



# Idaho Department of Water Resources

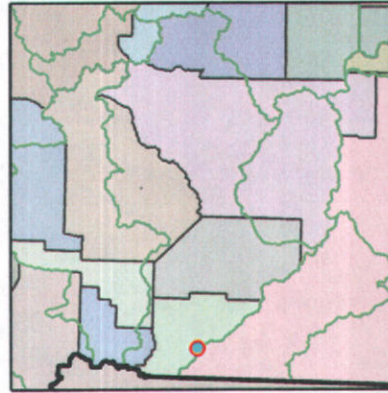
SRBA Recommendation:

**63-5358**  
(Irrigation)

*Acres = 1*

## Legend

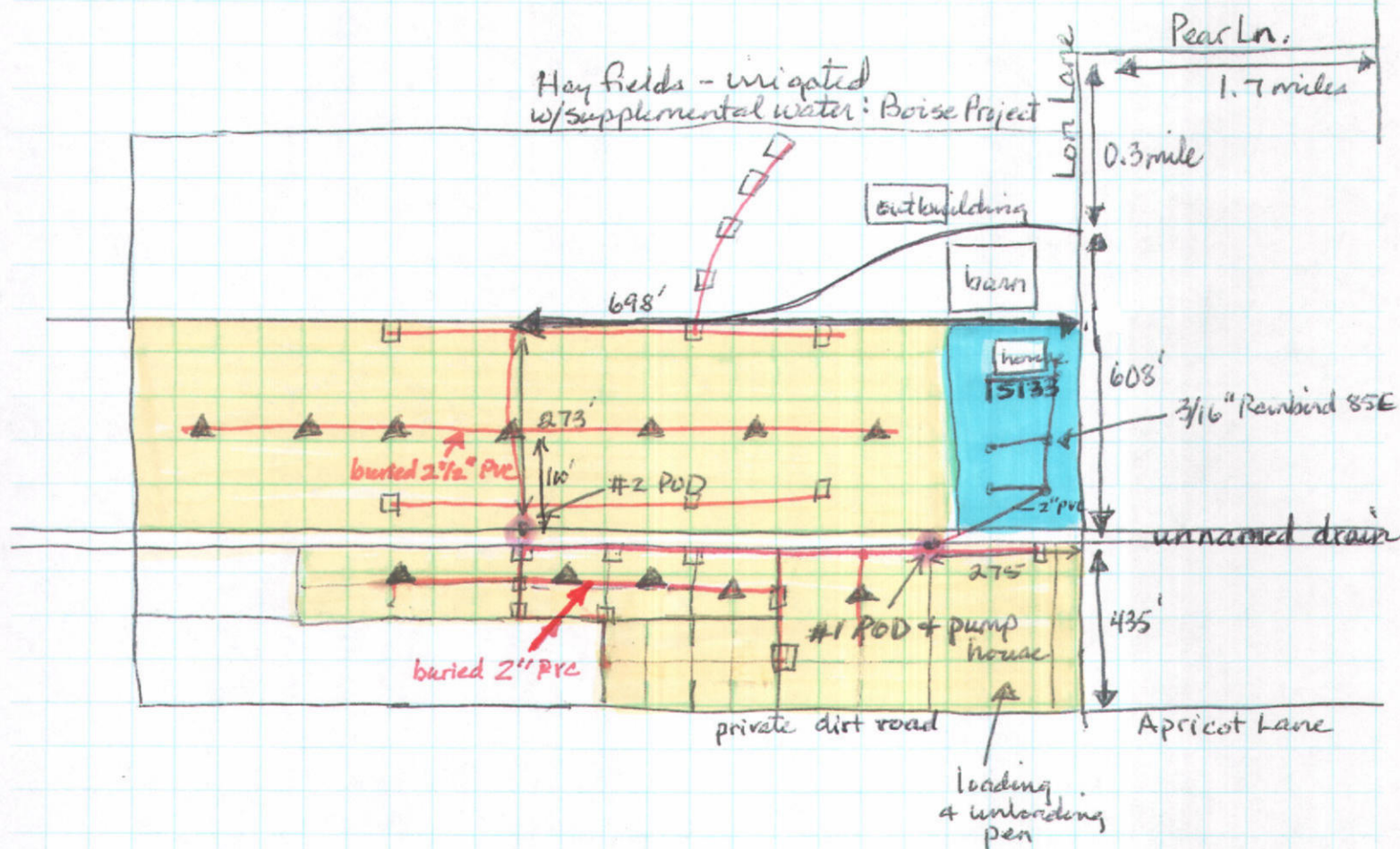
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County  
IDWR Basin 63

Prepared by K. Walker  
On Friday, September 15, 2006  
1987/88 Aerial Photography





N ↑

63-5358 Black  
8-16-2006 S.H.

- ▲ = 2 1/2" Rainbird ND55 nozzles on 9' risers
- = buried 2" PVC (south side of drain) 2 1/2" PVC (north side)
- = POD
- = irrigated acre (pasture, yard, garden)
- = Stock yard (dust abatement) commercial use (3 nozzles/acre 4 cows)
- = Stockwater tanks total  
(17.) 21'7" X 3' X 16"  
(2) 5' X 3' X 16"



2004



pink = irrigated (pasture, yard, garden)  
green = POU (stock water commercial)

catch pen  
loading pen

stock tanks

stock tank

AG3-5358 Black 8/16/2006 SH



1987

- = commercial
- = irrigated
- = POD
- = stock tank
- △ = 2 1/2" Rainbird ND55 no 3/8" riser
- 2 1/2" buried PVC with of unname drain
- 2" PVC buried south of unname drain



Black's Property per Canyon Co. Tax Lot info - 8/4 acres

#1  
pumphouse



unnamed  
drain

SH

POD #1  
intake



63-5358 Black

SH



PDD: #1  
pumphouse  
3' left

SH



Red Lion  
1/2 HP.  
62 psi  
1" discharge  
to 3/4" hoses  
+  
2" buried PVC  
for lower  
corrals +  
across drain  
+ up hill  
to pasture +  
yard

SH

63-5358 Black



Poll:  
Pasture  
irrigated  
south  
of the  
house

L3-5358 Black

SH



2" chimney at top of hill  
behind house

SH



L3-5358 Black

SH

3 rainbirds  
at 1 time  
3/16"  
Rainbird 85E



POU:  
yard  
around  
house, at  
top of hill

SA



2"  
aluminum  
pipe  
w/ 2"  
steel pipes  
laid out  
on yard to  
flood  
irrigated  
(south to  
north grants  
flow)

63-5358 Black

SA



Stockwater:

(2)  
5'x3'x16"  
tanks

SH



Stockwater:

(17)  
21'7"x3'x16"

SH

63-5358 Black



POD: #2

Magna Tech  
3 Hp  
2 1/2" discharge  
10" lift  
62 psi

SAT



lower  
corrals  
(south of  
drain)

upper  
corrals  
(north of  
drain)

08/16/2006

63 -5358 Black

SAT



9' riser  
with  
2 1/2" Rainbird  
ND55  
3 nozzles  
per corral  
(4 corrals)

08/16/2006

SH



08/16/2006

63-5358 Black

SH



63-5358 Black

Name of their Business: <sup>SN</sup>  
Sundowner Quarter Horse Ranch

# Idaho Department of Water Resources

Claim Number: 63-05358  
 Legal: T03N, R04W, S16  
 Reviewed By:

● Point of Diversion



Place of Use



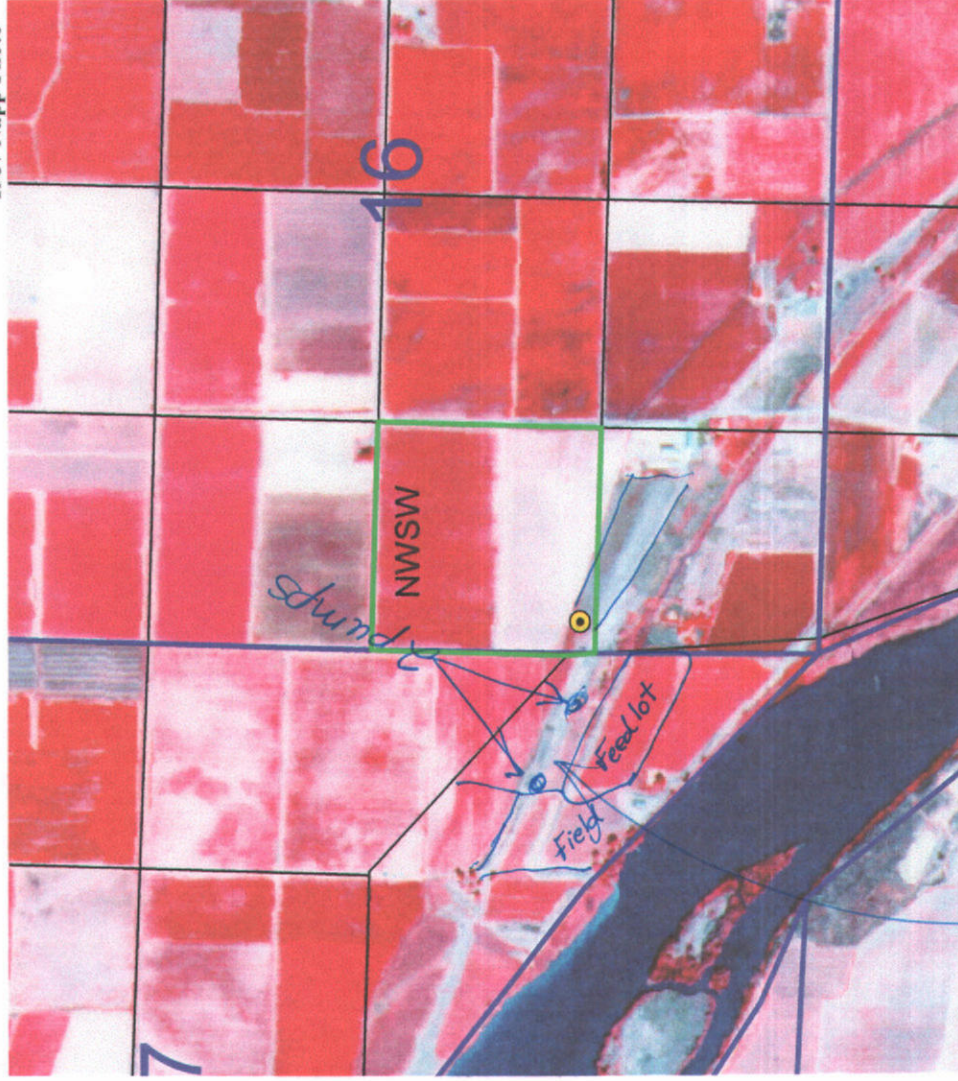
Section Lines



Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 0.75 Miles

see office file 11/10/06  
 verify w/ exam

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 63-5358  
Date Received: 1/19/1990  
Receipt No: W007775  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEWELL BLACK Phone: (208)455-2233

15133 LON LN  
CALDWELL ID USA 83605

2. Date of Priority: 06/01/1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 04W   | 16      | NW SW 1               | CANYON |      |

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 0.03   |            |
| COMMERCIAL | 5/01 | 10/01 | 0.5    |            |

7. Total Quantity Appropriated is:  
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres      |
|----------|-------|---------|------------|-----|---------------|------------|
| 03N      | 04W   | 16      | SW         | SW  | 2             | COMMERCIAL |
|          |       |         | NW         | SW  | 1             | IRRIGATION |
|          |       |         |            |     |               | 1          |
|          |       |         |            |     | Section Acres | 1          |
|          |       |         |            |     | Total Acres   | 1          |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

Removed Dale K. Black as current owner since he passed away in September of 1999 per ownership change form submitted by Mrs. Black. kw 4/19/2006

15. Basis of Claim: Statutory Claim

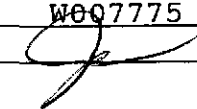
16. Signature(s)

(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.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-05358**  
Date Received: 1/19/1990  
Receipt No: W007775  
Received By: 

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: DALE K BLACK 208-455-2233  
Address: 15133 LON LANE  
CALDWELL ID 83605  
OR  
Name: JEWELL BLACK 208-455-2233  
Address: 15133 LON LANE  
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 04W   | 16      | NW     | SW     |     | 1   | CANYON |

5. Description of diverting works:  
PUMP & PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030 |      |        |
| COMMERCIAL | 05/01 | 10/01 | 0.500 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
COMMERCIAL, FEEDLOT DUST ABATEMENT

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|---------------|-------|---------|--------|-----|-----|--------|-------|
| 03N           | 04W   | 16      | NW     | SW  | 1   | IRR    | 1.0   |
|               |       |         | SW     | SW  | 2   | COMMER |       |
| Section Acres |       |         |        |     |     |        | 1.0   |
| Total Acres   |       |         |        |     |     |        | 1.0   |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

15. Basis of Claim: STATUTORY CLAIM

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 \_\_\_\_\_

447

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-05358**  
Date Received: 1/19/1990  
Receipt No: W007775  
Received By: \_\_\_\_\_

Rec'd from  
So on 6-16-92

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: VETA BOWER 208-459-6206  
Address: 15133 LON LANE  
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 04W   | 16      | NW     | SW     |     | 1   | CANYON |

5. Description of diverting works:  
PUMP & PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030  |      |        |
| COMMERCIAL | 05/01 | 10/01 | 0.500  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
COMMERCIAL, FEEDLOT DUST ABATEMENT

**MICROFILMED**

**AUG 21 1992**

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N      | 04W   | 16      | NW     | SW  | 1   | IRR    | 1.0   |
|          |       |         | SW     | SW  | 2   | COMMER |       |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 1.0   |
|          |       |         |            |     | Total Acres   | 1.0   |

11. Place of use in counties: CANYON

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: STATUTORY CLAIM

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: \_\_\_\_\_

MICROFILMED  
AUG 21 1992

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

MICROFILMED  
JUN 21 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

63-5358

Date Received

1-19-90

Receipt Number

0007775RECEIVED  
JAN 19 1990Department of Water Resources  
Western Regional OfficeNOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Veta Bowes Phone (208) 459-0206Mailing Address 15133 Jon Ln Caldwell, Ida Zip 836052. Date of Priority (Only one (1) per claim) 6/1/19703. Source of water supply (a) unnamed drain  
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 4W Section 16,  
NOT 1 1/4 of NW 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Canyon

Additional points of diversion if any: \_\_\_\_\_

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

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

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

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.Pump out drain ditch.  
to irrigate 1 acre & sprinkler system for  
feed lot for dust abatement.

MICROFILMED

AUG 21 1992

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 .03 or \_\_\_\_\_

For commercial purposes from 5/1 to 10/1 amount .50 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .50 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ 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

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 |        |
| 3N  | 4W  | 16  |        |       |       |       |        |       |       |       |        | X     | X     |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

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. \_\_\_\_\_ or None (X)

14. Remarks:

MICROFILMED

AUG 21 1992

Last Name Bower Ident No. 63-5358

Copies: White -State, Yellow-Claimant



15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-5358  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

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

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

✓ Signature of Claimant (s) Vito Bauer Date 1/15/90  
\_\_\_\_\_  
Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_ Title \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or Idaho )  
County of canyon ) SS.

Subscribed and sworn (or affirmed) before me this 15 day of January 1990

SEAL

Notary Public John K. Noyes

Residing at 15470 Homedale Rd  
Caldwell, Ida 83605

My Commission Expires Sept 21, 1994

Please Print Name

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

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

**MICROFILMED**  
**AUG 21 1992**

Last Name Bauer Ident. Number 63-5358

Copies White-State, Yellow-Claimant

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| _____                | <u>63-5358</u>              | _____ | _____                | _____                       | _____ |
| _____                | <u>63-5357</u>              | _____ | _____                | _____                       | _____ |
| _____                | _____                       | _____ | _____                | _____                       | _____ |
| _____                | _____                       | _____ | _____                | _____                       | _____ |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

Dale K. & Jewell Black  
15133 Lon Lane, Caldwell, ID 83607

4. New Owner/Claimant(s)

Jewell Black  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

15133 Lon Lane,

City, State and ZIP Code

Caldwell, ID 83607

New Telephone Number

(208) 455-2233

5. Date you acquired the property

Sept. 1995

(Mr. Black is deceased)  
Sept. 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) X Jewel Block  
(include title if applicable) \_\_\_\_\_

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by EW Date 4/14/2006 Fee N/A  
 Received by N/A Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 4W  
Section 16, 1/4 of 1/4 of 1/4 Govt. Lot 1 & 2, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A63-05357 & A63-05358
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): VETA BOWER  
15133 LON LANE  
CARLOWELL, ID 83605
- ☐ New Owner/Claimant (Purchaser): DALE K. OR TEWELL BLACK
- ☐ New Mailing Address: 15133 LON LANE  
CARLOWELL, ID  
83605
- ☐ New Telephone Number: (208) 455-2233
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: COPY OF WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Dale K. Black Date 12-27-95  
Jewel E. Black Date " " "

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-27-95 By: [Signature]

Further Action Needed: N/A

Further Action Taken

Date: N/A By: \_\_\_\_\_

Final Review and Data-Entry

Date: same By: \_\_\_\_\_

Claim Numbers of Split, if any:

Copy of claim given to new claimants at time of completion of form.  
12-27-95

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

PA 33789

DKB  
a.B.

9526973

# WARRANTY DEED

FOR VALUE RECEIVED JAMES H. BOWER, WHO AQUIRED TITLE AS JAME S HARRY BOWER, AN UNMARRIED MAN AND BETTY ANN WHITE, AN UNMARRIED WOMAN

the Grantors, do hereby grant, bargain, sell and convey unto DALE K. BLACK AND JEWELL BLACK, husband and wife

the Grantees, whose address is , 3401 thorp Hwy 30  
Ellensburg Wash - 98926

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1995 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 22, 1995

James H. Bower  
JAMES H. BOWER

Betty Ann White  
BETTY ANN WHITE

Betty Ann White  
BETTY ANN WHITE, HIS ATTORNEY IN FACT

STATE OF IDAHO

COUNTY OF CANYON

On this 22 day of September, 1995, before me a Notary Public, personally appeared BETTY ANN WHITE, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they have executed the same.

Diana E. Costa  
Notary Public  
Residing at Premier, Idaho  
My commission expires: 1-1-99

STATE OF IDAHO

COUNTY OF CANYON

On this 22 day of September, 1995, before me a Notary Public, personally appeared BETTY ANN WHITE, known or identified to me to be the person whose name is subscribed to the within instrument as attorney in fact of JAMES H. BOWER and acknowledged to me that he/she subscribed the name of JAMES H. BOWER thereto as principal, and his/her own name as attorney in fact.

Diana E. Costa  
Notary Public  
Residing at Premier, Idaho  
My commission expires: 1-1-99

PIONEER TITLE COMPANY  
OF CANYON COUNTY

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

*Blw*

3526973

RECORDED

95 SEP 25 PM 2 51

CANYON CO. RECORDER  
M. C. Carey, Reg.

EQUEST PIONEER - NAMPA

TYPE *Record* PER *60*

EXHIBIT

**PARCEL I:**

Government Lots 1 and 2 in Section 16, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

**PARCEL II:**

This parcel consists of a portion of the North One-Half of the Southwest Quarter of the Northwest Quarter of Section 16, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Northwest corner of said North One-Half; thence  
South 0° 22'39" West along the West boundary of said North  
One-Half, a distance of 659.50 feet to the Southwest corner of said North One-Half; thence  
South 89° 09'56" East along the South boundary of said North  
One-Half a distance of 1336.81 feet to the Southeast corner of said North One-Half; thence  
North 0° 34'07" East along the East boundary of said North  
One-Half a distance of 661.20 feet to the Northeast corner of said North One-Half; thence  
North 89° 14'19" West along the North boundary of the North  
One-Half a distance of 1339.00 to the POINT OF BEGINNING

**PARCEL III:**

A portion of the South One-Half of Southwest Quarter of the Northwest Quarter of Section 16, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho particularly described as follows:

BEGINNING at the Southeast corner of South One-Half of Southwest Quarter of Northwest Quarter; thence  
North 89° 05'32" West along the South boundary of said South One-Half of Southwest Quarter of Northwest Quarter distance of 20 feet; thence  
North 0° 34'07" East parallel to the East parallel to the East boundary of said South One-Half of the Southwest Quarter of the Northwest distance of 661.17 feet to the North boundary of said South One-Half of the Southwest Quarter of the Northwest Quarter; thence  
South 89° 09'56" East along the North boundary of said South One-Half Southwest Quarter of Northwest Quarter of a distance of 20 feet to the Northeast corner of said South One-Half Southwest Quarter of Northwest Quarter; thence  
South 0° 34'07" West along the east boundary of said South One-Half of Southwest Quarter of Northwest Quarter a distance of 661.20 feet to the POINT OF BEGINNING.

Water Right Number - 63-05358      Prefix Translation: WATER RIGHT      Old (D) Number -  
+ - - - - Last Name - - - - +      + - First Name - - - +      + - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
BOWER      WAYNE K.  
1 - RT. 4 BOX 556  
2 -  
3 -  
City- CALDWELL      State- ID Zip- 83605  
Phone -

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
03/15/1970      14 WESTERN      S - STATUTORY CLAIM  
+ - - Source - - - - - +      + - - - - Tributary - - - - - +  
UNNAMED DRAIN      SNAKE RIVER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +  
TwN      Rng      Sec      Tract      Lot      RFlg      County

03N      04W      16      NW SW      1      (27) CANYON  
SW SW      2      (27) CANYON

+ - - - - Water Use - - - - - Diversion Rate      Diversion Volume  
Code      Description      Period From      Period To      0.900  
01 - IRRIGATION      03/15      11/15      0.900  
10 - COMMERCIAL      05/01      10/01      0.900

+ - Total Div. Rate - +      + - Total Div. Volume - +      + - Total Div. Capacity - +  
0.900

+ - - - - Place of Use - - - - - Description      County  
TwN      Rng      Sec      Tract      Lot      Acres      Code      (27) CANYON  
03N      04W      16      NW SW      1      1.0      01 IRRIGATION  
03N      04W      16      SW SW      2      10 COMMERCIAL      (27) CANYON

Total Acres: 1.0

+ - - Diversion Means - PUMP & PIPELINE  
+ - - Non-Irrigation Use -  
+ - - Other Rights for Same Use -  
+ - - Remarks - - - - - Remarks found.  
+ - - Old Water Right Numbers - - - - - Old Water Right Numbers found.  
+ - - No Old Water Right Numbers found.  
+ - - Conditions of Approval - - - - - Conditions of Approval found.  
+ - - No Conditions of Approval found.

MICROFILMED  
AUG 21 1992

```
+ - - Audit Fields - 07/31/84 05/01/88 CONVERT
```

**MICROFILMED**  
**AUG 21 1992**

# ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME Bower

CLAIM IDENT. NO. Ac3-05358

DATE RECEIVED 1-19-90

RECEIPT # W007775

AMOUNT \$ 101<sup>00</sup> applied

|                                                                                                                                                                                                                                                                                                                                                                                        | YES                                 | NO                       | Required Info? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 2. Is a priority date entered?                                                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 3. (a) Is a source entered?                                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 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                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the period of use included?                                                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 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                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 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.)                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 20. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 21. Was this claim filed on time, or was an extension granted?                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 22. Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |

MICROFILMED

AUG 21 1992

23. Should this claim be data entered? . . . . . YES X NO   

Claim reviewed by: HHT Date 6-8-92

Claim data entered by:                      Date                     

Claim is being returned to claimant:            (Yes)            (No)

Claimant is being notified of modifications:            (Yes)            (No)

*ok per #5*  
*#10 - irrigated acres*

Comments: #10 - Item 5 states 1 acre irrigated - shown on 243 claim - use that &

and modify letter. Item 5 identified acres.

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 )

A. Subcase 63-5358

(Insert water right number  
From the Objection Form)

STANDARD FORM 2  
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Jewel Bhack.

Address: 15133 Lon Lane.

Caldwell Idaho 83607.

Daytime Phone: 208-455-2233.

Name & Address of Attorney, if any:

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO  
WHICH YOU ARE RESPONDING

Name: Wilder Irrigation District.

Address: 709. Cheekand. Blvd.

Caldwell. Id. 83605

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho

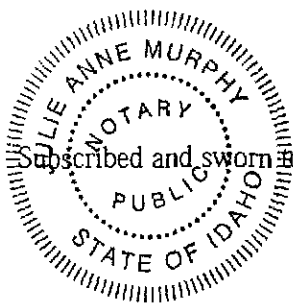
County of Twin Falls ss.

Janet Black, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Janet Black  
(Signature of person filing response)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on:

August 20, 2007

Notary Public for Julie Anne Murphy

Residing at: Twin Falls, ID

My Commission Expires: 1-20-2011

## INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### F. CERTIFICATE OF MAILING

I certify that on Aug 8<sup>th</sup> 2007, ~~199~~, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Jewel Black  
Address: 15133 Lon Ln. Caldwell Id. 83607

3. One copy to the party who filed the objection at the following address:

Name: Wilder Irrigation District  
Address: 709 Cleveland Blvd. Caldwell Id. 83605

4. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
Your signature or signature of attorney  
mailing on your behalf

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 )

A. Subcase 63-5358

(Insert water right number)

Case No. 39576 )

STANDARD FORM 1  
OBJECTION

RECEIVED

JUN 19 2007

DEPARTMENT OF  
WATER RESOURCES

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Wilder Irrigation District

Address: 709 Cleveland Blvd

Caldwell, ID 83605

Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker

Barker Rosholt & Simpson, LLP

1010 W. Jefferson, Ste. 102, Boise ID 83702

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Jewell Black

Address: 15133 Lon Ln.

Caldwell, ID 83607

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: \_\_\_\_\_

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: \_\_\_\_\_

4. ☐ **Priority Date**

Should be: \_\_\_\_\_

5. ☐ **Point of Diversion**

Should be: \_\_\_\_\_

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: \_\_\_\_\_

7. ☐ **Purpose(s) of Use**

Should be: \_\_\_\_\_

8. ☐ **Period of Year**

Should be: \_\_\_\_\_

9. ☒ **Place of Use**

Should be: Land Subject to Wilder Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTIONS(S):** There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. The place of use is covered by an existing Wilder Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho )  
County of Ada )ss.

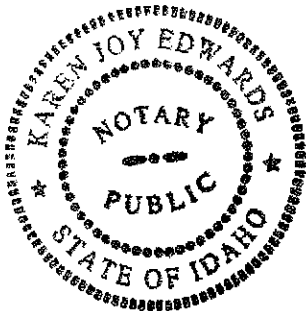
Albert P. Barker, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 8/2/2012

Karen Joy Edwards

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

## G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200  , I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

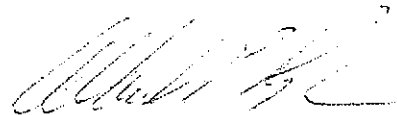
Name: Jewell Black  
Address: 15133 Lon Ln.  
Caldwell, ID 83607

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449



Signature of objector or attorney  
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-5358  
NAME AND ADDRESS: JEWELL BLACK  
15133 LON LN  
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN  
QUANTITY: 0.160 CFS  
PRIORITY DATE: 06/01/1970

TRIBUTARY: SNAKE RIVER

POINT OF  
DIVERSION: T03N R04W S16 SWSW Lot 2 Within CANYON County  
T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| COMMERCIAL     | 05/01 10/01   | 0.160 CFS |
| IRRIGATION     | 03/01 11/15   | 0.030 CFS |

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION in CANYON County

|                          |      |               |      |      |
|--------------------------|------|---------------|------|------|
| T03N R04W S16 Lot 2 SWSW | 0.70 | T03N R04W S16 | SESW | 0.30 |
|--------------------------|------|---------------|------|------|

COMMERCIAL in CANYON County

|                          |               |      |
|--------------------------|---------------|------|
| T03N R04W S16 Lot 2 SWSW | T03N R04W S16 | SESW |
|--------------------------|---------------|------|

1 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/15/2006

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

---

RIGHT NUMBER: 63-5358

NAME AND ADDRESS: JEWELL BLACK  
15133 LON LN  
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T03N R04W S16 SWSW Lot 2 Within CANYON County

T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| COMMERCIAL            | 05/01 10/01          | 0.160 CFS       |
| IRRIGATION            | 03/01 11/15          | 0.030 CFS       |

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S16 Lot 2 SWSW 0.70 T03N R04W S16 SESW 0.30

COMMERCIAL Within CANYON County

T03N R04W S16 Lot 2 SWSW T03N R04W S16 SESW

1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



# Idaho Department of Water Resources

SRBA Recommendation:

**63-5358**

(Irrigation)

*Acres = 1*

## Legend

Point of Diversion



Place of Use



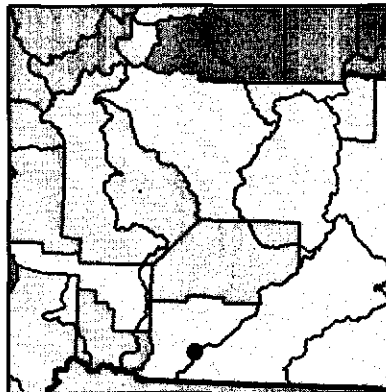
Townships



PLS Sections



Quarter Quarters



Canyon County  
IDWR Basin 63

Prepared by K. Walker  
On Friday, September 15, 2006  
1987/88 Aerial Photography

R04W



T03N

0 0.1 0.2 Miles



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5358

WATER RIGHT NUMBER: 63-5358

| <u>Owner Type</u>     | <u>Name and Address</u>                                               |
|-----------------------|-----------------------------------------------------------------------|
| Original Owner        | VETA BOWER<br>15133 LON LN<br>CALDWELL, ID 83605<br>(208)453-6206     |
| Original Owner        | WAYNE K BOWER<br>RT 4 BOX 556<br>CALDWELL, ID 83605                   |
| Current Owner         | JEWELL BLACK ✓<br>15133 LON LN<br>CALDWELL, ID 83607<br>(208)455-2233 |
| <u>Original Owner</u> | DALE K BLACK<br>15133 LON LN<br>CALDWELL, ID 83605<br>(208)455-2233   |

*- deceased - change in  
ownership removed him  
as claimant*

Priority Date: 06/01/1970

Basis: ~~Statutory Claim~~ *B/U*

Status: Active

Source

UNNAMED DRAIN

Triangular

SNAKE RIVER

Beneficial Use

COMMERCIAL

IRRIGATION

From To

5/01 to 10/01

3/15 to 11/15

Diversion Rate~~0.500 CFS~~ 0.16

0.030 CFS

0.500 CFS 0.16

Annual Volume

N/A = surface

N/A = water

Location of Point(s) of Diversion

UNNAMED DRAIN

CANYON County

T1 (NW1/4 SW1/4)

Sec. 16, Twp 03N, Rge 04W, B.M.

*2 points SWSW (Lot 2) per exam*

Place of Use

COMMERCIAL

*= feed lot operation - 800 hd cows  
& horses*

| Twp Rge Sec | NE |    |    | NW |    |    | SW |    |    | SE |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N 04W 16  |    |    |    |    |    |    |    |    |    |    |    |    |        |
|             |    |    |    |    |    |    |    |    |    |    |    |    |        |

IRRIGATION

| Twp Rge Sec | NE |    |    | NW |    |    | SW |    |    | SE |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    |    |    |    |    |    |    |    |    |    |        |

*Also has  
Stockwater use from springs under Rt. 63-5357*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5358

|            | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW                 | SW  | SE | NE | NW | SW | SE | Totals |
|------------|----|----|----|----|----|----|----|----|----|--------------------|-----|----|----|----|----|----|--------|
| 03N 04W 16 |    |    |    |    |    |    |    |    |    | <del>1.0</del> 0.7 | 0.3 |    |    |    |    |    | 1.0 ✓  |
|            |    |    |    |    |    |    |    |    |    | 42                 |     |    |    |    |    |    |        |

Total Acres: 1

Conditions of Approval:

1. Removed Dale K. Black as current owner since he passed away in September of 1999 per ownership change form submitted by Mrs. Black. kw 4/19/2006
2. OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

Remarks:

Comments:

Water Supply Bank:

copy

04/20/2006

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

RIGHT NUMBER: 63-5357

NAME AND ADDRESS: JEWELL BLACK  
15133 LON LN  
CALDWELL ID 83607

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.230 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1968

POINT OF DIVERSION:

T03N R04W S16 SWNW Lot 1 Within CANYON County

T03N R04W S16 NWSW Lot 2 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.230 CFS       |

PLACE OF USE: STOCKWATER Within CANYON County

T03N R04W S16 Lot 1 NWSW

T03N R04W S16 Lot 2 SWSW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 7R03N04W165400

Stockwater use is for 1000 range cattle.

RECEIVED

SEP 07 2006

Field Exam Date 8/16/2006

DEPARTMENT OF  
WATER RESOURCES

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT

RECEIVED

AUG 29 2006

WATER RESOURCES  
WESTERN REGION

**Prior to Field Exam**

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

**CLAIMANT INFORMATION** – verify contact information is complete

Claim No(s) A63-5358

Owner: Jewell Black Phone No. (208) 455-2233

Current Address: 15133 Lon Ln. Caldwell, Id 83605

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☒ How long owned property? 1996

Accompanied by: Jewell Black

**PRIORITY DATE**

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

Priority date, per claimant, is: 6/1/1970

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

Source: unnamed drain Tributary to Snake River

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

**POINT OF DIVERSION**

- ☐ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

\* 2 points of diversion

# DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID #     | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|----------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
| A0002137 |            |     |     |     |      |      |      | Canyon | N 43° 35.798' W 116° 47.669'              |
| A0002138 |            |     |     |     |      |      |      | Canyon | N 43° 35.453' W 116° 49.810'              |
|          |            |     |     |     |      |      |      |        |                                           |
|          |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

Unnamed drain, (2) POD, (1) on southside of drain, Red Lion 1/2 HP, 1" discharge, 62 psi to 3/4" hoses to tanks + 2" steel line to irrigated pasture, yard + garden, 2" buried steel + PVC to lower stock tanks, + dust abatement rainbirds (2) on northside of drain, 3 HP Magna Tech, 2 1/2" discharge to 2 1/2" buried PVC line

OVERLAP REVIEW Other water rights with the same point of diversion: None

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

## WATER USES

☐ No change

☒ Different Uses Stockwater added

Use Irrigation From 3/15 To 11/15 Amount 0.03 CFS 4.5 AFA

Use Commercial From 5/01 To 10/01 Amount CFS AFA

Use Stockwater From 01/01 To 12/31 Amount CFS AFA

Stockwater 10/1 3/31

TOTAL VOLUME - Groundwater only NA

☐ Incomplete on claim, the total is, Amount CFS AFA

☐ Changes found, the new total is, Amount CFS AFA

☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

## NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes 100 average total < raise 60 horses board 50 horses year-round Stock # 600-800 cattle 10/1-3/31 (100 average)

Types Additional comments: possibly selling corals on south side of the unnamed drain; the livestock has always drank water from the drain. Jewell Black assumed that it was a "given" + was included in "Commercial" use in order to take care of the Livestock.

## PLACE OF USE:

☐ No Change

☐ Changes shown below:

Irr.  
Stock  
Comm.

| Place of Use |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|--------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP          | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 3N           | 2W  | 16  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 3N           | 2W  | 16  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 3N           | 2W  | 16  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Overlap with other water rights: None

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

Delivery System Narrative: From POD #1 1" discharge to 3/4" hoses that fill some of the tanks, 2" buried PVC goes east to west then south to stockwater tanks + (5) 2 1/2" Rainbirds (for dust abatement). The rainbirds are located at the top of 9' rises average 3 nozzles per corral (4 corrals including those located on north side of drain). A 2" buried line crossed the drain + travels north, on the east border to the southeast + southwest corners behind the house. 3/16" Rainbirds run 3 at 1 time to irrigate the pasture, then steel pipes are laid out in the yard to flood irrigate the yard. From POD #2: 2 1/2" discharge converts to 2 1/2" PVC buried main running south to north with 3 branches running east + west. (7) dust abatement 2 1/2" Rainbirds + 6 stockwater tanks, then cross the dirt road for 4 more 21'7" X 3' X 16" tanks.

off of  
2" aluminum

| Well or Diversion Identification No GPS ID | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|--------------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
| A0002137                                   | Red Lion   | 1/2 | S48D53B67        | -         | 1"                                |
| A0002138                                   | Magna Tech | 3   | BT12-145         | -         | 2 1/2"                            |

3' lift  
10' lift

\* #1 pump is a temporary/back-up pump, since they had another pump in the drain but it broke down + they removed it, but plan to replace it. They were not sure what they previously had, or what size pump they were going to purchase.

#### NARRATIVE/REMARKS/COMMENTS

Commercial use on application was for sprinkling large cattle feed lots for dust abatement. Stockwater Facility is open 7 days per week year-round. There are no employees since the family runs the business (Jewell + his daughter Sandy). They raise 60 horses, board 50 horses year-round, + board 600-800 cattle 10/1-3/31. Their electric bill ranges from \$125-150/mo. to run the pumps for pumping water. The water runs 365 days per year for the stock tanks + 1x/month during the summer for dust abatement. Jewell said they average a total of 100 horses + 700 cattle per year (8/28/06).

- Type of facility: boarding horses + cattle; raising + selling horses

- Name of business: Sundowner Quarter Horse Ranch

Supplemental Water: None. Boise Project used as  
supplemental water on hay fields to the north of the  
corals (this is not property that is included on this  
water right application though).

Directions: 184, then 55 towards Marsing (Sunnyslope  
St. Chappell Winery area), Rt. Pear to the end, Rt. Lon Lane  
POU: Corals west of house + barn (on north side of drain) +  
south + southwest of house (on south side of drain,  
all the way to Apricot Ln + Lon Lane, the west on private  
dirt road). PCD: (#1) 608' south of house on Lon Lane then 275' west  
AFTER EXAM THE FILE SHOULD CONTAIN: (#2) 0.3 miles south from Lon Lane +  
☐ Completed claim checklist  
☐ Photographs of POD's and POU Pear Ln intersection (between barn + outbuilding  
☐ GPS readings turn west + go 698' down a dirt road), turn  
☐ Completed map and or GIS layout showing POD's and POU 273' south through coral to  
pump in drain.

DATE EXAM CONDUCTED: 8/18/2006

FIELD EXAMINER: Sandy Hernerway

**Field Inspection: A63-5358 Black**  
**Date: 8/16/2006**  
**Field Inspector: Sandy Hemenway**

**Measurements/Calculations:**

**Pipe Flow Chart:**

2" diameter pipe = 0.11 cfs capacity (off of POD/pump #1)  
2 1/2" diameter pipe = 0.17 cfs capacity (off of POD/pump #2)

**Pumpback Calculations (see attachments):**

POD/pump #1 = 0.029 cfs = **0.03 cfs**  
POD/pump #2 = 0.129 cfs = **0.13 cfs**  
pump #1: Red Lion 1/2 HP, 1" discharge, 62 psi, 3' lift, to 3/4-1/2" hoses and 2" PVC/Steel (buried)  
pump #2: Magna Tech 3Hp, 62psi, 2 1/2" discharge to 2 1/2 PVC main, 10' lift

**Stockwater:**

**Table 1 Recommended Diversion Rates for Stockwater:**

boarding 50 horses year-round; raising and selling 60 horses;  
8/28/06 per Jewell, 100 average horses year-round = 51-100 = **0.03cfs**  
600-800 cattle boarded 10/1-3/31;  
8/28/06 per Jewell, 700 average cattle boarded per yr = 601-700 = **0.16 cfs**  
**Season:** 01/01 - 12/31 for horses (365 days); 10/1 - 3/31 for cattle (182 days)  
**Required V.i.r.** = (#head x gallons/day/head x days of use per year) / 325,850 =  
for horses: [(100 x 12 x 365) / 325,850 = 438,000/325,850 = **1.3 afa**  
for cattle: (700 x 12 x 246) / 325850 = 2066400/325,850 = 6.34 = **6.3 afa**  
**Potential V.d.r.** = Max. allowable cfs x permit season number of days x 1.9835 =  
for horses: 0.02 cfs x 365 x 1.9835 = 14.479 = **14.5 afa**  
for cattle: 0.16cfs x 246 x 1.9835 = 78.07 = **78.1 afa**

**Storage not to be added (see note below):**

**Small Tanks:** (2) 5' x 3' x 16" = (5'x3' / 43,560) x 1.3' = 0.000447658 =  
(2) x 0.000447658 = **0.000895317 af capacity**  
**Large Tanks:** (17) 21' 7" x 3' x 16" = (21.58 x 3 / 43,560) x 1.3 = 0.001932094  
(7 tanks on south side of drain) x 0.001932094 = **0.013524656 af**  
(10 tanks on the north side) x 0.00932094 = **0.01932094 af**

**\*\*\*6/21/1990 memo from Steve Lester (B.U. Report Memo pg 4):**

"Can only recommend at least 0.1 af storage. Any amount less than that should be considered as a detail of live flow and shown in remarks. This may occur in stockwater or other minor use rights, especially with BLM permits."

**Irrigation:**

**Confirmed acres irrigated:** 1 acre x 0.03cfs = **0.03 cfs**  
**Season** 3/15 - 11/15 = 246 days  
**Required V.i.r.** = allowable acres under permit x requirement IDWR chart (figure 2)=  
1 acre x 4.5 = **4.5 afa**  
**Potential V.d.r.** = max. allowable cfs x permit season x 1.9835 =  
0.03x 246 x 1.9835 = **14.6 afa**  
**Sprinkler Nozzles:** (3) 3/16" Rainbird 85E run at one time; 27psi average  
Q(gpm) = 30 x (3/16)squared x (27) y.5=(3)5.480317009/448.8 = 0.36 = **0.04 cfs**

## **A63-5358 Black, pg 2.**

### **Background Information:**

facility open 7 days per week, 365 days per year; no employees (family run), \$125-150/mo elect. bill; water runs constantly 365 days/year; dust abatement only used 1 day/mo 5/1-10/1

### **Commercial/Dust Abatement:**

**Season:** 5/1 - 10/01 = 155 days

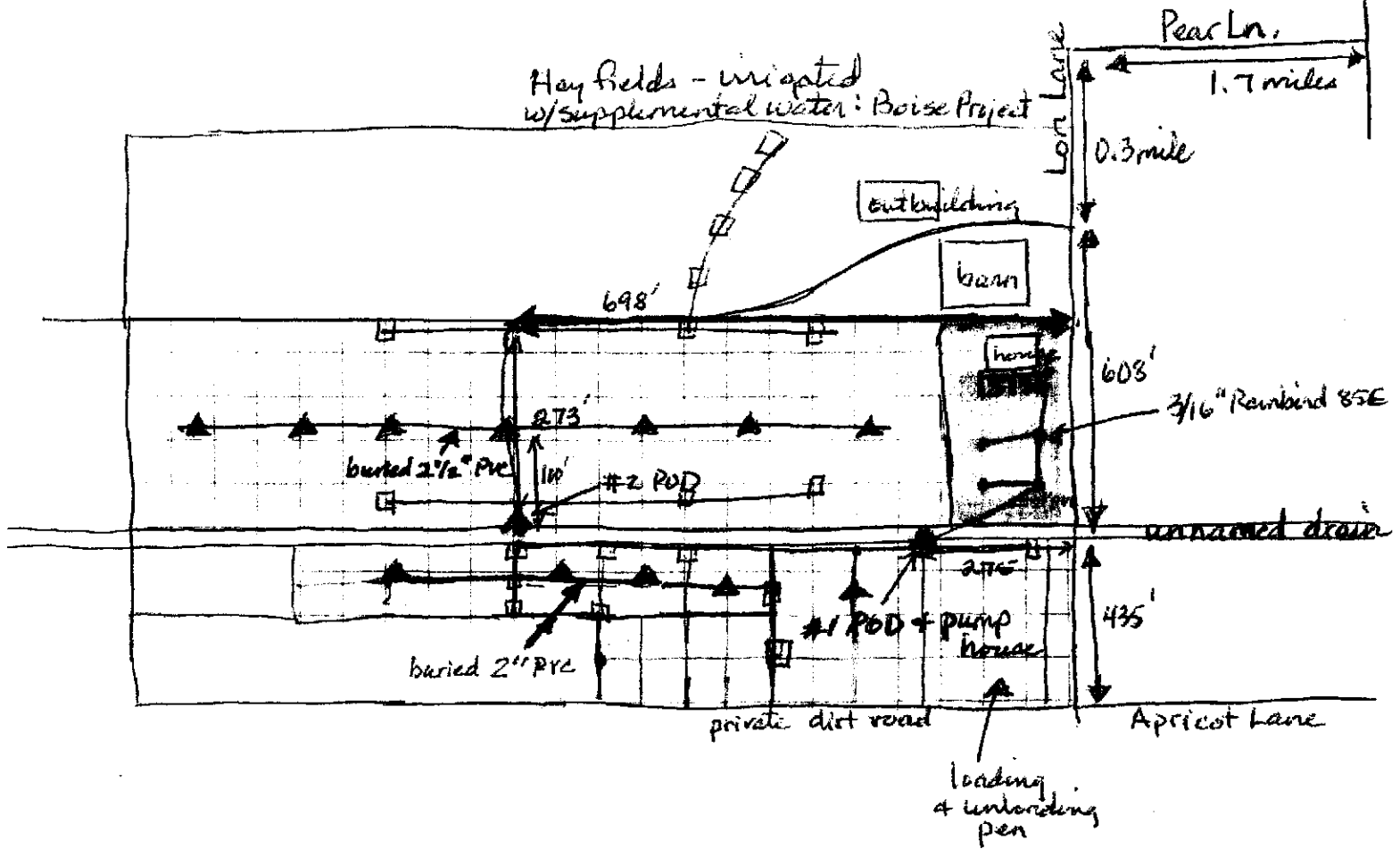
**Days of Use:** 1 day per month = 6 days

**Hours per day used:** 24 hours

**Device used for dust abatement:** 9' risers, with 2 1/2" Rainbird ND55 nozzles; 3 nozzles per corral; 3 Rainbirds run at one time; 62psi at pump, estimate 20psi at nozzle at the minimum

$Q(\text{gpm}) = 30 \times (6/2)^2 \times (20)^{.5} = 1207.476708/448.8 = (3)2.69 = 8.07 = 8.1 \text{ cfs}$

\*\*\*At the time of inspection, no dust abatement was observed, and the corrals were excessively dry. With the pump that is installed, this system is not capable of producing the amount required to run 3 sprinkler heads at one time. If they put in a larger pump it might be feasible.



▲ = 2 1/2" Rainbird ND55 nozzles  
on 9' risers

— = buried 2" PVC (south side of drain) 2 1/2" PVC (north side)

● = POD

□ = irrigated 1 acre (pasture, yard, garden)

□ = Stock yard (dust abatement)  
Commercial use (3 nozzles/cow  
4 cows)

□ = Stockwater tanks total

(17.) 21'7" X 3' X 16"

(2) 5' X 3' X 16"

N ↑

63-5358 Black  
8-16-2006 S.H.

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-5358 Black POD/pump #1

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot (\text{cfs} \cdot 448.8)^{1.852} / (\text{ID}^4 \cdot 8655 \cdot \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 3.00 feet

Pressure Req'd: 62.00 psi

Required Head: 146.22 feet

Pump Horsepower: 0.50 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140  
aluminum - joint length 20' = 125, joint length  
30' = 130, joint length 40' = 132, joint length  
50' = 134, new riveted steel = 100  
old riveted steel = 100, old cast iron = 95,  
old pipes in poor condition = 60 to 80

| Inside Diameter in Inches | Equivalent Length in Feet | Unit Head Loss | Total Friction Head Loss from Pipe Friction | Head Loss per 100 ft |
|---------------------------|---------------------------|----------------|---------------------------------------------|----------------------|
| 1.50                      | 100.00                    | 1.59           |                                             | 1.59                 |
| 1.00                      | 0.00                      | 0.00           |                                             | #DIV/0!              |
| 1.00                      | 0.00                      | 0.00           |                                             | #DIV/0!              |
|                           |                           |                | 1.59                                        |                      |

Initial Estimate of Rate of Flow:

0.029 CFS

Computation of Rate of Flow:

0.02

MSMTS

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway  
Project: Flow Computation for A63-5358 Black POD/pump #2  
Given: See Data Table

Compute head losses with the Williams and Hazen Formula:  
 $f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot (\text{cfs} \cdot 448.8)^{1.85} / \text{ID}^4 \cdot 8655 \cdot \text{Length} / 100$

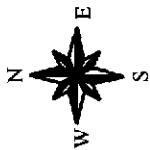
To Find: Compute Rate of Flow for a Pumpback System

| Data Table       |        |                                                                                                                                                                                                                                                                                       |  |
|------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Vertical Lift:   | 10.00  | feet                                                                                                                                                                                                                                                                                  |  |
| Pressure Req'd:  | 62.00  | psi                                                                                                                                                                                                                                                                                   |  |
| Required Head:   | 153.22 | feet                                                                                                                                                                                                                                                                                  |  |
| Pump Horsepower: | 3.00   | horsepower                                                                                                                                                                                                                                                                            |  |
| Pipe Roughness:  | 150.00 | Note: pvc = 150, smooth and straight pipe = 140<br>aluminum - joint length 20' = 125, joint length<br>30' = 130, joint length 40' = 132, joint length<br>50' = 134, new riveted steel = 100<br>old riveted steel = 100, old cast iron = 95,<br>old pipes in poor condition = 60 to 80 |  |

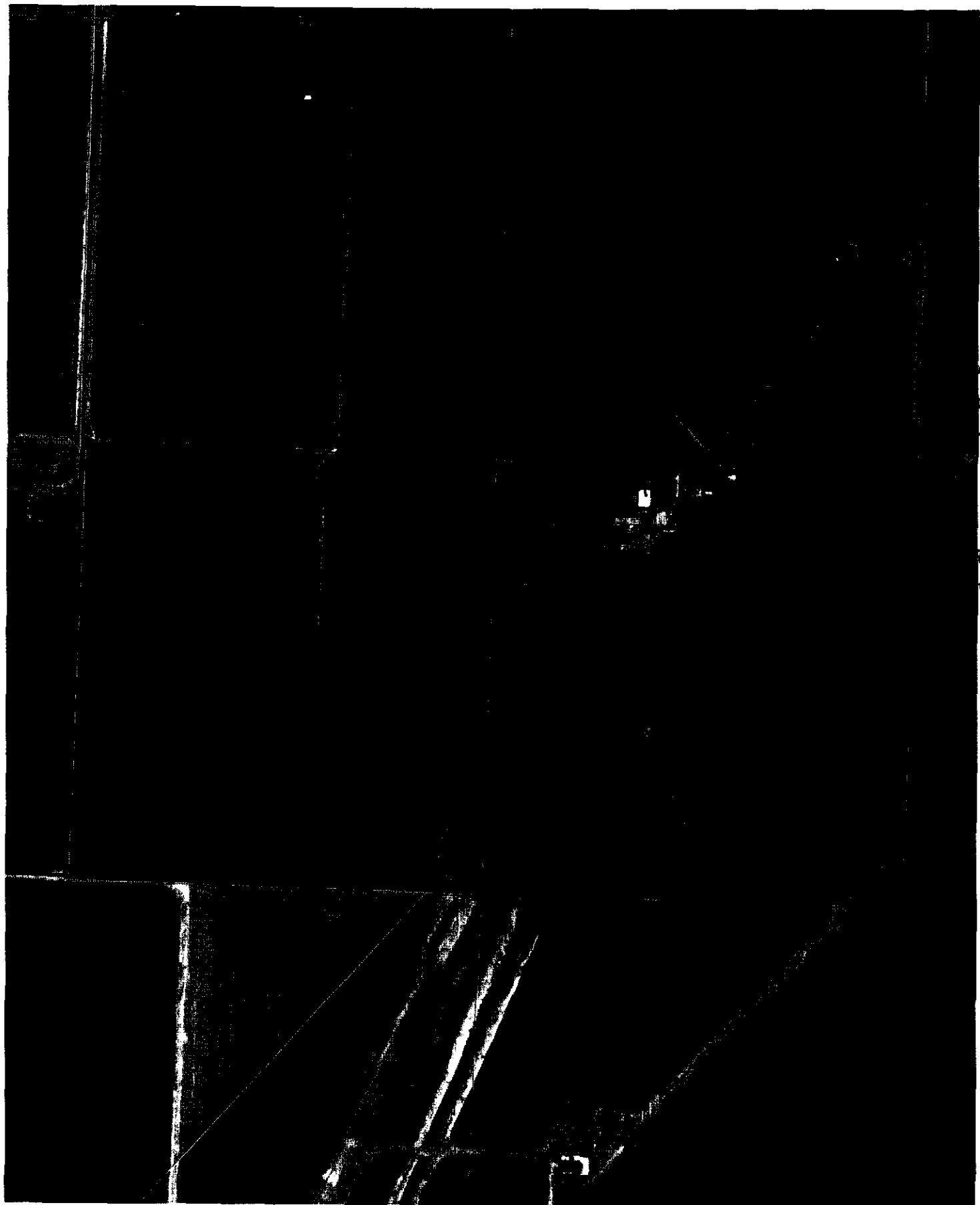
| Inside<br>Diameter<br>in Inches | Equivalent<br>Length<br>in Feet | Unit<br>Head<br>Loss | Total<br>Friction<br>Head Loss from Pipe Friction | Head<br>Loss<br>per 100 ft |
|---------------------------------|---------------------------------|----------------------|---------------------------------------------------|----------------------------|
| 2.00                            | 100.00                          | 6.20                 |                                                   | 6.20                       |
| 1.00                            | 0.00                            | 0.00                 |                                                   | #DIV/0!                    |
| 1.00                            | 0.00                            | 0.00                 |                                                   | #DIV/0!                    |

6.20

Initial Estimate of Rate of Flow: 0.129 CFS •  
Computation of Rate of Flow: 0.12



2004



□ = irrigated (pasture, yard, garden)  
□ = POA (stock water / commercial)

pen  
my  
en

lock  
ants

A63-5358 Black 8/16/2006 SH



1987

Hay field irrigated  
w/ supplemental water  
Boise Project

- = concrete
- = irrigated
- = POD
- = stock tank
- △ = 2 1/2" Rainbird  
ND55  
nozzle on  
9' riser
- 2 1/2" buried  
PVC with  
of unnamed  
drain
- 2" PVC buried  
south of  
unnamed  
drain

Black's Property per Canyon Co. Tax Lot info -- 8 1/4 acres

#1  
pumphouse



unnamed  
drain

SH

POD #1  
intake



63-5358 Black

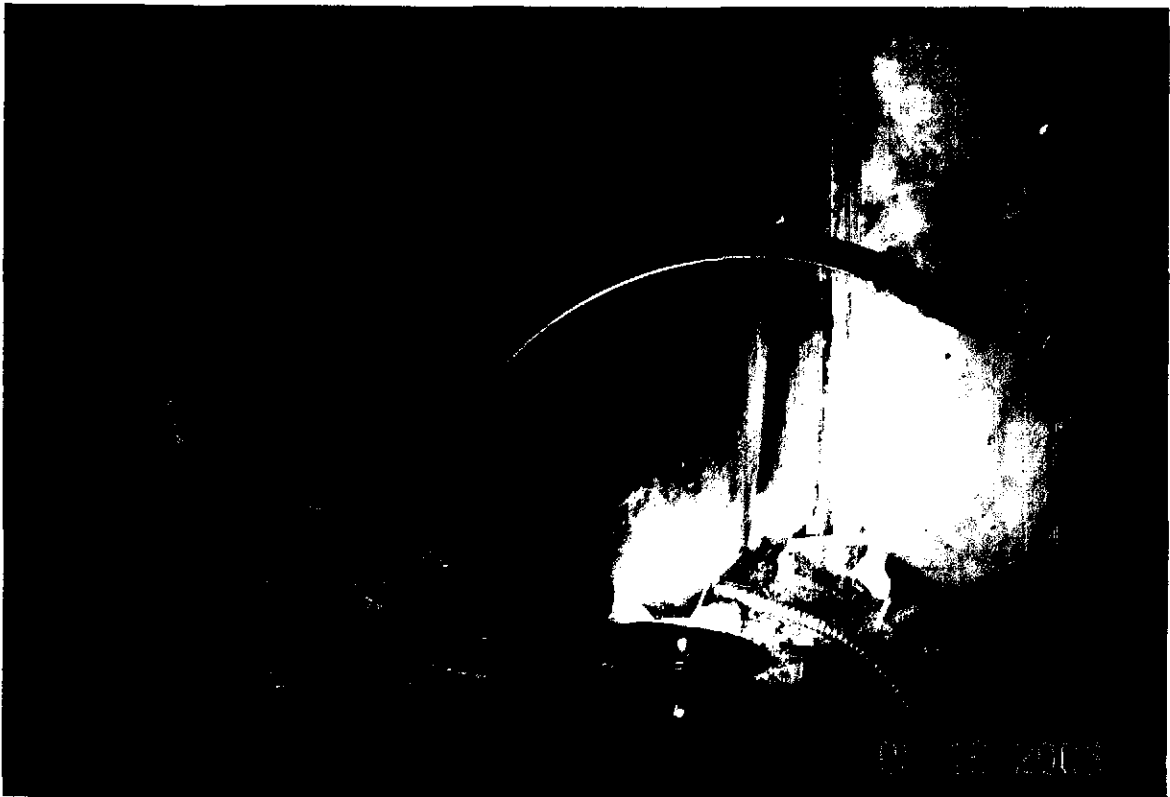
SH



PDD: #1  
pumphouse  
3' left

03-18-2008

SH



Red Lion  
1/2 HP.  
62 psi  
1" discharge  
to 3/4" hoses  
+  
2" buried PVC  
for lower  
corrals &  
across drain  
+ up hill  
to pasture &  
yard

03-18-2008

SH

63-5358 Black



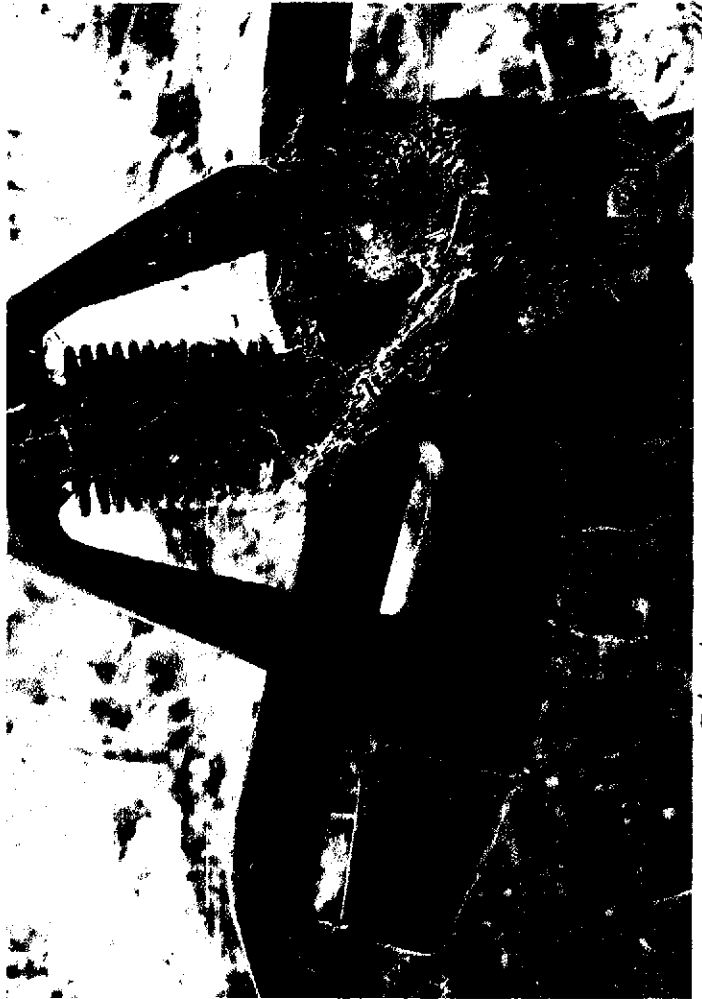
POU:  
 Pasture  
 Irrig.  
 south  
 of the  
 house

63-5358 Black



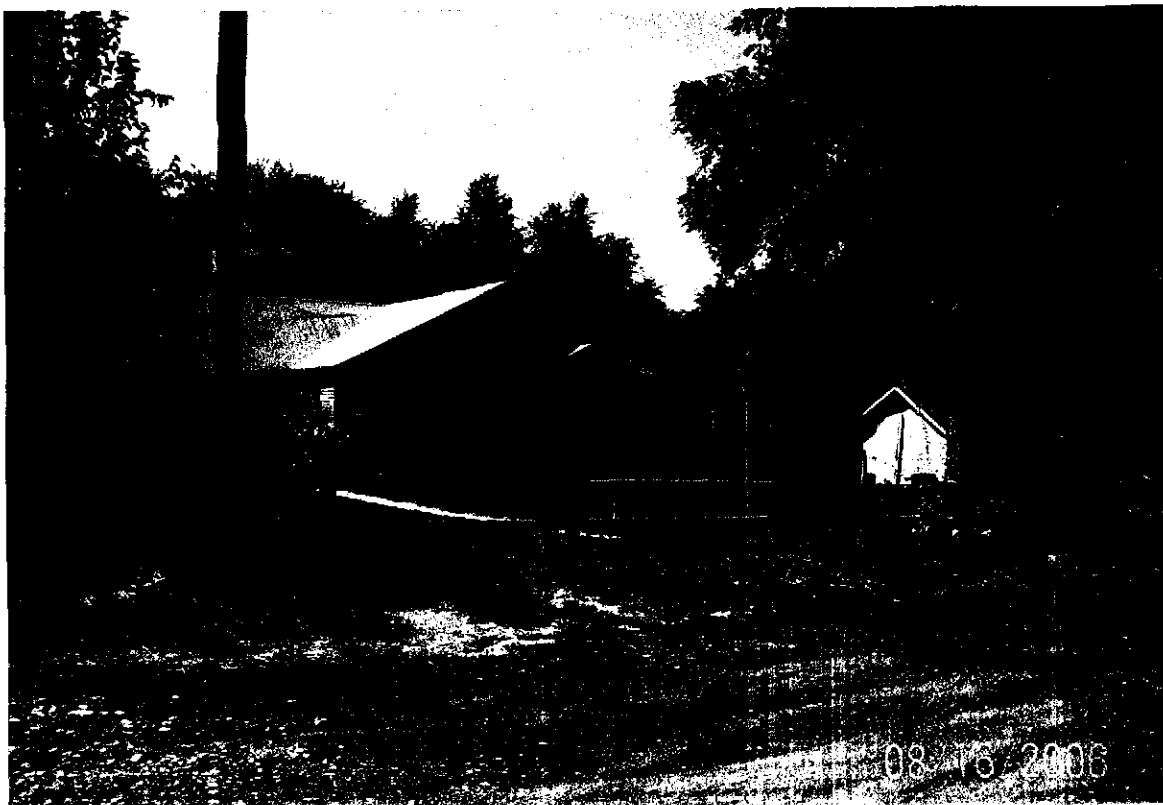
2" chimney at top of hill  
 behind house

63-5358 Black



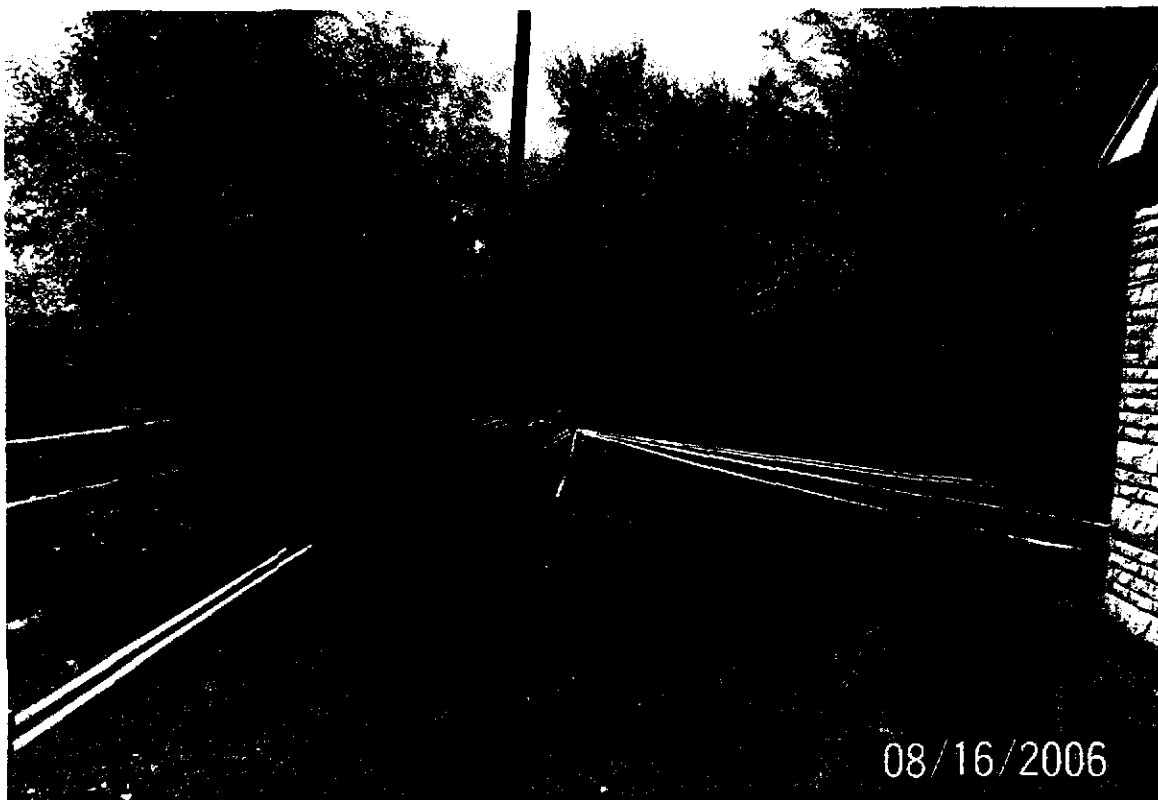
3 rainbirds  
 at 1 time  
 3/16"  
 Rainbird 85E

63-5358 Black



POU:  
yard  
around  
house, at  
top of hill

SA



2"  
aluminum  
pipe  
w/ 2"  
steel pipes  
laid out  
on yard to  
flood  
irrigated  
(south to  
north grants  
flow)

63-5358 Black

SA



Stockwater:

(2)  
5'x3'x16"  
tanks

SH

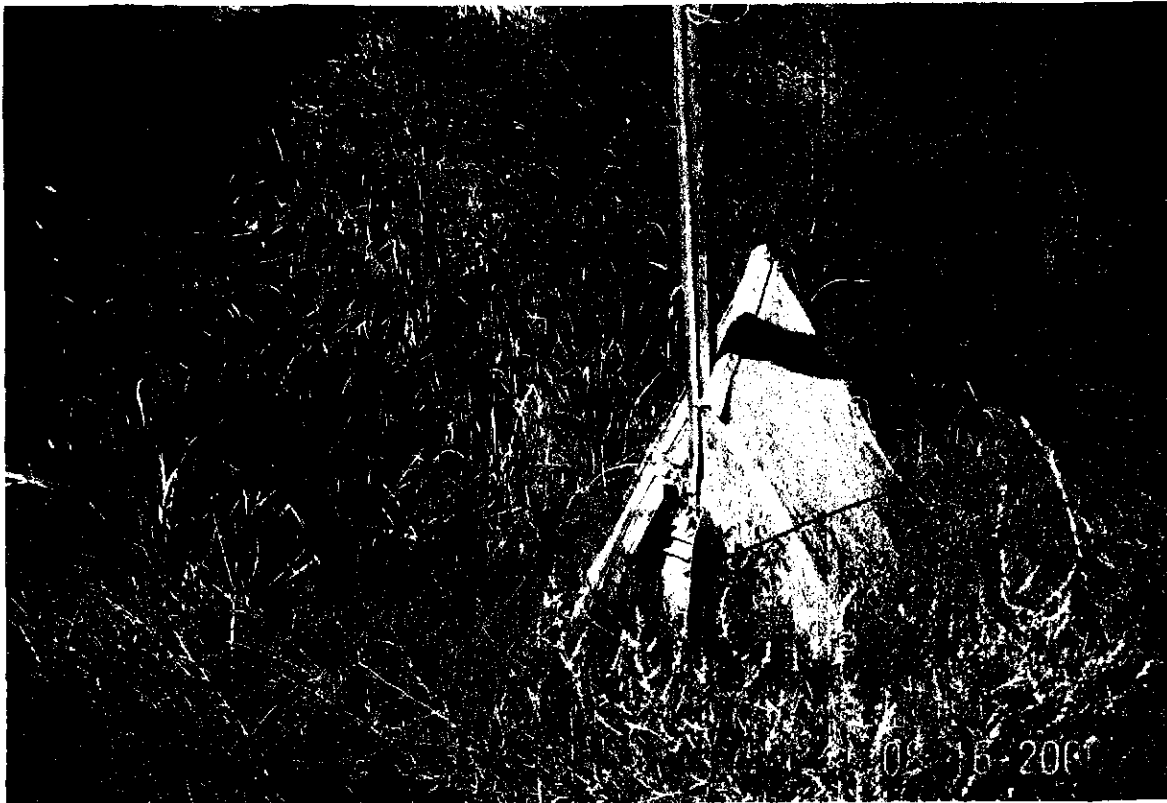


Stockwater:

(17)  
21'7'x3'x16"

SH

63-5358 Black



POD: #2

— Magna Tech  
3 Hp  
2 1/2" discharge  
10" lift  
62 psi

SH



— lower  
corral  
(south of  
drain)

— upper  
corral  
(north of  
drain)

63-5358 Black

SH



9' rise  
with  
2 1/2" Rainbird  
ND55  
3 nozzles  
per corral  
(4 corrals)

SH



63-5358 Black

SH



63-5358 Black

Name of their Business: <sup>SAT</sup>  
Sundowner Quarter Horse Ranch

## COMMERCIAL USE VOLUME

\* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report**.

**Type of Establishment:** (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

livestock, pasture, + boarding  
(hay)

**Type of Facilities:** (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

horse + cow <sup>stall/cattle</sup> boarding, + raise horses  
50 year-round → (60)  
600-800 head winter 10/01 – 3/31

**Number of Fixtures:** (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

12 stock tanks \* (17 large + 2 small ones found during inspection)  
3 nozzles/corral (4 corrals)

**How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?**

no employees (Jewell + Sandy Black), family only

**How many hours per day is the facility open for this specific use?**

water runs constantly (\$125-150<sup>00</sup>/mo. power bill)

**How many days per week is the facility open for this use?**

7 days per week

Is this facility open year round? X Yes      No

If not, please indicate the length of time the      facility is open during the year.

\*\* Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Unknown

Additional information you feel may be pertinent:

just abatement as needed (1 X/mo. in summer)

Jewel Black  
Name/

208-255-2233  
Business telephone number

Please return to:

KAY WALKER (Phone: 287-4953)  
Sr. Water Resource Agent  
Idaho Department of Water Resources  
PO Box 83720  
Boise, ID 83720-0098

Sandy  
45

**A63-5358 Field Exam Request:**  
**JEWELL BLACK**

**Contact:**

08/02/2006

Contact **Jewell Black** at 455-2233 to set up a field exam.

**Property Address:**

15133 Lon Lane, Caldwell - Get directions from claimant when setting up appointment.

**Requests:**

- ✓ \*Please verify **all the elements** of this right.

In addition, please verify:

- ✓ • GPS the location of the diversion point.
- ✓ • **1987 Aerial Photo:** Please locate the irrigated acreage (1 acre claimed), and use of water for commercial purposes described on claim. Have attached a 1987 aerial and a copy of 2004 photo for your use.
- ✓ • **Capacity of System:** Verify that the claimed **0.5 cfs** is possible/applicable. We need to have the commercial worksheet (attached) completed so we can determine a volume of the commercial use (commercial use for sprinkling feed lot for dust abatement). Not possible
- ✓ • Is the water also being used to water cattle in the feedlot? In my discussion with Mrs. Black, I understood the cattle drank the drain water but the statutory claim appears to only claim dust abatement under the commercial use. Yes

Kay Walker  
287-4953  
Sr. Water Resource Agent  
IDWR – State Office via Western Region

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-5358**

03/28/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use      | Acres/Total | Name          |
|---------|-------------|-----|-----|-----|----|----|-----|---------------------|-------------|---------------|
| 5358    | Claim       | 03N | 04W | 16  | NW | SW | 1   | IRRIGATION          | 1/1         | DALE K BLACK  |
| 5358    | Water Right | 03N | 04W | 16  | NW | SW | 1   | IRRIGATION          | 1/1         | WAYNE K BOWER |
| 5357    | Claim       | 03N | 04W | 16  | NW | SW | 1   | STOCKWATER          |             | JEWELL BLACK  |
| 5357    | Water Right | 03N | 04W | 16  | NW | SW | 1   | STOCKWATER          |             | WAYNE K BOWER |
| 26965   | Water Right | 03N | 04W | 16  | SW | SW |     | <del>DOMESTIC</del> |             | VETA BOWER    |
| 5357    | Claim       | 03N | 04W | 16  | SW | SW | 2   | STOCKWATER          |             | JEWELL BLACK  |
| 5357    | Water Right | 03N | 04W | 16  | SW | SW | 2   | STOCKWATER          |             | WAYNE K BOWER |
| 5358    | Claim       | 03N | 04W | 16  | SW | SW | 2   | COMMERCIAL          |             | DALE K BLACK  |
| 5358    | Water Right | 03N | 04W | 16  | SW | SW | 2   | COMMERCIAL          |             | WAYNE K BOWER |

## REAL PROPERTY INQUIRY

```

+++++
01 7R33419-000- -0 184-00 SCH139+ 01 41,200 48.00
+++++
05 100 2.75
BLACK, DALE K + 10 20,000 1.00
& BLACK, JEWELL H/W + 18 8,100 23.00
+ 19 5.25
+ 31 65,600
+ 32 50,000
15133 LON LN +
CALDWELL ID 83605 +
+++++
16-3N-4W SW + TOTAL 185,000 80.00
LTS 1&2 ++++++
+ SURVEY INST 9526973
+ DRAIN DR VALUE APPR KGE
+ CLASS +2 REAP 97 MAN 96 UNIT 1
15133 LON LN, CA + PARCEL 7R03N04W165400 H/O Y C/B N
+ PRIOR ACCOUNT 6R33419-000- -0
SEE R33421-010 + 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

```

ACCOUNT NUMBER R33419000 0 UNIT 001 TOTAL UNITS 1

SITE 15133 LON LN CA SEC/TWN/RNG 16-3N-4W  
 ASSESSED VALUE 197,400 ACREAGE 80.00  
 SUB/PARK NAME YEAR/MAKE

CLASS +2 OWNER / OCCUPIED HOUSE CLASS '+2' SPACE LOT BLOCK

```

+++++
YR BUILT 1930 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 2069 EXTERIOR STONE DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE D2 NEIGHBORHOOD 0
GARAGE SQ FT 400

```

COMMENTS

MOBILE HOME ONLY  
 WIDTH/LENGTH  
 EXPANDO

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5358

WATER RIGHT NUMBER: 63-5358

|                   |                                                     |
|-------------------|-----------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                             |
| Current Owner     | WAYNE K BOWER<br>RT 4 BOX 556<br>CALDWELL, ID 83605 |

Priority Date: 03/15/1970  
Basis: Statutory Claim  
Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| UNNAMED DRAIN | SNAKE RIVER      |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 3/15 to 11/15           | 0.900 CFS             |                      |
| COMMERCIAL            | 5/01 to 10/01           | 0.900 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.900 CFS             |                      |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| UNNAMED DRAIN | L2 (SW1/4SW1/4) | Sec. 16, Twp 03N, Rge 04W, B.M. |
| CANYON County |                 |                                 |
| UNNAMED DRAIN | L1 (NW1/4SW1/4) | Sec. 16, Twp 03N, Rge 04W, B.M. |
| CANYON County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |     |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | Totals |
| 03N | 04W | 16  |    |    |    |    |    |    |    |    |    |    | 1.0 |    |    |    |    |    | 1.0    |
|     |     |     |    |    |    |    |    |    |    |    |    |    | L 1 |    |    |    |    |    |        |

Total Acres: 1

COMMERCIAL

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |     |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | Totals |
| 03N | 04W | 16  |    |    |    |    |    |    |    |    |    |    | X   |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    | L 2 |    |    |    |    |    |        |

Conditions of Approval:

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wayne K. Bower

(Name of Claimant)

Rt. 4 Box 556 Caldwell, ID 83605

(Mailing Address)

Telephone No. 459-6206

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1970

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Drain tributary to Snake River

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

|          | (cfs, af)      | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)<br>(Mo., Day) (Mo., Day) |                 |
|----------|----------------|-------------------------------------|-------------------------------------------------|-----------------|
| Quantity | <u>.90 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>3/15</u>                  | To <u>11/15</u> |
| Quantity | <u>.90 cfs</u> | Use <u>Commercial</u>               | Period of Use From <u>5/1</u>                   | To <u>10/1</u>  |
| Quantity |                | Use                                 | Period of Use From                              | To              |
| Quantity |                | Use                                 | Period of Use From                              | To              |
| Quantity | <u>.90</u>     | Use                                 | Period of Use From                              | To              |

- (4) .90 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 1 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 16 Twp. 3N Rge. 4W B.M., County of Canyon

Additional points of diversion: Lot 2 (SWSW) Sec 16 T3N R4W

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. Describe any changes in the system and give the date of the change. pump & pipeline

- (6) A) 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 $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL |
|----|----|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|    |    |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |       |
| 3N | 4W | 16   |                  |                  |                  |                  |                  |                  |                  |                  | 1                | 2                |                  |                  |                  |                  |                  |                  | 1     |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  | 1                | X                |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 1     |

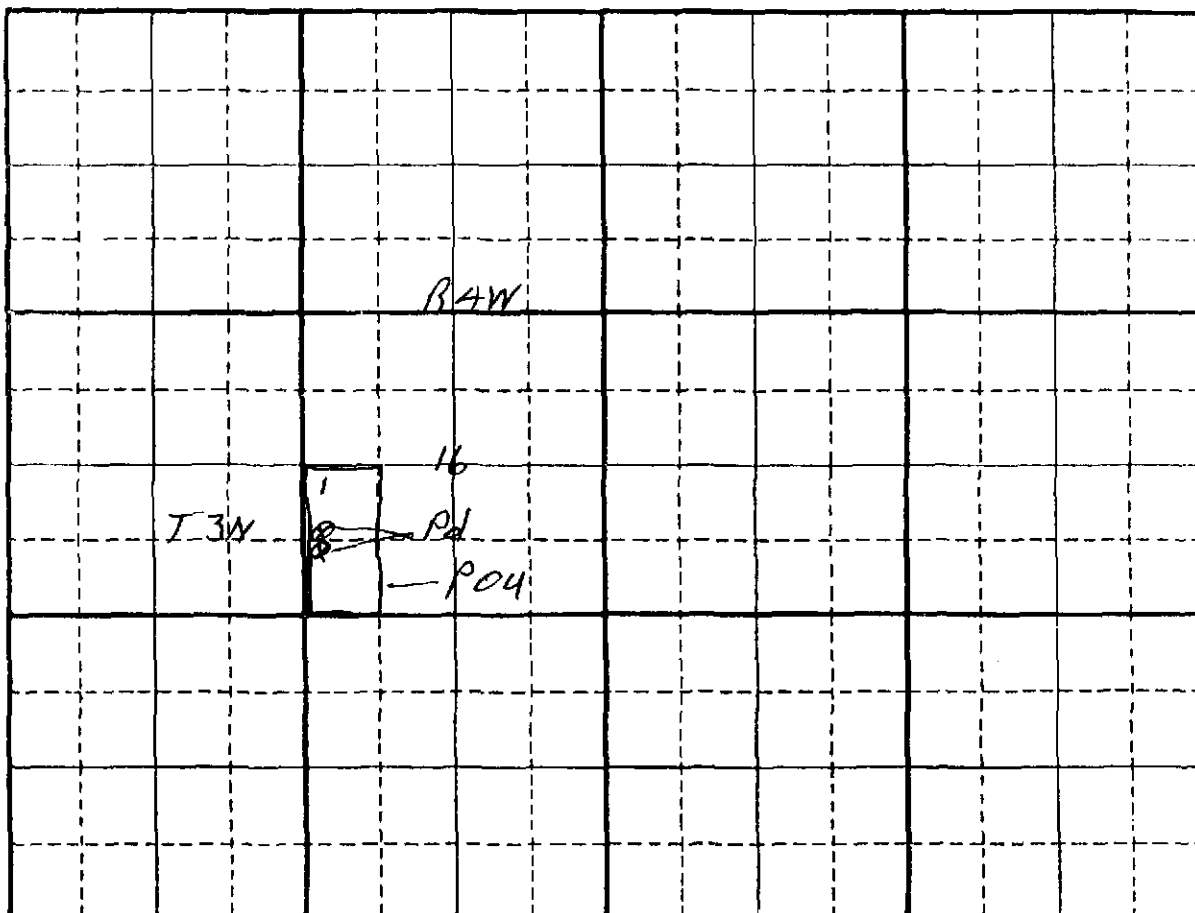
No. of acres 1

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Commercial  
use is for sprinkling large cattle feed lot for dust abatement

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Ada ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27 day of June, 1984.

X. Wayne K. Bower  
(Claimant)

Nancy M. Northway  
Notary Public  
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GLS Date 6/22/84 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by GLS Date 7/10/84 Claimant by: \_\_\_\_\_  
\$30.00 fee received by J.P. Date 6/22/84 # 34497  
Published in Press-Tribune 1/26/84  
Dates \_\_\_\_\_

# Receipt Details for ID W007775

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

## General Information:

| Date Received        | Date Deposited | Region      | Total Amount | Payment Type |
|----------------------|----------------|-------------|--------------|--------------|
| 1/19/1990 3:18:43 PM | 1/19/1990      | Western     | \$253.00     | Check        |
| <b>Payer</b>         |                | BOWER, VETA |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 154                  |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION CLAIM FEE

## Fee Detail:

| Amount   | Description            | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------------|--------|------|-------------|------------|--------|
| \$253.00 | ADJUDICATION CLAIM FEE | 410162 | 9337 | 0           | 0          | 6490   |

## Refund(s):

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

## Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount   | Type  |
|--------------|-----------------|--------------|----------|-------|
| 63           | 5357            |              | \$77.00  | Claim |
| 63           | 5358            |              | \$101.00 | Claim |
| 63           | 26964           |              | \$25.00  | Claim |
| 63           | 26965           |              | \$25.00  | Claim |
| 63           | 26966           |              | \$25.00  | Claim |

Print Report

WA  
RECEIVED

AUG 07 2006

DEPARTMENT OF  
WATER RESOURCES

July 27, 2006

Ms. Kay Walker, Sr. Water Resource Agent  
State of Idaho Department of Water  
322 East Front Street  
P.O. Box 83720  
Boise, Idaho 83720-0098

RE: Notice of Claim to a Water Right No. 63-5358

Dear Ms. Walker,

I am writing on behalf of Mrs. Jewel Black at 15133 Lon Lane, Caldwell, Idaho 83607 concerning the above water right.

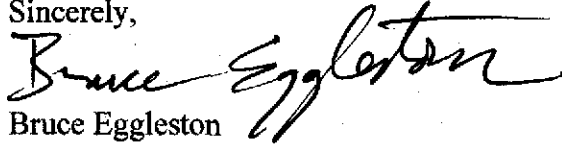
The evidence of priority of that water right use was extent when Mrs. Black purchased the property around 1995. When they moved their horse ranch operation there at that time the primary stock watering system was water taken from the unnamed drain on the southern portion of the 100-acre parcel. Water was and continues to be pumped from the drain into large rectangular concrete water tanks that might be 50+ years old. There are approximately seven to nine of those tanks that are fed from a central pumping system that resides on the bank of the unnamed lateral. The pumping system seemed quite old when the Blacks took possession of the property. I was there in 1995 to help them move in and get the ranch in operation. I helped to repair some parts of the pump and water system. Due to its age, it needed a thorough overhaul in 1995.

The water use from the drain has continued since 1995 to water livestock and provide some irrigation around the main house. I have visited weekly since 1995, as I live next door to the north, and have seen this system in operation for ten-plus years.

There are several sources of evidence available to substantiate this claim such as aerial photos, repair receipts for the pumping system, testimony of neighbors and perhaps inspections from the U.S. Department of Agriculture. I don't have access to these materials, but I know they exist.

I'd be glad to provide further help with this matter, and I can be contacted at 384-3839 during the day or at home at 455-3241.

Sincerely,

A handwritten signature in black ink that reads "Bruce Eggleston". The signature is fluid and cursive, with the first name "Bruce" and last name "Eggleston" clearly legible.

Bruce Eggleston

21750 Pear Lane

Caldwell, Idaho 83607

## Walker, Kay

---

**From:** Bruce Eggleston [brucejuli@homeinternet.net]  
**Sent:** Wednesday, August 02, 2006 5:31 AM  
**To:** Walker, Kay  
**Subject:** Notice of Claim to a water right No. 63-5358



Dept-water-resourc  
es7-27-06.do...

Dear Ms. Walker,

Attached is a letter of supporting evidence for the above water right for Mrs. Jewel Black at 15133 Lon Lane, Caldwell, Idaho. A signed paper copy will be in the mail today.

Thanks,

Bruce Eggleston  
21750 Pear Lane  
Caldwell, ID 83607

July 27, 2006

Ms. Kay Walker, Sr. Water Resource Agent  
State of Idaho Department of Water  
322 East Front Street  
P.O. Box 83720  
Boise, Idaho 883720-0098

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Sincerely,

Bruce Eggleston  
21750 Pear Lane  
Caldwell, Idaho 83607

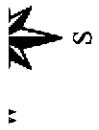
# Idaho Department of Water Resources

feed lot = 1/2 ac  
feedlot -  
up to 1000 hd in  
winter -

(per office visit  
4-14-2006) pw

Evidence will be  
coming in the  
mail -

7-21-06 Jewell Black  
will submit  
evidence - coming  
from neighbors (per  
phone con) kw



1987 Napp Photo



0 0.25 0.5 0.75 Miles

per office visit 4-14-06  
just info. w/ exam  
per office visit 4-14-06

# Idaho Department of Water Resources

Claim Number: 63-05358  
Legal: T03N, R04W, S16  
Reviewed By:

⊙ Point of Diversion



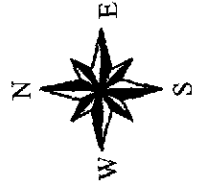
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 0.75 Miles

*for official AIA/IDE  
verify with  
Napp*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

April 11, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

DALE K OR JEWELL BLACK  
15133 LON LANE  
CALDWELL ID 83605

RE: Notice of Claim to a Water Right No. 63-5358

Dear Claimants:

In December of 1995, you submitted a notice of change in water right ownership for the above referenced claim in the Snake River Basin Adjudication (SRBA). Enclosed is a computer generated print-out of the claim for your convenience. When this claim was filed, the previous owner, Veta Bower, claimed that the water right was based on a "Statutory Claim" 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 has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right, 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 claims in this area are now being conducted by Department personnel.

The required evidence supporting the priority date must be submitted by **May 1, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

Enclosures

## COMMUNICATION DOCUMENTATION

Claim No. A63-05357 & A63-05358

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN THURTELL Date 12-21-95Contact Person(s) DALE & JEWELL BLACKNature of Contact CHANGE OF OWNERSHIP & EVIDENCE OF PRIORITY.

Substance of Communication THE BLACK'S WERE IN TO CHANGE THE OWNERSHIP ON THE ABOVE CLAIMS - BROUGHT THEIR WARRANTY DEED & I CHANGED THE OWNERSHIP & GAVE THEM THEIR COPIES. WE DISCUSSED THE EVIDENCE OF PRIORITY REQUIREMENT ON BOTH CLAIMS. MR. BLACK STATED HE COULDN'T GET THE EVIDENCE ON THE STOCKWATER FROM SPRINGS - HE WANTS TO REDUCE IT TO .23 CFS & 1000 HEAD (A63-05357) WHICH DON'T REQUIRE EVIDENCE. HE CAN GET THE EVIDENCE ON A63-05358 IN THE FORM OF AN AFFIDAVIT FROM THE PREVIOUS OWNER'S DAUGHTER. THEY TOOK AN AFFIDAVIT FORM & WILL SUBMIT IT ASAP. I TOLD THEM MARIA MINICUCCI, WOULD BE COMMUNICATING WITH THEM ABOUT THE REDUCTION OF A63-05357.

# ADJUDICATION CLAIM CHECKLIST

| WR ELEMENT            | FIELD EXAM<br>Y/N-IF NO,<br>DO OFFICE<br>VERIFICATION | FIELD EXAM<br>OR IN-OFFICE<br>VERIFICATION<br>WHOM/DATE | CLAIM<br>VERIFIED BY<br>CODE<br>(SEE BELOW) | CHANGE<br>CLAIM<br>Y/N | CLAIMANT CONTACT<br>NEEDED - Y/N** | REVIEW<br>COMPLETED<br>WHOM/DATE | NOTICE OF CLAIM NO. <u>A63-05358</u> | "R" RECORD |
|-----------------------|-------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|------------|
| PRIORITY*             | Y                                                     |                                                         |                                             |                        |                                    |                                  |                                      |            |
| PT. OF DIV.           |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| SOURCE                |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| PL. OF USE            |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| DIV. AMOUNT<br>CFS/AF |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| CONSUMPTIVE<br>USE    |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| NATURE OF<br>USE      |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| PERIOD OF<br>USE      |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| BASIS OF<br>CLAIM     |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |
| REMARKS               |                                                       |                                                         |                                             |                        |                                    |                                  |                                      |            |

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
SUBMITTED - YES    NO   

## VERIFICATION CODES

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

\*\*IF CLAIMANT CONTACT IS NEEDED, COMPLETE  
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: Stat priority is 05/15/1970. Spelling(s) in Lot 2 unclaimed (also unclaimed on A63-05357).  
Comm. use is dust abatement in feed lot

DATA ENTRY COMPLETED  
BY    DATE   

FINAL RECOMMENDATION  
BY    DATE

# ADJUDICATION MEMORANDUM

CLAIM NO.: A63-05357, -05358

SUBJECT: Evidence of priority

EMPLOYEE: T. Minicucci

DATE: 08/24/1995

The new owner of a portion of Res. Bauer's property came into the office w/ questions about the evidence of priority request letter. He indicated that the water is used as claimed, but there seems to be some question as to the source of the water (springs located in drain?). He will work on obtaining evidence. He would also like to develop wastewater to irrigate new ground. We discussed the IRR District's objections to permits from drains versus diverting the water before it reached the drain. He took an Application for Permit with him since he has not finalized his plans yet.

DATE: 06/21/95  
PAGE: 10

DIVERSION  
VOLUME

\$fj 006.0  
\$fj 006.0

**TOTAL DIVERSION:**

**Stage: STATUTORY CLAIM**

**CANYON County**

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TOTAL ACRES

[illegible]

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Ac Lt  
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Priority Date:  
Proof Made Date:  
Exam Sent to S:

03/15/1970

Water District Number:

07/31/84 05/01/88 CONVERT



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 7, 1995

A63-05357 & A63-05358  
VETA BOWER  
15133 LON LANE

CALDWELL

ID 83605

Re: Claim No(s). A63-05357  
& A63-05358

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 either a "Statutory Claim" or "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 decree, license, 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 priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not 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 claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section  
Department of Water Resources  
Western Region Office

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Enclosures