

RECEIVED

DEC 23 1999

WATER RESOURCES
WESTERN REGION

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: A63-02724B

Date Received: 12/20/1999

Receipt No: W026017

Received By: Rh

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

1. Name: AGENBROAD NAMPA LIMITED PARTNERSHIP 208-834-2469
Address: PO BOX 455
GRAND VIEW ID 83624

2. Date of Priority: OCT 12, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	02W	27	NW	NE			CANYON

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	1.040		

7. Total Quantity Appropriated is:
1.040 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
02N	02W	27	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	120.0
					Total Acres	120.0

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

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 General Manager of _____ Title

Nampa Family Limited Partnership, that I have signed the foregoing Organization

document in the space below as General Manager of Title

Ok Nampa Family Limited Partnership and that the statements contained in the Organization

foregoing document are true and correct.

Ardis C. Agenbrood
Signature of Authorized Agent

Nampa Family Limited Partnership
Title and Organization

December 22, 1999
Date

State of Idaho)
County of Puget) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of December 19 99

Linda Smith
Notary Public

Seal

Residing at Mt Home, Id

My Commission Expires 4-18-2000

11/08/2006

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

RIGHT NUMBER: 63-2724B

NAME AND ADDRESS: AGENBROAD NAMPA LIMITED PARTNERSHIP
PO BOX 455
GRAND VIEW ID 83624

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.040 CFS
534.000 AFY

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION:

T02N R02W S27 NWNE 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	1.040 CFS 534.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S22	SESW	40.00	T02N R02W S22	SWSE	40.00
T02N R02W S22	SESE	40.00			

120 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

All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

06/21/2006

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

RIGHT NUMBER: 63-2724B

NAME AND ADDRESS: AGENBROAD NAMPA LIMITED PARTNERSHIP
PO BOX 455
GRAND VIEW ID 83624

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.040 CFS
540.000 AFY

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION:

T02N R02W S27 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.040 CFS

~~540.00 AFY~~

534. AF

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S22 SESW 40.00

T02N R02W S22 SWSE 40.00

T02N R02W S22 SESE 40.00

120 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.

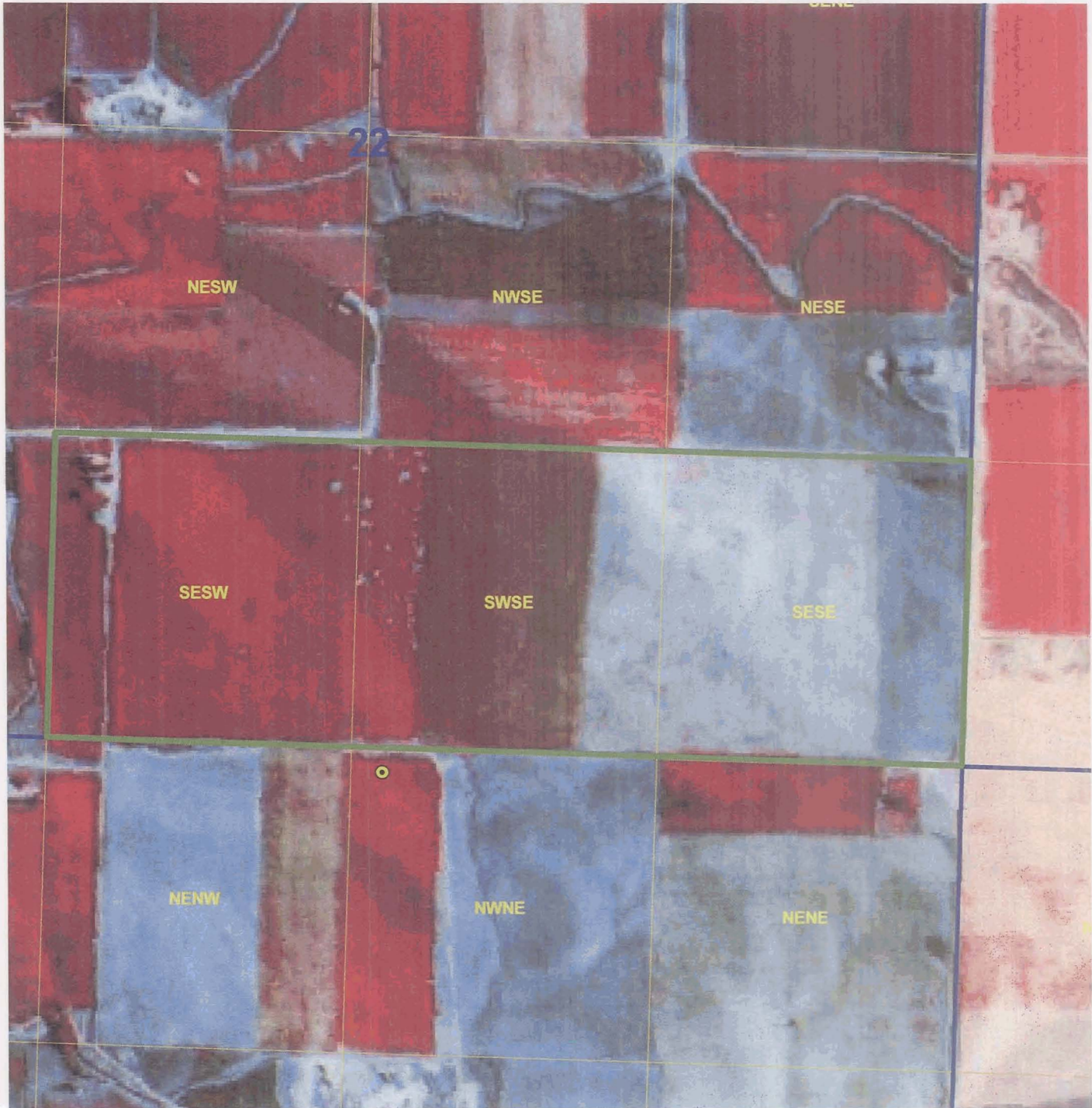
EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

63-2724B

T02N R02W S22



● Point of Diversion

▭ Place of Use

▭ Sections

▭ Quarter Quarter

Total irrigated
acres = 120



700 0 700 Feet

IDWR

Prepared by: Sandy Egbert

Date: April 24, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2724B

WATER RIGHT NUMBER: 63-2724B

Owner Type Name and Address
 Current Owner AGENBROAD NAMPA LIMITED PARTNERSHIP
 PO BOX 455
 GRAND VIEW, ID 83624
 (208)834-2469

Priority Date: 10/12/1948 ✓

Basis: License ✓

Status: Active ✓

Source Tributary
 GROUND WATER ✓

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION ✓ 3/01 to 11/15 1.040 CFS ✓
 Total Diversion: 1.040 CFS ✓

540 4.5 x acres

Location of Point(s) of Diversion

GROUND WATER
 CANYON County

NW1/4NE1/4 ✓

Sec. 27, Twp 02N, Rge 02W, B.M.

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	
02N	02W	27																	40.0
		22																	40.0
																			40.0
																			120.0

Total Acres: 120

They aren't licensed for
 these Q's in S 27
 but they are in S 22

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Changed the section to 22 since it looks like a
 typographical error. The Q's claimed are
 in section 22 on the license and not S 27
 No transfer has been filed to change the
 POA from S 27 to S 22 so I am assuming
 it was claimed in the wrong section.

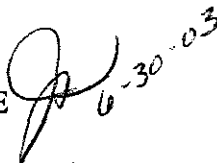
**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2724B**

03/27/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~63-2724B~~	Claim	02N	02W	27	SE	SW		IRRIGATION	40/120	AGENBROAD NAMPA LIMITED PARTNERSHIP
~~63-23796~~	Water Right	02N	02W	27	SE	SW		DOMESTIC		JAMES A MC KEAN
~~63-2724B~~	Claim	02N	02W	27	SW	SE		IRRIGATION	40/120	AGENBROAD NAMPA LIMITED PARTNERSHIP
~~63-21896~~	Water Right	02N	02W	27	SW	SE		STOCKWATER		RONALD I BLICKENSTAFF
~~63-23490~~	Water Right	02N	02W	27	SW	SE		STOCKWATER		MARY HELEN HALL
~~63-23492~~	Water Right	02N	02W	27	SW	SE		STOCKWATER		DERRILL DWAIN HALL
~~63-23507~~	Water Right	02N	02W	27	SW	SE		STOCKWATER		DERRILL DWAIN HALL
~~63-21896~~	Water Right	02N	02W	27	SW	SE		DOMESTIC		RONALD I BLICKENSTAFF
~~63-23490~~	Water Right	02N	02W	27	SW	SE		DOMESTIC		MARY HELEN HALL
~~63-23492~~	Water Right	02N	02W	27	SW	SE		DOMESTIC		DERRILL DWAIN HALL
~~63-23507~~	Water Right	02N	02W	27	SW	SE		DOMESTIC		DERRILL DWAIN HALL
~~63-2724B~~	Claim	02N	02W	27	SE	SE		IRRIGATION	40/120	AGENBROAD NAMPA LIMITED PARTNERSHIP
63-31395	Claim	02N	02W	27	SE	SE		IRRIGATION	20/90	RONALD I BLICKENSTAFF
63-31396	Claim	02N	02W	27	SE	SE		IRRIGATION	5/5	RONALD I BLICKENSTAFF
63-7610B	Water Right	02N	02W	27	SE	SE		IRRIGATION	5/5	KEITH BRIGGS

MEMORANDUM

TO: JAN SHURTE  6-30-03
FROM: DANIEL A. NELSON
DATE: 6/30/03
SUBJECT: TRANSFER 69662 FOR RONALD BLICKENSTAFF

This memo is to confirm our conversation with Gary Spackman concerning transfer 69662 for Ronald Blickenstaff. This transfer proposed to split 5 acres off of 63-7610A for a separate system. There has been a problem with this transfer due to the way that 63-7610A was licensed and the way a transfer creating water right 63-7610B was approved.

HISTORY

Water right 63-2724 was licensed for 220 acres with a diversion rate of 1.90 cfs from groundwater. Some time later water right 63-7610 was licensed for 3.90 cfs and 200 acres. Water right 63-7610 is deceiving because only 2.00 cfs was developed with the drilling of a new well, however, the well developed under 63-2724 was added onto the water right. Therefore, a condition was placed on the water right that when 63-2724 and 63-7610 are combined they would be limited to a maximum diversion rate of 3.90 cfs.

A transfer was later filed that split 5 acres off of 63-7610. In this split the department gave 0.097 cfs for the 5 acres being split or a proportionate share of the 3.90 cfs. This new portion of the water right was given the number of 63-7610B. The transfer incorporated the condition that when 63-2724, 63-7610A, and 63-7610B are combined they will be limited to a total diversion rate of 3.90 cfs. The remainder of 63-7610 (now 63-7610A) and 63-2724 remained under the original owners name, which would make this condition feasible.

Water right 63-7610A has since been sold to new ownership and been split a few more times. A portion of 63-2724 has also been sold and split into separate ownerships.

CONCLUSION

The number of times these two water rights have been split, make monitoring all of these wells to ensure there is not an expansion of the diversion rate is impossible. Therefore, it has been proposed that we split the diversion rates into the well capacities developed with these rights. In order to do this we will need the cooperation of the Adjudication Staff to ensure all of the rights are distributed equally.

The well capacity developed under 63-2724 is 1.90 cfs, well capacity developed under 63-7610 was 2.00 cfs. Therefore the following calculations show the amount of water that can be allocated per acre:

$$1.90 \text{ cfs} / 220 \text{ acres} = 0.008636364 \text{ cfs/acre for water right 63-2724}$$

$$2.00 \text{ cfs} / 200 \text{ acres} = 0.01 \text{ cfs for water right 63-7610}$$

There are few acres that are overlapped by both water rights. The amount of water allowed on those acres would be a combination of the two per acre rates.

The only problem faced with this scenario is how can we deal with the existing transfer for 63-7610B in the SRBA. The solution to this problem is to combine the above diversion rates for a portion of both rights for the 5 acres and reduce the diversion rate for the remaining lands under 63-2724. The following are the calculations for this exercise:

$$0.008636364 \text{ cfs/ac} + 0.01 \text{ cfs/ac} = 0.018636364 \text{ cfs/ ac} \times 5 \text{ acres} = 0.09 \text{ cfs for water right 63-7610B.}$$

$$0.008636364 \text{ cfs/ac} \times 5 \text{ acres} = 0.04 \text{ cfs should be removed from 63-2724}$$

$$0.01 \text{ cfs/ac} \times 5 \text{ acres} = 0.05 \text{ cfs should be removed from 63-7610}$$

Therefore 63-2724 will be reduced by 0.04 cfs for the 220 acres of ground.

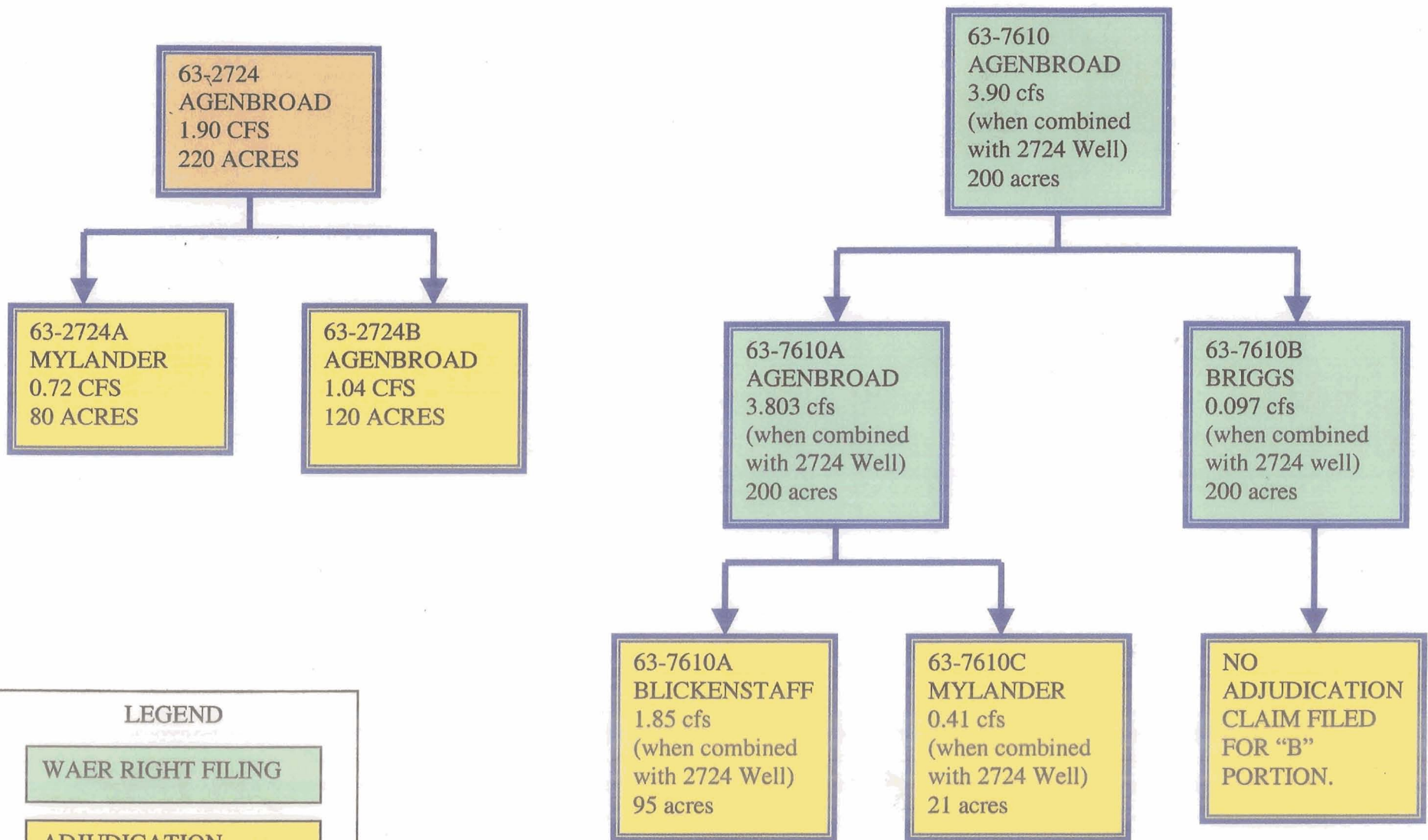
$$1.90 \text{ cfs} - 0.04 \text{ cfs} = 1.86 \text{ cfs for water right 63-2724}$$

$$1.86 \text{ cfs} / 220 \text{ acres} = 0.008454545 \text{ cfs/acre for 63-2724}$$

Water right 63-7610B is listed at a diversion rate of 0.097 cfs; therefore, we may have to recommend this right for 0.097cfs with a condition similar to the following:

Due to splits in the original irrigation system, the maximum amount of water that is available for appropriation of this water right is 0.09 cfs.

Therefore, each split should be recommended with a diversion rate equal to the rate per acre proposed above. The annual volume should not be affected by the splits. The only change would be an adjustment of the amount of water diverted from each water right.



LEGEND

WAER RIGHT FILING

ADJUDICATION
CLAIM SPLITS

ADJUDICATION
CLAIM FILED LIKE
WATER RIGHT

63-2724 was licensed with a capacity of 1.90 cfs. 63-7610 added a well with the capacity of 2.00 cfs and included the well licensed under 63-2724 for a total diversion rate of 3.90 cfs. The department then conditioned 63-7610 that when combined with 63-2724 it is limited to a combined diversion rate of 3.90 cfs. The properties have been split and the wells are no longer connected to the same system. Therefore, regulating the combined rights would be impossible.

522

SECTION 22 T2N R2W==>

SWSW

SESW

SWSE

SESE

40

40

40

40

40

NWNW

NENW

NWNE

NENE

20

40

40

40

40

40

11

2

10

SECTION 27 T2N R2W ==>

WELL FOR WATER RIGHT 63-2724

- 2 WELLS FOR WATER RIGHT 63-7610 AND SPLITS.
(PLEASE NOTE THAT 63-7610 AND 63-2724 SHARE THE SAME WELL IN THE NWNE S27

SENW

SWNE

SENE

40

40

40

40

40

40

35

40

35

40

40

SWSW

SESW

SWSE

5

63-2724A CLAIM

63-2724B CLAIM

63-7610A CLAIM

63-7610C CLAIM

63-10064 WR

63-2724 WR

63-7610A WR

63-7610C WR

SCANNED

DEC 04 2002

SCANNED

DEC 4 2002

State of Idaho License and Certificate of Water Right

Water License No. 20699

Amount 1.9 second feet

Water District No.

Priority October 12, 1948

THIS IS TO CERTIFY that JAMES D. AGENERROAD

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1948; that Permit No. 20699 was issued under said application; that Certificate of Completion of works, with a carrying capacity of three second feet, was issued thereunder on July 13, 1953, showing that said works were completed on the 8th day of July, 1953; and that on the 20th day of August, 1953,

JAMES D. AGENERROAD

of Nampa, 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, ~~contributing to~~ (subterranean flow), for the purpose of irrigation and domestic use, under Use Permit No. 20699 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 9 of Licenses at page 5238, on the 2nd day of March, 1954; The right hereby confirmed dates from October 12, 1948;

The Point of Diversion is located in the NW 1/4 of Sec. 27, T. 2 N., R. 1 E., 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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	2 E.	22	SE 1/4 SW 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		27	NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	23	20
Number of Acres Actually Irrigated -				-	220

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 2nd day of March, 1954.

(SEAL)

MARK R. KULP
State Reclamation Engineer.

43-2724

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

Permit No. 20699This proof is for Beneficial Use In Water District No. _____1. Name of applicant James D. Agenbroad, Rte. 3, Nampa, Idaho2. Source of water supply: Subterranean from a well3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 27T. 2 N. R. 2 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: No well house, no protection. Panel on two poles to the West supporting switches and control units. 250 ft. of 12 in. casing and balance is 8 in. diameter. Total depth approximately 750 ft. Static H. 160 ft. ~~225~~ down estimated 20 ft. 160 ft by 8 in. column pipe. 82 ft of suction pipe. 13 stages and 10 1/2 bowls. 125 HP, G. E. Motor, 440 Volts, 150 amps., 1760 RPM. No. RE6759010. P. M. Pomona Turbine. PUMP No. PF9466. Delivery through an 8 in. pipe to North to a large welded drum, used as a sand trap. From this drum pipe lines extend for a sprinkler system. Approximately 1/4 mile of 8 in. Al. line, 1/4 mile 6 in. Al. line, 1/8 mile 5 in. Al. line. There are 8 1/4 mile laterals 1/2 of which is 4 in. & 1/2 is 3 in. Size: 1/32 by 11/64 and 1/32 by 3/16. Nozzles.

5. Water is used for: Irrigation6. 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 1/4, S 1/2, SE 1/4 Section 22;NW 1/4, NE 1/4, NW 1/4 Section 27;Range 2 North, Range 2 West, B. M.See Map

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

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

Remarks: Ernest Agnebroad said that the sprinkler ^{size} pipe had been reduce because there was insufficient water in the well to supply the larger nozzles. He stated further that even though he had 8 lateral lines it was all that could be operated at one time.

This examination was made on the 19 day of Feb., 1954(Signed) E. M. Humphrey Examiner.20699

740' x 760' 12" x 8"

250' x 12" val. 5"

H = 160' drawdown 20' est.

160' val. x 8" + 18" section

10" bowls 13 steps

125 hp. G.E. motor

440V 15A amp. 1765 rpm.

#RE 6759010

No protest. has panel on S

3 1/2 sq. concrete base

F.M. Ramona turbine

#PF 9466

del. three 8" pipe to N.
into a large dam 3' x 18'

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.

James D. Agenbroad
Rt. 3, Nampa, Idaho

Permit No. 20692

Examination for Beneficial Use

County Canyon

Sprinkler

27-2N-2W-

Q = 4.0 c.f.s.

S = Well

P.D. = NW. NE. Sec. 27, T.2N. - R.2W.

See Irrigation & Domestic

RECEIVED
FEB 22 1954

Department of Reclamation

Priority = Oct. 12, 1948
Date = Oct. 20, 1959

NW - 7-13-53

With C. L. Carson

check.

60' x 400'

4" pipe

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20699

REPORT ON PROOF OF Beneficial Use

JAMES D. AGNEWROAD, Route 3, Nampa, Idaho

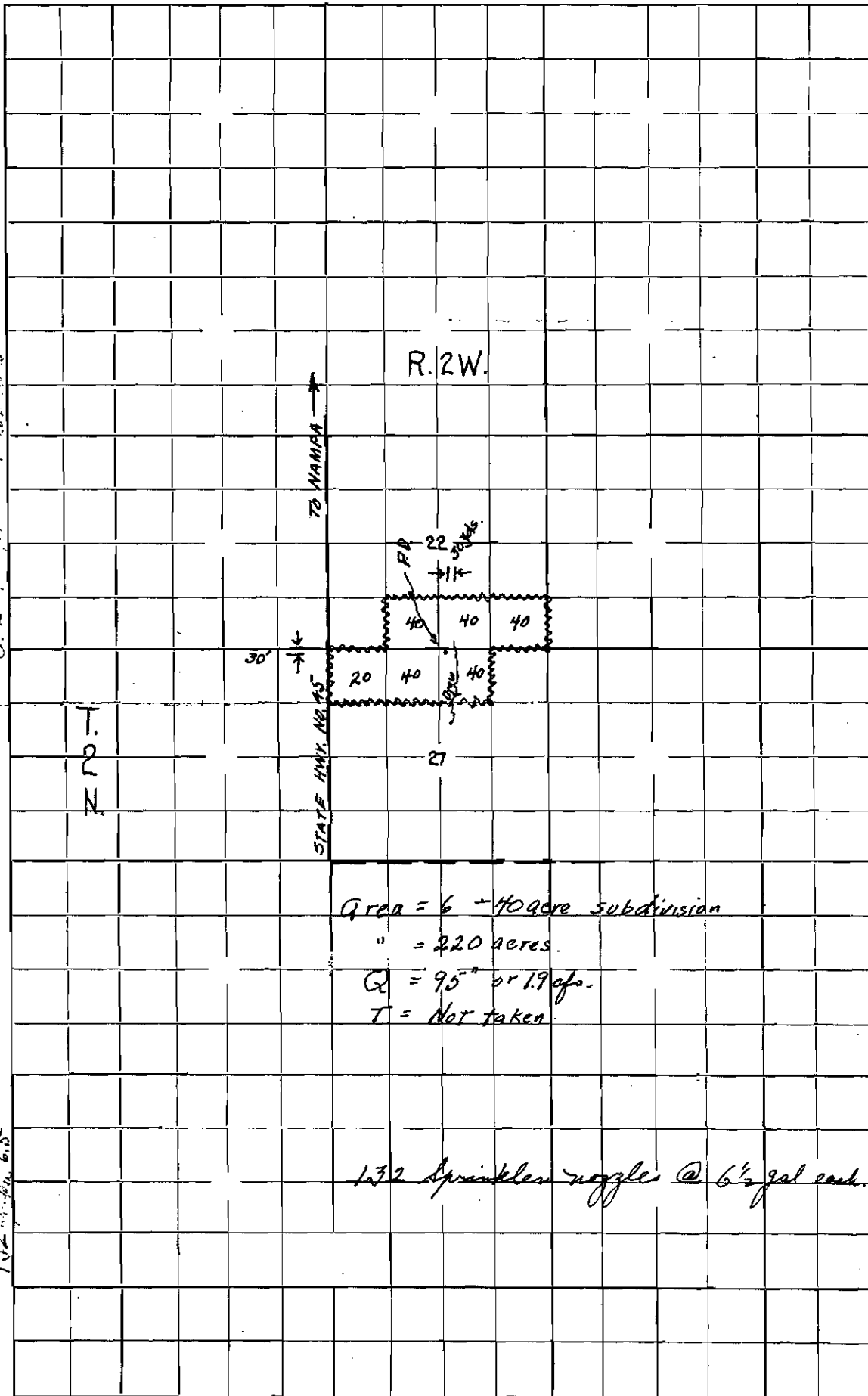
App. 400s.
C/W 3"

1.9 cfs
max

220 acres
6-40's-

8 latrals - operate 4
1/4 mi each - 1/2 ft 4" 1/2 (3")

Main Line 1/4 mi. 8"
1/4 mi. 6"
1/4 mi. 5"



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

20699