLLADAY
1280 N MAPLE LANE
PROVO, UTAH 84604
1-801-375-4635

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ATTENTION: RON HOWERTON

DEAR MR. HOWERTON:

PLEASE FIND INCLOSED THE AFFIDAVIT AS PER OUR TELEPHONE CONVERSATION OF CLAIM #A-5704108 ON 10-19-90.

I WILL MAIL RAYMOND DRAPER A COPY OF THIS AFFIDAVIT.

I HAVE SOLD THIS PROPERTY TO MR. KIM FLUCKIGER. I PARTICIPATED IN THE COSTS OF THE PREVIOUS ADJUDICATION BUT IT WAS FILED IN RAYMOND DRAPERS NAME. I HOPE THAT MY WATER RIGHT TRANSFER TO MR. KIM FLUCKIGER IS NOT IN ANY JEOPARDY. PLEASE ADVISE IF I NEED TO DO ANY FURTHER ADJUDICATION TO PROTECT MY SALES CONTRACT. THE SALE INCLUDED A TRANSFER OF WATER RIGHT TO MR FLUCKIGER.

I CERTAINLY APPRECIATE ALL THE HELP THAT YOU HAVE GIVEN TO ME ON THE TELEPHONE AND WOULD APPRECIATE A COPY OF THE ORIGINAL FILE.

YOURS SINCERELY,

Nannette Holladay

NANNETTE HOLLADAY PREVIOUSLY KNOWN AS
CLEONA NANNETTE WILLIAMS

Cleona F. Williams

*
*I am sending
a copy to
Raymond Draper.*

MICROFILMED
OCT 07 1992

Spanish Fork,
Utah

In Reference to

Oct. 18, 1990

Claim # A-57-04108

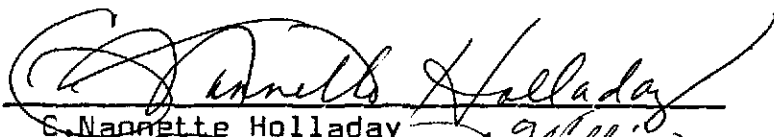
Historical use of hot well water at single family residence approximately three miles south of Grand View, Idaho, very near the main highway.

DEPARTMENT OF WATER RESOURCES

This affidavit is to clarify the usage of the hot well water at the home located 3 miles south of Grand View, Idaho, Rural Route H.C. 85. This home was built in 1965 and 1966 and it was plumbed for hot well water heating and all household uses at that time, and the water has been used in these ways consistently since the house was built.

Uses include the heating of the home, hot water also to all toilets, tubs and sinks, the washing of clothes, watering of lawn, trees, and gardens, and the watering of domestic animals [cows, horses, etc.], for the family use.

Frank and DarThel Pike lived in this area at this time and for many years thereafter and are witnesses that I put this hot well water to beneficial use in the year 1966 and subsequent years.



C. Nannette Holladay

AKA Cleona Nannette Williams



Frank J. Pike



Dar Thel Pike



Signed before me this 18th day of Oct 1990

Shen B Roach

Commission exp 12-6-91

residing in Spanish Fork

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OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 12, 1990

RE: Claim No(s): A57-04108

CECIL D. ANDRUS

A57-04108

CHARLES RAYMOND DRAPER

HC 85 BOX 321

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

GRANDVIEW

ID 83624

Dear Claimant(s):
In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by December 1, 1990, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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OCT 07 1992