

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: A63-02719

Date Received:

Receipt No: 100 5849

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAINE FARMS 208-459-9187
Address: 15498 MONTANA AVE.
CALDWELL, ID 83605

2. Date of Priority: OCT 14, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	15	NE	SW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			2.000		
DOMESTIC					

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	15	NE	SW		IRR	35.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0

Section Acres 115.0

A63-02719

Page

1

Date: 12/09/88

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Total Acres 115.0

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:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20652

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 Organizations:

I do solemnly swear or affirm that I am Melvin Paine Pt. of Paine Farms Title Paine Farms, that I have signed the foregoing document in the space below as Melvin Paine Pt. of Paine Farms Title Paine Farms and that the statements contained in the foregoing document are true and correct.

Melvin Paine Pt.
Signature of Authorized Agent

Paine Farms
Title and Organization

2/13/90
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Feb. 19 90

Joe Dale Cook
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 6/1/94

115Ae
A63-02719

37

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2719

PAINE FARMS
15498 MONTANA AVE
CALDWELL ID 83605
Telephone Number: (208)459-9187

RECEIVED

OCT 18 2006

DEPARTMENT OF WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-18-06 SIGNATURE: Macki Paine

Please print your name: Paine Farms Macki Paine

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

✓
kw

08/29/2006

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

RIGHT NUMBER: 63-2719

NAME AND ADDRESS: PAINE FARMS
15498 MONTANA AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS

Rights 63-3325 and 63-2719 when combined shall not exceed a total diversion rate of 2.30 cfs, a total annual maximum diversion volume of 517.5 af at the field headgate, and the irrigation of 115 acres.

PRIORITY DATE: 10/14/1948

POINT OF DIVERSION:

T03N R03W S15 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S15	NESW	39.00	T03N R03W S15	NWSW	39.00
T03N R03W S15	SESW	37.00			

115 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 - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.



Idaho Department of Water Resources

SRBA Recommendation:

63-2719

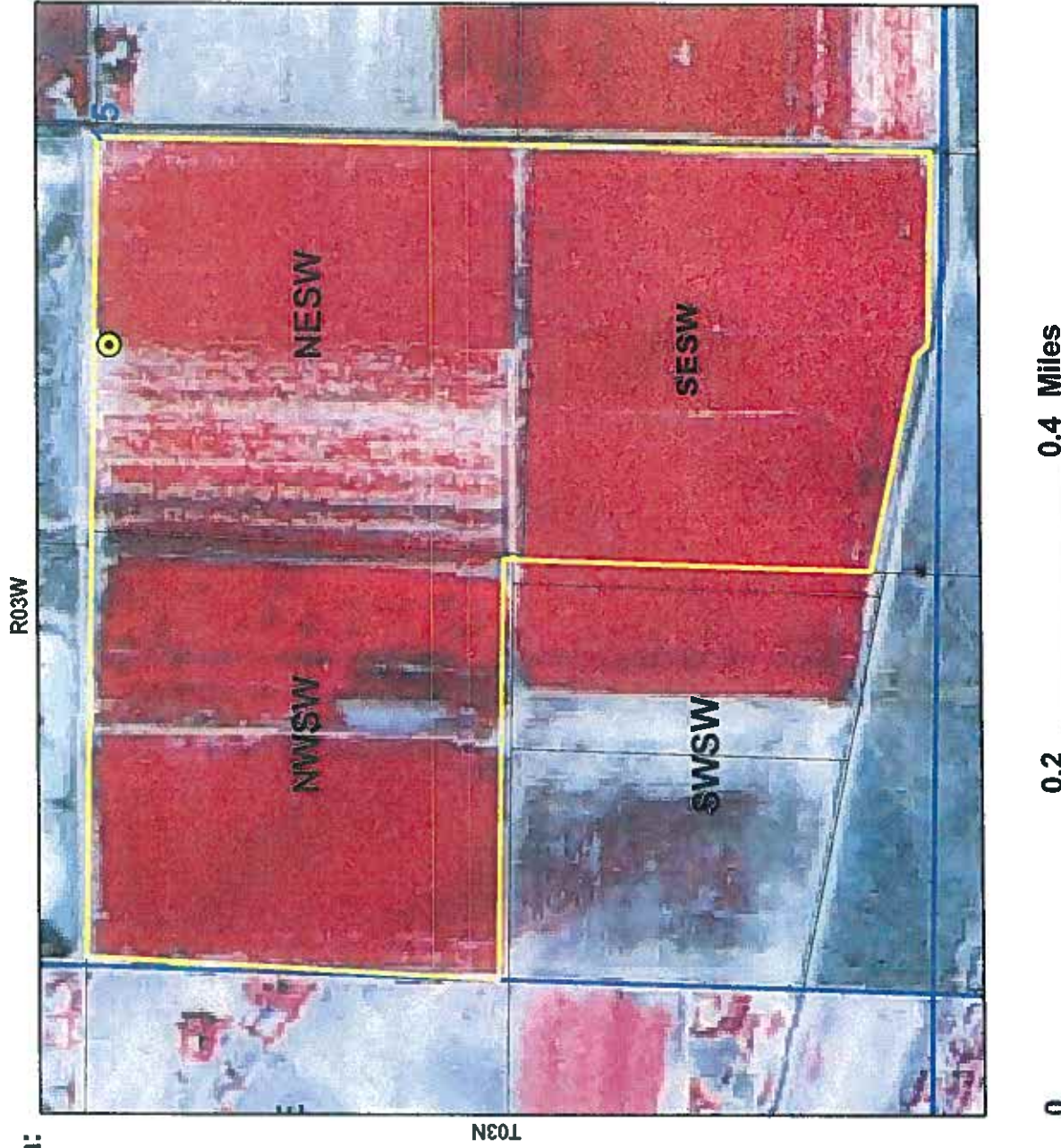
Acres = 115

Legend

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



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Tuesday, August 29, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2719

WATER RIGHT NUMBER: 63-2719

Owner Type Name and Address
 Current Owner PAINE FARMS
 15498 MONTANA AVE
 CALDWELL, ID 83605
 (208)459-9187
 Original Owner JOHN DAVID PAINE
 MARSHING, ID 83639

Priority Date: 10/14/1948

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use~~DOMESTIC~~

IRRIGATION

FromToDiversion RateAnnual Volume

2.000 CFS

2.000 CFS

517.5

517.5
(115 x 4.5)Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SW1/4

Sec. 15, Twp 03N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	15																	115.0

Total Acres: 115

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

* when combined w/63-3325
 $115 \times 0.02 = 2.30 \text{ cfs}$
 $115 \times 4.5 = 517.5 \text{ AFA}$
 115 acres when combined.

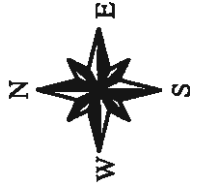
not on
LicenseRecommend
standard
Seasonnot claimed-
no season
no rate
no plu
no non-irrig
uses listedper contractor's
review & my
concurrence

Idaho Department of Water Resources

Claim Number: 63-02719
Legal: T03N, R03W, S15
Reviewed By: *Kay Walker*
8/28/06

Acres = 115

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



(prepared by K. Waters)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2719

03/06/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2719	Claim	03N	03W	15	NE	SW		IRRIGATION	35/115	PAINE FARMS
3325	Claim	03N	03W	15	NE	SW		IRRIGATION	14/62	PAINE FARMS
2719	Water Right	03N	03W	15	NE	SW		IRRIGATION	35/115	JOHN DAVID PAINE
3325	Water Right	03N	03W	15	NE	SW		IRRIGATION	14/62	JOHN DAVID PAINE
2719	Claim	03N	03W	15	NW	SW		IRRIGATION	40/115	PAINE FARMS
3325	Claim	03N	03W	15	NW	SW		IRRIGATION	39/62	PAINE FARMS
2719	Water Right	03N	03W	15	NW	SW		IRRIGATION	40/115	JOHN DAVID PAINE
3325	Water Right	03N	03W	15	NW	SW		IRRIGATION	39/62	JOHN DAVID PAINE
2719	Claim	03N	03W	15	SE	SW		IRRIGATION	40/115	PAINE FARMS
3325	Claim	03N	03W	15	SE	SW		IRRIGATION	9/62	PAINE FARMS
2719	Water Right	03N	03W	15	SE	SW		IRRIGATION	40/115	JOHN DAVID PAINE
3325	Water Right	03N	03W	15	SE	SW		IRRIGATION	9/62	JOHN DAVID PAINE

OL w/63-3325
see limiting
quantity remark.
KCW

Receipt Details for ID M005849

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/13/1990 9:03:26 AM	2/13/1990	Mobile	\$556.00	Check
Payer	PAINE FARMS			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
7350			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$556.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2741		\$50.00	Claim
63	7185		\$130.00	Claim
63	3325		\$54.00	Claim
63	2719		\$165.00	Claim
63	2718		\$157.00	Claim

Print Report

State of Idaho
License and Certificate of Water Right

Water License No. 20652

Amount 2.0 c.f.s.

Water District No.

Priority October 11, 1950

THIS IS TO CERTIFY that JOHN DAVID PAINE of Marsing, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 13, 1948; that Permit No. 20652 was issued under said application, that Certificate of Completion of works, with a carrying capacity of 3.0 second feet, was issued thereunder on September 20, 1956, showing that said works were completed on the 13 day of September, 1956; and that on the 23rd day of October, 1959,

JOHN DAVID PAINE

of Marsing State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic

use, under Use Permit No. 20652 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6900, on the 15 day of June, 1960;

The right hereby confirmed dates from October 11, 1948;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 15, Tp. 3 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	15	NE 1/4 SW 1/4	40	35
			NN 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		115

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

June

1960

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20652This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant John David Paine
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 wells in NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 15
T. 3 N. R. 3 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 200' x 12" Cid to bot
40 hp. M.S. #1061925-440V.
Sanve B. #4 stage 10" 8" x 160' h=90' dd=7'
900 gpm @ 152 Model 10 R.H. #22547 40" of conc. base
to protect G.E. Control Panel & SE 10'
2.1' dia.
5. Water is used for: _____
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres, N $\frac{1}{2}$ SW $\frac{1}{4}$ 80 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres all in T. 3 N., R. 3 W., B.M.

Pump rating was checked against
formula and depth of lift.
Impossible to use either wire or spalling
meter.
Concrete tower by well.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Mr. Paine son along.
water goes into closed pipe line under
pressure.
This is tied in with a similar system
adjoining on the East.

This examination was made on the 3 day of June, 1960(Signed) E. H. Humphrey Examiner.

20652

11-2-7-2000
1300-1000

John David Paine
Marsing, Idaho
Martin Paine, JW 64373
6208 Permit No. 20652
Nampa
3.8x10 = demand.
4400 meters ± 53210459

Examination for Beneficial Use

County Canyon

INSTRUCTIONS TO EXAMINERS

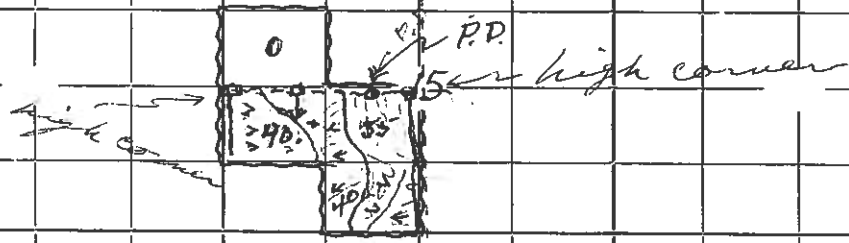
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 5 1960
Department of Reclamation

R-3W.

STATE HWY. No. 20
TO NAMPA

T.
3
N.



Subdivisions = 3

Area = 115 acres

Q = 2 qfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20652

REPORT ON PROOF OF Beneficial Use

John David Paine
Marsing, Idaho

N^o 20652
63-2719

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28284
PERMIT No. 20652
DISTRICT No.

1. Name of Applicant: JOHN D. PAINE

Postoffice address: Marsing

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 150 inches or 3 cubic feet per second.

3. Source of water supply: Subterranean from well which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 15 , T. 3 N. , R. 3 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$3,000.00

8. Kind of works: Well, pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 8 to 10 inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

JOHN D. PAINE

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:50 A. M. September 13, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20652

Recorded in Book 74 Page 20652 Approved September 22, 1948

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before November 22, 1948

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 22, 1951

The whole of said work to be completed on or before September 22, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before September 22, 1959

WITNESS My hand this 22nd day of September, 1948

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd

day of September, 1948

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: The water herein applied for is to be used in connection with Desert-Land Entry, for the E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township 3 North, Range 3 West, B. M.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N.	3 W.	15							30		40	40		40					150

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Whereas, John D. Paine of Larsing, Idaho, is the owner and holder of Permit No. 20652, dated September 13, 1948, under the terms and conditions of which construction of works was to be completed on or before September 22, 1953, and

Whereas, said permit was issued in connection with a desert land entry filed in the Bureau of Land Management, and

Whereas, said permit holder was not permitted to go on the land until his desert land entry was allowed, November 15, 1951.

Now, therefore, an extension of time is allowed for completion of works on Permit No. 20652 for the length of time permit holder was prevented from entering the land, or until November 15, 1956, and a similar extension is allowed for any and all acts required under the terms and conditions of Permit No. 20652.

Signed at Boise, Idaho, this 17th day of September, 1953.

MARK R. KULP

State Reclamation Engineer