

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: A63-08822

Date Received: 2-5-90

Receipt No: 2008344

Received By: JH

RECEIVED

FEB 05 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Regional Office

1. Name: PATRICIA HALL 208-642-4192
Address: C/O ROBERT KNIEFEL
2375 CENTER AVE.
PAYETTE, ID 83661

OR

Name: JOANNE POTTS 208-642-4192
Address: C/O ROBERT KNIEFEL
2375 CENTER AVE.
PAYETTE, ID 83661

OR

Name: ROBERT KNIEFEL 208-642-4192
Address: 3275 CENTER AVE.
PAYETTE, ID 83661

2. Date of Priority: MAY 10, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	03W	23	SW NW NE		CANYON

5. Description of diverting works:
WELL 113' DEEP, 12" WELL, 25HP PUMP, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.420		

7. Total Quantity Appropriated is:
1.420 C.F.S. (and/or) 319.50 A.F.A.

8. Total consumptive use is 248.5 Acre Feet Per Annum.

A63-08822

Page 1

Date: 01/31/90

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9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	23	NE	NE		IRR	36.0
			NW	NE		IRR	35.0
						Section Acres	71.0
						Total Acres	71.0

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:

SUPPLEMENTARY TO NAMPA-MERIDIAN IRRIGATION DIST. WATER

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): Ralph E. Kump Date: Jan 31, 1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of January 19 90

Anna Baumhoff
Notary Public

Seal

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

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35 36
DOD

163-18022

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: 63-8822

ROBERT KNIEFEL
3275 CENTER AVE
PAYETTE ID 83661
Telephone Number: (208)642-4192

JOANNE POTTS
C/O ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661
Telephone Number: (208)642-4192

PATRICIA HALL
C/O 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: 10-11-06

SIGNATURE:

*Robert E Kniefel agent
for J Potts & P Hall*
Robert E. Kniefel

Please print your name:

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

08/18/2006

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

RIGHT NUMBER: 63-8822

NAME AND ADDRESS: ROBERT KNIEFEL
3275 CENTER AVE
PAYETTE ID 83661

JOANNE POTTS
C/O ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661

PATRICIA HALL
C/O ROBERT KNIEFEL
2375 CENTER AVE
PAYETTE ID 83661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.420 CFS
319.500 AFY

PRIORITY DATE: 05/10/1977

POINT OF DIVERSION:

T03N R03W S23 SWNWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
-----------------------	----------------------	-----------------

IRRIGATION	04/01 10/15	1.420 CFS 319.50 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 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

T03N R03W S23	NENE	36.00	T03N R03W S23	NWNE	35.00
---------------	------	-------	---------------	------	-------

71 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

Use of this right is combined with water from Nampa Meridian Irrigation District.

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 irrigation of the lands above.



Idaho Department of Water Resources

SRBA Recommendation:

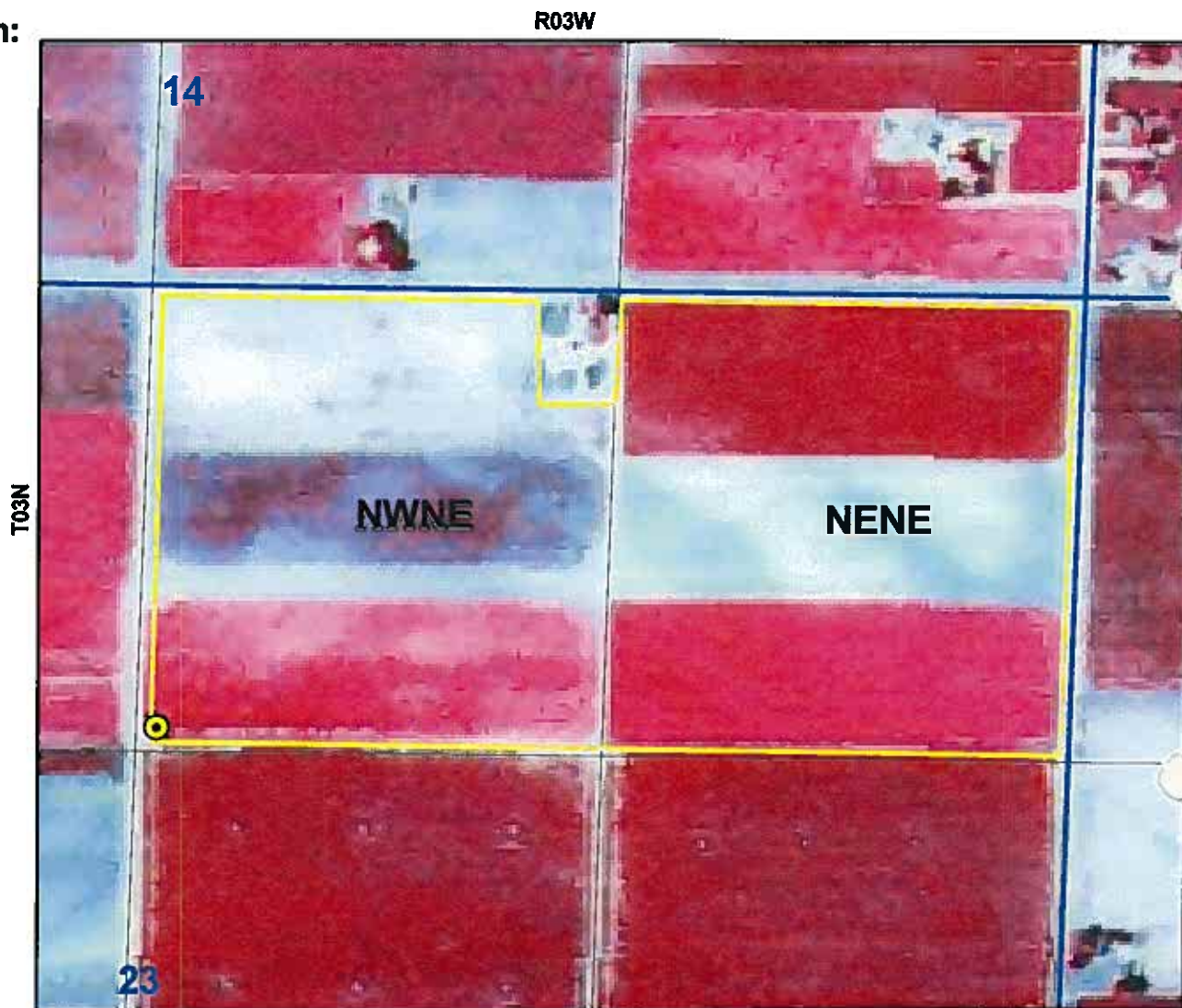
63-8822

Legend

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



Canyon County
IDWR Basin 63



0 0.2 0.4 Miles

Prepared by S. Egbert
On Monday, August 21, 2006
1987/88 Aerial Photography

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

Rec	63 3146	JUDY A DECIME, RUBY E FOGLIATTI,	GROUND WATER	03N03W23											40	40						80
Rec	63 8822	ROBERT KNIEFEL, JOANNE POTTS, PATRICIA HALL,	GROUND WATER	03N03W23	36	35																71
Right	63 10408	EARL M TUCKNESS,	GROUND WATER	03N03W23					35				28	9								72
Right	63 11138	RICHARD HUFF,	GROUND WATER	03N03W23			37	36										33	34			140
Right	63 11240	MYRNA J LITTLE, HARRY M LITTLE,	GROUND WATER	03N03W23																	34	
Right	63 20490	JOANNE POTTS, ROBERT KNIEFEL, PATRICIA HALL,	GROUND WATER	03N03W23		X																0
Right	63 22190	HERMAN HUFF,	GROUND WATER	03N03W23														X				0
Right	63 22191	HERMAN HUFF,	GROUND WATER	03N03W23														X				0
Right	63 22191	HERMAN HUFF,	GROUND WATER	03N03W23														X				0
Right	63 26554	LLOYD PETERMAN, MYRTLE M THIEL,	GROUND WATER	03N03W23																	X	0
Right	63 26554	LLOYD PETERMAN, MYRTLE M THIEL,	GROUND WATER	03N03W23																	X	0
Right	63 2706A	HARRY T FOGLIATTI,	GROUND WATER	03N03W23											40	40						80
Right	63 2812	NEIL J SWENSON,	GROUND WATER	03N03W23						X	X											0
Right	63 28951	EARL M TUCKNESS,	GROUND WATER	03N03W23								X										
Right	63 3146	HARRY T FOGLIATTI,	GROUND WATER	03N03W23											40	40						80
Right	63 8822	JOANNE POTTS, PATRICIA HALL,	GROUND WATER	03N03W23	36	35																71
Rec	63 2109	UNITED STATES OF AMERICA ACTING THROUGH,	MASON CREEK	03N03W23	X	X	X	X	X			X	X					X	X	X	X	0

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08822

Priority: May 10, 1977 Amount: 1.42 CFS 319.5 AFA

This is to certify, that PATRICIA HALL
JOANNE POTTS

C/O ROBERT KNIEFEL
2375 CENTER AVE.
PAYETTE, ID 83661

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 10, 1977, and has submitted proof to the Department of Water Resources on May 5, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.400 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/15	1.42 CFS	319.5 AFA

LOCATION OF POINT OF DIVERSION(S): NWNE , Sec. 23, Township 03N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	03W	23	NENE 36	NWNE 35		71
Total number of acres irrigated:						71

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

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PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-08822

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of FEBRUARY, 1989.

Acting for the

Director



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Identification No. _____

Application No. 63-8822

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Patricia Hall and Joanne Potts Phone: 642-4192
post office address 2375 Center Ave, Payette, Idaho
2. Source of water supply underground which is a tributary of Bois d'Arcy Ground Water
3. a. Location of point of diversion is SW corner of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 3N
Range 13W B.M. Canyon County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into E end at a point in apt $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 3N Range 3W B.M. Canyon
4. Water will be used for the following purposes:
Amount 1 3/5 cfs for irrig purpose from April 1 to Oct 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 3/5 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
_____ will pump into present irrigation system
- b. Height of storage dam none 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 100 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 \$ 10,000.00.
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: _____

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	
3N	3W	23	40	40															supplemental only for 80 acres

supplemental

Total number of acres to be irrigated 80

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

Nampa Meridian Irrigation district

Nampa Meridian Irrigation District

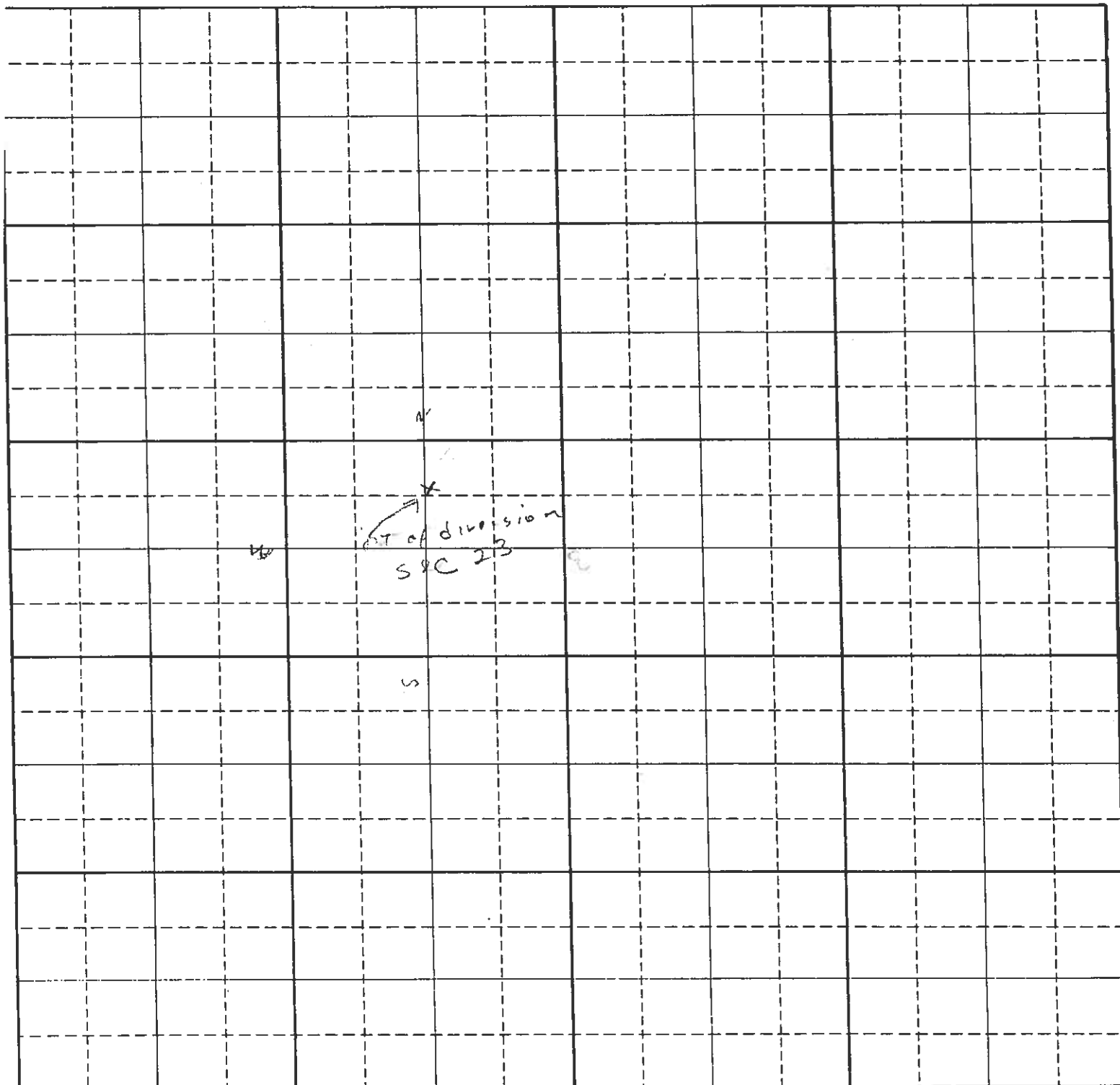
9. a. Who owns the property at the point of diversion *Potts and Hall*

b. Who owns the land to be irrigated or place of use *Potts and Hall*

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.

Potts and Hall
By P. C. Potts
(Applicant) agent

Pl 5 sed Priority 5/10/77

Received by EF Date 5-10-77 Time 10:30am

Preliminary check by WMM Fee \$ 35.00 # 7732

Receipted by CS Date May 10, 1977

Publication prepared by CS Date May 12, 1977

Published in Idaho Free Press

Publication dates May 19, 1977 + May 26, 1977

Publication approved EF Date 6-5-77

Priority reduced to 0 Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by WMM

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. 63-8822, 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 July 1, 19 82.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 12 day of July, 19 77.

[Signature]
Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

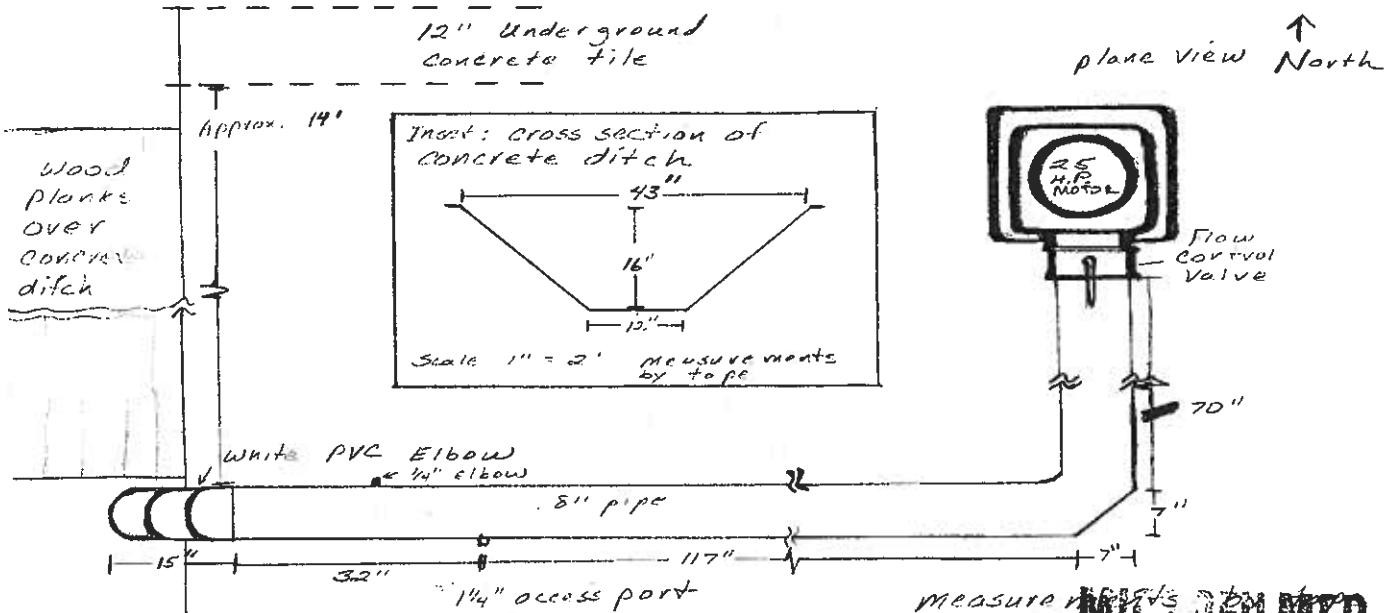
1. Owner: Patricia Hall and Joanne Potts Permit No. 63-8822
Current Address: 96 Robert Knierer, 2375 Center Ave. Payette, ID 83661 Phone No. 462-4192
2. Accompanied by: Joe Rasgorshek EXAM. DATE: 8-25-87
Address: Rt 1 Box 1287 Nampa, ID 83651 Phone No. 466-1834
Relationship to Permit Holder: Renter
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Nampa-Meridian Irrigation District ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 2'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has a 16" ~~case~~ cased well, 113' deep with a 25 H.P. turbine pump. The bowls are set at 60' and the pumping level was measured at 41'. The pump discharges through an 8" steel pipe. All the land is furrow irrigated with siphon tubes from 16" concrete ditches. The land in the NW 1/4 NE 1/4 Sec 23 Twn 3N Rge 3W has the ditch running

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	25	R-7182-02-186	Layne Bowler	20595
					8' discharge

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	NE	23	3N	3W	Canyon	Aerial Photo

6. Place(s) of Use:

Indicate Method of Determination Aerial Photo

Twp.	Rge.	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	
23	3N	3W	36	35	~~34~~										71

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar		Dover	7517-316-55	091414	8"	
Manometer		IDWR		#1	48"	

2. Measurements:

41' to pumping level (well probe)
measured 240 cfs, allowable for 71 acres = 1.42 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: see attachment

2. Alternate Method for Checking Purposes:

$$\frac{25 \times 8.8 \times .8}{41' + 2.3(0)} = 4.29 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 0 psi x 2.31 = 0 ft (1); Dynamic pumping level: 41 ft (2)

Total Head: (1) + (2) = 41 (3) ; Flow rate: 2.40 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 11.2 (5)

Meter Input KW: 3.6 x 57.6 KH x _____ CTR or _____ MULT x _____ PTR x 5 N/ 55 T = 18.8 (6)

Meter Input HP: (6) x 1.34 = 25.2 (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = 44.4 %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{71 \times 4.5 = 319.5 \text{ afa}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1.42 \times 198 \times 1.98 = 556.7 \text{ afa}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{319.5 \text{ afa}}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

along the west side and flowing to the North. A 12" ~~concrete~~ concrete tile leads from this ditch to the ditch in the NE 1/4 NE 1/4. This ditch flows North along the line between the NE 1/4 NE 1/4 and the NW 1/4 NE 1/4 of sec. 23 T2N R3E S3W. There is a total of approximately 1/2 mile of 16" concrete ditch and 1/4 mile of 12" concrete tile. Crops include sugar beets, seed corn, barley, peas and beans. The measurement ~~was~~ made with the valve at the pump wide open. Other measurements were made with the valve at different settings (more typical of normal operations) Flows from 1.2 cfs to 1.6 cfs were found and marked on the valve.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-15	1.42	319.5
Totals:			1.42	319.5

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Carter Fritschle

Signature

Carter Fritschle

Certification Date

8-25-87

Field Report Preparation Date

8-25-87

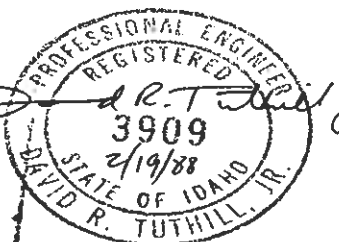
CONSULTANT SEAL

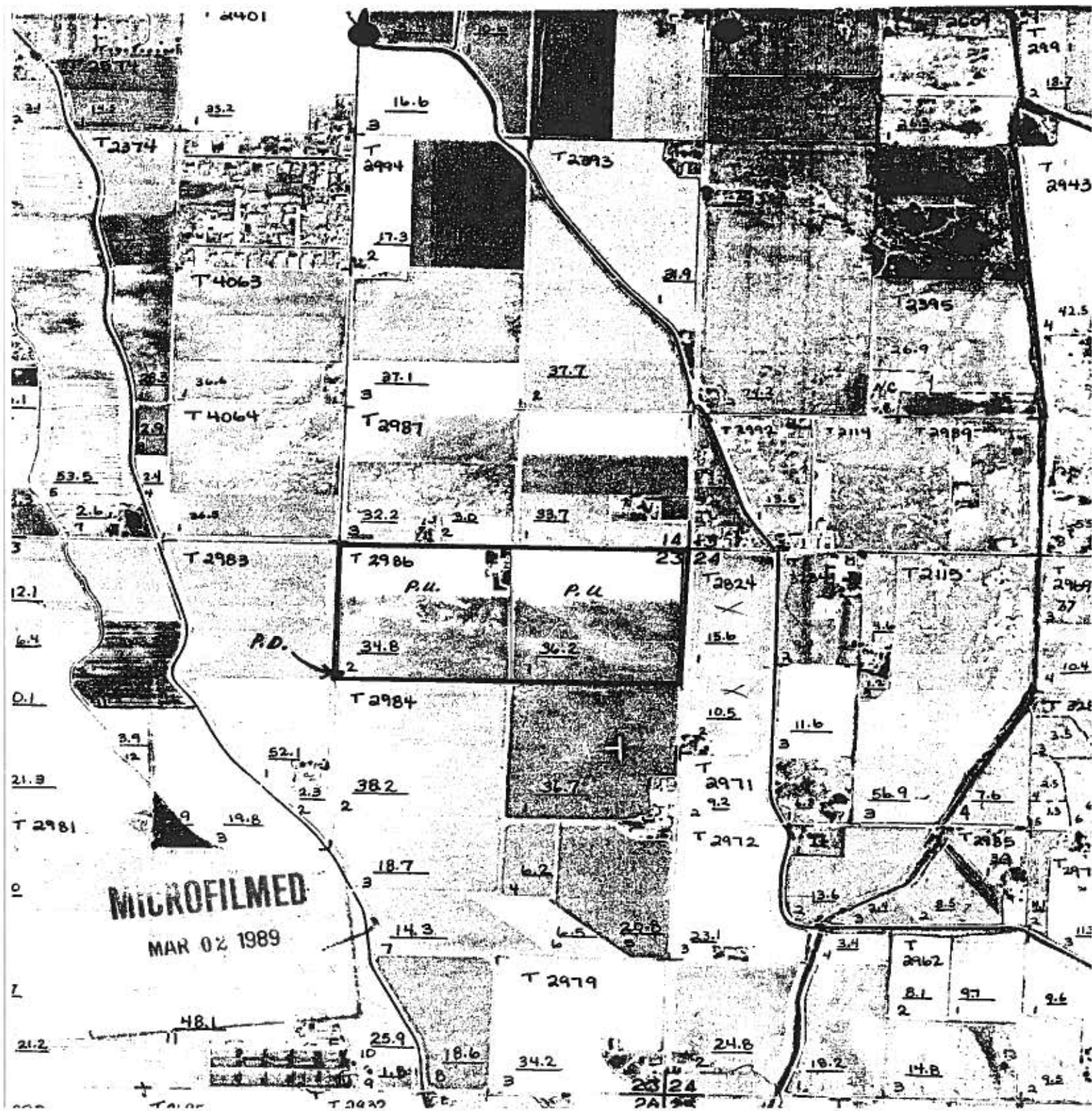
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

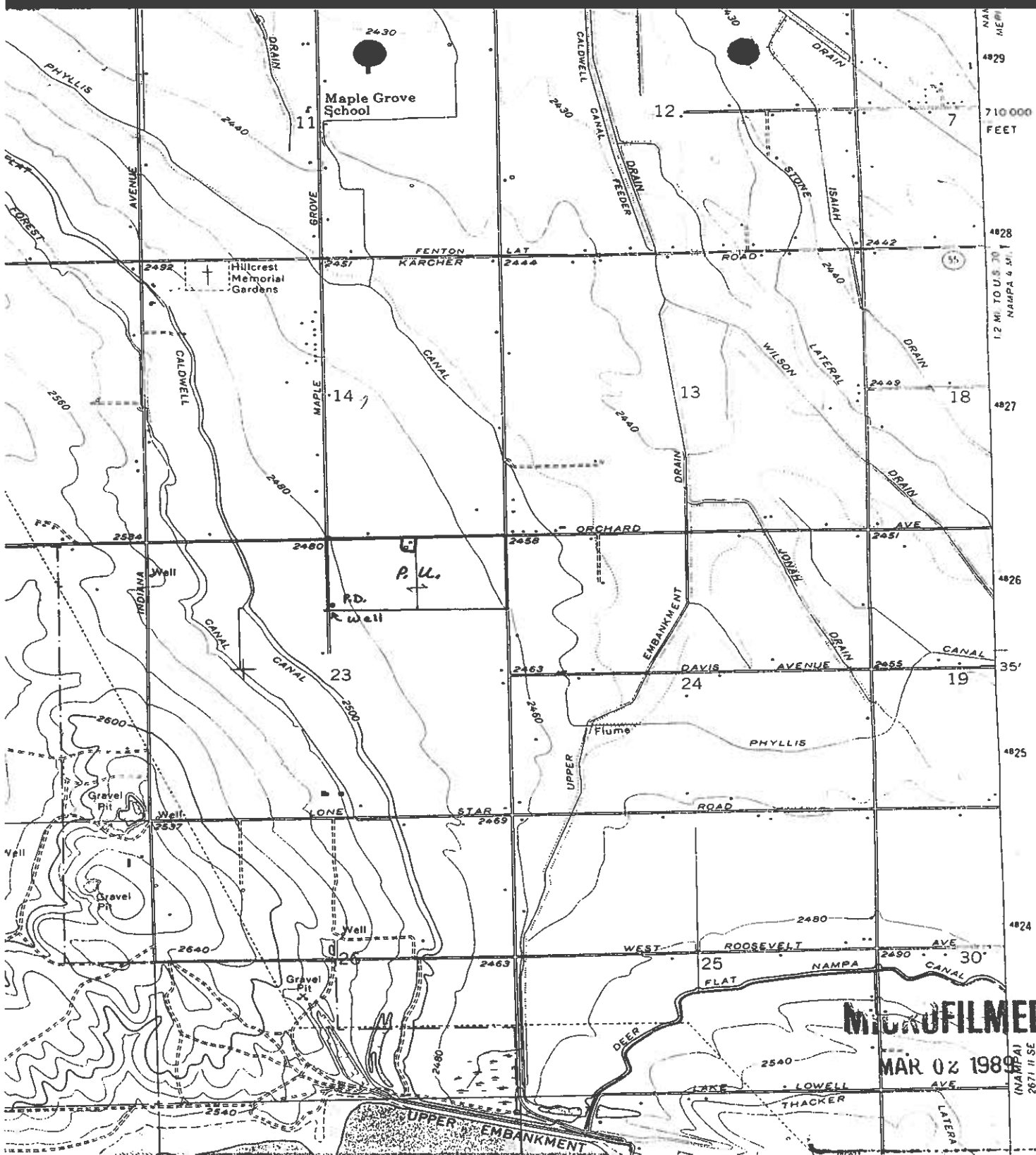
For R 32, this water supplements Nampa-Meridian Irrigation District water.

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(NAMP) 26711 SE