

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: A63-04777
Date Received: 9/27/1989
Receipt No: C011819
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLIAM R. MC KINLEY
Address: 315 S. 43D
CALDWELL, ID

83605

Name: HELEN C. MC KINLEY
Address: 315 S. 43D
CALDWELL, ID

83605

2. Date of Priority: JAN 1, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36		NW	SW		CANYON

5. Description of diverting works:
ARTESIAN WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
COMMERCIAL	01/01	12/31	0.100		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES; C/DRIVE-IN RESTAURANT; S/60 HEAD RANGE.

MICROFILMED

AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	36	NW	SW		DOMEST	

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:

14. Remarks:

ACTUAL USE BEGAN IN 1955.

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____ **MICROFILMED**

AUG 20 1992

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

John Westra

Ident. Number: A63-04777

Date Received: 3/23/1989

Receipt No: CO11819

Received By: RAF

\$ 66.00
Dover

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM R. MC KINLEY
Address: 315 S. 43D
CALDWELL, ID 83605

Name: HELEN C. MC KINLEY
Address: 315 S. 43D
CALDWELL, ID 83605

2. Date of Priority: JAN 01, ~~1960~~ *1955* ~~wrong date~~ *H.C.M.*

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36	NW	SW			CANYON

5. Description of diverting works:
ARTESIAN WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
COMMERCIAL	01/01	12/31	0.100		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOMES; C/DRIVE-IN RESTAURANT; S/60 HEAD RANGE.

A63-04777

Page

1

Date: 03/23/89

MICROFILMED

AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	36	NW SW		DOMEST	

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:

14. Remarks: Actual use began in 1955

15. Basis of Claim: STATUTORY CLAIM

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): William R. McKinley Date: 9/1/89
Helen C. McKinley Date: 9/1/89

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of September 19 89

Connie L. Farwell
Notary Public

Seal

Residing at Caldwell, Idaho
My Commission Expires July 31, 1994

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

RIGHT NUMBER: 63-4777

NAME AND ADDRESS: HELEN C MC KINLEY
WILLIAM R MC KINLEY
1130 N ALLUMBAUGH ST APT 232
BOISE ID 83704

~~315 G 43D~~
~~CALDWELL ID 83605~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
1.200 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION:

T04N R03W S36 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.100 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.030 CFS
DOMESTIC	01/01 12/31	0.060 CFS

Domestic use is for 2 homes.

PLACE OF USE: STOCKWATER in CANYON County

T04N R03W S36 NWSW

COMMERCIAL in CANYON County

T04N R03W S36 NWSW

DOMESTIC in CANYON County

T04N R03W S36 NWSW

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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Commercial use is in an office.

Stockwater use is for 60 range cattle.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 63-4777

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

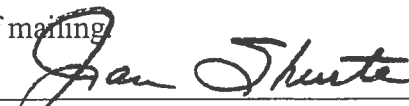
☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 22, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 22, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Helen Mc Kinley
William Mc Kinley
1130 N Allumbaugh St Apt 232
Boise ID 83704

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

June 22, 2007

HELEN MC KINLEY
WILLIAM MC KINLEY
1130 N ALLUMBAUGH ST APT 232
BOISE ID 83704

Re: Water Right No. 63-4777

Dear Mr. & Mrs. Mc Kinley:

Enclosed is a copy of the above referenced water right which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 10, 2007

HELEN MC KINLEY
WILLIAM MC KINLEY
1130 N ALLUMBAUGH ST APT 232
BOISE ID 83704

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-4777
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

327-1232
Telephone number

RECEIVED

JUN 18 2007

WATER RESOURCES
WESTERN REGION

REAL PROPERTY INQUIRY

+++++

01 6R35892-000- -0 001-12 SCH132+ 21 2,612,510 23.99

+++++ 42 21,200

MC KINLEY WILLIAM R \$ +

MC KINLEY HELEN C-TRUST +

MC KINLEY HELEN C-TRUSTEES \$ +

+

+

1130 N ALLUMBAUGH ST APT 232 +

BOISE ID 83704 +

+++++

36-4N-3W SW + TOTAL 2,633,710

TX 4,7,9,15,18 & 26 LS RD IN SW ++++++

+ SURVEY INST 9422681

+ DRAIN DR VALUE APPR JFR

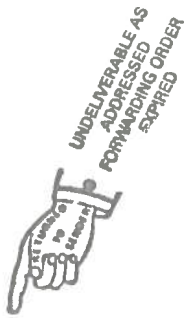
+ CLASS C2 REAP 06 MAN 03 UNIT 1

315 S 43RD AVE, CA + PARCEL 6RC00000365410 H/O N C/B N

+ PRIOR ACCOUNT 5R35892-000- -0

+ 02 MH on Property NO

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



ADDRESS SERVICE
REQUESTED

[Handwritten signature]

HELEN C MC KINLEY

WILLIAM R MC KINLEY
315 S 130
CALDWELL ID 83605

1130 N Allumkaugh st Apt 232
Boise 83704

63-4777

FIRST CLASS



RECEIVED

APR 09 2007

WATER RESOURCES
WESTERN REGION

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

ADDRESS SERVICE
REQUESTED



UNITED STATES
02 1A
0004310839
MAILED FROM ZIP CODE
\$0.00
OCT

FIRST CLASS

NOT DELIVERABLE
NO ADDRESSES
UNABLE TO FORWARD

[Handwritten signature]

HELEN C. MCKINLEY
WILLIAM R. MCKINLEY
315 S. 430
CALDWELL, ID 83405

NOT DELIVERABLE
NO ADDRESSES
UNABLE TO FORWARD

RECEIVED
OCT 16 2003
WATER RESOURCES
WESTERN REGION

63-4777



05/05/2006

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

RIGHT NUMBER: 63-4777

NAME AND ADDRESS: HELEN C MC KINLEY
315 S 43D
CALDWELL ID 83605

WILLIAM R MC KINLEY
315 S 43D
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
1.200 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION:

T04N R03W S36 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.100 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.030 CFS
DOMESTIC	01/01 12/31	0.060 CFS

Domestic use is for 2 homes.

PLACE OF USE: STOCKWATER Within CANYON County

T04N R03W S36 NWSW

COMMERCIAL Within CANYON County

T04N R03W S36 NWSW

DOMESTIC Within CANYON County

T04N R03W S36 NWSW

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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Commercial use is in an office.

Stockwater use is for 60 range cattle.

Idaho Department of Water Resources

T04N, R03W,
SEC 36

Claim No: 63-4777

Prepared By: Kimberly Brown

Date: May 5, 2006



Place of Use



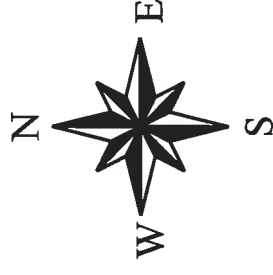
Section Lines



1/4 1/4



Point of Diversion



0 0.09 Miles

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4777

WATER RIGHT NUMBER: 63-4777 ✓

Owner Type

Current Owner

Name and AddressHELEN C MC KINLEY ✓
315 S 43D
CALDWELL, ID 83605Mailing Address:1130 N. Allumbaugh St., Apt. 2
Boise 83704

Current Owner

(Property Address) WILLIAM R MC KINLEY ✓
315 S 43D
CALDWELL, ID 83605

Priority Date: 01/01/1955 ✓

Basis:

~~Statutory Claim~~

Status:

Active

Beneficial Use

Source

GROUND WATER ✓

TributaryBeneficial Use

COMMERCIAL ✓

STOCKWATER ✓

DOMESTIC ✓

From To

1/01 to 12/31 ✓

1/01 to 12/31 ✓

1/01 to 12/31 ✓

Diversion Rate

0.100 CFS ✓

0.030 CFS ✓

0.060 CFS ✓

Annual Volume

1.2 AF

Total Diversion:

0.190 CFS ✓

1.2 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4SW1/4 ✓

Sec. 36, Twp 04N, Rge 03W, B.M. ✓

Place of Use

DOMESTIC ✓

Twp Rge Sec

✓ 04N 03W 36

NE

NE

NW

SW

SE

NW

NE

NW

SW

SE

✓ SW

NE

NW

SW

SE

SE

NE

NW

SW

SE

Totals

ADD - COMMERCIAL same as DOMESTIC
 ADD - STOCKWATER same as DOMESTIC
 to eCVR

Conditions of Approval:

1.

ACTUAL USE BEGAN IN 1955.

Remarks:

ADD

- Commercial use is for a drive-in restaurant.
used car lot office.Comments:

ADD X02 - Stockwater use is for 60 range cattle.

Parcel No: a portion of R 3589 2 00000. (23.99 AC)

ADD X01 - Domestic use is for 2 homes

N09#
 ADD N14 - Domestic

limited to 13,000 gpd

(in-office review)

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$60⁰⁰
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in 836
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-4777Owner: Helen & William McKinley Phone No. (Property Address) Current Address: 315 S. 43rd, Caldwell 83605

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☐ NEW ADDRESS Mailing Address: 1130 N. Allumbaugh St., Apt. 2, Boise 83704
- ☒ How long owned property? since 1955

Accompanied by: N/A**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: 1/1/1955 (*) The claimant did not return the blank affidavit

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

therefore, I am using the statement written under Additional Information on page 2 of the Commercial Use Volume questionnaire (p. 2) as evidence of the claimed priority date (signed by Helen C. McKinley + received on April 18, 06)

Source: Ground Water Tributary to

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Artesian well, pump, & pipelines**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

OFFICE BUILDING FIXTURES -**WATER USES**☐ No change☐ Different UsesUse Commercial From _____ To _____ Amount _____ CFS 1.2 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

 $0.1 \text{ cfs} \times 1.9835 \times 313 \text{ days} = 62.08 \text{ AF}$ **TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount _____ CFS 1.2 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 2 Stock # 60 range cattleTypes _____ Additional comments: 2 homes under single-family ownership with 1 well and 1 pump
⇒ both homes are limited to 13,000 gpd together.**PLACE OF USE:**☒ No Change☐ Changes shown below:Parcel No: a portion of R3589200000. (23.99 AC)ADD N09
& N14

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	

Overlap with other water rights: 63-2114 , 63-3332

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

63-2114: Pioneer Irr. Dist water is used to irrigate their property, but irrigation use is not applicable to this claim. No overlap with 63-3332, separate POU.

Delivery System Narrative:

- pipelines to POU.

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(1981)
When the claim was made, the commercial use was for a drive-in restaurant. However, the drive-in is now a used car lot. Therefore, claimant Helen A. McKinley answered the Commercial Use Volume questionnaire based on the used car lot's use and the annual volume calculation is based upon the most current use.

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

DATE EXAM CONDUCTED: 5.5.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Houses Served - Rate of Flow (cfs)

1 2 3 4 5 6 7 8 9 10 15 20 30 40 50

.04
.06
.08
.10
.11
.12
.13
.14
.15
.18
.20
.25
.30
.33

MAXIMUM
INSTANTANEOUS
WATER REQUIREMENTS
FOR
* DOMESTIC USE

C.F.S.
1.50

C.F.S.

1.00

0.75

0.50

0.25

0.00

0

50

100

200

300

400

500

600

700

800

900

1000

HOUSES SERVED

FIG. 1.

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

(60 range cattle)

12,500 gpd

12,500 gpd

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.)

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head -

Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

REAL PROPERTY INQUIRY

```

+++++
01 6R35892-000- -0 001-12 SCH132+ 19 .28
+++++
20 20,000 1.00
MC KINLEY, WILLIAM R + 21 748,025 22.71
& MC KINLEY, HELEN C-TRUST + 41 62,900
% MC KINLEY, WILLIAM R & + 42 93,200
% MC KINLEY, HELEN C-TRUSTEES +
+
1130 N ALLUMBAUGH ST APT 232 +
BOISE ID 83704 +
+++++
36-4N-3W SW + TOTAL 924,125 23.99
TX 4,7,9,15,18 & 26 LS RD IN SW ++++++
+ SURVEY INST 9422681
+ DRAIN DR VALUE APPR JFR
+ CLASS C2 REAP 04 MAN 03 UNIT 1
+ PARCEL 6RC00000365410 H/O N C/B N
+ PRIOR ACCOUNT 5R35892-000- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R35892000 0 UNIT 001 TOTAL UNITS 1

SITE 315 S 43RD AVE CA SEC/TWN/RNG 36-4N-3W

ASSESSED VALUE 924,125 ACREAGE 23.99

SUB/PARK NAME YEAR/MAKE

CLASS C2 COMMERCIAL WITH OWNER OCCUPIED HO SPACE LOT BLOCK

```

+++++
YR BUILT 1958 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 1550 EXTERIOR BRICK DECK/PATIO? N
SECOND SQ FT ROOF BLT-UP ROCK POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 1.50 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 434

```

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4777

03/20/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2114	Claim	04N	03W	36	NW	SW		IRRIGATION	40/1000	PIONEER IRRIGATION DISTRICT
2114	Water Right	04N	03W	36	NW	SW		IRRIGATION	40/1000	PIONEER IRRIGATION DISTRICT
4777	Claim	04N	03W	36	NW	SW		DOMESTIC		HELEN C MC KINLEY
3332	Water Right	04N	03W	36	NW	SW		DOMESTIC	218 43 ¹ / ₂ Ave.	DALE PARKINSON
4777	Water Right	04N	03W	36	NW	SW		DOMESTIC		WILLIAM R MC KINLEY

= Pioneer Irrigation District water is used to irrigate their property, but irrigation use from the well is not applicable to this claim.

= no overlap with #63-3332 - separate POU.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3332

WATER RIGHT NUMBER: 63-3332

Owner Type

Current Owner

Name and Address

DALE PARKINSON
PO BOX 312
CALDWELL, ID 83605

Property Address:
218 43rd Ave.

Priority Date: 03/08/1963

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

From To

1/01 to 12/31

Diversion Rate

0.100 CFS

Annual Volume

3.64 AF

Total Diversion:

0.100 CFS

3.64 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 36, Twp 04N, Rge 03W, B.M.

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	36																	

Conditions of Approval:

- no overlap - separate POU.

Remarks:Comments:

Receipt Details for ID C011819

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/27/1989 11:19:18 AM	9/27/1989	State	\$60.00	Check
Payer	MC KINLEY, WILLIAM/HELEN			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4625			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$60.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4777		\$60.00	Claim

Print Report

RECEIVED

APR 18 2006

WATER RESOURCES
WESTERN REGION

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #63-4777**.

Type of Establishment: (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

Drive-in is now a used car lot - Nu2u

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

lavatory, sink, flush toilet

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

one flush toilet

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

Two employees

How many hours per day is the facility open for this specific use?

8-10 hours

How many days per week is the facility open for this use?

Six days

The claimant did not return the blank affidavit, so I am using the last statement on p. 2 as evidence.

Is this facility open year round? ☒ Yes ☐ No

If not, please indicate the length of time the facility is open during the year.

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

We don't know.

Additional information you feel may be pertinent:

The majority of our 24.9 acres is under irrigation from the canal. We have owned the original parcel since 1955 + have added sections to it until approximately 10 years ago.

Helen C. McKinley
Your name

336-8163
Business telephone number

Nancy Binford
daughter

Please return to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

#63-4777

2004 NAPP

Please indicate the location of
the artesian well,
the 2 domestic homes, and
the drive-in restaurant,
NW SW

Irrigated
Pasture
land

homes

artesian well

drive-in is now
a used car lot

Please draw
on this &
return with
your evidence.



Bill + Helen McKinley
1130 N. Allumbaugh #232
Boise, ID 83704



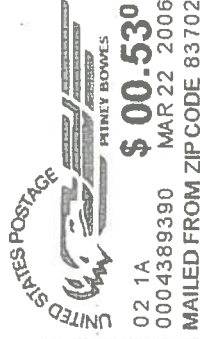
Kimberly Brown
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



208



UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED

RECEIVED
MAR 28 2006
WATER RESOURCES
WESTERN REGION

EAAGTMS 43705/5082 436



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HELEN & WILLIAM MC KINLEY
315 S 43RD
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4777

3/29/06

resent to: (based on 2005 Canyon Co. tax lot)
1130 N. Allumbaugh St., Apt. 232
Boise, ID 83704



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HELEN & WILLIAM MC KINLEY
315 S 43RD
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4777

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You 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 historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(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 required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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

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

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

The required evidence supporting the priority date(s) requested needs to be submitted by April 18, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4777

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2006

HELEN & WILLIAM MC KINLEY
315 S 43RD
CALDWELL ID 83605

RE: Commercial use for Snake River Basin Adjudication claim 63-4777

To Whom It May Concern,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Commercial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by April 18, 2006 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

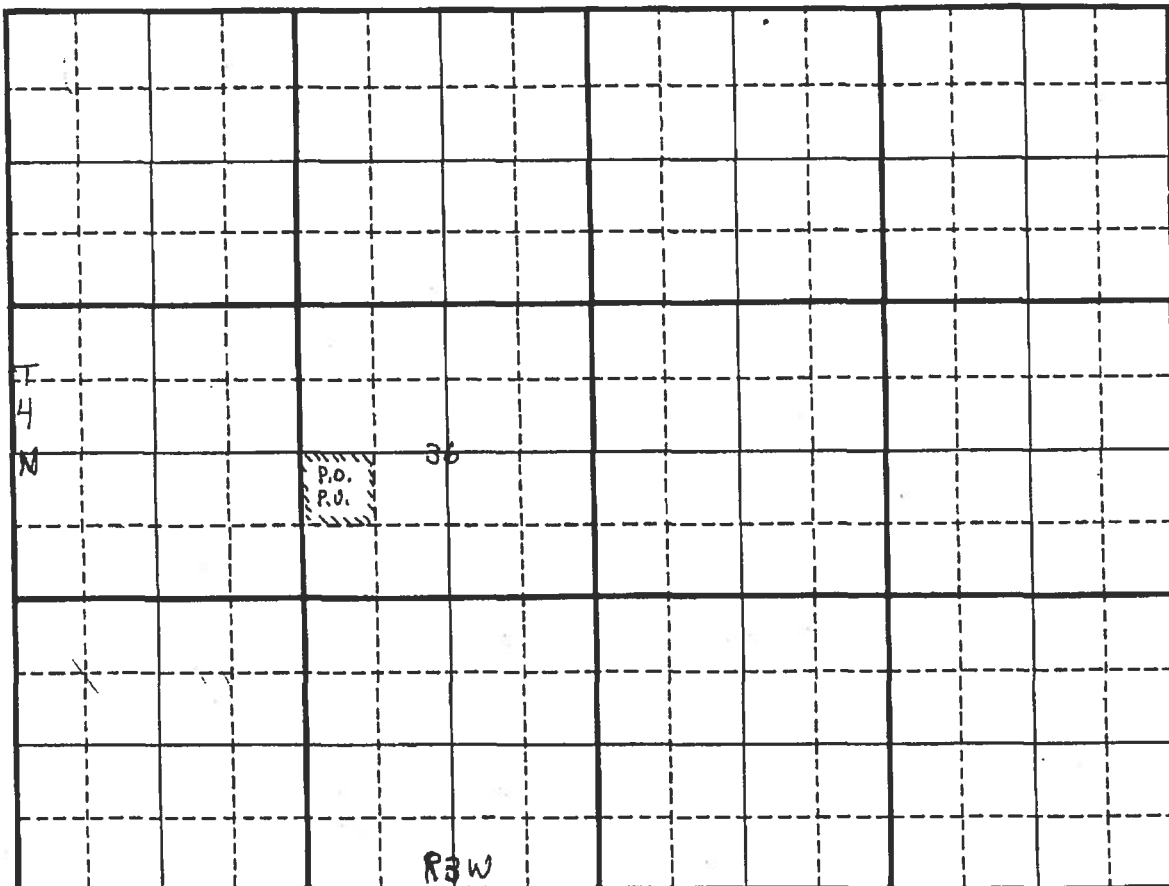
Respectfully submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent

Enclosures

(8) Remarks Domestic started on first house in 1937; drive-in use in 1955;
and second house in 1960.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Gem) ss.

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



My commission expires lifetime

William P. McKinley
(Claimant)

[Signature]
Notary Public
Residing at Emmett

MAILED

FOR DEPARTMENT USE ONLY

Received by SSR Date 2/27/81 Exception filed by: _____ Date _____
Willm. check by GH/H Date 2/27/81 # 17324
\$0.00 fee received by GH/H Date 2/27/81
Published in Idaho Press-Tribune _____
Pages 2/12 & 2/19/81 _____ Forwarded to claimant by: hca Date 4/1/81