

10/17/2006

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

RIGHT NUMBER: 63-8489

NAME AND ADDRESS: R E CASSIDY
4993C HWY 45
MELBA ID 83641

JANICE M CASSIDY
4993C HWY 45
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.580 CFS
355.50 AFY

PRIORITY DATE: 02/24/1977

POINT OF DIVERSION:
T01N R02W S10 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.580 CFS 355.50 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 Within CANYON County

T01N R02W S10	NESW	21.00	T01N R02W S10	NWSW	34.00
T01N R02W S10	SESW	24.00			

79 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:

63-8489

(Irrigation)

Legend

● Point of Diversion



Place of Use



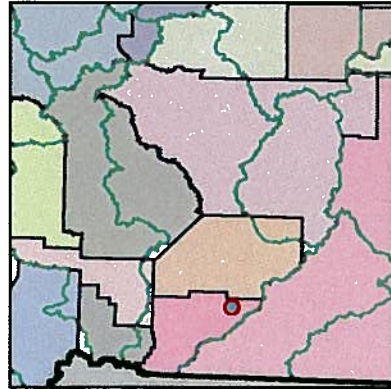
Townships



PLS Sections



Quarter Quarters



Canyon County
IDWR Basin 63



0.4 Miles

0.2

0



Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

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: A63-08489
Date Received: 2/28/1990
Receipt No: 0015146
Received By: RLT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. E. CASSIDY 208-466-3800
Address: 4993C HIGHWAY 45
MELBA, ID 83641

OR
Name: JANICE M. CASSIDY 208-466-3800
Address: 4993C HIGHWAY 45
MELBA, ID 83641

2. Date of Priority: FEB 24, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	10		NE	SW		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	03/15	11/15	1.580		

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

8. Total consumptive use is 276.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	10	NE	SW		IRR	21.0
			NW	SW		IRR	34.0
			SE	SW		IRR	24.0
						Section Acres	79.0
						Total Acres	79.0

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:
HAT BUTTE LATERAL.

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X R.E. Cassidy Date: X 2-28-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of February 19 90

Heien Harrington
Notary Public

Seal

Residing at Heien Harrington, Notary Public
My Commission Expires December 1, 1994
~~Residing at Boise, Idaho~~
~~My Commission Expires~~

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8489 Priority February 24, 1977 Amount 1.58 cfs

THIS IS TO CERTIFY, that R.E. Cassidy &/or Janice M. Cassidy
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 63-8489 issued pursuant to Application for Permit dated February 24, 1977,
and has submitted proof to the Department of Water Resources on June 29, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.18 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>1.58</u> cfs and	<u>355.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.58 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
355.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10,
Twp 1N, Rge 2W in the County of Canyon

Description and location of place of use:

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 $\frac{1}{4}$	
1N	2W	10									21	34	24						79

Total number of acres irrigated 79

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17TH day of

APRIL, 19 84.

Acting for the Director

Norman C. Young

Identification No. _____

Application No. 63-8489

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant R. E. CASSIDY &/or JANICE M. CASSIDY Phone: 466-3800
post office address Route 1 Melba, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 1N
Range 2W B.M. Canyon County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.84 for irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.84 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
16" well 600 feet deep with turbine motor and pump

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 20,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
1N	2W	10									27	40		27					92

Total number of acres to be irrigated 92

c. Describe any other water rights used for the same purposes as described above.

live water from Hat Butte Lateral

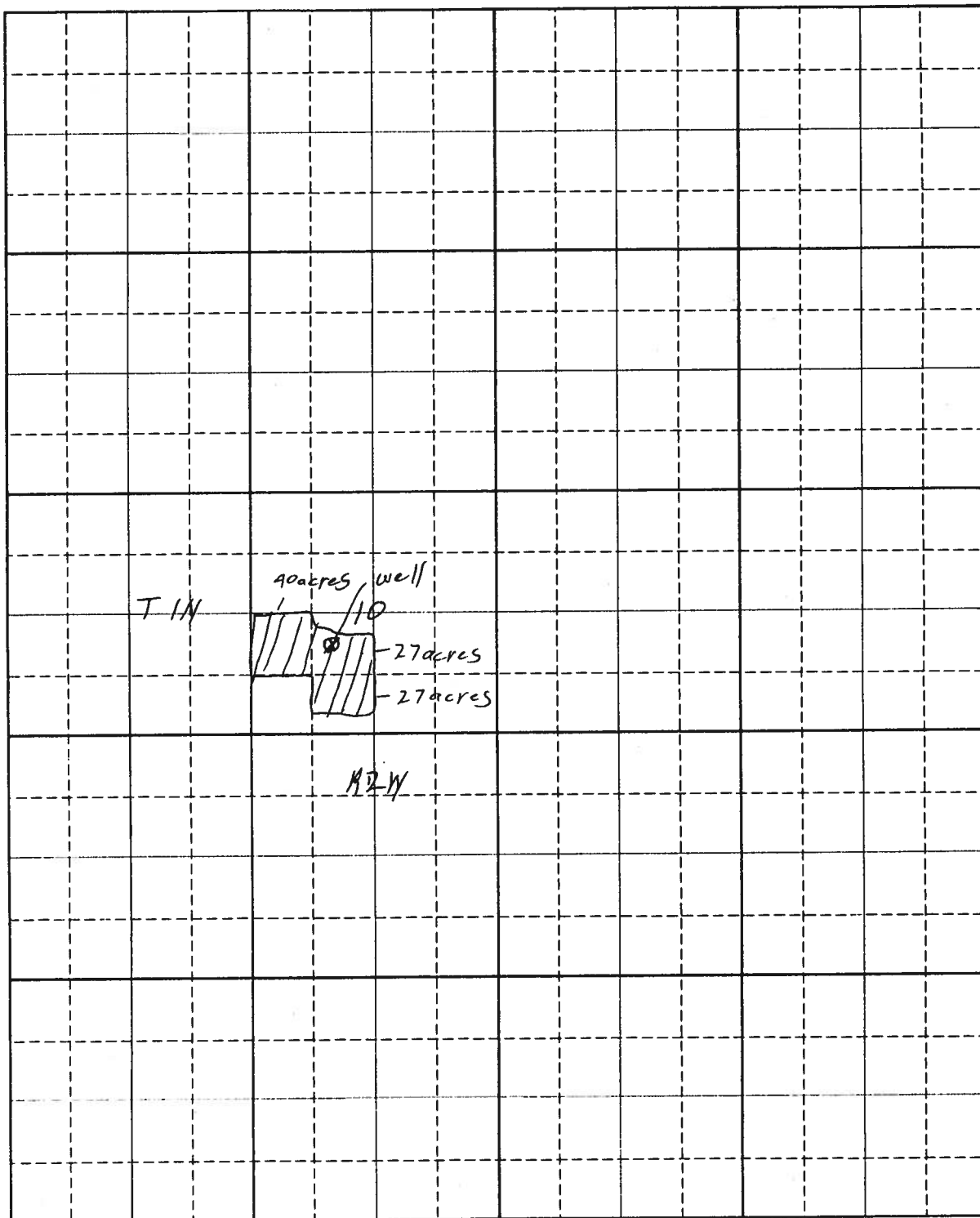
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

R. P. Cassidy
(Applicant)

Proposed Priority 2/24/77

Received by CLS Date 2/24/77 Time 2:15 PM

Preliminary check by CLS Fee \$ 35.00

Received by rf Date 2-24-77 # 6717

Publication prepared by CS Date 2-25-77

Published in Idaho News Press

Publication dates March 8, 1977 & March 10, 1977

Publication approved rf Date 5-29-77

Priority reduced to _____ Reason _____

Protests filed by: Francis Serviss, Marvin Cornelison

Copies of protests forwarded by lp 3-8-1977

Hearing held by _____ Date protest withdrawn

Recommended for approval denial by rf

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8489, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of April, 19 77.


Director

State of Idaho *TOTAL*
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8489

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 14 July 1981 Accompanied by Mr. Cassidy Total Q measured 2.18 CTS

If source is surface water, estimate total flow of source

Methods of measurement caliper plate Meets Permit requirements? yes ✓

Measurement calculations:

$$40^\circ \text{ at } 1000^\circ \text{C} \quad 40^\circ \text{ at } 1000^\circ \text{C} \checkmark = 2.18 \text{ eV} \checkmark$$
[illegible]

System Description 65, 1000 diesel engine, Text concrete data and signal table.

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 ✓ AFA/Acre

USE

TRK1.1 ✓

Q (cfs)

1.58 ✓

V (afa)

355.5 ✓

FROM

TO

2/15 ✓ 11/15 ✓

245 days

$$V = 1.58 \times 1.9835 \times 245 = 767.8 \text{ AF}$$

Total

1.58 ✓

555.5 ✓

Remarks: 6-15' at 15' deep, static at 110

measuring at at full throttle

MICROFILM

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE SW S' 10 IN 26 ✓

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
IN	26	10									21.1	34.3		23.6					79 ✓

Recommended Amendments:

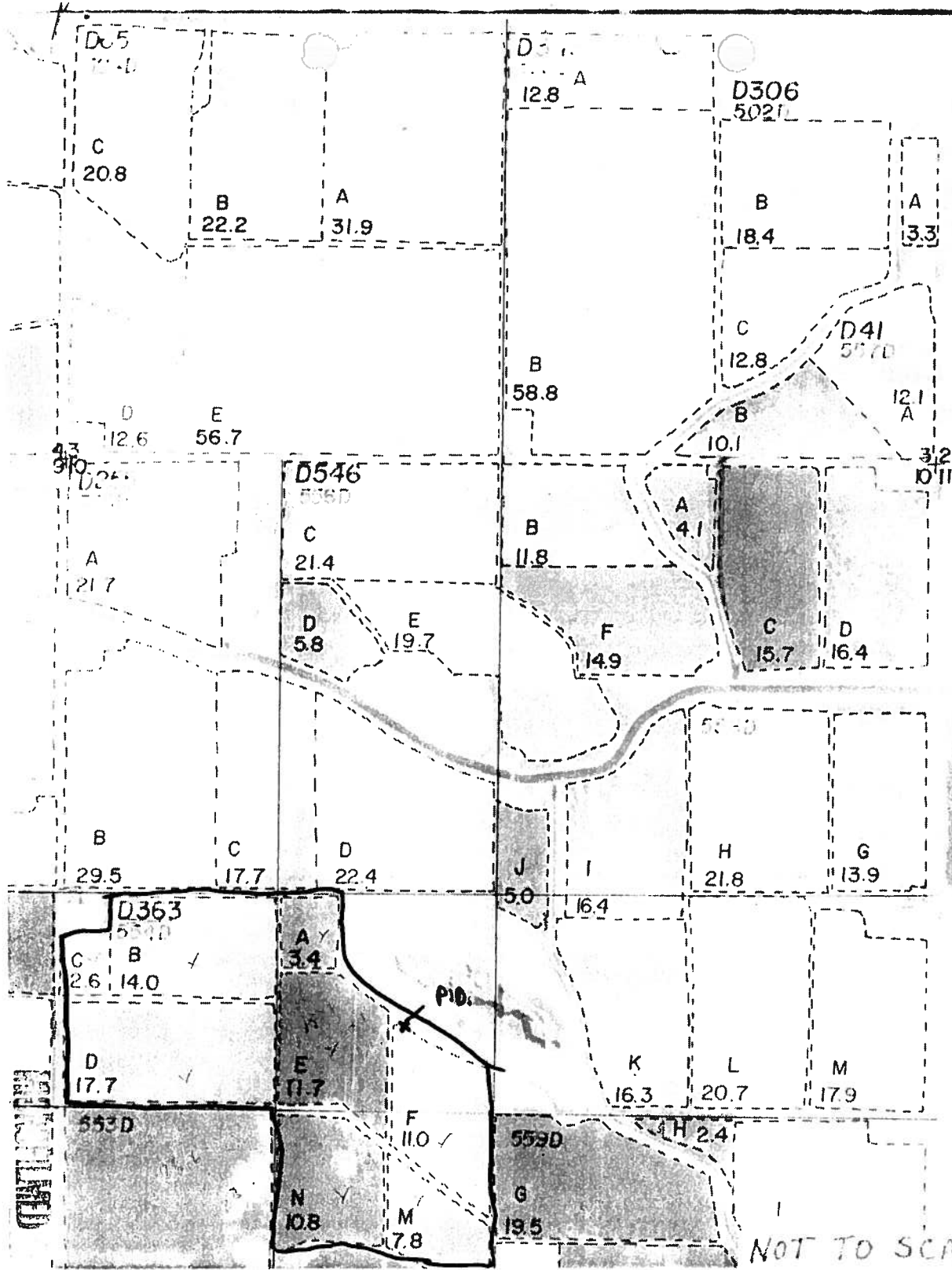
- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature [Signature]
 Checked by 6h S
 Approved by 6h S
Kay Walker

Date 14 July 1981
 Date 23 April 1982
 Date 2-23-84



NOT TO SCALE

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

763-08489

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

PRIORITY* N

PT. OF DIV. N

SOURCE N

PL. OF USE N

DIV. AMOUNT
CFS/AF N

CONSUMPTIVE
USE

NATURE OF
USE N

PERIOD OF
USE N

BASIS OF
CLAIM N

REMARKS N

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

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

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

COMMENTS: Claimed as licensed April, 84.

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

Overlap Review for 63-8489

as per permit - water from Nat
Butte Natural - Recommend R16(4.5)

as per micro-fische 7/23/84:

p/d - none

p/u - 63-3171 Sleepy Hollow Drain
different source - use R16(4.5)

no overlaps except kay
above. k

WRS808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/23/95 00:15:14
Page 1

Water Right Number - 63-08489

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***

CASSIDY

R. E.

1 - RT. 1
2 -
3 -

State- ID Zip- 83641

CASSIDY

JANICE M.

City- MELBA
Phone -
1 - RT. 1
2 -
3 -

State- ID Zip- 83641

Priority Date - 02/24/1977

Region - 14 WESTERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

01N	02W	10	NE SW	(27)		CANYON				
-----	-----	----	-------	------	--	--------	--	--	--	--

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION		03/15	11/15		1.580	355.50
-----------------	--	-------	-------	--	-------	--------

Total Div. Rate - 1.580
Total Div. Volume - 355.50
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
-----	-----	-----	-------	-----	-------	--------------	------	-------------	--------

01N	02W	10	NE SW		21.0		01	IRRIGATION	(27) CANYON
01N	02W	10	NW SW		34.0		01	IRRIGATION	(27) CANYON
01N	02W	10	SE SW		24.0		01	IRRIGATION	(27) CANYON

Total Acres: 79.0

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - HAT BUTTE LATERAL.

Remarks -
No Remarks found.

Prefix Translation: WATER RIGHT

- - - - - Conditions of Approval - - - - -

R32 - This right when combined with all other rights shall provide no

- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

00/00/0000

Comments
No Comments Found

+ + + + + Water Rights Dates and Flags Area + + + + +

Proof Due Date	- 04/01/1982	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 04/15/1977	Protested Date	- 00/00/0000	Shan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/11/1984	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				