

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: A63-03183A

Date Received: ~~9/18/1995~~ 9/20/95

Receipt No: 13019894

Received By: [Signature]

↑ fee
rec'd.
kw

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

1. Name: RICHARD L KINCHELOE 208-459-2857
Address: 20521 PEAR LANE
CALDWELL ID 83605

AND/OR

Name: STEPHANIE R KINCHELOE 208-459-2857
Address: 20521 PEAR LANE
CALDWELL ID 83605

2. Date of Priority: MAR 1, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	9	SE	NE			CANYON

5. Description of diverting works:

240' WELL, 25 HP PUMP, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		124.70

7. Total Quantity Appropriated is:

0.420 C.F.S. (and/or) 124.70 A.F.A.

8. Total consumptive use is 97.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	9	NE	NE		IRR	3.8

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	9	SE	NE		IRR	23.9
Section Acres							27.7
Total Acres							27.7

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:

THIS CLAIM IS FILED FOR A PORTION OF LICENSED RT. 63-03183.

15. Basis of Claim: LICENSE

Water Right Number: 28505

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: 1

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): Richard Finckel Date: Sept-18, 1995

Date: _____

State of Idaho)
County of Ada) SS.

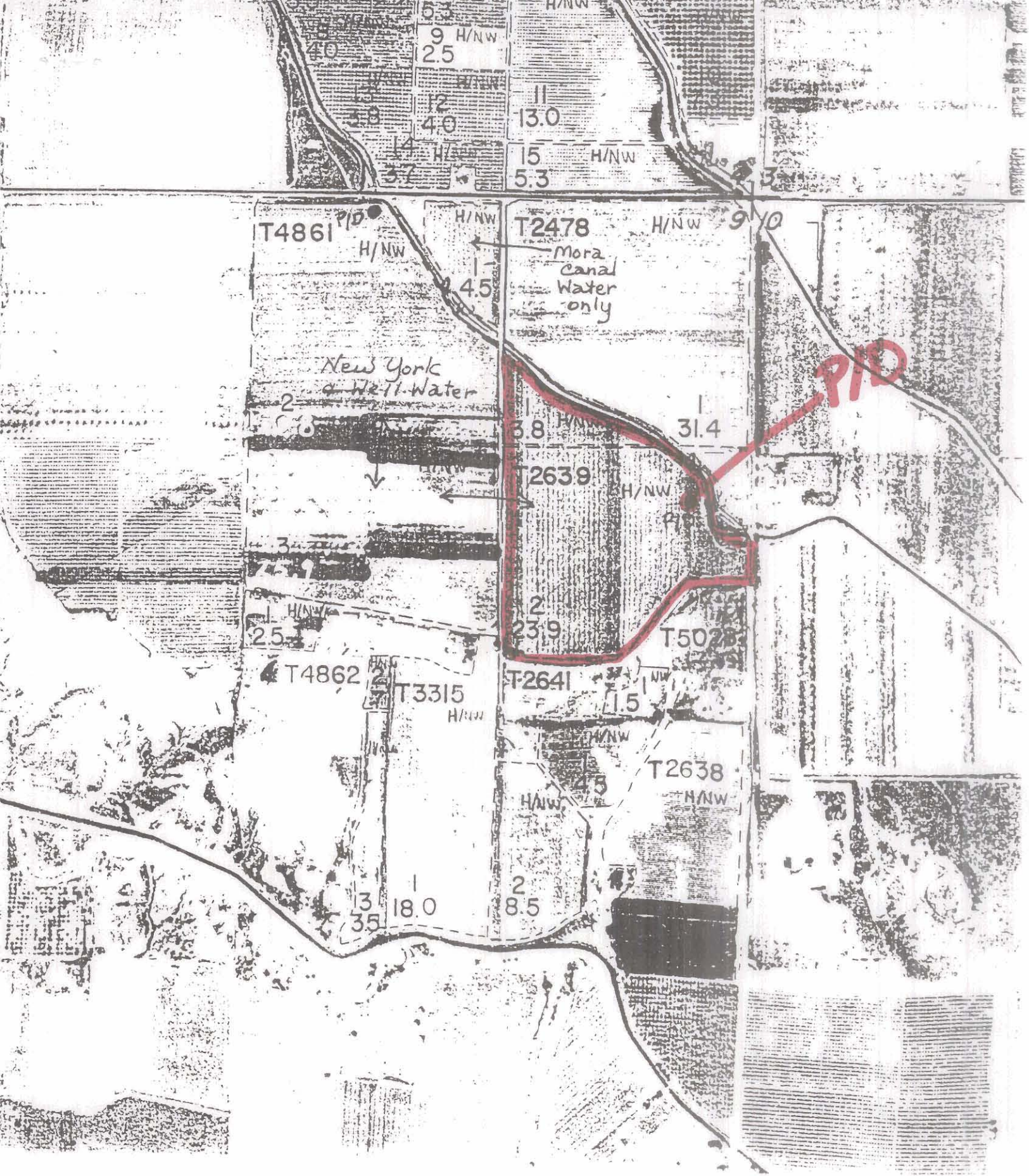
Subscribed and sworn (or affirmed) before me this 18th day
of September 19 95

Kathryn A. Walker
Notary Public

Seal

Residing at Eagle, Idaho

My Commission Expires 2-14-1999



3N-4W-9

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

RIGHT NUMBER: 63-3183A

NAME AND ADDRESS: RICHARD L KINCHELOE
20521 PEAR LN
CALDWELL ID 83605

STEPHANIE R KINCHELOE
20521 PEAR LN
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.420 CFS
124.700 AFY

PRIORITY DATE: 03/01/1960

POINT OF DIVERSION:

T03N R04W S9 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.420 CFS 124.70 AFY
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County

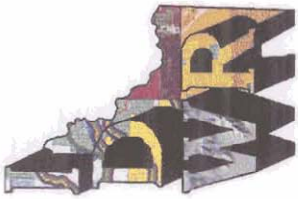
T03N R04W S09	NENE	5.70	T03N R04W S09	SENE	22.00
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27.7 ACRES TOTAL

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



Idaho Department of Water Resources

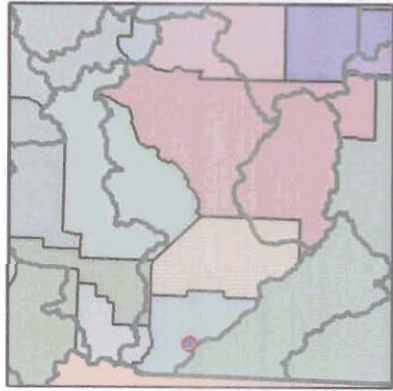
SRBA Recommendation:

63-3183A

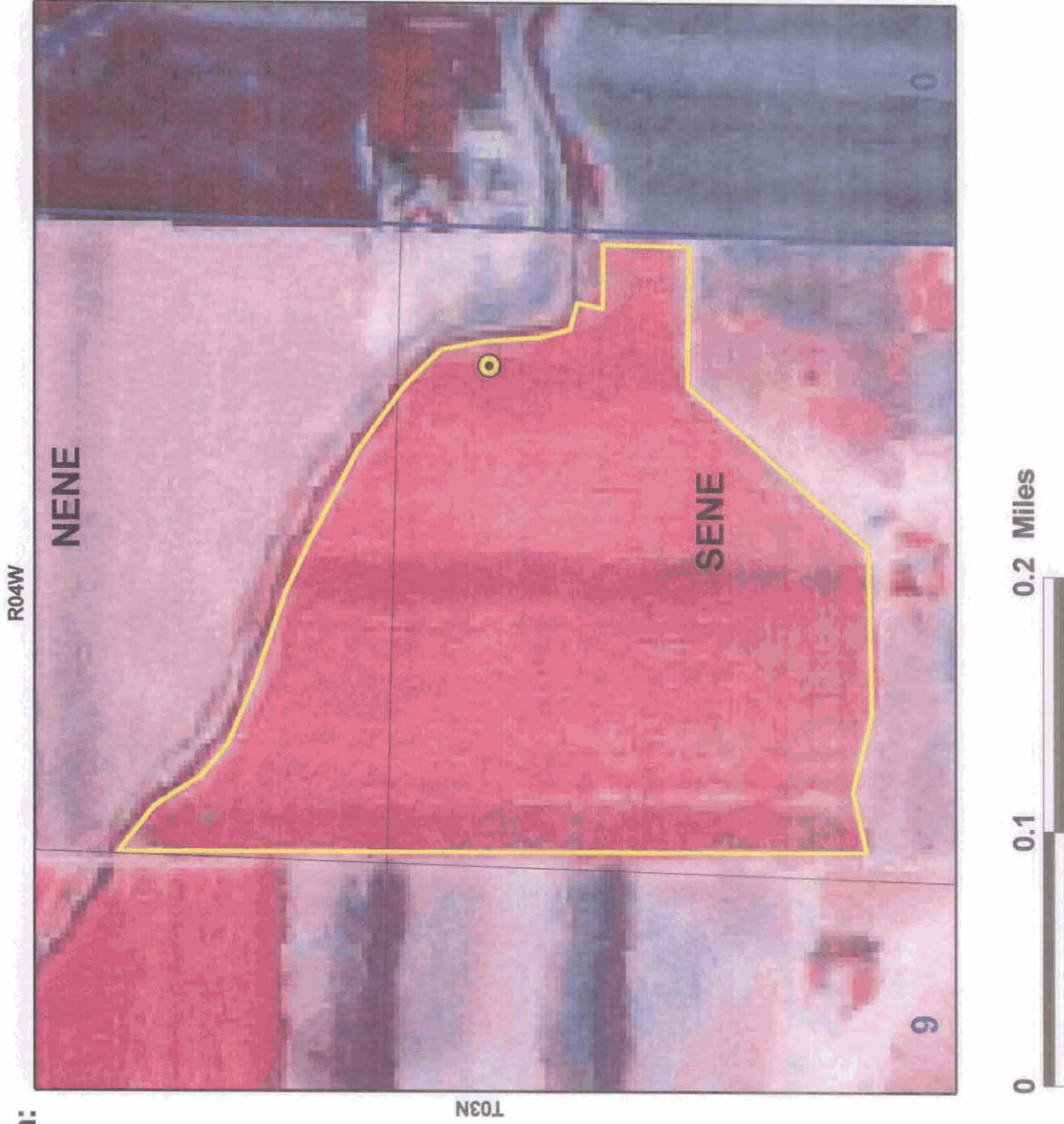
Acres = 277.17

Legend

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



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Wednesday, May 17, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3183A

WATER RIGHT NUMBER: 63-3183A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD L KINCHELOE 20521 PEAR LN CALDWELL, ID 83605 (208)459-2857
Current Owner	STEPHANIE R KINCHELOE 20521 PEAR LN CALDWELL, ID 83605 (208)459-2857
Original Owner	EMANUEL ROHN RT 10 BOX 343 CALDWELL, ID 83605 (208)376-0724

Priority Date: 03/01/1960 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To ✓

3/15 to 11/15 ✓

Diversion Rate ✓

0.420 CFS ✓

Annual Volume ✓

124.70 AF ✓

Total Diversion:

0.420 CFS ✓

124.70 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SE1/4NE1/4 ✓

Sec. 9, ✓

Twp 03N, ✓

Rge 04W, 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	04W	9	3.8			23.9													27.7

Total Acres: 27.7

Conditions of Approval:

- THIS CLAIM IS FILED FOR A PORTION OF LICENSED RT. 63-03183.

Remarks:

claimed portion of license -

lic 0.66 cfs/44 ac
 $= 0.015 \text{ cfs/ac}$
 $\times 27.7 = 0.42 \text{ cfs}$

lic = 198 AF/44 ac
 $= 4.5 \text{ AF/ac}$
 $\times 27.7 = 124.65 \approx 124.7 \text{ AF}$

OK w/ Wilder Dist.
~~*Shrig.*~~
~~*NO*~~

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3183

WATER RIGHT NUMBER: 63-3183

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMANUEL ROHN RT 10 BOX 343 CALDWELL, ID 83605 (208)376-0724

Priority Date: 03/01/1960

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.660 CFS	198.00 AF
DOMESTIC	1/01 to 12/31	0.020 CFS	0.60 AF
	<u>Total Diversion:</u>	0.660 CFS	198.60 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 9, Twp 03N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	9	5.0			28.0									11.0				44.0

Total Acres: 44

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	9				X													

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3183A

03/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3183A	Claim	03N	04W	9	NE	NE		IRRIGATION	3.8/27.7	RICHARD L KINCHELOE
3183	Water Right	03N	04W	9	NE	NE		IRRIGATION	5/44	EMANUEL ROHN
3183A	Claim	03N	04W	9	SE	NE		IRRIGATION	23.9/27.7	RICHARD L KINCHELOE
3183	Water Right	03N	04W	9	SE	NE		IRRIGATION	28/44	EMANUEL ROHN
3183	Water Right	03N	04W	9	SE	NE		DOMESTIC		EMANUEL ROHN

no ok

Receipt Details for ID W019894

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/21/1995 7:54:53 AM	9/21/1995	Western	\$78.00	Check
Payer	ROBISON FRUIT RANCH INC.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
23565			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$78.00	ADJUDICATION CLAIM FEE	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3183	A	\$78.00	Claim

Print Report

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28505/63-3183 priority March 1, 1960 Amount 0.66 cfs

THIS IS TO CERTIFY, that EMANUEL ROHN
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 28505/63-3183 issued pursuant to Application for Permit dated March 1, 1960
and has submitted proof to the Department of Water Administration on April 13, 1964
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.66 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.66 for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)

Amount 0.02 for domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.66 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp. 3 N, Rge. 4 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 198 acre feet per year or _____

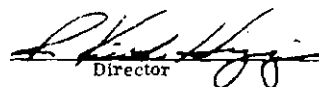
4.6 acre feet per acre for irrigation use and 0.6 acre feet per year for
domestic use with the total amount not to exceed 198.6 acre feet
per year.

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	4 W	9	5			28									11				44
Domestic Use:																			
3 N	4 W	9				X													

Total number of acres irrigated 44

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
October, 19 71.


Director

63 3183

100215

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

Permit No. G-28505

This proof is for Comp. of Works & B. U.

In Water District No.

1. Name of applicant: Emanuel Rohn
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE ^{NE} 1/4 of Section 9
T. 3N R. 1W County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
25 H.P. U.S. Motor # 3103097 Jacuzzi Pump # W.M.D. 58
Discharges thru 6" main line to the south
5. Water is used for: Irrigation and domestic
6. State whether or not water has been turned into works of diversion:
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):
NE 1/4, SE 1/4, NW 1/4, SE 1/4, Section 9, 1N-1W making a total of 44.1 acres to be irrigated

(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. H. Akimoto present during test he irrigates the land involved

Measured by Rev. Flowmeter ID: 578" 27.1 gpm Minimum diff. 11.0 = 296 gpm

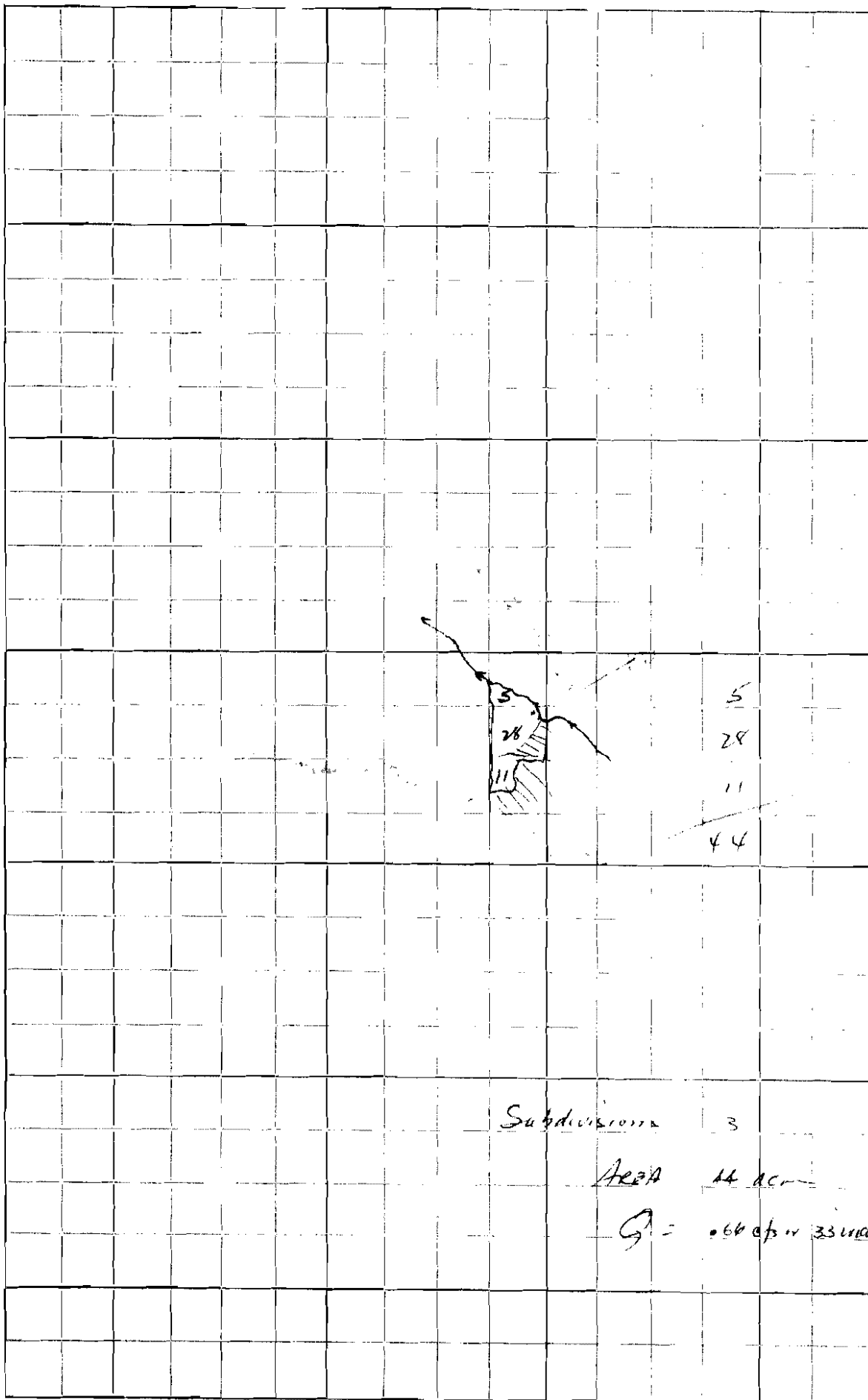
This examination was made on the 12th day of August, 1965

(Signed)

Don White

Examiner.

28505



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

Application for Amendment

LAND LIST

Permit No. 28505

RECEIVED
MAR 4 1964

Comes now Emanuel Robn, Department of Reclamation, and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 28505, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

10⁰⁰ NE 1/4 of the NE 1/4^{33 2} SE 1/4 of the NE 1/4, .9 acres
NE 1/4 of the SE 1/4, sec. 9, T. 3 N, R. 4 W

, making a total of 44.1 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Ida. this 4th day of March, 1964

Emanuel Robn

Date of receipt at office of Department of Reclamation March 4, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, Carl E. Tappan, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 28505. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 100 of
Permits, at Page 28505
March 11, 1964

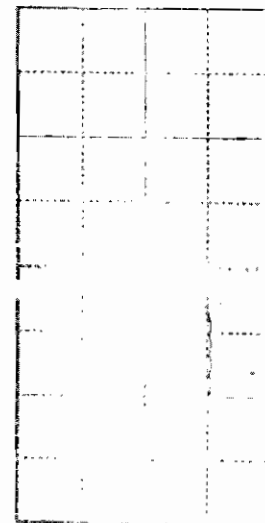
Carl E. Tappan
State Reclamation Engineer

28505

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36480
Permit No. G- 28505
District No.

1. Name of Applicant: Emanuel Rohn
Postoffice address: 208 So. 6th Av. / Saltwell County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 0.8 or Idaho
Miners' inches 40 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 9
Twp. 3 N , Rge. 4 W , B.M. County of Canyon
5. Water is to be used for: Irrigation and domestic
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Turbine type pump - electric motor and sprinklers
8. Estimated cost of works: \$ 6500.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (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 (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued.
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 1.26 acre ft. from Mora Canal
 - (a) 0.8 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.



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

s/ Emanuel Rohn Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 11:20 A.M. March 1, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28505

Recorded in Book 100 Page 28505 Approved March 8, 1960

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

One-fifth of the work above specified to be completed on or before September 8, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 8, 1965

Witness my hand this 8th day of March, 1960 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SHYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, 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 8th
day of March, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS Secretary of State.

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
3 N	4 W	9	10	30			40
Application for Amendment LAND LIST Permit No. G-28505 Comes now EMANUEL ROHN and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28505, and requests that the list of lands to be irrigated, as described in said permit be changed to read as follows: 10 acres NE¼ of the NE¼, 33.2 acres SE¼ of the NE¼, 9 acres NE¼ of the SE¼, Sec. 9, T. 3 N., R. 4 W., making a total of 44.1 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Boise, Ida., this 4th day of March, 1964. s/ Emanuel Rohn Date of receipt at office of Department of Reclamation March 4, 1964 APPROVAL OF STATE RECLAMATION ENGINEER I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28505. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. s/ CARL E. TAPPAN State Reclamation Engineer Recorded: March 5, 1964 LICENSE ISSUED FOR 0.66 SEC. F1. LICENSE PAG NO.							

NAME OF APPLICANT

Emmanuel Roha

Form No. 0

Section 9:

Range 4 W.

Twp 3 N.

Mora Canal

Well x

Amended to include .9 acre 3/4/64

Permit Map No. 28505

As Approved

GEO. N. CARTER

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

28505