

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: A63-04456
Date Received: 1-31-90
Receipt No: MA65653
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. J. KNIEFEL 208-722-6424
Address: BOX 359
PARMA, ID 83660

OR

Name: ROBERT KNIEFEL 208-642-4192
Address: 2375 CENTER AVE.
PAYETTE, ID 83661

2. Date of Priority: JUN 01, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04W	27	NE	SW	SE		CANYON

5. Description of diverting works:
WELL 75' DEEP, 7.5HP PUMP, PUMPED TO CEMENT DITCHES GRAVITY IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.330		

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

8. Total consumptive use is 385.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	04W	27	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	30.0
							Section Acres	110.0
							Total Acres	110.0

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:

THIS RIGHT SUPPLEMENTAL TO FARMERS CO-OP DITCH CO. WATER

14. Remarks:

THIS IS SUPPLEMENTAL WATER.

15. Basis of Claim: BENEFICIAL USE

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 *[Signature]* Date: 1-31-90

Date: _____

State of Idaho)
County of Canyon) SS.

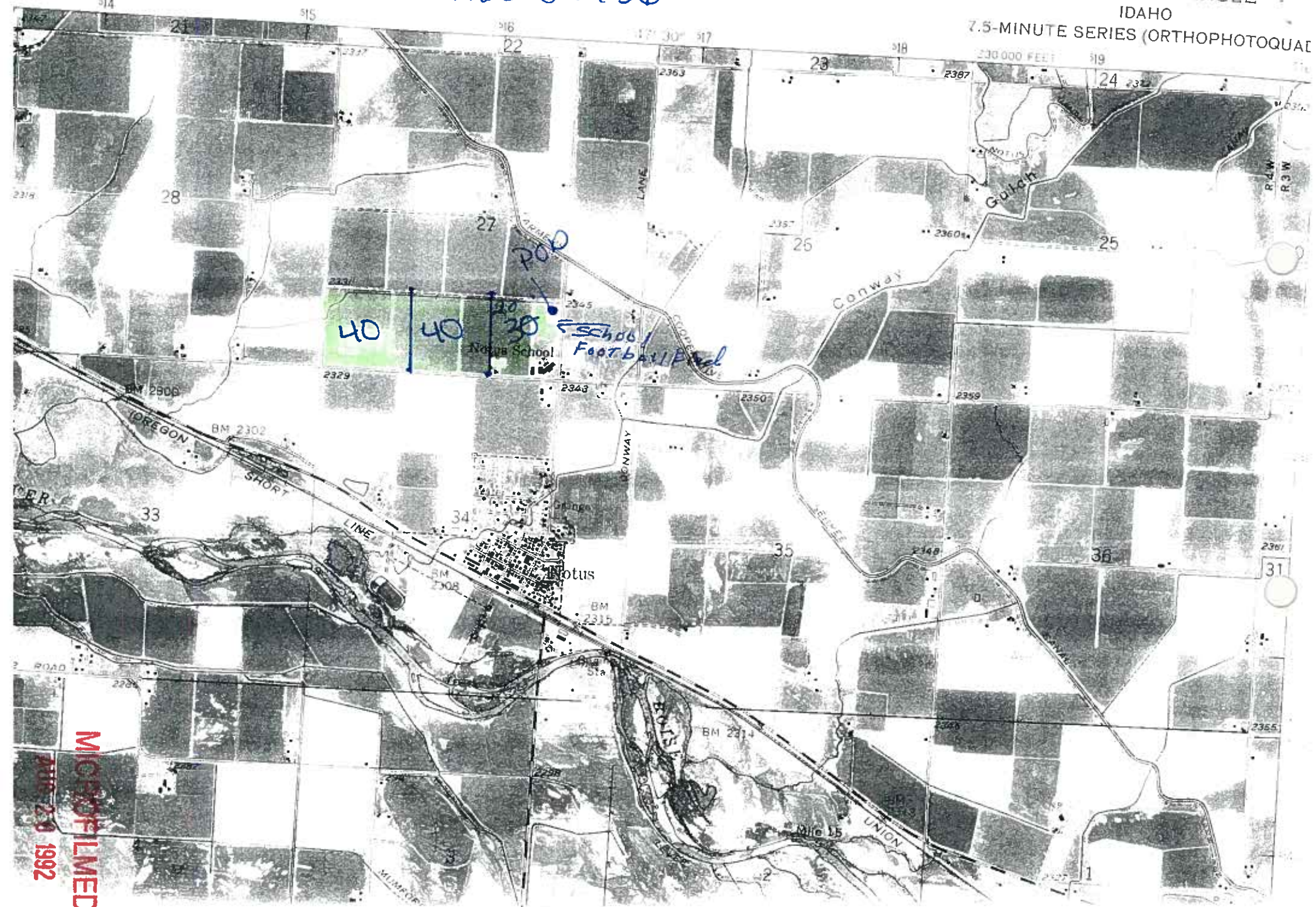
Subscribed and sworn (or affirmed) before me this 31st day
of January 19 90
[Signature]
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

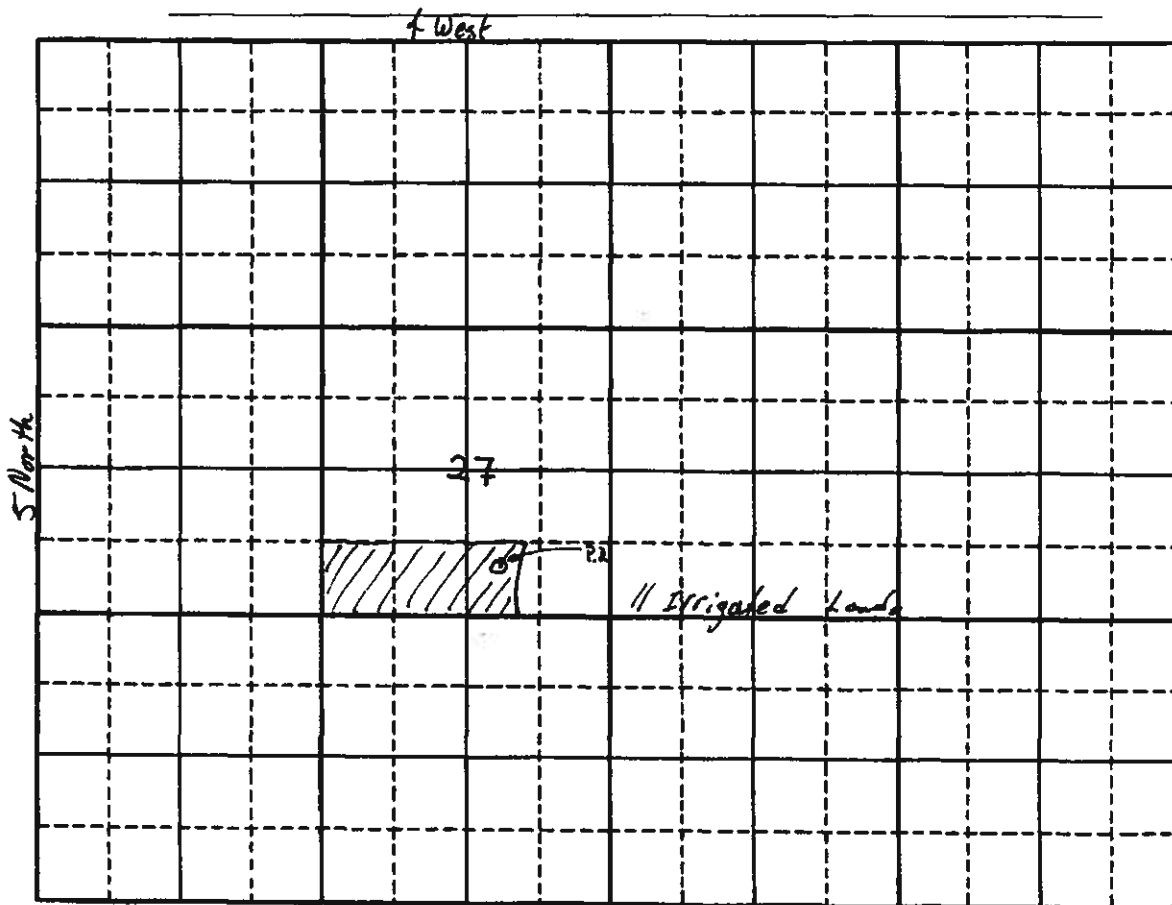
A63-04456

NOTUS QUADRANGLE
IDAHO
7.5-MINUTE SERIES (ORTHOPHOTOGRAPH)



MICROFILMED

(8) Remarks This is supplemental water.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Boyer)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 11th day of April, 1977.

[Signature]
(Claimant)
[Signature]
Notary Public
Residing at Boyer, Idaho

My commission expires 8-15-78

For Department Use Only

Received by <u>[Signature]</u>	Date <u>4-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>4-12-77</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>4-12-77</u> # 7154			
Approved for publication by <u>[Signature]</u>	Date <u>4-14-77</u>			
Published in <u>Boyer = Tribune</u>				
Dates <u>April 21, 1977 & April 28, 1977</u>				

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: 63-4456

C J KNIEFEL
BOX 359
PARMA ID 83660
Telephone Number: (208)722-6424

ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661
Telephone Number: (208)642-4192

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

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: 10-10-06 SIGNATURE: Robert E Kniefel
Please print your name: Robert E Kniefel

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

PS Form 3849, April 2004
FIRST CLASS PERMIT NO. 2000 BOISE, IDAHO
POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

FIRST CLASS



UNITED STATES
02 1A \$0
0004310839 OCT
MAILED FROM ZIP CODE

J KNIEFEL
BOX 359
PARMA ID 84060

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

63-4456
8581

07/28/2006

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

RIGHT NUMBER: 63-4456

NAME AND ADDRESS: C J KNIEFEL
BOX 359
PARMA ID 83660

ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.210 CFS
450.000 AFY

PRIORITY DATE: 06/01/1939

POINT OF DIVERSION:

T05N R04W S27 NESWSE 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	1.210 CFS 450.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T05N R04W S27	SWSW	40.00	T05N R04W S27	SESW	40.00
T05N R04W S27	SWSE	20.00			

100 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 - Beneficial Use

Use of this right is combined with water from Farmers Cooperative Irrigation Co., Ltd.



Idaho Department of Water Resources

63-4456

T05N R04W S27



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 100



600 0 600 1200 Feet

IDWR
Prepared by: Sandy Egbert
Date: July 28, 2006
1987 NAAP Photography

RECEIVED

APR 14 2006

WATER RESOURCES
WESTERN REGIONIN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))63-4456)State of Idaho)
County of Canyon)

AFFIDAVIT

I Robert E. Kniefel dated 4-12-06
deposes and says: That our family moved
to the area in 1916 and in
1926 purchased this farm.
from G L Dean. In June 1939
we dug an ^(drilled) irrigation well 75 ft
deep to supplement our water. The
East end of the farm is difficult
to water ^(irrigate) completely without this
well being used.
Our well water does not irrigate
the Fruitland School foot Ball field.
We have used our well to irrigate
every year since 1939.

Robert E Kniefel
(Signature)2375 Center Ave
Payette, Ida 83661

Kristel

place

Flow Analysis Performed by: Lori Graves

Date: 4/7/2006

Page 1 of 1

Record ID		Measured Flow:	
Water Right No. 63-4456		Designed Flow:	
Name Kniefel		HP/Eff Flow:	1.36 cfs <<--Max
pod NESWSE S27 T5N R4W		Sprinkler Flow:	
year: 1939		Pivot/System Flow:	
Flow Measurement: gpm =			
Curve/Pump Design: gpm =			
Horsepower / Efficiency Method			
Horsepower	7.5 hp		
PWL	27 ft		
Disch Psi	4.33 psi		
PUMP Eff Estimate	0.76 %		
TDH	37 ft		
OHP	5.7 hp		
Flow	610 gpm	=	1.36 cfs
System Method:			
No Lines		Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size	in	A=	0.00000 ft^2 Nozzle area
Nozzle pressure	psi	h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks	%	=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating gpm =			

Comments / Data Supplied:

63-20483 log - same Tract

Form 238-7
3/95

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT
Use Typewriter or Ballpoint Pen

Office Use Only		
Inspected by		
Twp	Rge	Sec
1/4	1/4	1/4
Lat:	Long:	
Flowing Artesian		

1. DRILLING PERMIT NO. 63-99-W-0556-200
Other IDWR No T45 # 00004924

2. OWNER:
Name Robert Kniefel
Address 2275 Center Ave.
City Payette State ID Zip 83661

3. LOCATION OF WELL by legal description:

Sketch map location must be with written location

N									

Twp 5 North ☒ or South ☐
Rge 4 East ☐ or West ☒
Sec 27 1/4 SW 1/4 SE 1/4
Gov't Lot 1 County Canyon Long: 100
Lat: 43
Address of Well Site 20434 Purple Sage by Matus School City Matus

Li: Blk Sub Name

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☒ Other Replacement

6. DRILL METHOD
☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/ENTER PACK		AMOUNT		METHOD
Material	From To	Each or Pounds		
Bentonite	0 22	19 Sacks		Poured down annular space

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 22'
Was drive shoe seal tested? ☒ Y ☐ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	12	63	250	Steel	☒			
5"	59.5	66	186	Steel		☒		
5"	76	79.5	186	Steel		☒		

Length of Headpipe 5' 7" Length of Tailpipe 3' 5"

9. PERFORATIONS/SCREENS

Perforations ☐ Method ☐
☒ Screens Screen Type Houston

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
66	76	16	NA	5"	Stainless		☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

17 ft below ground Artesian pressure NA lb.
Depth flow encountered 66 ft Describe access port or control devices: unbolt cap

11. WELL TESTS:

Yield gal/min	Drawdown	Pumping Level	Temp
40	5'	22'	1 hr

Water Temp 65° Bottom hole temp 65°
Water Quality test or comments: good

Depth first Water Encountered 22'
12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8	0	2 Top Soil		☒
8	2	22 White clay		☒
8	22	38 Dirty Gravel	☒	
8	38	50 Dirty Sand	☒	
8	50	52 Yellow clay		☒
8	52	62 Coarse white sand	☒	
8	62	74 Medium white sand	☒	
8	74	76 Felled Blue Sand	☒	
8	76	79.5 Blue Clay		☒

RECEIVED
AUG 09 1999
Department of Water Resources

RECEIVED

AUG 03 1999

WATER RESOURCES
WESTERN REGION

Completed Depth 79.5 (Measurable)
Date Started 7-16-99 Completed 8-2-99

13. DRILLER'S CERTIFICATION

(We certify that all minimum well construction standards were complied with at the time the rig was removed)

Firm Name A-Line Firm No 566

Firm Official Russell A. Johnston Date 8-3-99

and Supervisor or Operator Date

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
 - ☐ Well logs (if needed)
 - ☐ Copy of topo or NAPP
 - ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
 - ☐ Check POD & POU overlap, see below – include overlapping right for exam
 - ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION -- verify contact information is completeClaim No(s) A63-04456Owner: CJ or ROBERT Kniefel Phone No. 208-722-6424Current Address: Box 357 Parma Id. 83660

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Robert + Carolyn Kniefel
- ☐ No change Address
- ☒ NEW ADDRESS 2325 Center Av. Poyette Id. 83661 (208-642-4192)
- ☐ How long owned property? 14 YEARS

Accompanied by: Robert Kniefel**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 66/01/1939

(If priority date, based on your exam, seems questionable, explain below.)

Source: Ground Water

Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		NE	SW	SE	27	05N	04W	Conyn	

Description of diverting works

Well 75' deep with 7.5 HSP pump. Pumped to gravity
Ditches + sometime SPRinklers when growing potatoes.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES

- ☐ No change
☐ Different Uses

Use IRRIGATION From 04/01 To 10/15 Amount 1,330 CFS 385.0 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	04W	27											40.0	40.0			20		100.0
																			100.0

Overlap with other water rights: FARMERS CO-OP DITCH CO.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: Well Pump to a 8" PVC pipe to a concrete ditch for gravity irrigation.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

No water was being diverted at this time. This well is supplemental to FARMERS CO-OP DITCH CO. The well is located just north of the NOTUS FOOTBALL FIELD (see pic #1) + pipe approximately 450 feet to the west to an open cement ditch for gravity irrigation (see pic #3). Pic #2 is the field to the west of NOTUS SCHOOL & NOTUS RD + PURPLE SAGE RD. MR. Kniefel said that he only had 200 acres left of this property. The school has a football field on 10+ more acres than shown. For information on 63-11789 (Florence or Stanley D. McNeil) contact Robert Kniefel also 208-642-4192

(LIC - no SRBA claim req)

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: 10-19-2005

4

FLOW CALCULATIONS

Measured Method:

_____ Additional Computation Sheets Attached

VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.5 \times 100 = 450.0 \text{ AF-Y.}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.330 \times 260 = 345.8 \times 1.9835 = 685.$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 450.0 \text{ AF/Y}$$

2. Volume Calculations for Other Uses:

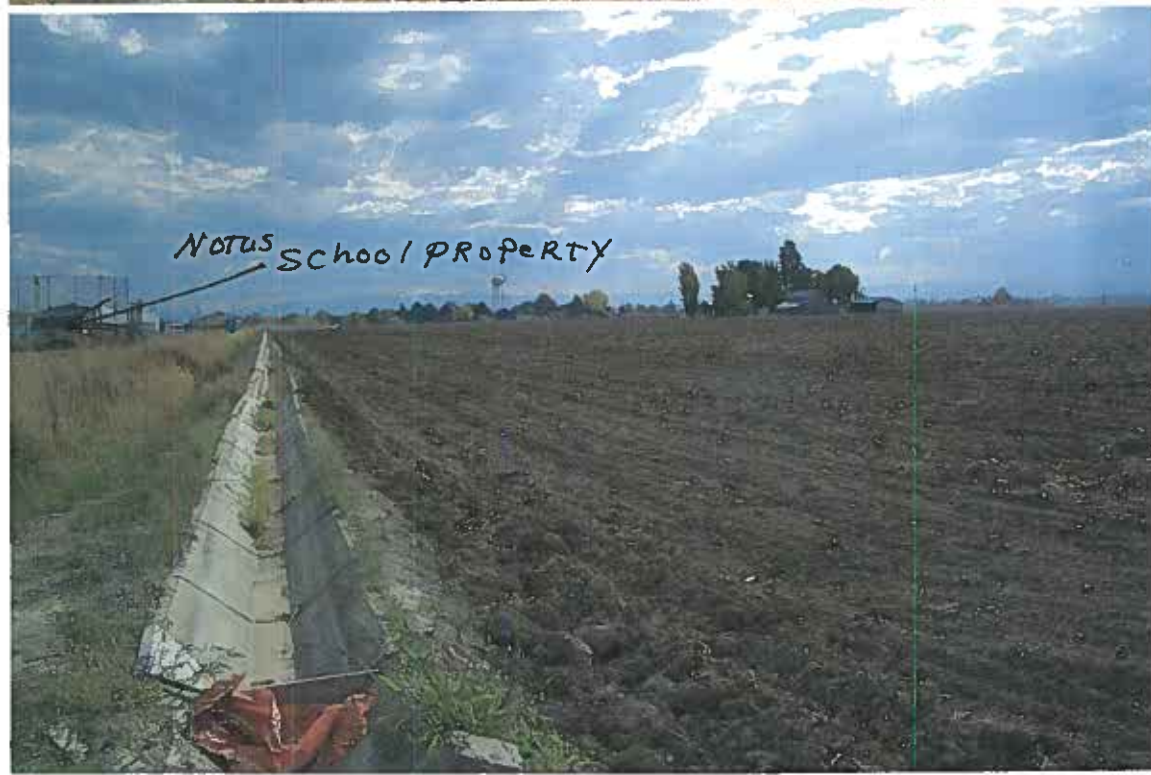
Pic #1 Point of Diversion



A63-04456

10-19-2005

GPS- 2274693
USR- 1396806



Pic #3 8" Out let to Cement Ditch



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 10, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

C J KNIEFEL
BOX 359
PARMA ID 83660

ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661

*sent to
Robert per
Ken's exam
notes*

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No: A63-4456

Dear Claimants,

In the past, you submitted the above referenced claim during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right if water availability problems arise in the future.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, an accurate location of your acres irrigated needs to be identified on the attached aerial photo. Please include the football field if irrigated from the well or omit the football field if irrigated from a separate system.

Page 2

The above requested information needs to be submitted by May 1, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in black ink, appearing to read "Lori Graves". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-4456
Aerial Photo