

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: **A63-21323**
Date Received: 3/ 1/1990
Receipt No: W009922
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT D GRAY 208-466-2876
Address: 8259 LAKE SHORE DR
Nampa ID 83686

AND/OR

Name: CAROL J GRAY 208-466-2876
Address: 8259 LAKE SHORE DR
Nampa ID 83686

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	8	SE	NW	SE		CANYON

5. Description of diverting works:
310' WELL, 14" CASING, W/50 HP PUMP FOR SPRINK. & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	8	SW	NW		IRR	39.0
Section Acres							39.0
Total Acres							39.0

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:

CLAIM NO. A63-03031 - SAME WELL, ADDITIONAL ACRES.

14. Remarks:

OWNERSHIP CHANGED BY DB 8/5/99.

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 07 1999

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 8P 8P ND↓
A63-83031, A63-21323, A63-23766
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Harold Rutherford, Doris Rutherford
8277 Lakeshore Dr. Nampa Idaho 83686
4. New Owner/Claimant(s) Robert D. Dray Carol J. Dray
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 8259 Lakeshore Drive
 City, State and ZIP Code Nampa, Idaho 83686
 New Telephone Number 208 466-2876
5. Date you acquired the property April 1 - 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 139 Number and type of stock NONE
 Diversion rate in CFS 1500 Number of homes NONE Other uses NONE
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Robert D. Dray
Carol J. Dray
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Note →

63-23766 (domestic)

doesn't apply. - it's

in S-15 2N 3W.

DeR

BARGAIN AND SALE DEED

THIS INDENTURE Made the 1st day of April, 1998, between **ROBERT D. GRAY** and **CAROL J. GRAY**, husband and wife, the party of the first part and **RUTHERFORD FARMS LIMITED LIABILITY PARTNERSHIP**, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable consideration, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said party of the second part, and to its heirs and assigns, forever, all of that certain piece or parcel of land situate, lying and being situate in the County of Canyon and State of Idaho, particularly described as follows:

Parcel I:

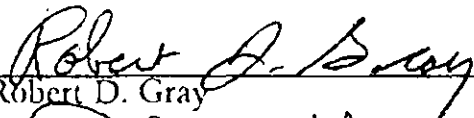
The North One-Half of the Southwest Quarter, Southwest Quarter of the Northwest Quarter, Northwest Quarter of the Southeast Quarter, all in Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Parcel II:

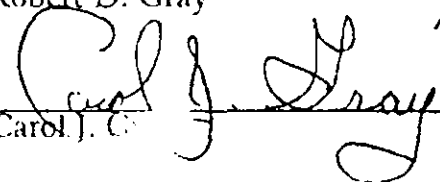
All that part of the Southeast Quarter of the Northwest Quarter lying South and West of the Mora Canal, and all that part of the Southwest Quarter of the Northeast Quarter lying South of the Mora Canal, all in Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, and interest in and to said property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof with the appurtenances.

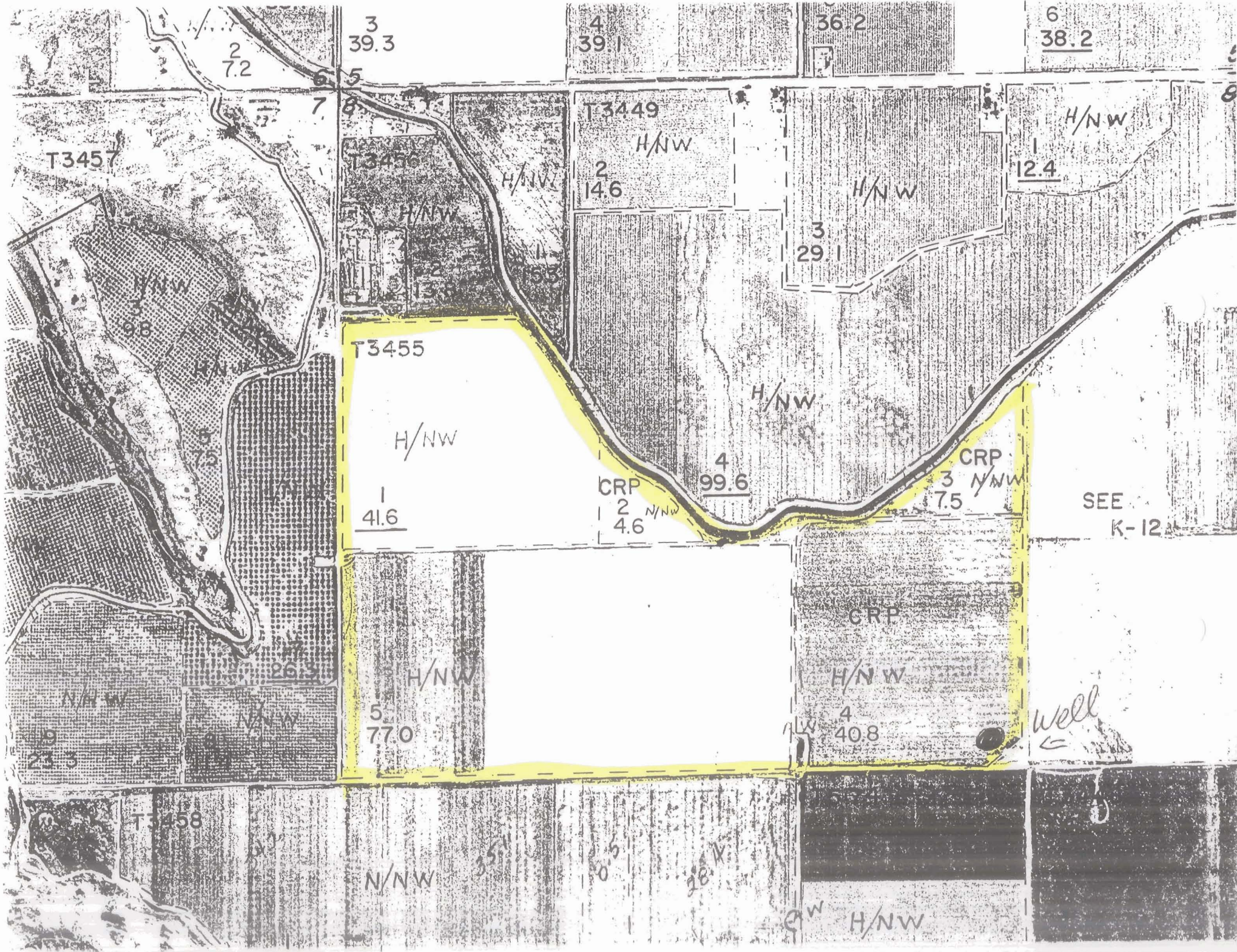
TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said party of the second part and to its heirs and assigns forever.



Robert D. Gray



Carol J. Gray



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: A63-21323
Date Received: 3/01/1990
Receipt No: W008922
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD H. RUTHERFORD 208-466-6091
Address: 8277 LAKESHORE DR.
NAMPA, ID 83686

OR

Name: DORIS E. RUTHERFORD 208-466-6091
Address: 8277 LAKESHORE DR.
NAMPA, ID 83686

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	8	SE	NW	SE		CANYON

5. Description of diverting works:
310' WELL, 14" CASING, W/50 HP PUMP FOR SPRINK. & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A63-21323

Page 1

Date: 03/01/90

MICROFILMED
SEP 03 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	8	SW	NW		IRR	39.0
Section Acres							39.0
Total Acres							39.0

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:

CLAIM NO. A63-03031 - SAME WELL, ADDITIONAL ACRES.

14. Remarks:

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: 1

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): Harold H. Brathwaite Date: 3-1-90

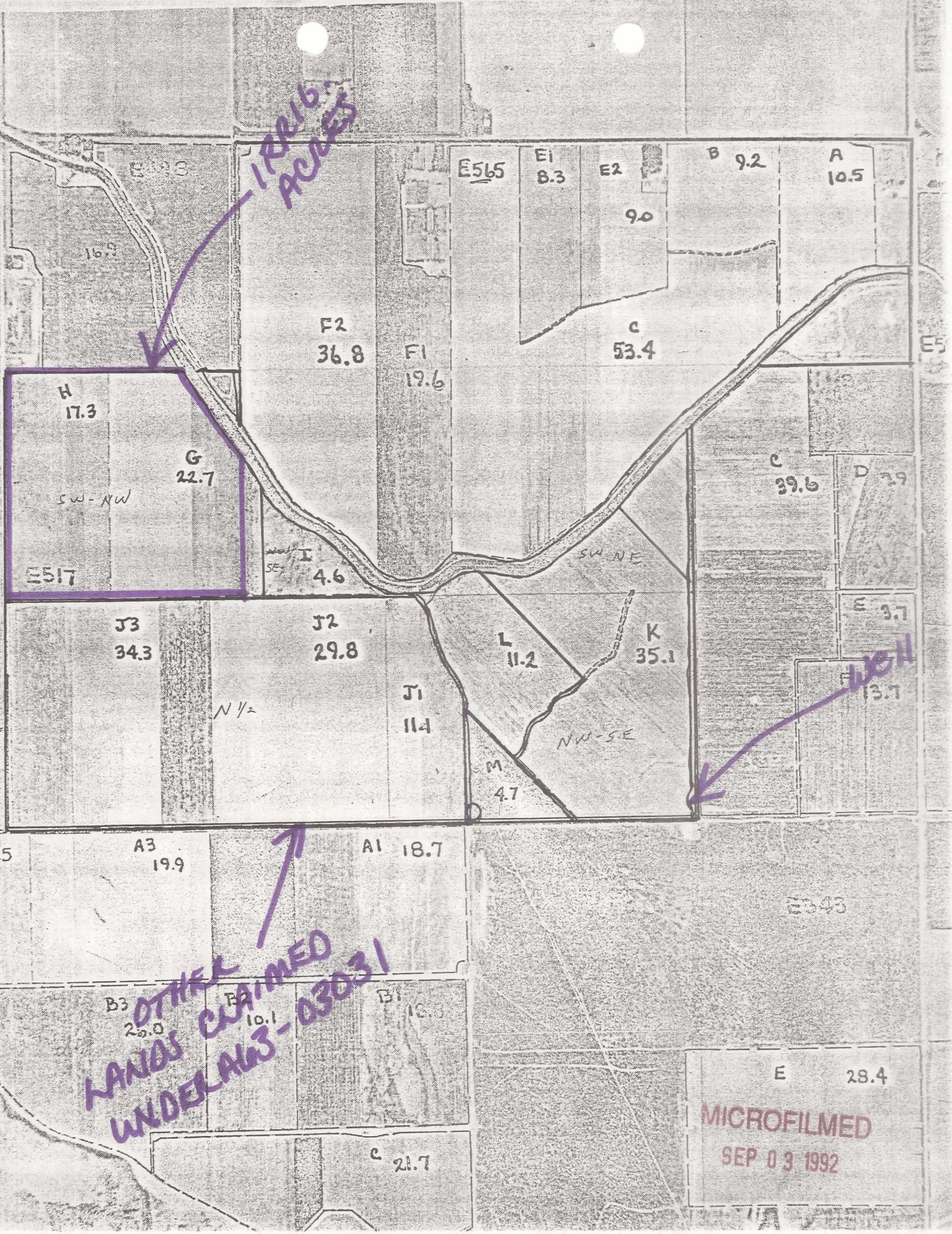
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of March 19 90 Jan Shunte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



18216
ACRES

H 17.3
G 22.7
SW-NW
E517

E565 E1 8.3 E2 9.2 A 10.5
90
c 53.4
F2 36.8 F1 19.6
I 4.6
J3 34.3 J2 29.8
N 1/2
J1 11.4 L 11.2 K 35.1
NW-SE
M 4.7
c 39.6 D 3.9
E 3.7
F 13.7

well

OTHER
LANDS CLAIMED
UNDER A3-03031

MICROFILMED
SEP 03 1992

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.1
0004388393 FEB 02 2
MAILED FROM ZIP CODE 83

RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

CAROL J GRAY

RECEIVED JAN
27 2007
MAILED 10 10 00

63-3031
63-21323

LTP
R1
h

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: 63-21323

ROBERT D GRAY
8259 LAKE SHORE DR
NAMPA ID 83686
Telephone Number: (208)466-2876

CAROL J GRAY
8259 LAKE SHORE DR
NAMPA ID 83686
Telephone Number: (208)466-2876

RECEIVED

OCT 27 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: 10-23-06 SIGNATURE: Robert D. Gray
Please print your name: Robert D. Gray

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

FIRST CLASS



02 1A
0004310839 OCT 06 2006
MAILED FROM ZIP CODE 83702

\$ 00.87⁰

 NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

UTR
PR

DAVID E. GRAY
ROBERT E. GRAY
REGULATORY SERVICES
NAMPALD BUREAU

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

10700 Cool Rd
Caldwell 83607

63-3031
63-21323

Resent 10-12-06

09/26/2006

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

RIGHT NUMBER: 63-21323

NAME AND ADDRESS: ROBERT D GRAY
8259 LAKE SHORE DR
NAMPA ID 83686

CAROL J GRAY
8259 LAKE SHORE DR
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
175.500 AFY

Right Nos. 63-3031 and 63-21323 are limited to a total combined diversion rate of 1.8 cfs.

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION:

T02N R03W S8 SENWSE 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	0.780 CFS 175.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S08 SWNW 39.00

39 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



Idaho Department of Water Resources

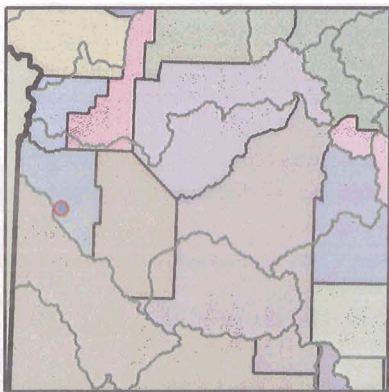
SRBA Recommendation:

63-21323

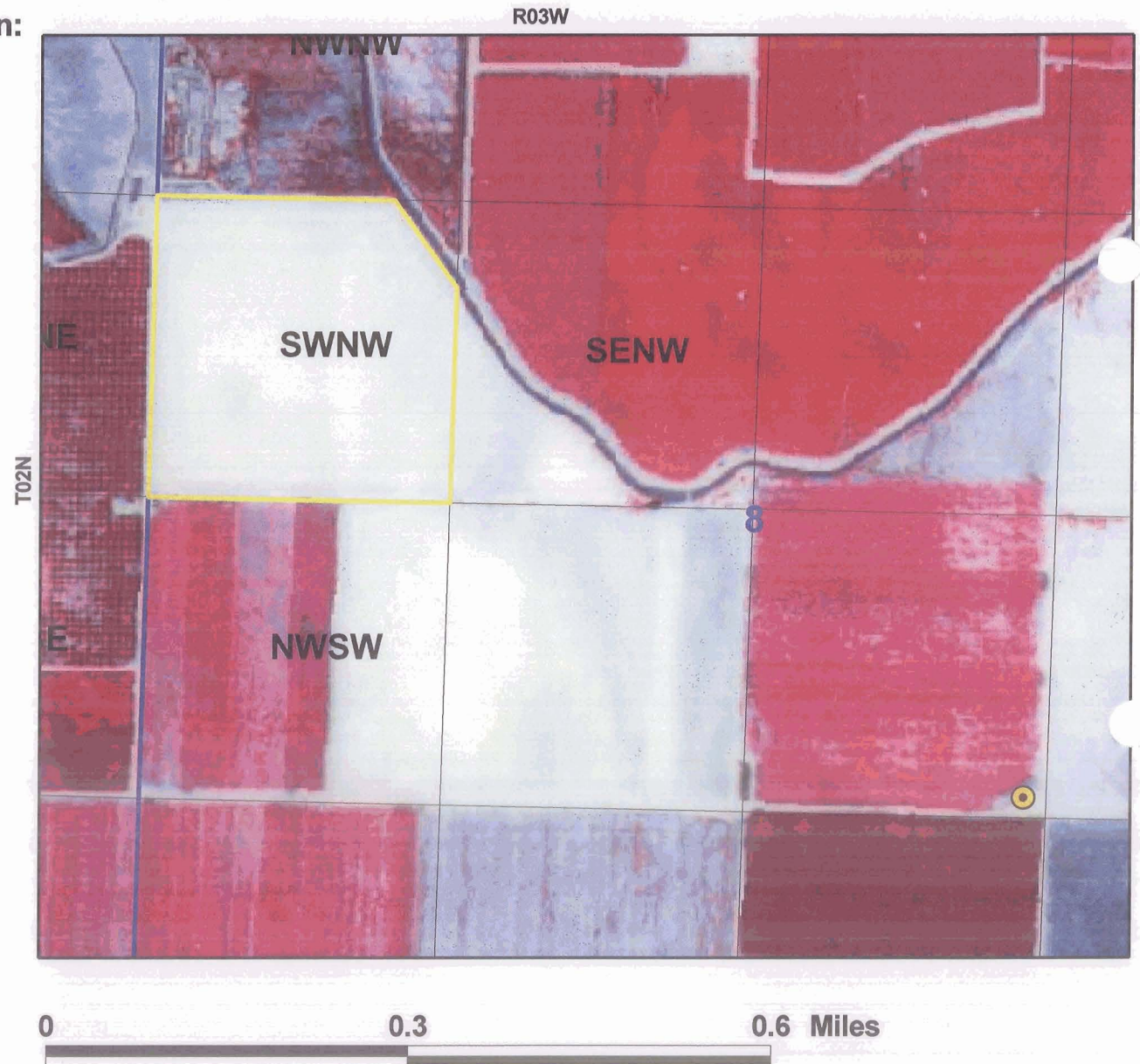
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



Prepared by S. Egbert
On Tuesday, September 26, 2006
1987/88 Aerial Photography

Field Exam Date 9/13/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED

SEP 15 2006

WATER RESOURCES
WESTERN REGION

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 complete

Claim No(s) 63-21323

Owner: Robert D. or Carol J. Gray Phone No. (208) 455-7739

Current Address: 10700 Cool Rd, Caldwell, Id 83607

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☒ NEW ADDRESS 10700 Cool Rd, Caldwell, Id 83607 (208) 455-7739
- ☒ How long owned property? 11 years

Accompanied by: Robert Gray cell phone: 250-2876

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: 3-15-1960

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

_____ - COMMENT -

Source: groundwater

- ☒ 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? _____

DUE TO CAPACITY
OF SYSTEM ^{FROM FY} THIS
RIGHT Y 63-3031
SHOULD BE CONDITIONED
TO NO MORE THAN ORIG
LICENSED 1.8 CFS WHEN
COMBINED.

DIVERSION AND DELIVERY SYSTEM * same POD as 63-3031 V1
 Points of Diversion: (same well)

ADD 2145

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SE	NW	SE	8	2N	3W	Canyon	N43°31.253' W116°43.090'

Description of diverting works

* see attachment

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-3031 V1

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

Adds acres to existing system

WATER USES

☒ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount 0.78 CFS 175.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only * see attached Groundwater Theoretical Analysis

☒ Incomplete on claim, the total is, Amount 1.62 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:

* Same - no changes

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	
2N	3W	8							39										39

Overlap with other water rights: 63-3031 V1

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

Increases additional acres.

Delivery System Narrative: * see attachment

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A 0002145	US motor	75	1161988	turbine	8"

90' static + 10' = 100' lift, 14" casing, 240' deep (originally deeper ie 310', but filling in) 80 psi, pump bowl set at 180'

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water - none used, but own WR from Mores Canal, Wilder Irrigation. Supplemental water has never been used on this property, but is solely used on one acre on the northeast side of Mores Canal of this 40 acre parcel. Confirmed 39.0 acres irrigated.

Robert Gray is requesting a Conditional Use Permit through Planning & Zoning with the intent to sell off + divide 181 acres. (see attached P&Z notes.)

Directions: I-84, Hwy 55/Karcher 5-6 miles,
South on Riverside, cross over dam by Lake Lowell,
at split follow Riverside, rt. on Locust + go all the
way on top the hill, Right on Cool Rd, physical address
currently is 10700 Cool Rd (on left side). Robert Gray
selling + dividing property (copy of P+Z notice attached).
POU: for the WR # 63-21323 is directly south of 10700 Cool Rd.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

For WR # 63-3031, the south board
running west to east is 1/4 mile south
of 10700 Cool. Then 1 mile east to POD +
the east boarder of the POU.
POD: 1/4 mile south of 10700 Cool
then 1 mile east,

DATE EXAM CONDUCTED: 9-14-2006

FIELD EXAMINER:

Sandy Hemenway

63-21323 & 63-3031 V1 Gray
Date of Inspection 9/13/2006
Inspector: Sandy Hemenway

Description of diverting works:

63-3031: POD is located ¼ mile south of 10700 Cool Rd, then east 1 mile in the southeast corner of the property. 14" casing, 240' deep (previously 310' deep but has filled in), static 90', pump bowl set at 180', US Turbine Motor 75 Hp, SN#1161988, 8" discharge, 80 psi.

63-21323: POD is located ¼ mile south of 10700 Cool Rd, then east 1 mile in the southeast corner of the property. 14" casing, 240' deep (previously 310' deep but has filled in), static 90', pump bowl set at 180', US Turbine Motor 75 Hp, SN#1161988, 8" discharge, 80 psi.

Note: Same POD/well supplies both 63-3031 and 63-21323 (1.62 cfs capacity)

Delivery System Narrative:

63-3031: 8" discharge from POD to buried 12" tile that runs east to west from the POD to the southwest corner, running along the south boarder next to the concrete tile. There are 4 outlets from the well that discharges into the concrete ditch running east to west on the south boarder. (1) 50' north from the POD, (2) 100' west of #1 outlet, (3) then two outlets located near the southwest corner. Number 1-outlet open discharges whenever the pump is running, and there are control valves for the other 3 outlets to regulate the location of discharge. From outlet #2 gravity flow south to north via 1" siphon tubes. From outlet #1 to the concrete ditch, flow can either go east to west (gravity flow south to north), or around the corner and flow south to north (gravity flow east to west). Continuing north, 6" gated pipe (gravity flow east to west), then turning west to the asparagus field with 6" gated pipe (gravity flow south to north).

The POD/well pumps through 12" tile to the 188' x 55' x 12' sprinkler pond (located near the southeast corner). The US Electric 60 Hp turbine pump, 4' lift, 80 psi (per owner) pump, 8" discharges east (on the south boarder) to above the ground 10" aluminum converting to 8" towards the top of the hill, then converting to 6" aluminum going down the hill on the east boarder (running south to east) to the location for 3" aluminum hand line (1/8" nozzles, 30 psi average, 4 lines, 28 nozzles run at one time).

All run-off from the fields are routed north to the 120' x 30' x 6' wastewater pond. A Fisher 5Hp, 6' lift, 40 psi, 6" discharge, pumps wastewater from the pond southwest through buried 8" PVC to an outlet discharge valve the direct discharges into the concrete ditch on the south boarder (east of the well outlets that have the fertilizer tanks located next to them).

Note: Both ponds are utilized only during irrigation season. There is no year-round use.

63-21323: 8" discharge from POD to buried 12" tile that runs east to west from the POD to the southeast corner, running along the south boarder next to the concrete tile. There are 4 outlets from the well that discharge into the concrete ditches running east to west on the south boarder. (1) 50' north from the POD, (2) 100' west of #1 outlet, (3) then two outlets located near the southwest corner. Note: this first part is identical to 63-3031. The two outlets located near the southwest corner are utilized to open discharge to the concrete ditch, travel west to the southwest corner, then south to north, are piped under the road then discharged into a concrete ditch that runs west to east on the south boarder of 63-21323 (POU directly south of 10700 Cool Rd.) with gravity flow south to north. This flow from the outlet, concrete ditch, and to the POU for 6121323 is demonstrated on the hand drawn map and indicated with "red."

Supplemental Water: None utilized on 63-3031 or 63-21323 land. There is 1 acre across the canal northeast of 63-21323 that is irrigated solely with Mores Canal/Wilder Irrigation. Robert Gray has shares with Mores Canal/Wilder that he pays for annually (per Robert Gray, unknown number of shares he has).

Additional Information:

Robert Gray has a scheduled meeting with Planning and Zoning, with the intent to divide 181 acres into 130 lots, and 20 common lets. The property has already been sold on contingency of the C.U.P. (see attached announcement, and photograph of sign posted).

POU:

Crops that are planted on this land are specialty crops that are rotated. They are seed crops, i.e. potato special hybrid "seed" crop plots for companies in Chile, corn seed, carrot seed, onion seed, asparagus, and many other varieties of seed crops.

Claim No. and Name: A63-21323 Gray

Date: 9/13/2006

Field Inspector: Sandy Hemenway

Measurements/Calculations:

Irrigation:

Confirmed acres irrigated: $39.0 \text{ acres} \times 0.02 \text{ cfs} = 0.78 \text{ cfs}$

Season 3/1 - 11/15 = 260 days

Required V.i.r = allowable acres under permit x requirement IDWR chart (figure 2)=

$38.0 \text{ acres} \times 4.5 = 175.5 \text{ afa}$

Potential V.d.r. = max. allowable cfs x permit season x 1.9835 =

$0.78 \times 260 \times 1.9835 = 402.3 \text{ afa}$

V = 175.5 af

Groundwater Theoretical Analysis: *See attachment for calculation = 1.62 cfs**

~~Analysis~~
~~Annalysis~~
GROUNDWATER THEORETICAL ANNALYSIS

FILE: 63-21323/63-3031 VI Gray

DATE: 9-14-2006

BY: Sandy Hemenway

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster) 75hp

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level 90' static + 10' = 100'

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0]) 80 psi

$$Q = \frac{(8.8) \times (\underline{75}) \times (0.70)}{[(\underline{100}) + (\underline{80} \times 2.31)]} = \frac{462}{284.8} = \boxed{1.62 \text{ cfs}}$$

LIFT FROM:

Measurement ()

Owner (X)

Area estimate ()

Well Logs ()

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner (X)

Estimate ()

Owner Gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

US Motor #1161988

Pump Make, Serial or ID, rating

REMARKS: The well used to be 310' but filled in.
Robert Gray had the well measured + it is
currently 240' deep, pump bowl set at 180',
90' static, system runs at 80psi + has a 14" casing.

This well is the same POD for both WR 63-21323
+ 63-3031 VI.



Canyon County Development Services Department

1115 Albany Street • Caldwell, Idaho • 83605

Phone: (208) 454-7458

Fax: (208) 454-6633

www.canyoncounty.org/dsd

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the Canyon County **Planning and Zoning Commission** is scheduled to hold a public hearing on **Thursday, September 21, 2006** beginning at 7:00 p.m. on the following case:

Robert Gray is requesting a **Conditional Use Permit** to divide three parcels that total approximately 181 acres into 130 residential lots and 20 common lots in an "A" (Agricultural) Zone.

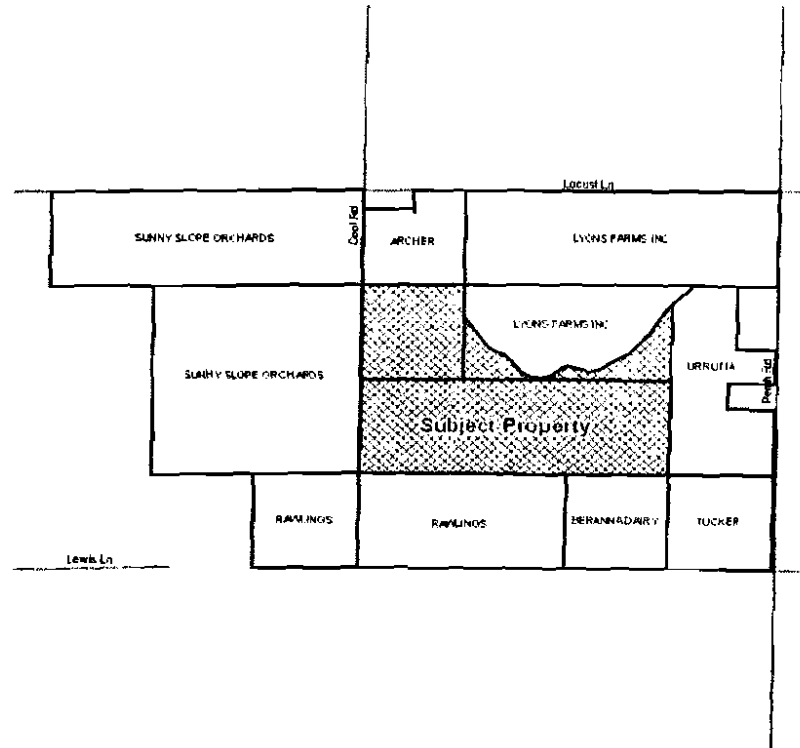
The subject property is located approximately ¼ mile south of Locust Lane and approximately ¼ mile west of Perch Road, Caldwell, Idaho, in portions of the NW, NE, SW, & SE ¼ of Section 8, T2N, R3W, BM. (Refer to adjacent map).

The hearing is scheduled in the Public Meeting Room on the first floor of the Canyon County Courthouse, located at 1115 Albany Street, Caldwell, Idaho

All documents concerning public hearing items may be reviewed at the Canyon County Development Services Department, 3rd floor, Canyon County Courthouse, 1115 Albany Street, Caldwell, Idaho, 83605. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Planning Division at **454-7458**.

You are invited to provide oral comments to the Commission at the hearing. Please note that all comments made to the Commission during the public hearing will be restricted to three minutes per person.

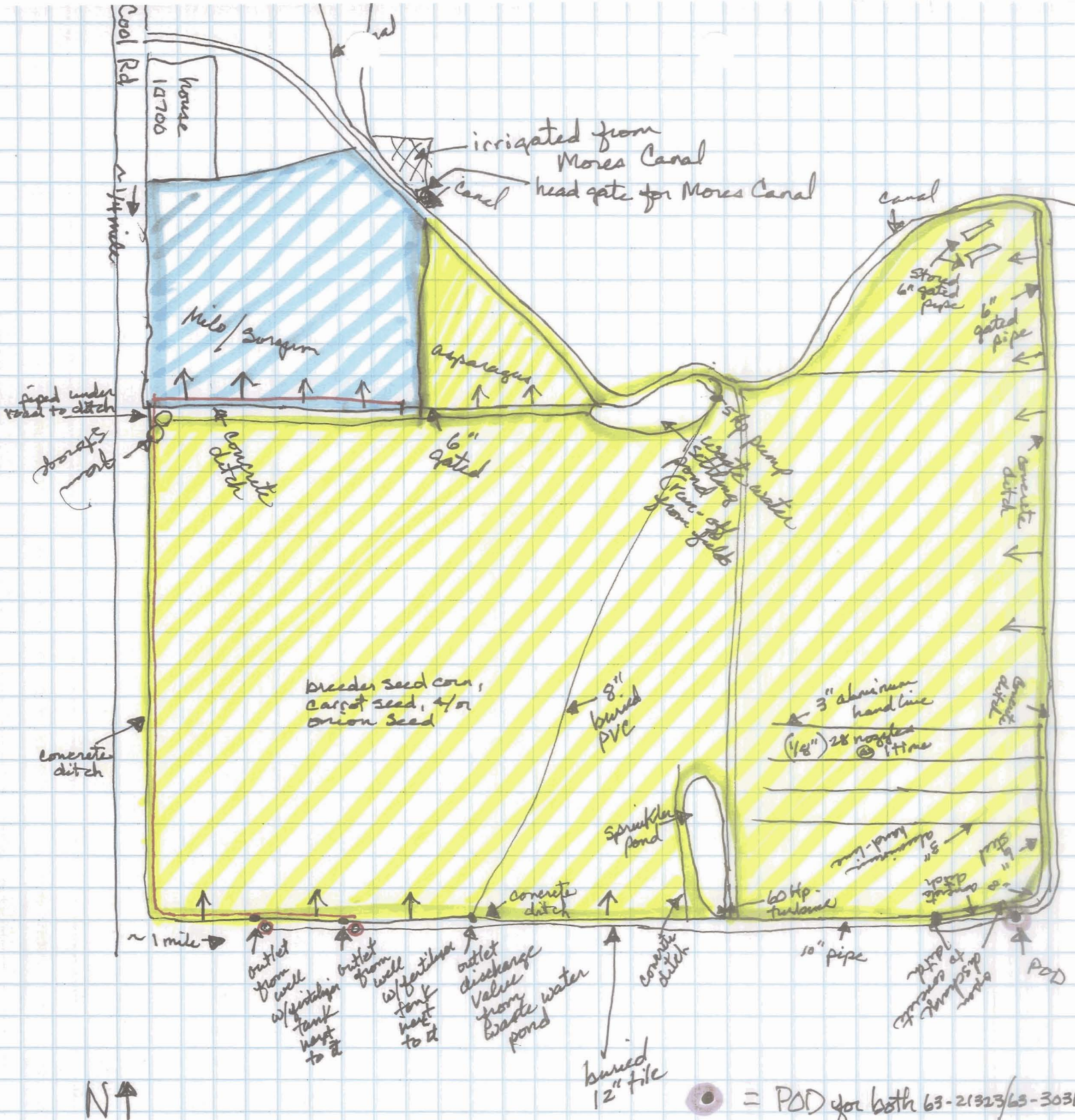
Please submit all written exhibits to Development Services Department five (5) business days prior to the hearing to allow



for due consideration. Exhibits will be forwarded to the Planning and Zoning Commission.

In all correspondence concerning this case, please refer to the case name and case number: **CU2006-57**.

- Auxiliary aids or services for persons with disabilities are available upon request. Please call the Development Services Department at 454-7458 at least 24 hours prior to the hearing so that arrangements can be made.



N ↑

63-21323/63-3031 Gray
9/13/2006 S.H.

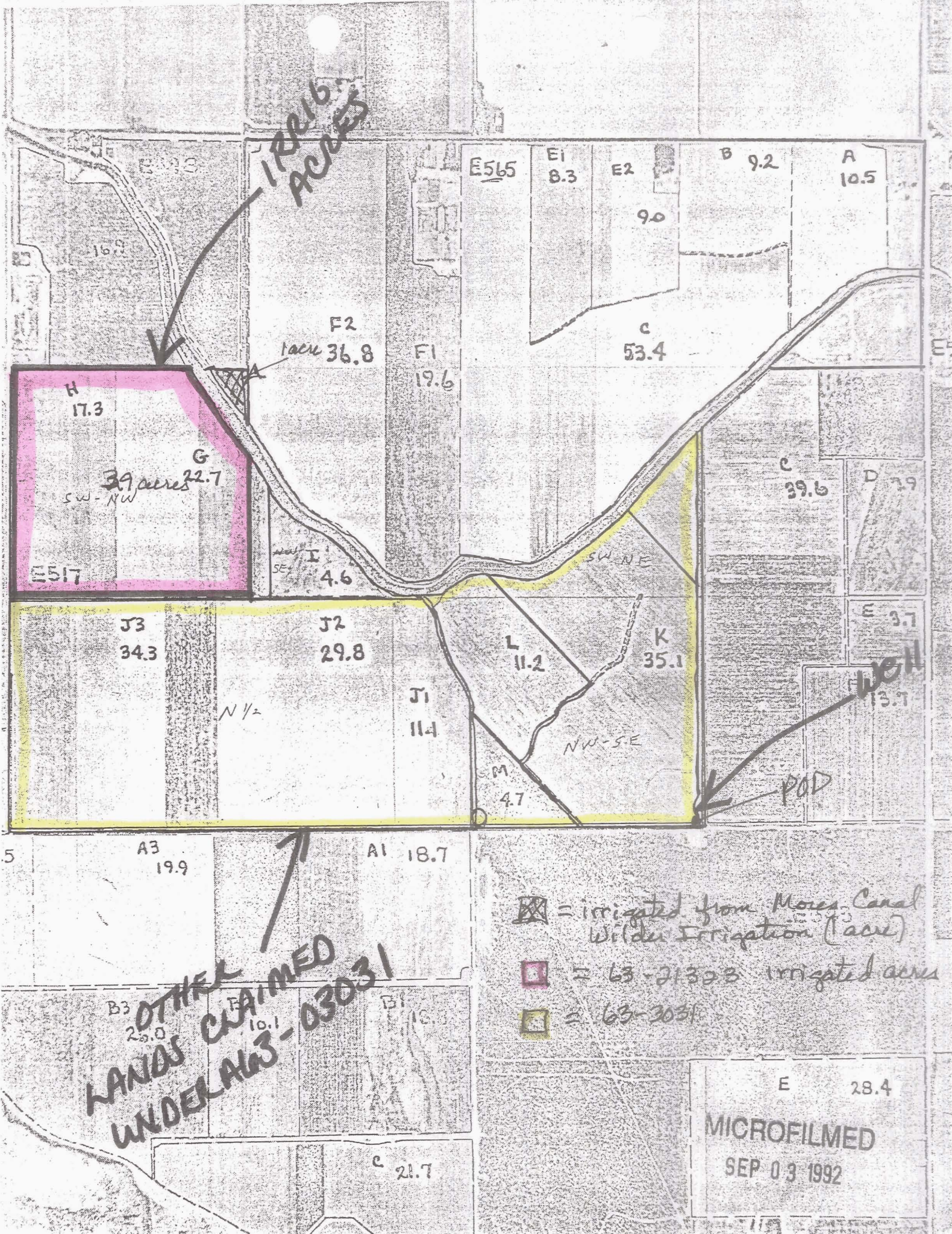
● = POD for both 63-21323/63-3031

■ = 63-21323

■ = 63-3031 acres irrigated

▤ = irrigated w/ Mores Canal only

▬ = flow path from POD to 63-21323



E518

16.2

E565

E1 8.3

E2

B 9.2

A 10.5

9.0

F2

1 acre 36.8

F1 19.6

C 53.4

H 17.3

G 22.7

SW-NW

E517

I 4.6

SW-NE

C 39.6

D 7.9

J3 34.3

J2 29.8

L 11.2

K 35.1

N 1/2

J1 11.4

NW-SE

E 3.7

F 13.7

SM 4.7

A3 19.9

A1 18.7

B3 25.0

B2 10.1

B1 10.3

E 28.4

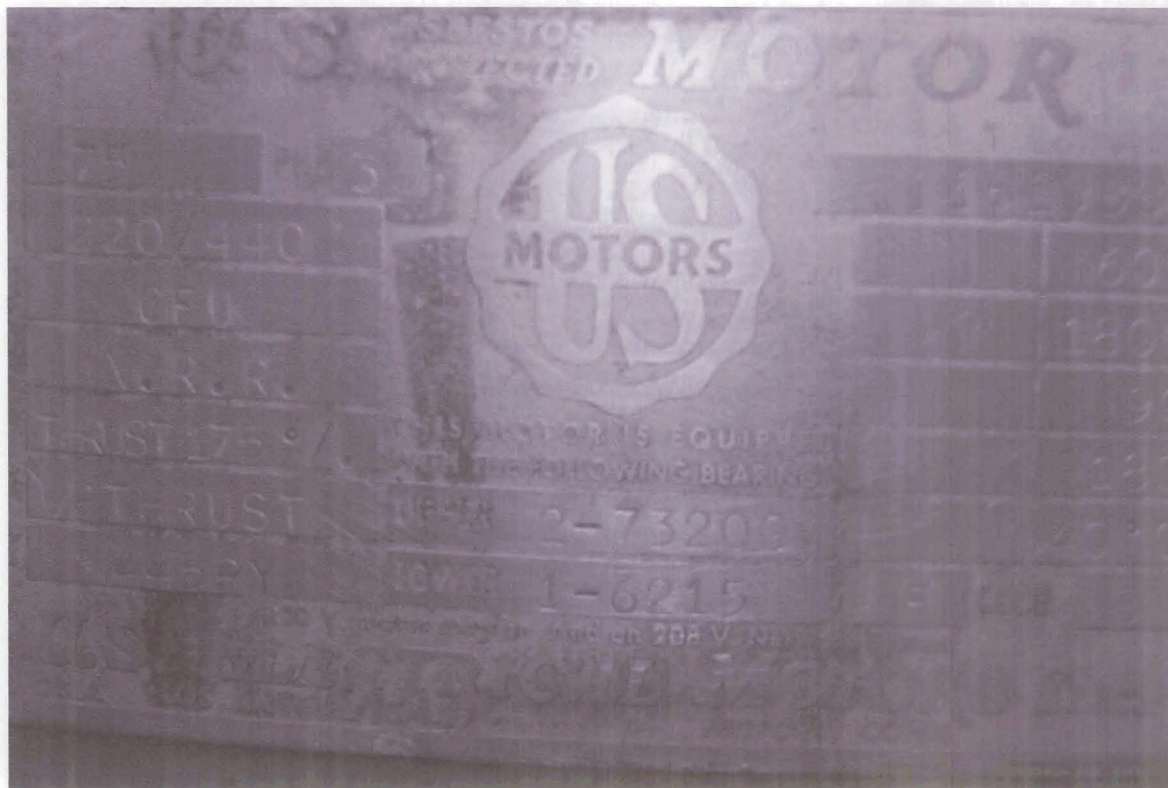
C 21.7



63-21323 + 63-3031 (same well)

POD
Same POD
for both
63-21323
+ 63-3031
14" casing
240' deep,
pump bowl
set at 190',
static 90'
80 psi

8" discharge
(originally deeper,
but filled in)



US Motor
75hp
turbine
pump,
SN# 1121988
turbine
pump

63-21323 + 63-3031 Gray
9/13/2006 SH

10700
Cool Rd.



POU:

Presently
growing
Milo/sorghum
+ shipping
it to Brazil

Concrete
ditches
running
west to
east on
south
border,
1" siphon
tubes,
grants
flow
south to
north

STH



10700
Cool Rd

POU

Concrete
ditch
w/ 1"
siphon
tubes

09/13/2006

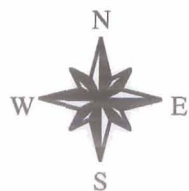
63-21323 Gray
9/13/2006 STH

Idaho Department of Water Resources

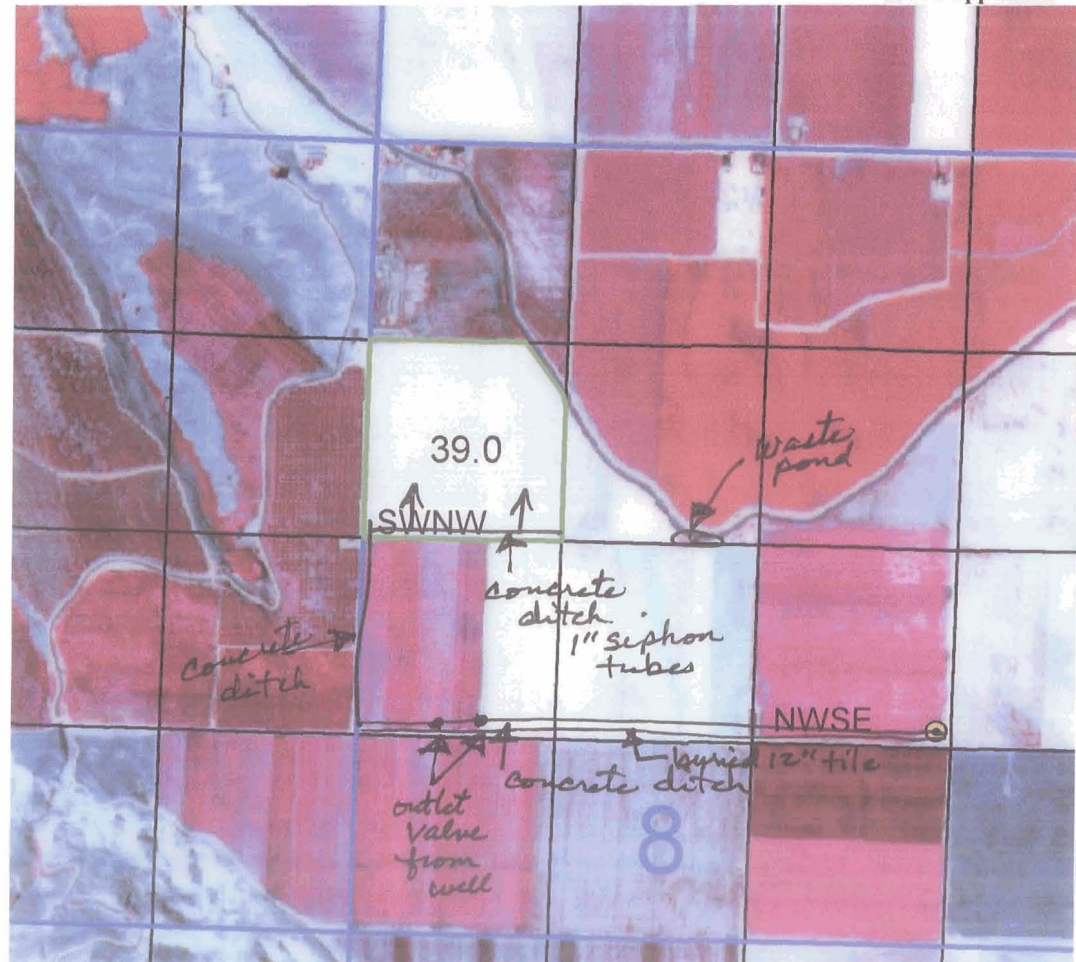
Claim Number: 63-21323
Legal: T02N, R03W, S8
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

9/13/2006 SH.



1987 Napp Photo



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: **A63-21323**
Date Received: 3/ 1/1990
Receipt No: W009922
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT D GRAY 208-466-2876
Address: 8259 LAKE SHORE DR
NAMPA ID 83686
AND/OR
Name: CAROL J GRAY 208-466-2876
Address: 8259 LAKE SHORE DR
NAMPA ID 83686

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	8	SE	NW	SE		CANYON

5. Description of diverting works:
~~310'~~ 240' WELL, 14" CASING, W/50 HP PUMP FOR SPRINK. & FLOOD IRR. ~~75~~

6. Water is used for the following purposes:

Purpose	From ³⁻¹ ~~03/15~~	To 11/15	C.F.S. 0.780	(or)	A.F.A.
IRRIGATION					

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

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	8	SW	NW		IRR	39.0
Section Acres							39.0
Total Acres							39.0

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:

CLAIM NO. A63-03031 - SAME WELL, ADDITIONAL ACRES.

14. Remarks:

OWNERSHIP CHANGED BY DB 8/5/99.

15. Basis of Claim: BENEFICIAL USE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21323

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
21323	Claim	02N	03W	8	SW	NW		IRRIGATION	39/39	ROBERT D GRAY

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

463-21323)
)
)
)

State of Idaho)
County of CANYON)

AFFIDAVIT

RECEIVED

JUL 25 1995

WATER RESOURCES
WESTERN REGION

EARL M. LYONS. being first duly sworn,
deposes and says: This 39 acres of land
in Canyon County, Idaho, the
property of Harold H & Doris E
Rutherford - Legal description
SW 1/4 NW 1/4 Sec. 8 T2N R3W B.M.
was first irrigated by Earl M.
Lyons on March 15th 1960.
from a well located at SE 1/4 NW 1/4
SE 1/4 Sec. 8 T2N R3W B.M.
Well permit no. G-25525 (3/18/55)

Earl M. Lyons
(Signature)

Subscribed and sworn to before me this
day 18 of June, 1995.

SEAL

Jean Capewell
(Notary Public)

Residing at Nampa.

My Commission Expires 8-3-2000.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:50:22
07/27/95
15

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A63-21323

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																						
C	HAROLD H RUTHERFORD	03/15/1960	IRRIGATION	03-15 11-15	0.78 CFS																																																																																							
C	DORIS E RUTHERFORD																																																																																											
TOTAL DIVERSION:					0.78 CFS																																																																																							
CONSUMPTIVE USE:						136.50 AFA																																																																																						
Water Source: GROUNDWATER		Tributary to:		Stage: BENEFICIAL USE																																																																																								
Point(s) of Diversion:		T02N R03W S08		CANYON County																																																																																								
Place of use Legal Description for:		IRRIGATION																																																																																										
<table border="0"> <tr> <td colspan="4"></td> <td colspan="4">NE</td> <td colspan="4">NW</td> <td colspan="4">SW</td> <td colspan="4">SE</td> <td></td> </tr> <tr> <td>T</td><td>R</td><td>S</td><td>:</td> <td>Lt</td><td>Ac</td><td>Lt</td><td>Ac</td> <td>Lt</td><td>Ac</td><td>Lt</td><td>Ac</td> <td>Lt</td><td>Ac</td><td>Lt</td><td>Ac</td> <td>Lt</td><td>Ac</td><td>Lt</td><td>Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td>02N</td><td>03W</td><td>8</td><td>:</td> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td>:</td> <td>39.0</td> </tr> <tr> <td colspan="19"></td> <td>TOTAL ACRES</td> <td>39.0</td> </tr> </table>											NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	02N	03W	8	:																	:	39.0																				TOTAL ACRES	39.0
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02N	03W	8	:																	:	39.0																																																																							
																			TOTAL ACRES	39.0																																																																								

PQU County: CANYON

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO. A63-03031 - SAME WELL, ADDITIONAL ACRES.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Is there any surface water (from irrig. dist. or canal co.) on the lands? No

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-21323	02N	03W	8	SE	NW	SE			CANYON		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A63-03031 NONE

WR RECORDS IN SAME 40 ACRE TRACT
63-03031

← same well, additional acres

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

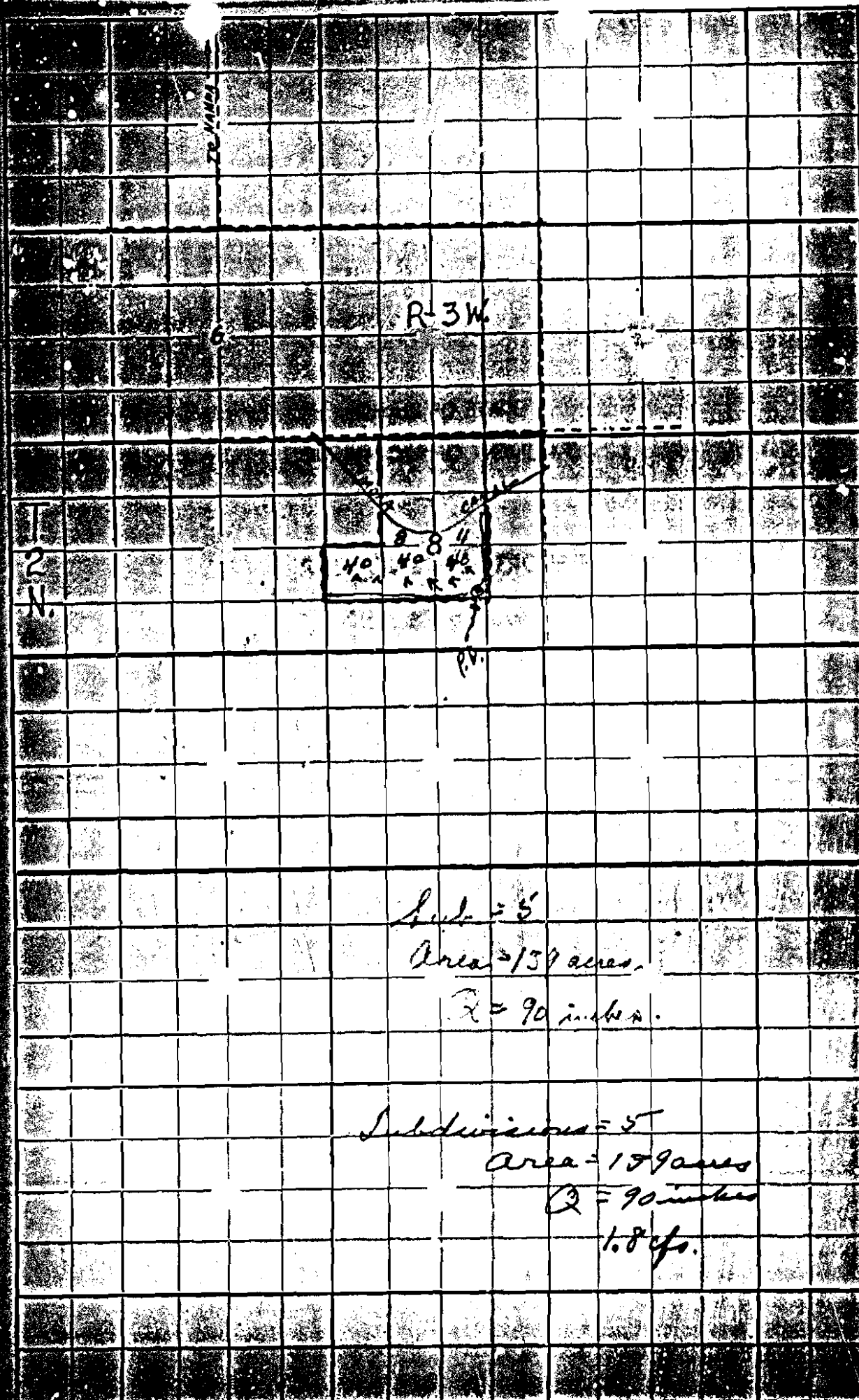
H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)



Sub. = 5

Area = 139 acres.

$\bar{X} = 90$ inches.

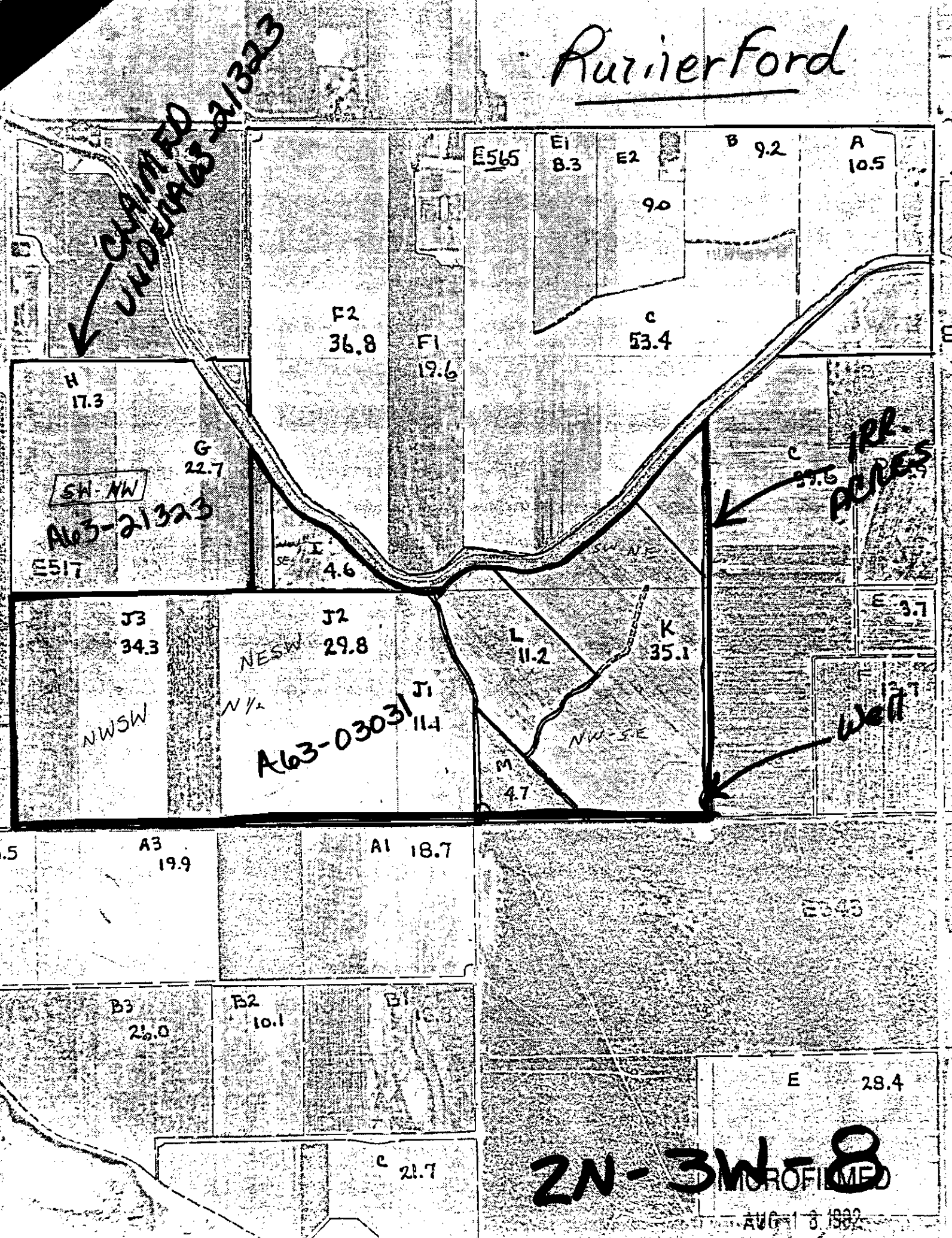
Subdivisions = 5

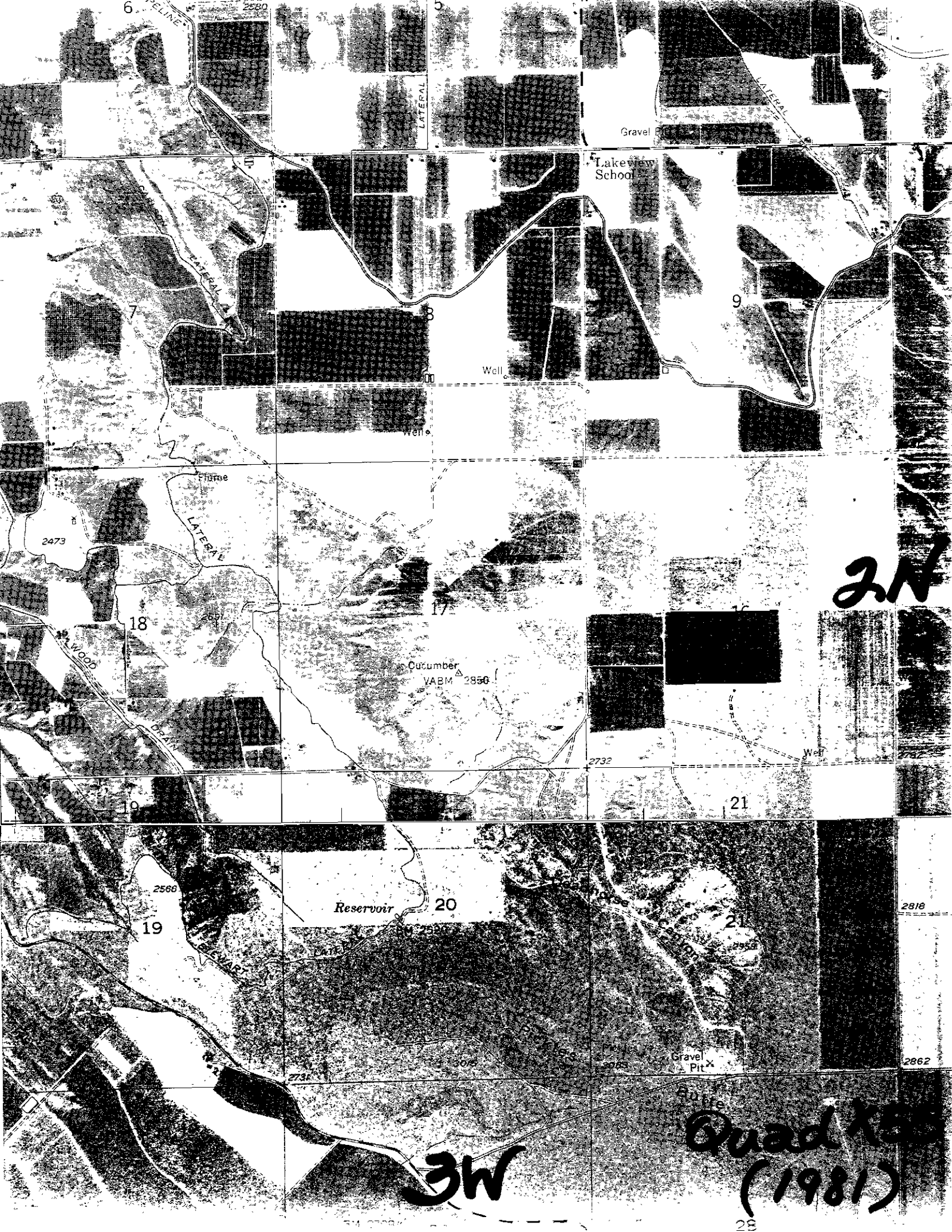
Area = 139 acres

$\bar{Q} = 90$ inches

1.8 yds.

Rutierford





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:02:20
07/26/95
35

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A63-03031

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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POU County: CANYON

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO. A63-21323 - SAME WELL - ADDITIONAL ACRES.

Dates: Exam Made Date: Verified Date: 05/06/1985

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-03031

WR ELEMENT	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*	<u>N</u>						
PT. OF DIV.	<u>N</u>						DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE	<u>N</u>						
PL. OF USE	<u>N</u>						FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	<u>N</u>						
CONSUMPTIVE USE	<u>Y</u>						
NATURE OF USE	<u>N</u>						
PERIOD OF USE	<u>Y</u>						
BASIS OF CLAIM	<u>N</u>						
REMARKS	<u>N</u>						

N/A IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

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

COMMENTS: _____

VERIFICATION CODES

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:54:12
07/26/95

PAGE: 1
GENERAL INFORMATION

19
CLAIM NUMBER: A63-03031

LAST: RUTHERFORD
ADDRESS: 8277 LAKESHORE DR
CITY: NAMPA
PHONE NUMBER: 208-466-6091

FIRST: HAROLD H
STATE: ID ZIP: 83686

OWNER CODE: C

LAST: RUTHERFORD
ADDRESS: 8277 LAKESHORE DR
CITY: NAMPA
PHONE NUMBER: 208-466-6091

FIRST: DORIS E
STATE: ID ZIP: 83686

OWNER CODE: C

LAST: LYONS
ADDRESS:
CITY: XXXXX
PHONE NUMBER: 208-000-0000

FIRST: ARLENE Y
STATE: ID ZIP: XXXXX

OWNER CODE: O

LAST: LYONS
ADDRESS:
CITY: XXXXX
PHONE NUMBER: 208-000-0000

FIRST: EARL MYRON
STATE: ID ZIP: XXXX

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

fw

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A63-03031 PRIORITY DATE: 03-14-1955 STAGE: L

B. WR RECORD: # 63-03031 PRIORITY DATE: 03-14-1955 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☒)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

=====

RECOMMENDED PRIORITY DATE:

03-14-1955

REVIEWED BY

km

DATE

7-27-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-03031	02N	03W	8	SE	NW	SE			CANYON		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A63-21323 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
63-03031	02N	03W	8	SE	NW	SE			CANYON		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A63-21323 NONE

NONE ✓

B/U claimz

SOURCE: GROUNDWATER

TRIB: same well

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(✓) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(✓)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(✓)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 6-3-1960) - see copy attached Y(✓) N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
02N	03W	8	SE	NW	SE			CANYON		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: lcw

DATE: 7-27-95

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A63-03031

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	03W	8	SW	NE		RUTHERFORD, HAROLD H	A63-03031 / 11.0	63-03031 / 11.0	31.0		
			SW	NE		LYONS FARMS INC	A63-08444 / 27.0	63-08444 / 27.0			
02N	03W	8	SE	NW		RUTHERFORD, HAROLD H	A63-03031 / 8.0	63-03031 / 8.0	39.0		
			SE	NW		LYONS FARMS INC	A63-08444 / 30.0	63-08444 / 30.0			
02N	03W	8	NE	SW		RUTHERFORD, HAROLD H	A63-03031 / 40.0	63-03031 / 40.0	39.0		
02N	03W	8	NW	SW		RUTHERFORD, HAROLD H	A63-03031 / 40.0	63-03031 / 40.0	39.0		
02N	03W	8	NW	SE		RUTHERFORD, HAROLD H	A63-03031 / 40.0	63-03031 / 40.0	37.0		

ADDITIONAL POU FOUND

TOTAL ACRES A63-03031 139.00 139.00 185.00

POU COUNTY: CANYON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A63-03031	GROUNDWATER	RUTHERFORD, HAROLD H	1.800	0.012		
A63-08444	GROUNDWATER	LYONS FARMS INC	1.450	0.009	704.60	4.48

per map in that file - they irrig. north of Kuna-Mora Canal - all use under this right is south of canal. No overlap. FD 7-27-95

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO. A63-21323 - SAME WELL - ADDITIONAL ACRES.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

NOTES:

TOTAL ACRES: _____ N/A(_ _)

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-03031 IRRIGATION	FROM 03-15 TO 11-15	1.800 CFS	
TOTAL DIVERSION RATE/VOLUME		1.800 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
63-03031 IRRIGATION	FROM TO	1.800 CFS	
63-03031 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1.800 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

- Div. Volume not shown on license.

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.800 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT
MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 486.5 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

3.5 CON
D 3/15 11/15
4.5 FH

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	03-15	11-15	DATABASE 1.800	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 486.5	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED: NONE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-03031

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.800	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	63-03031	1.800
TOTAL CFS						1.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

Rutherford
Adjudication Claim No.

A63-03031 LIC

A63-21323 B/U

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains

- ☒ Claim Verification Report(CVR)
☒ ~~Copy~~ Profile Report of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.) Lic 63-03031
☐ Well Inspection Form (If Needed)
☐ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography (1981) - X55 SW
☒ NONE Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☒ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☐ yes ☒ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Different source for same acres
☐ Other: _____

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed CVR Form
☐ Completed Adjudication Claim Checklist
☐ Photographs of Point(s) of Diversion and Place of Use
☐ Completed map outlining Point(s) of Diversion and Place of Use

State of Idaho
License and Certificate of Water Right

Water License No. G-25525

Amount 1.8 c.f.s.

Water District No.

Priority March 11, 1955

THIS IS TO CERTIFY that HAROLD H. RUTHERFORD and DORIS E. RUTHERFORD
EARL MYRON LYONS and ARLENE Y. LYONS
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 11, 1955; that Permit No. G-25525
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on July 17, 1960, showing that said works
were completed on the 1st day of March, 1960; and that on the 1st
day of March, 1960, HAROLD H. RUTHERFORD and DORIS E. RUTHERFORD
EARL MYRON LYONS and ARLENE Y. LYONS

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of Irrigation & domestic
use, under Use Permit No. G-25525 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6922, on the 12th day of July, 1960;
The right hereby confirmed dates from March 11, 1955;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 8, Tp. 2 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	3 W.	8	SW 1/4 NE 1/4	40	11
			SE 1/4 NW 1/4	40	8
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			NW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		139

The right to the use of the water aforesaid 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
12th day of July, 1960.

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

63-3031

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25525

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

1. Name of applicant Earl M. Lyons & Harold H. Rutherford, Albert J. Lyons & Doris J. Rutherford

2. Source of water supply: Subterranean from wells

3. Location of point of diversion: Is in the N $\frac{1}{2}$ SE $\frac{1}{4}$ E 4N. 3W. of Section 8

T. 2 N. R. 3 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 310' x 14" cul 270'
Cul. 215' x 5" h = 115' l = 165' No protect. Panel on S.E. 10'
504 U.S. #1145146 440V. Lague P. Term. and 10 R.H.
25052 800 gpm @ 215 head. Remarks 4.5' x 10'
Large concrete tower approx 10' h. x 2' d. central pond to N.E.
3" discharge to tank

5. Water is used for: Irrigation and domestic purposes

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 $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8, T. 2 N., R. 3 W

40' - 2' Cip. Weir = 1.69 cfs.
Allow 90" arch back sub. 9' long run.

(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. Rutherford along.

This examination was made on the 3 day of June 1960

(Signed) E. H. Thompson

Sp 5525

TO NADA

6

R-3W

T
2
N.



Subdiv = 5

Area = 139 acres.

Q = 70 inches.

Subdivisions = 5

Area = 179 acres

Q = 90 inches

1.8 cfs.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 5, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A63-03031 & A63-21323

KARL J. DREHER
DIRECTOR

ROBERT D GRAY
CAROL J GRAY
8259 LAKE SHORE DR
NAMPA ID 83686

Dear Mr. & Mrs. Gray:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

In addition, you had listed water right number 63-23766 on your ownership change form. We are unable to change this water right at this time due to the fact it is located in a different Place of Use. If you have additional information regarding the transfer of this water right, please forward it to this office.

If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

Re: Claim No(s) - A63-21323

A63-21323

HAROLD H RUTHERFORD

DORIS E RUTHERFORD

1277 LAKESHORE DR

HAMPA

ID 83686

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial 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(s) 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

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Enclosures