

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

IDENT. NO.

MAP NO.

Notice is hereby given that Kinney Supply Company (Name of Claimant)

P. O. Box 159, Payette, Idaho 83661
(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;
The extent and nature of said claim is as follows:

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 11/1948

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)

Describe the purpose for which the water is used: Domestic 04 1.2 Period of Use From 1 January To 31 December
(Mo., Day) (Mo., Day)
(Domestic, irrigation, stock, etc.) (Both Dates Inclusive)

Use Fire Protection, 04 1.2 Period of Use From 1 January To 31 December
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Domestic, irrigation, stock, etc.) (Both Dates Inclusive)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 2.08 Cubic Feet Per Second, or 2.5 Acre Feet Per Annum,
and/or 2.08 Gals. Per Minute. 2 pts NE 1/4 NW 1/4.

(5) A) Point of Diversion: Give location of point where water is diverted from its source _____
 Sec. 8 Twp. 8 N Rge. 5 W B.M.; additional points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. 2 drilled wells; electric pumps

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres.

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use in an office building and a warehouse building.

(7) Effluent, sewage waste, or return water from this use is discharged into _____

(8) If you are claiming water as a member of an organization, list name of organization.

(9)	Remarks

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual _____

Individual

Individual
Charles H. Kinner V.V. Kinner Supply Co.
(Signature of Claimant)

(Signature of Spouse)

Organization

State of Idaho)

Organization

(Signature of Authorized Agent)

County of Ala

in the year 1973, before me,

On this 22 day of Feb, 2018,
a notary public, personally appeared Kennedy Scarpulla, President of the West Coast Chapter of the
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, A
corporation, partnership or individual) executed the same. Donald W. Edgar

Notary Public residing at

My commission expires _____

2-18-1974

854

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: 65-05982

DATE RECEIVED: 3-8-90

RECEIPT NO: X999999

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: KINNEY SUPPLY CO.
ADDRESS: P.O. BOX 159
PAYETTE, ID

83661

RECEIVED
MAR 08 1990

Department of Water Resources

2. DATE OF PRIORITY: APR 01, 1948

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	05W	9	NE	NW			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
FIRE PROTECTION	01/01	12/31	0.040		1.20

7. TOTAL QUANTITY APPROPRIATED IS:

0.080 C.F.S. (AND/OR)

2.40 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	05W	9	NE	NW		DOMEST	

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

65-05982

PAGE

1

DATE: 01/23/90

4158

MICROFILMED

SEP 23 1992

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE 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: _____

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): Charles K. Kinney DATE: 3-1-90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF

TITLE
Kinney Supply Co. Inc. THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF

TITLE
Kinney Supply Co. Inc. AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Charles K. Kinney
SIGNATURE OF AUTHORIZED AGENT
President
TITLE AND ORGANIZATION
3-1-90
DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 1 DAY
OF March 19 90

NOTARY PUBLIC

SEAL

RESIDING AT Payette
MY COMMISSION EXPIRES 12-31-90
DATE: 01/23/90 4160

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Kinney Supply

CLAIM IDENT. NO.

AGS-05982

DATE RECEIVED

3-8-90

CK #

AMOUNT \$

Exchange

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☒ YES *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A ☐ NO *
22. Should this claim be data entered? ☐ YES ☐ NO *

Claim checked by:

Lat

Date:

4/4/90

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Ans

Ans

Date:

Date:

Date:

5-2-90

5-16-90

Checked by:

Date:

Comments:

MICROFILMED

SEP 23 1992

AJ0749NP
No. R65-05982

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

DATE: 06/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KINNEY SUPPLY CO PO BOX 159 PAYETTE ID 83661	04/01/1948	DOMESTIC FIRE PROTECTION	01-01 12-31 01-01 12-31	0.040 CFS 0.040 CFS	1.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.080 CFS	2.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R05W S09 NENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N	05W	9	:																
				D															

Place of use Legal Description for: FIRE PROTECTION

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N	05W	9	:																
				F															

POU County: PAYETTE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- ~~N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000~~
- N12 - GALLONS PER DAY.

Remarks: POD 2 POINTS OF DIVERSION LOCATED IN T08N, R05W, S09, NENW.

USE DOMESTIC USE IS FOR OFFICE AND WAREHOUSE BUILDING REST ROOMS.

Dates: Exam Made Date: Verified Date: 06/01/2000 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/01/2000 User-ID: RHOWERTO Subject: WELL INFO

C18

6-1-00

Ron Howerton
Sr Water Agent

AJ0749NP
No. R65-05982

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

DATE: 06/01/00
PAGE: 2

=====

Comments: Date: 06/01/2000 User-ID: RHOWERTO Subject: WELL INFO
WELL #1 DELIVERS WATER TO 2 OFFICES WITH 1 REST ROOM FACILITY
EACH AND A FACTORY BUILDING WITH 2 REST ROOM FACILITIES.
WELL #2 IS FOR EMERGENCY FIRE PURPOSES.

Audit: 06/01/00 RHOWERTO

AJ5809NP
No. A65-05982

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KINNEY SUPPLY CO PO BOX 159 PAYETTE ID 83661	04/01/1948	DOMESTIC FIRE PROTECTION	01-01 12-31 01-01 12-31	0.040 CFS 0.040 CFS	1.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.080 CFS	2.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R05W S09

NENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	05W	9	:					D										:

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

POU County: PAYETTE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

N11

N13

USE Rmk: FOR OFFICE & WAREHOUSE BLDG. REST ROOMS,
DOMESTIC;

PUD Rmk For

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

65-5982

Notice is hereby given that Kinney Supply Company

(Name of Claimant)

P. O. Box 159, Payette, Idaho 83661

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4/1/1948
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use Domestic .04 1.2 Period of Use From 1 January To 31 December
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
- Use Fire Protection .04 1.2 Period of Use From 1 January To 31 December
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: 2.09 Cubic Feet Per Second, or 2.4 Acre Feet Per Annum, and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. 2 pts NE 1/4 NW 1/4, Sec 9, Twp 8 N, Rge 5 W, B.M.; additional points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 2 drilled wells; electric pumps
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
8N	5W	9					X												

Total No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use in an office building and a warehouse building.

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization _____
- (9) Remarks _____
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

2-22-1973
(Date)

Charles H. Kinney V.P. Kinney Supply Co.
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

Organization
Soil

County of Ada

(Signature of Authorized Agent)

On this 22 day of Feb, in the year 1973, before me, a notary public, personally appeared Kinney Supply Company by its Vice President Charles H. Kinney known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, A corporation, partnership or _____) executed the same.

Notary Public residing at 121 E. 1st St. Payette, Idaho

My commission expires 2-18-1974

Ada 4/27/77

SHH

redi-letter.

188368

TRIP

TO

• Gary L. Page
Water Resource Supervisor
Dept. of Water Resources
State House, Boise, Idaho 83720

FROM

KINNEY SUPPLY CO.

BOX 159
PAYETTE, IDAHO 83661
PHONE (208) 642-2612

RECEIVED

SUBJECT

DATE

MESSAGE

Dear Gary:

Department of Water Resources

#1 well and 3 hp pump delivers water to 2 offices (1 rest room facility each) and a factory building with 2 rest room facilities

#2 well with 3 hp pump is for emergency fire purposes at this time and water usage is not much.

I hope you will be able to determine a usage from the above information

SIGNED

Chuck Kinney

REPLY

SIGNED

DATE

Rediform 45 471
Poly Pak (50 sets) 48471

SEND PARTS 1 AND 3 WITH CARBON INTACT - PART 3 WILL BE RETURNED WITH REPLY