

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: **A63-09944**
Date Received: 3/ 1/1990
Receipt No: W010308
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DAN BILBAO JR
Address: PO BOX 270
ELKO NV

89801

2. Date of Priority: AUG 11, 1982

3. Source: BOISE RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04W	32		NW	NE		CANYON

5. Description of diverting works:
DIV. VIA DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	1.000		724.00
RECREATION	01/01	12/31	1.000		724.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 724.00 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
05N	04W	32	SW	NW		WILDLF	
			SE	NW		WILDLF	

11. Place of use in counties: CANYON

MICROFILMED
AUG 24 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

The total pond volume under this right shall be limited to
15.4 acre feet.

15. Basis of Claim: LICENSE

MICROFILMED
AUG 24 1992

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ELKO, NV

89801

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			SE	NW		WILDLF	

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A63-09944

Page 1

Date: 02/27/90

MICROFILMED
AUG 24 1992

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13. Other Water Rights Used:

14. Remarks:

The total pond volume under this right shall be limited to
15.4 acre feet.

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.

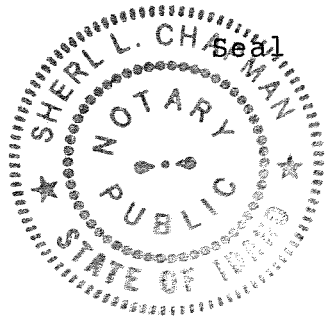
Signature of Claimant(s): *[Signature]* Date: 3/1/90
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of March 19 90

Sheryl L. Chapman
Notary Public

Residing at 2889 Cottle Way Meridian Id
My Commission Expires 6/14/94



09/29/20

**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 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: 63-9944

DAN L BILBAO JR
PO BOX 270-280
ELKO NV 89801-89803

*changed
10-27*

1. Describe the portion of the proposed recommendation with which you disagree (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: 10/26/06

SIGNATURE: *Dan L Bilbao*

Please print your name: *Dan Bilbao*

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

08/17/2006

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

RIGHT NUMBER: 63-9944

NAME AND ADDRESS: DAN L BILBAO JR
PO BOX 270
ELKO NV 89801

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS
724.000 AFY

PRIORITY DATE: 08/11/1982

POINT OF DIVERSION:

T05N R04W S32 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	1/01 12/31	1.000 CFS 724.00 AFY
WILDLIFE	1/01 12/31	1.000 CFS 724.00 AFY

PLACE OF USE: WILDLIFE Within CANYON County

T05N R04W S32 SWNW T05N R04W S32 SENW

RECREATION same as WILDLIFE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The total pond volume under this right shall be limited to 15.4 acre feet.

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

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.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 152A	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 208	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 21134	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 223C	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 233P	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Claim	63 4045	DAN L BILBAO JR,	BOISE RIVER	05N04W32					48	37	20										105
Claim	63 5022	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32				10							40	40	32		40	40	202
Claim	63 9944	DAN L BILBAO JR,	BOISE RIVER	05N04W32							X	X									0
Rec	63 152A	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Rec	63 171	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 177	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 20563	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 20566	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 208	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 21134	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Rec	63 223C	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Rec	63 233P	MILTON HOUSTON,	BOISE RIVER	05N04W32								6	40	31				35			112
Rec	63 4045	DAN L BILBAO JR,	BOISE RIVER	05N04W32					48	37	20										105
Rec	63 5022	LOWER CENTERPOINT DITCH CO,	BOISE RIVER	05N04W32											X	X	X		X	X	0
Rec	63 9944	DAN L BILBAO JR,	BOISE RIVER	05N04W32							X	X									0
Right	63 153	G W GESS,	BOISE RIVER	05N04W32													X				0
Right	63 154	ROBERT MC GUIRE,	BOISE RIVER	05N04W32											X	X	X		X	X	0

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09944

Priority: August 11, 1982 Amount: 1.00 CFS 724.0 AFA

This is to certify, that DAN BILBAO, JR.

P.O. BOX 270

ELKO, NV 89801

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 11, 1982, and has submitted proof to the Department of Water Resources on September 15, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 1.110 cfs of water from:

BOISE RIVER

tributary to SNAKE RIVER

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>
WILDLIFE	01/01 to 12/31	1.00 CFS	724.0 AFA
RECREATION	01/01 to 12/31	1.00 CFS	724.0 AFA
	Totals	1.00 CFS	724.0 AFA

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 32, Township 05N, Range 04W
CANYON County

PLACE OF USE: WILDLIFE

TWN RGE SEC

05N 04W 32

SWNW

SENE

PLACE OF USE: RECREATION, same as WILDLIFE use

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. Use of water under this water right is subject to control by the watermaster of State Water District No. 63
5. The total pond volume under this right shall be limited to 15.4 acre feet.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09944

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 13th
day of MARCH, 1989.

Director

Norman Young



Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN

410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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SEP 17 1987 SEP 15 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources
Western Regional Office

A. GENERAL INFORMATION

Permit No. 63-9944

1. Owner: Dan Bilbao, Jr.

Phone No. 1-800-648-2345

Current Address: P.O. Box 270, Elko, Nevada 89801

2. Accompanied by: Gerald Rueth

EXAM. DATE: 8/26/87

Address: Parma, Idaho

Phone No. 722-6559

Relationship to Permit Holder: Farm Manager

3. Source: Boise River tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

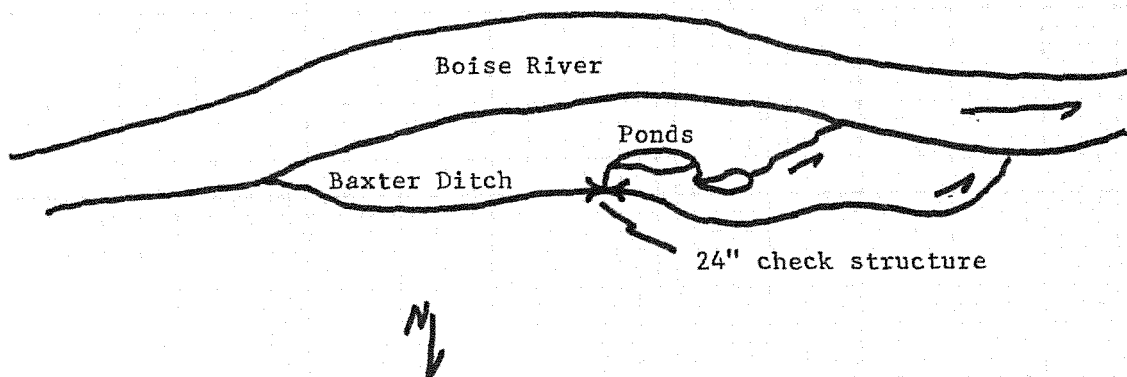
2. Other water rights with same point of diversion: None

☐ 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



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Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

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

Water is transmitted from the Boise River to the diversion via the Baxter Ditch.

Water is then diverted through a concrete diversion in a gravity ditch to the first pond. Water exits the first pond and enters the second. Flow from the

second pond enters the Boise River in the NW/4 SW/4, Sec. 32, T5S, R4W. Percolation from the ponds also enters the Boise River as under flow.

☐ 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
1	N/A	---	---	---	---

*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
		NW	NW	NE	32	5N	4W	Ada	Quad map

6. **Place(s) of Use:**

Indicate Method of Determination field/map

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	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	4W	32							X	X									

RECORDED

MAR 16 1969

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Current meter	AA	Sci Inst	AA	M11WW1	1/2"	1985

2. Measurements:

1.11 cfs = 56"

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{N/A}{}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{N/A}{}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \frac{N/A}{}$

2. Volume Calculations for Other Uses:

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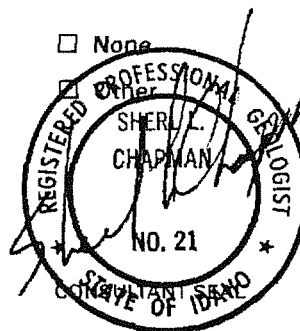
1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Recreation & wildlife	1-1	12-31	1.0	non-consumptive
		Totals:	1.0	

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

Field Examiner's Name Sherl L. Chapman
Signature *Sherl L. Chapman*
Certification Date 5/5/87
Field Report Preparation Date 8/28/87



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

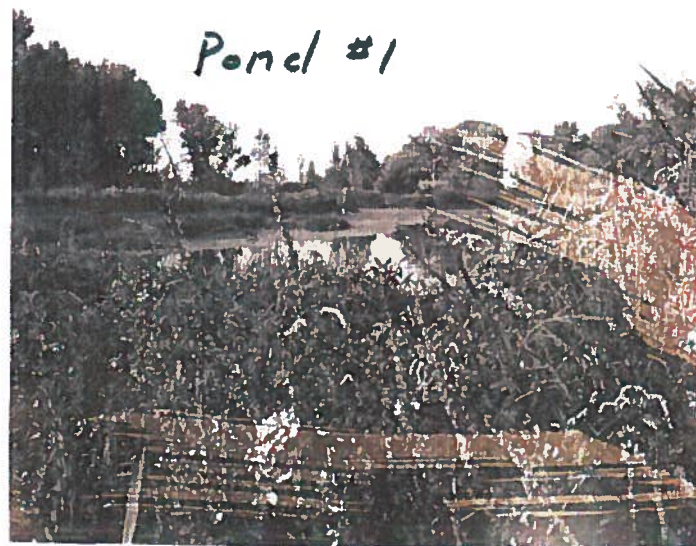
MAR 16 1964

CURRENT METER NOTES

OWNER Dan Bellas Jr 63 9944
TIME 0910 DATE 8/26/87
PARTY SLC/CR CAGE

Ckd. by

MAR 16 1989



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MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis:

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