

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: A63-03325 *pat*
Date Received:
Receipt No: 1005049
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: JAN 03, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	15	NW	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	04/01	10/31	1.050		279.00

7. Total Quantity Appropriated is:
1.050 C.F.S. (and/or) 279.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	15	NE	SW		IRR	14.0
			NW	SW		IRR	39.0
			SE	SW		IRR	9.0
						Section Acres	62.0

A63-03325

Page 1

Date: 12/09/88

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Total Acres 62.0

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: 30872

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 of
Paine Sons Title
Paine Sons Organization, that I have signed the foregoing
document in the space below as Melvin Paine Sr. of
Paine Sons Title
and that the statements contained in the
foregoing document are true and correct.

Melvin Paine
Signature of Authorized Agent

Paine Sons
Title and Organization

2/13/90
Date

State of Idaho)
County of Canyon) SS.

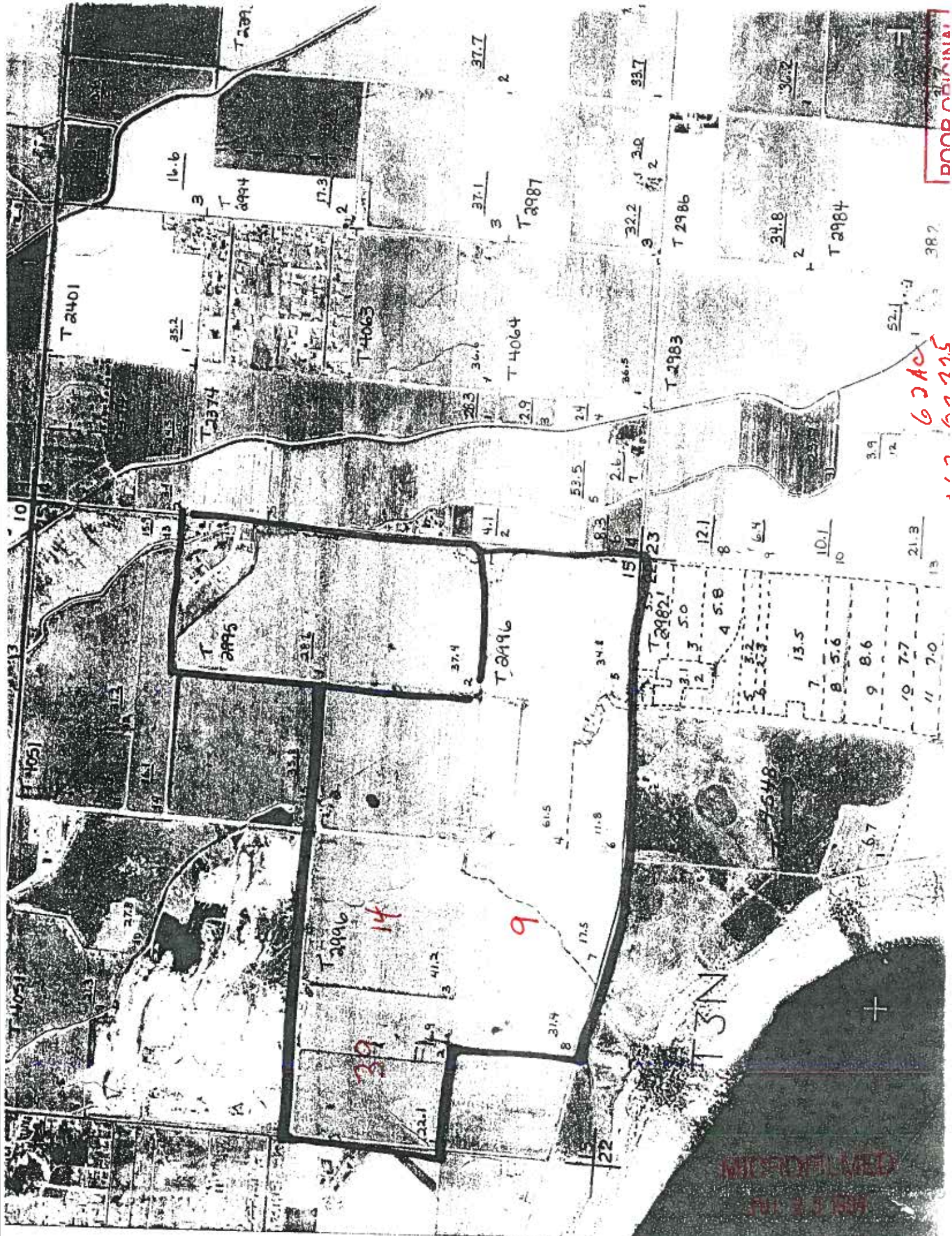
Subscribed and sworn (or affirmed) before me this 13 day
of Feb 19 90

John Dale Carlson
Notary Public

Seal

Residing at Boise ID.

My Commission Expires 6/3/94



62A
A63-03225

NINE FORTY NINE
 MAY 23 1955

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: 63-3325

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: *PAINE FARMS by Martin Paine*
Please print your name: PAINE FARMS by Martin Paine

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

Vkw

08/29/2006

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

RIGHT NUMBER: 63-3325

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.050 CFS
279.000 AFY

Rights 63-2719 and 63-3325 when combined shall not exceed a total diversion rate of 2.3 cfs, a total annual maximum diversion volume of 517.5 af at the field headgate, and the irrigation of 115 acres.

PRIORITY DATE: 01/03/1963

POINT OF DIVERSION:

T03N R03W S15 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.050 CFS 279.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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 Within CANYON County

T03N R03W S15	NESW	14.00	T03N R03W S15	NWSW	39.00
T03N R03W S15	SESW	9.00			

62 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:

63-3325

Acres = 62

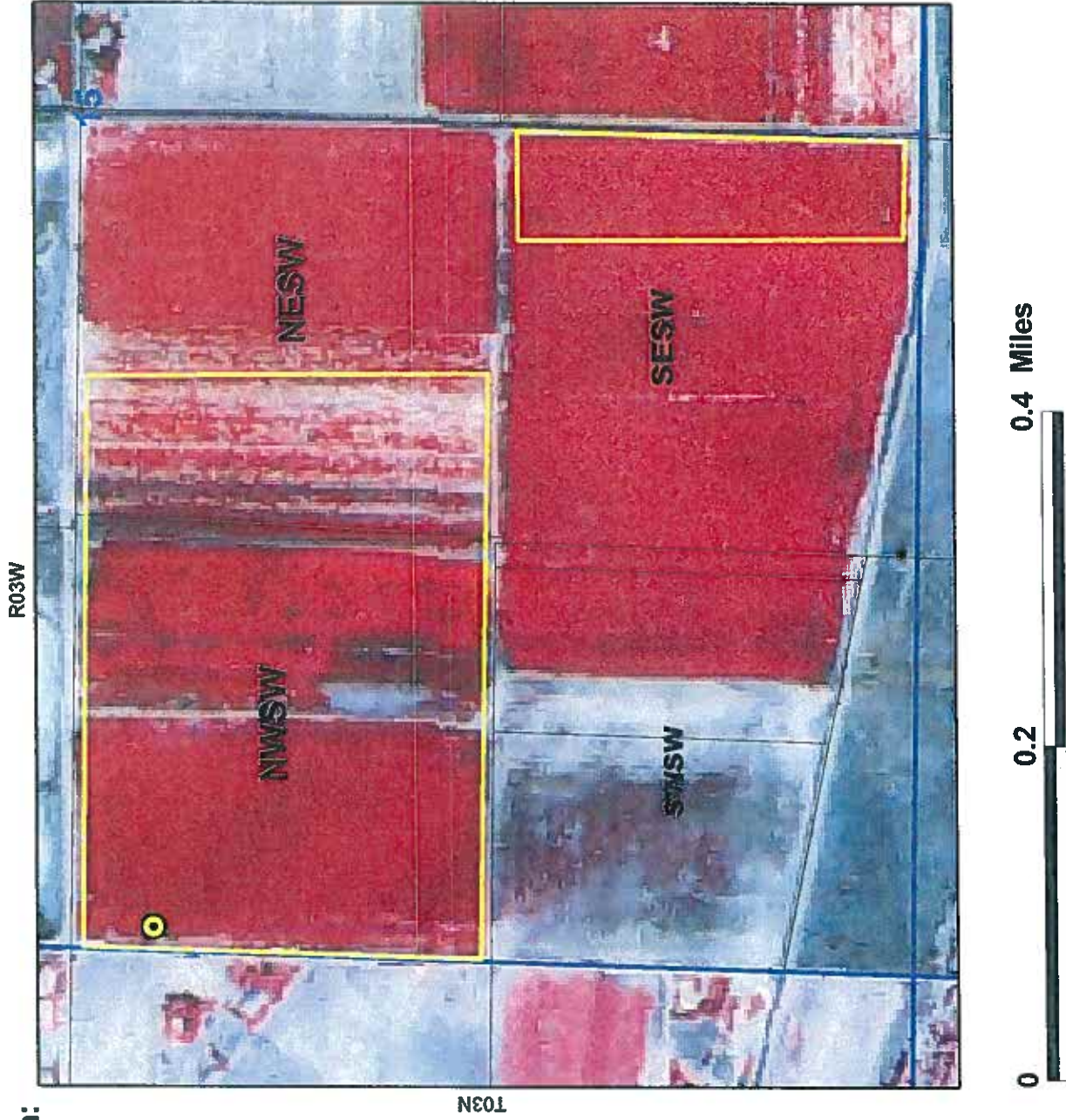
Legend

- 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 63-3325

WATER RIGHT NUMBER: 63-3325 ✓

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: 01/03/1963 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Tributary

✓

Beneficial Use

IRRIGATION ✓

539

From To
 4/01 to 10/31 ✓

Diversion Rate

1.050 CFS ✓

Annual Volume

279.00 AF ✓

Total Diversion:

1.050 CFS ✓

279.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4SW1/4 ✓

Sec. 15, ✓ Twp 03N, ✓ Rge 03W, ✓ B.M.

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	15	14.0	39.0	9.0	62.0	✓

Total Acres: 62 ✓

Conditions of Approval:Remarks:Comments:

OL w/ 63-2719
 2.0 cfs / 115 ac - no volume on sic
 = 0.017 cfs/ac

63-3325
 1.05 cfs / 62 ac
 = 0.0169 cfs/ac

115 ac × 0.02 = 2.3 cfs
 115 ac × 4.5 AF = 517.5 AF

X 35-63-2719 &
 63-3325 - 115 ac.
 2.3 cfs & 517.5 af/a.

Claimed as licensed -
 in office review
 by kw 8/29/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3325

WATER RIGHT NUMBER: 63-3325

Owner Type Name and Address
 Current Owner JOHN DAVID PAINE
 MARSING, ID 83639

Priority Date: 01/03/1963

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.050 CFS	279.00 AF
	<u>Total Diversion:</u>	1.050 CFS	279.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4 Sec. 15, Twp 03N, Rge 03W, 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	03W	15									14.0	39.0		9.0					62.0

Total Acres: 62

Conditions of Approval:Remarks:Comments:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3325**

03/09/2006

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

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

WATER LICENSE

Water License No. G-30872 Priority January 3, 1963 Amount 1.05 c.f.s.

THIS IS TO CERTIFY, that JOHN D. PAINE
of Marsing, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated January 3, 1963; that Permit G-30872 was issued pursuant
to said application; that the proposed works were completed on or about Spring 1963,
with a storage/or carrying capacity of 1.05 c.f.s., said works consisting of well, pump,
motor, concrete diversion works and earth ditches, and that on December 29, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 279
acre feet per season, with a maximum rate of diversion of 1.05 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is
located in NW 1/4 SW 1/4, Sec. 15, T. 3 N, R. 3 W, B.M., and
other additional points _____, in the County of
Canyon, and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 279 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3 N</u>	<u>3 W</u>	<u>15</u>									<u>14</u>	<u>39</u>	<u>9</u>						<u>62</u>

Total number of acres irrigated 62

The right to the use of the water 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
7th day of April, 19 69

[Signature]
State Reclamation Engineer

30 P 7263 3325

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

Permit No. G-30872

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant John D. Paine

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW 1/4 SW 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:

20 HP US Elec Motor # 817760
UNKNOWN TYPE DEEP WELL TURBINE
PUMP, OPEN DISCHARGE THROUGH CONCRETE
DIVERSION NAKES THROUGH EARTH DITCHES.
GRAVITY IRRIGATION

5. Water is used for: irrigation

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):

N 1/4 SW 1/4, SE 1/4 SW 1/4, W 1/4 SE 1/4, SE 1/4 SE 1/4, sec. 15, T. 3 N, R. 3 W, B.M.

Depositions only claim N 1/4 SW 1/4, sec. 15, T. 3 N, R. 3 W, B.M.

(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 CONTACTED 3-10-69. VERIFIED

FD & LAND LIST & INTENTION OF THE DEPT TO LIC.

PUMP TEST IN EXCESS OF 100 M.I

MR. JOHN D. PAINE STATES THE EQUIPPED WELL

PRODUCES IN EXCESS OF 1.05 CFS.

IT IS MY ESTIMATE THAT THE WORKS ARE CAPABLE

OF CONVEYING & HAVE CONVEYED IN EXCESS OF

1.05 CFS. THE SYSTEM WAS INOPERATIVE AT TIME OF INSPECTION

IRRIGATION REQUIREMENT = 4.5 AC-FT/ACRE/SEASON

This examination was made on the OCT 1968 DEC

(Signed)

Don Reynolds
Examiner.

LC 20652

30872

PLAT ✓
DOR

JOHN W. FALSB

Marsing,

Idaho

Permit No. G-30872

Examination for Completion of Works and Beneficial Use

County Canyon

Sec. 15 T. 3 N. R. 3 W

Quantity:

1.05 c.f.s.

Source:

subterranean

P.D.:

NW 1/4, sec. 15, T. 3 N, R. 3 W, B.M.

Use:

irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Permits #20652 and 20651
(3.75 c.f.s.)

Filed:

January 3, 1963

Due:

January 8, 1968

Made:

December 29, 1967

Priority:

January 3, 1963

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.

300' x 12"

H-117'

Q-60 miners inches

204P US 6111

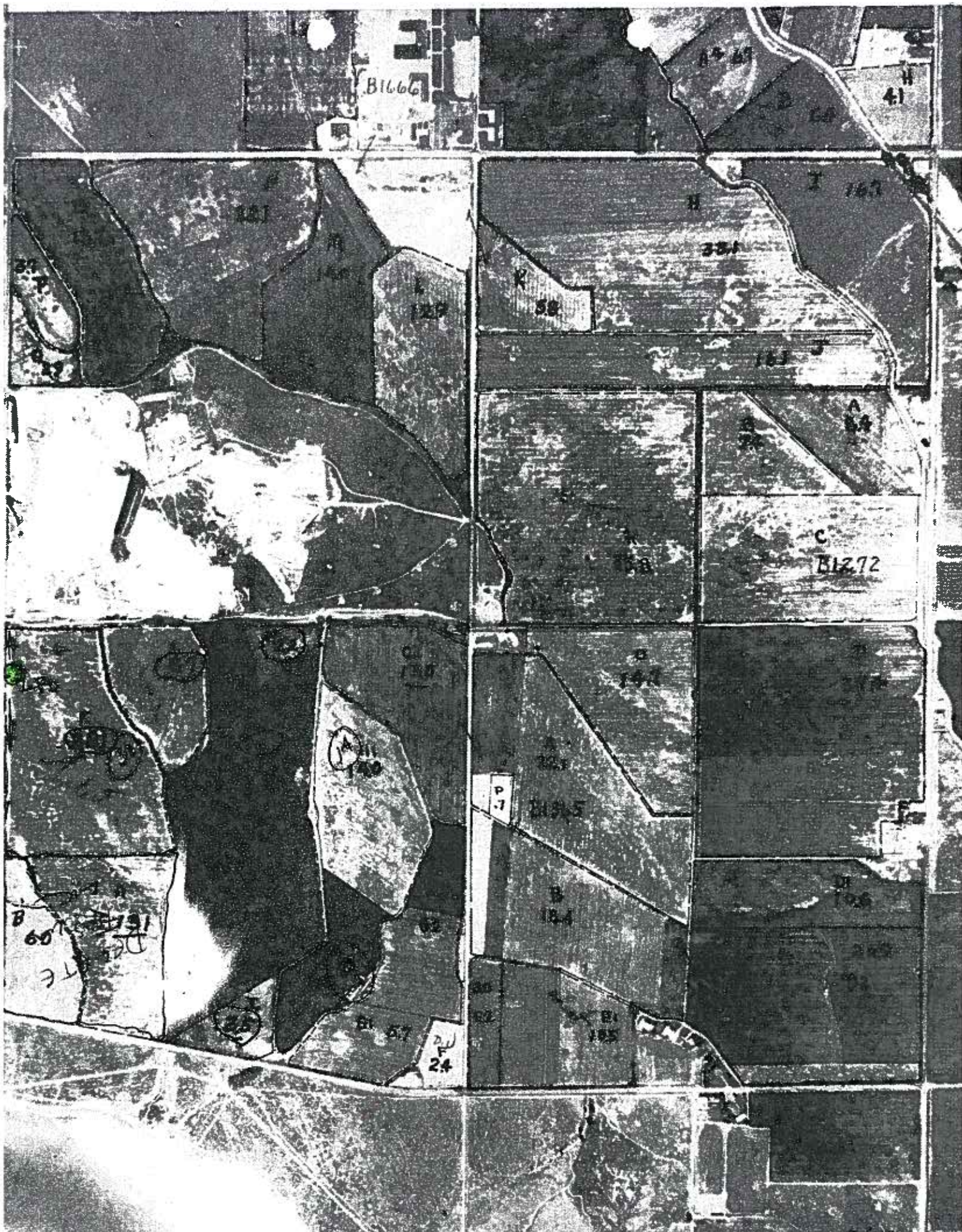
817760

unknown VP

NOT FUSED

APPLIES TO

PRODUCE APPROX 30



			15	
	39	14		53
		9		8
				62

AREA - 62 Acres

SUBD - A

Q - 1.05 cfs

VOL - 219 AC-FT/SEASON WITH OTHER RIGHTS.

PRIORITY - JAN 3, 1963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30872

REPORT ON PROOF OF Completion of Works and Beneficial Use

63-3325

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

Application No. G- 38954
Permit No. G- 30872
District No.

1. Name of Applicant: John D. Paine
Postoffice address: Marsing County: Owyhee State: Idaho
2. Quantity of water claimed: 1.05 cfs
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the SW 1/4 of Section 15
Twp. 3 N , Rge. 3 W , B.M., County of Canyon
5. Water is to be used for: Irrigation
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: Well, electric motor pump
8. Estimated cost of works: \$ 5,500
9. (a) Is reservoir to be used? No
(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: Permits #20652 & 20651
(3.75 cfs)
(a) 1.05 (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.

Remarks:

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

By s/ John D. Paine Applicant
s/ Malin Paine Agent

Date of first receipt at Department of Reclamation: 2:00 P.M. January 3, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 30872

Recorded in Book 108 Page 30872 Approved January 8, 1963

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 July 2, 1965

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 January 2, 1968

Witness my hand this 8th day of January, 1963 s/ CARL E. LAPPAY, Assistant
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, CARL E. LAPPAY, 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 January, 1963

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State

By s/ ROBERT E. SHULTZ

Governor

12

Twp	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3 N	3 W	21																	2.0

LICENSE ISSUED FOR 1.05 SEC. F
LICENSE PAGE NO.