

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: A63-10271
Date Received: 1/03/1990-4-1990
Receipt No: 1005398 DE. J
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DWAYNE SHUPE 208-459-6875
Address: 22930 21ST AVE.
MIDDLETON, ID 83644-0000

OR

Name: LINDA SHUPE 208-459-6875
Address: 22930 21ST AVE.
MIDDLETON, ID 83644-0000

2. Date of Priority: NOV 02, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	12	NW	NW			CANYON

5. Description of diverting works:
ARTESIAN WELL W/PIPELINE TO HOME, FISH PONDS, & FOR IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		18.00
FISH PROPAGATION	01/01	12/31	0.330		
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) 18.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 1 HOME & FISH PROPAGATION.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	12	NW		NW		IRR	4.0
			NW		NW		FISH	
			NW		NW		DOMEST	
							Section Acres	4.0
							Total Acres	4.0

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. A63-09997 & PERMIT NO. 63-10508-SAME WELL.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Dwayne V Shupe Date: 1-3-90
Jinda M Shupe Date: 1-3-90

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of January 19 80 1-3-1990
Seal

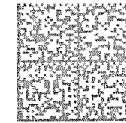
Jan Shupe
Notary Public

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

ADDRESS SERVICE
REQUESTED

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

FIRST CLASS



☒ Not Deliverable as Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Addressed - Not Known
☐ No Such Street ☐ Unknown
☐ Vacant ☐ Closed to
☐ No Mail Reception
☐ Box Closed No Order
☐ Forwarded for New Address

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

DWAYNE SHUPE
LINDA SHUPE
22030 21ST AVE
MIDDLETON ID 83644

WF

63-9997

10371



05/18/2006

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

RIGHT NUMBER: 63-10271

NAME AND ADDRESS: DWAYNE SHUPE
22930 21ST AVE
MIDDLETON ID 83644

LINDA SHUPE
22930 21ST AVE
MIDDLETON ID 83644

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.330 CFS
18.600 AFY

Right Nos. 63-9997 and 63-10271 are limited to a total combined diversion rate of 0.33 cfs.

PRIORITY DATE: 11/02/1984

POINT OF DIVERSION:

T04N R03W S12 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.080 CFS 18.00 AFY
DOMESTIC	1/01 12/31	0.040 CFS 0.60 AFY
FISH PROPAGATION	1/01 12/31	0.330 CFS

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Domestic use is for 1 home.

PLACE OF USE:

IRRIGATION Within CANYON County
T04N R03W S12 NWNW 4.00
FISH PROPAGATION Within CANYON County
T04N R03W S12 NWNW
DOMESTIC Within CANYON County
T04N R03W S12 NWNW

4 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.

05/18/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Tract 1, Blk 2 and E 340.12 ft. Tr 2 Blk 2 Less TX
98137, T & M Acres.

PARCEL NO: R2728600000 & R2728701000.

Use of this right is combined with water from Canyon County Water Co. Ltd.

Idaho Department of Water Resources

**T04N, R03W,
SEC 12**

Claim No: 63-10271

Prepared By: Kimberly Brown

Date: May 18, 2006



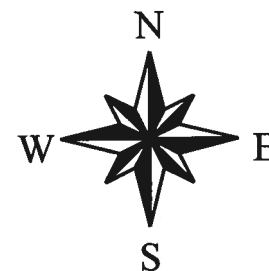
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

Irrigated Acres = 4



0 0.04 Miles



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10271

WATER RIGHT NUMBER: 63-10271 ✓

Owner Type Name and Address

Current Owner DWAYNE SHUPE
22930 21ST AVE
MIDDLETON, ID 83644
(208)454-8878

Current Owner LINDA SHUPE
22930 21ST AVE
MIDDLETON, ID 83644
(208)454-8878

Current Owner:

2 parcels → Kenneth S. Burton (22930 21st Ave, Middleton) #
Gordon F. Martin (P.O. Box 298, Middleton)

Priority Date: 11/02/1984 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

capacity - 150 gpm = 0.33 cfs
(artesian) Tributary

Property Address:

φ # 22930 21st Ave. W.
Middleton

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15 to	11/15 ✓	0.080 CFS ✓	18.00 AF ✓
DOMESTIC ✓	1/01 to	12/31 ✓	0.040 CFS ✓	0.60 AF ✓
FISH PROPAGATION ✓	1/01 to	12/31 ✓	0.330 CFS ✓	
<u>Total Diversion:</u>			0.330 CFS ✓	18.60 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4NW1/4 ✓

Sec. 12, Twp 04N, Rge 03W, B.M. ✓

Place of Use ✓

IRRIGATION

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	12						4.0											4.0

Total Acres: 4 ✓

DOMESTIC ✓

3.35 AC
(no overlap)
w/ 63-9997

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	12						X											

FISH PROPAGATION

ADD 339 - Season of use is 3/1 to 11/15.

ADD - Use is combined with water from Canyon County Water Co. Ltd.

ADD 001 - Place of use is also known as Tract 1, Blk. 2 & E 340.12' Tr 2 Blk. 2 less TX 98137, T & M Acres.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-10271

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	03W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								X											

Conditions of Approval:

1. ~~016 See remarks for additional conditions of approval.~~
2. ~~R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.~~

Remarks:Comments:

ADD E51 - The maximum combined rate of diversion under this right and Right No. 63-9997 shall not exceed 0.33 cfs.

Parcel No: R 2728600000. (4.38-4.4 AC)
 & R 2728701000. (1.05-1.1 AC)
 ← Gordon Martin

Water Supply Bank:

ADD X01 - Domestic use is for 1 home.

Field Exam Date 5.18.06

(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 \$58.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in NWNW, S12
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-10271

Owner: Linda & Dwayne Snipe Phone No. _____

Current Address: 22930 21st Ave., Middleton 83644

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER Gordon F. Martin owns Parcel No. R 272870100
- ☐ No change Address P.O. Box 298 Middleton
- ☐ NEW ADDRESS 21st Ave. W., Middleton (property address)
- ☐ How long owned property? _____

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: 11/02/84

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

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-9997, 63-10508

← not claimed in SRBA

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

The maximum combined rate of diversion under this right and Right No. 63-9997 shall not exceed 0.33 cfs.**WATER USES**☐ No change☐ Different UsesSeason of use is 3/1 to 11/15.

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**Domestic use is for 1 home. (ADD-X01)☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

⊛ It was difficult to distinguish the exact boundary of the POU since the Field Reports' System Description diagram shows 3.35 AC of irrigation, but 4 AC ^{was} licensed. Plus, Parcel No. R 272 860000 only contains 4.38 AC's of which #63-9997 covers 1 AC of irrigation around the home. Because the Field Reports' System Description shows the 3.35 AC located north of the dirt ditch

and Parcel # R 2728600000 does not contain a total of 5 AC, I am assuming that Parcel # R 2728701000 is also a part of this claim. Unfortunately, the POU boundary for irrigation purposes must contain such un-irrigable objects as the home, swimming pool, ponds, auto ponds, etc.

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: 63-9997, 63-10503 (+) Canyon County Water Co.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
No overlap with 63-9997. #63-10508 was not claimed Ltd. in the SRBA. Supplemental to Canyon County Water Co. water.

Delivery System Narrative: See Field Report.

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Place of use is also known as Tract 1, Blk 2 and
E 340.12' Tract 2, Blk 2 less TX 98137,
T & M Acres.

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

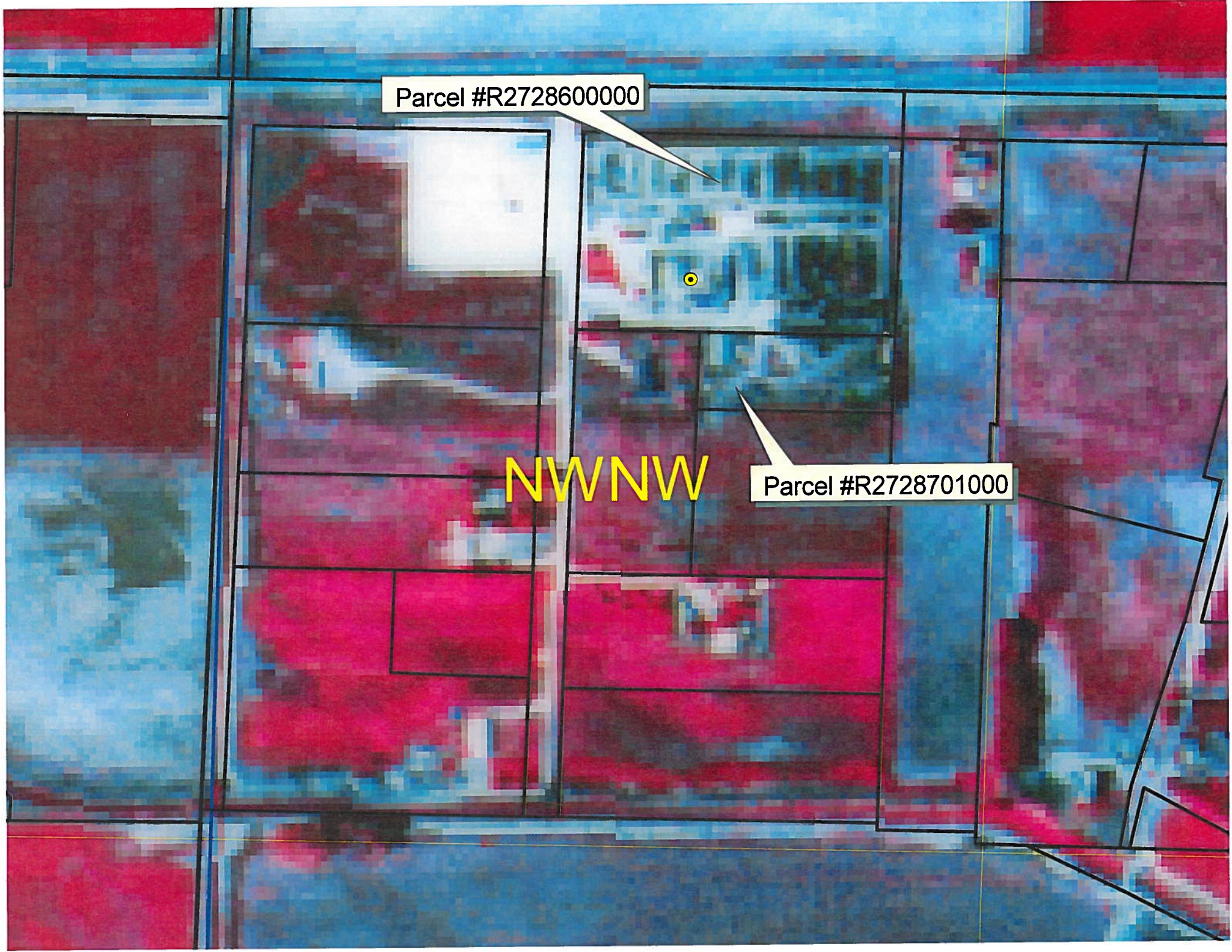
DATE EXAM CONDUCTED: 5.18.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Parcel #R2728600000

NWNW

Parcel #R2728701000



REAL PROPERTY INQUIRY

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+++++
01 6R27286-000- -0 110-00 F SCH134+ 15 30,000 1.00
+++++
16 96,325 3.38
BURTON KENNETH S + 37 79,600
+ 38 22,425
+
+
+
22930 21ST AVE W +
MIDDLETON ID 83644 +
+++++
12-4N-3W NW T & M ACRES 8300 + TOTAL 228,350 4.38
TRACT 1 BLK 2 ++++++
+ SURVEY INST 200453861
+ DRAIN 2 DR VALUE 19.54 APPR RIC
+ CLASS C2 REAP 05 MAN 04 UNIT 1
22930 21ST AVE W, MI Pg 66 + PARCEL 6R083000020010 H/O N C/B N
+ PRIOR ACCOUNT 5R27286-000- -0
+ 02 MH on Property NO

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MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R27286000 0 UNIT 001 TOTAL UNITS 1

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SITE 22930 21ST AVE W MI SEC/TWN/RNG 12-4N-3W
ASSESSED VALUE 228,350 ACREAGE 4.38
SUB/PARK NAME T & M ACRES YEAR/MAKE
CLASS C2 COMMERCIAL WITH OWNER OCCUPIED HO SPACE LOT BLOCK
+++++
YR BUILT 1968 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING ELEC CABLE CARPORT SQ FT
FIRST SQ FT 1612 EXTERIOR HARDBOARD DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? Y
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

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+++++
COMMENTS SHOP 24X30/ MPS 12X16 MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

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MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 05/18/2006 Time 9:45

REAL PROPERTY INQUIRY

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+++++
01 6R27286-000- -0 110-00 F SCH134+ 15 30,000 1.00
+++++
16 96,325 3.38
BURTON KENNETH S + 37 79,600
+ 38 22,425
+
+
+
22930 21ST AVE W +
MIDDLETON ID 83644 +
+++++
12-4N-3W NW T & M ACRES 8300 + TOTAL 228,350 4.38
TRACT 1 BLK 2 ++++++
+ SURVEY INST 200453861
+ DRAIN 2 DR VALUE 19.54 APPR RIC
+ CLASS C2 REAP 05 MAN 04 UNIT 1
22930 21ST AVE W, MI Pg 66 + PARCEL 6R083000020010 H/O N C/B N
+ PRIOR ACCOUNT 5R27286-000- -0
+ 02 MH on Property NO

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10271

WATER RIGHT NUMBER: 63-10271

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DWAYNE SHUPE 22930 21ST AVE MIDDLETON, ID 83644 (208)454-8878
Current Owner	LINDA SHUPE 22930 21ST AVE MIDDLETON, ID 83644 (208)454-8878

Priority Date: 11/02/1984

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	0.60 AF
FISH PROPAGATION	1/01 to 12/31	0.330 CFS	
IRRIGATION	3/15 to 11/15	0.080 CFS	18.00 AF
	<u>Total Diversion:</u>	0.330 CFS	18.60 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 12, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

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	12					4.0												4.0

Total Acres: 4

DOMESTIC same as IRRIGATIONFISH PROPAGATION same as IRRIGATIONConditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. 016 See remarks for additional conditions of approval.
3. The maximum combined rate of diversion under this right & Right No. 63-9997 shall not exceed 0.33 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10271

03/22/2006

1

Right #	Type	Tw	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-163	Claim	04N	03W	12	NW	NW		IRRIGATION	35/4015.5	CANYON COUNTY WATER CO LTD
179B	Claim	04N	03W	12	NW	NW		IRRIGATION	35/4015.5	CANYON COUNTY WATER CO LTD
2406	Claim	04N	03W	12	NW	NW		IRRIGATION	40/29248	DRAINAGE DIST NO 2
9997	Claim	04N	03W	12	NW	NW		IRRIGATION	1/1	LINDA SHUPE
~~10271~~	~~Claim~~	~~04N~~	~~03W~~	~~12~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~4/4~~	~~DWAYNE SHUPE~~
21761	Claim	04N	03W	12	NW	NW		IRRIGATION	35/3986.2	CANYON COUNTY WATER CO LTD
21762	Claim	04N	03W	12	NW	NW		IRRIGATION	35/3514.5	CANYON COUNTY WATER CO LTD
2406	Water Right	04N	03W	12	NW	NW		IRRIGATION	40/29248	DRAINAGE DIST NO 2
9997	Water Right	04N	03W	12	NW	NW		IRRIGATION	1/1	DWAYNE SHUPE
~~10271~~	~~Water Right~~	~~04N~~	~~03W~~	~~12~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~4/4~~	~~DWAYNE SHUPE~~
27012	Water Right	04N	03W	12	NW	NW		STOCKWATER		A J P FARMS INC
30426	Water Right	04N	03W	12	NW	NW		STOCKWATER		JUDY A THOMPSON
10508	Water Right	04N	03W	12	NW	NW		COMMERCIAL		LINDA SHUPE
~~10271~~	~~Claim~~	~~04N~~	~~03W~~	~~12~~	~~NW~~	~~NW~~		~~FISH PROPAGATION~~		~~DWAYNE SHUPE~~
~~10271~~	~~Claim~~	~~04N~~	~~03W~~	~~12~~	~~NW~~	~~NW~~		~~DOMESTIC~~		~~DWAYNE SHUPE~~
20333	Water Right	04N	03W	12	NW	NW		DOMESTIC		CINDY A MARTIN
21414	Water Right	04N	03W	12	NW	NW		DOMESTIC		CINDY A MARTIN
27012	Water Right	04N	03W	12	NW	NW		DOMESTIC		A J P FARMS INC
29009	Water Right	04N	03W	12	NW	NW		DOMESTIC		LEONARD A VIS
30426	Water Right	04N	03W	12	NW	NW		DOMESTIC		JUDY A THOMPSON
9997	Claim	04N	03W	12	NW	NW		RECREATION		LINDA SHUPE

— claim is supplemental to Canyon County Water Co. Ltd. surface water

— overlap with #63-9997 and #63-10508 → limited to a combined diversion rate of 0.33 cfs. (share Pop)

Overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-10508

WATER RIGHT NUMBER: 63-10508

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA SHUPE 22930 21ST AVE MIDDLETON, ID 83644 (208)454-8878
Current Owner	DWAYNE SHUPE 22930 21ST AVE MIDDLETON, ID 83644 (208)454-8878

*- not claimed
in SRBA*

Priority Date: 06/17/1987

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.130 CFS	1.60 AF
	<u>Total Diversion:</u>	0.130 CFS	1.60 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4

Sec. 12, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

COMMERCIAL

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	12						X											

Conditions of Approval:

- This right uses the same well as Rights 63-09997 and 63-10271 and when combined with Rights 63-09997 and 63-10271 shall not exceed a diversion rate of .33 cfs.
Commercial use is for a bottled water production facility.

Remarks:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10271

Priority: November 2, 1984 Amount: .33 CFS 18.6 AFA

This is to certify, that DWAYNE SHUPE
LINDA SHUPE

RT. 11 BOX 5
MIDDLETON, ID 83644 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated November 2, 1984, and has submitted proof to the Department of Water Resources on April 8, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .33 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.08 cfs	18.0 afa
Fish propagation	01/01 to 12/31	.33 cfs	
Domestic	01/01 to 12/31	.04 cfs	.6 afa
Totals		.33 CFS	18.6 AFA

LOCATION OF POINT OF DIVERSION(S): NWNW , Sec. 12, Township 4N, Range 3W
Canyon County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
4N	3W	12	NWNW	4			4

Total number of acres irrigated: 4

PLACE OF USE: Fish propagation, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
5. The maximum combined rate of diversion under this Right No. 63-9997 shall not exceed 0.33 cfs.

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State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10271

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14TH day of July, 1987.

Acting for the Director

Norman C. Young

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Dwayne & Linda Shupe Phone 459-6875
Post office address Rt. 11, Box 5, Caldwell, ID 83605
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 4N
Range 3W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.33 for Fish Prop. purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.08 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.33 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. (artesian) pump to well, fish pond, & pipeline into sprinklers
85' x 47' x 4' - fish pond dimensions
Length Width Deep
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 170 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
- (1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 4N
Range 3W B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered _____
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: _____

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Total number of acres to be irrigated 4

c. Describe any other water rights used for the same purposes as described above. Ditch water -
Also have Permit #63-9997 for adjoining lands.

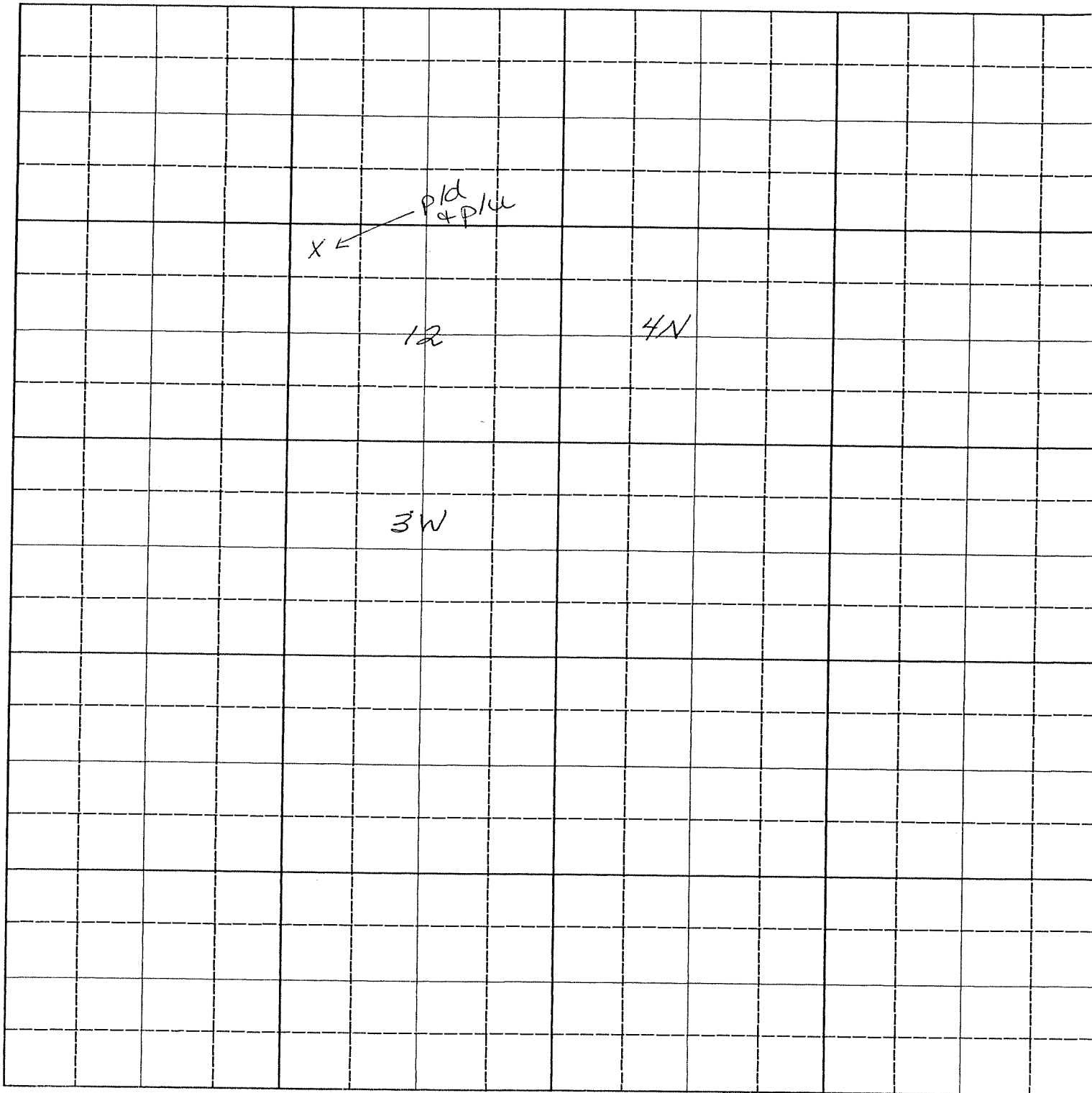
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dwayne V. Myse
(Applicant)

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Proposed Priority 11/2/84 nn Date 11-2-84 Time 3:15 p.m.
Received by kw Date 11-2-84 Time 2:15 p.m.
Preliminary check by Jim GLS Fee \$ 45.00
Receipted by kw Date 11-2-84 # 35807
Publication prepared by jp Date 11/2/84
Published in Press-Tribune
Publication dates 11/15 & 11/22/84
Publication approved 12 Date 11/27/84
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10271, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 89.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.

Witness my hand this 12th day of December, 1984.

A. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPIR...

P.C. #'s 3,4,5,6

A. GENERAL INFORMATION

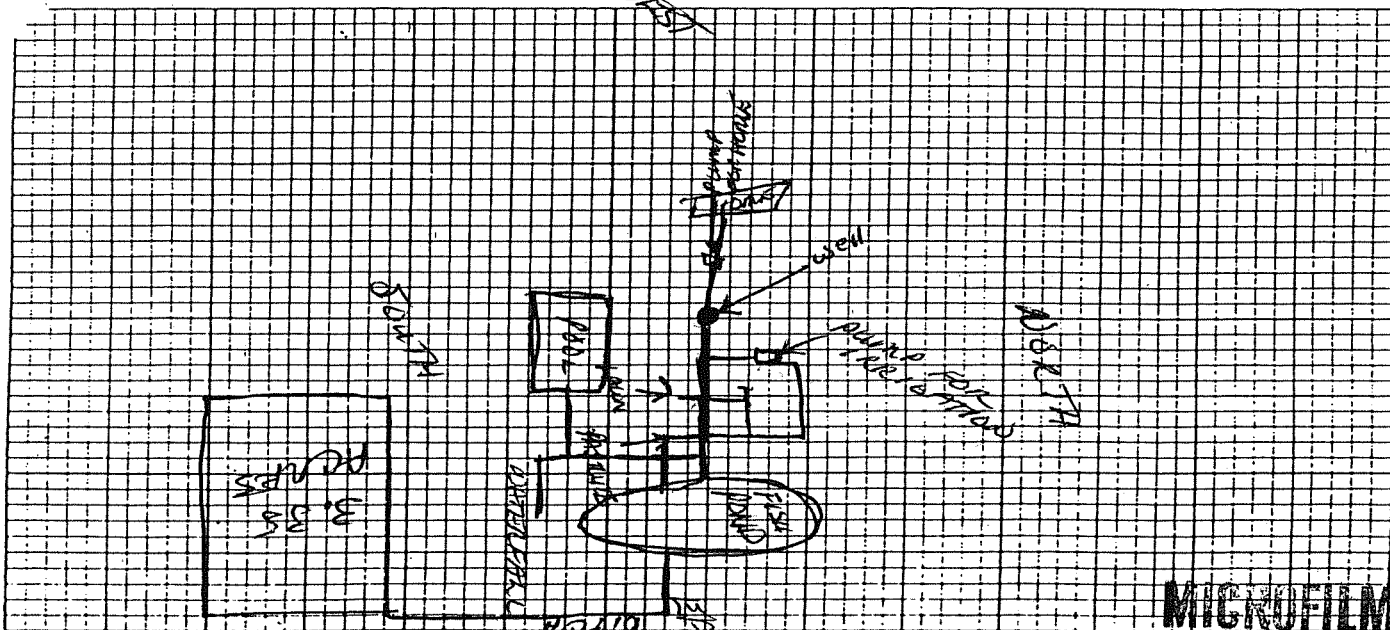
1. Owner: DWAYNE & LINDA SHUPE Permit No 63-10271
Current Address: RT. 11, BOX 5, MIDDLETOWN, ID Phone No 459-6875
2. Accompanied by: DWAYNE SHUPE EXAM DATE: 7/7/86
Address: _____ Phone No 459-6875
Relationship to Permit Holder: _____
3. Source: G.W. tributary to _____ JUN 18 1987

B. OVERLAP REVIEW

1. Other water rights with same place of use: Ditch rights - not used. ☐ Copies Attached
2. Other water rights with same point of diversion: 63-9997 - see remarks & ditch rights. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached
☐ Aerial Photo Attached (required for irrigation of 10 acres or more)

FIGURE A, cont.

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		N/A				

2. Measurements:

5 GAL. BUCKET + STOPWATCH - 150 GPM = .33 CFS
ARTESIAN FLOW ONLY - NO PUMPING.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

SEE ABOVE.

2. Alternate Method for Checking Purposes:

$$\frac{5 \text{ HP} \times 8.8 \times .80}{0' + (60 \text{ PSI} \times 2.3)} = \frac{35.2}{138} = .25 \text{ cfs (w/pump)} + .33 \text{ cfs (FREE FLOW)} = .58 \text{ cfs TOTAL}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \text{ AC} \times 4.5 \text{ AF/AC} = 18.0 \text{ AF/ANN.}$
 $V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .08 \times 1.98 \times 245045 = 38.8 \text{ AF/ANN.}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = 18.0 \text{ AF/ANN.}$

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2. Volume Calculations for Other Uses:

FISH PROP. - N/A
DOMESTIC - 1 HOME - IN-HOUSE - 0.6 AF/ANN.
ERR. OF LAWN + SURROUNDING AREA COVERED UNDER 63-9997.

AUG 20 1981

FIGURE A, cont.

3. Narrative: Description of system operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 10" CASING W/ 1/2 HP PUMP & PRESSURE TANK FOR PRESSURIZING DOMESTIC USE. 3" PIPELINE LEADS DIRECTLY TO FISH POND & 30' X 85' X 4' (MIDDLE-SIDES SLOPE) IRRIGATION - SPRINKLER IRRIG. - FLOODING NOW DUE TO BREAK IN PIPELINE. IRRIG. PUMP FOR PRESSURIZING SYSTEM - ARTESIAN FLOW W/O PUMPING - 150 GPM. BEFORE WATER GOES INTO POOL ALSO GOES THRU 6'-4" X 8' SOLAR PANELS TO HEAT WATER FOR POOL. * POND DRAINS INTO DRAIN DITCH ALONG HWY 44. * See Remarks on page 4 for continuation. * WATER GOES THROUGH CHLORINATOR & SPA

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	CENTURY	5	9M	JACUZZI	2K 222148

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

UNRECORDED

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

FIGURE A, cont.

63-9991 - exam also completed on this date
 and this covers the pond for skating
 & swimming & the 1 acre around
 home for irrigation. No power use.
 No overlap.
 Water is piped to a waterfall see picture which flows
 back into fish pond for re-circulation.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION (3.35 ACRES)	3/15	11/15	0.08 cfs	18.0 afa
FISH PROPAGATION	1/1	12/31	0.33 cfs	0.4 afa
DOMESTIC	1/1	12/31	0.04 cfs	0.6 afa
W/LAWN				
Totals:			0.33 cfs	19.0 afa

2. Recommended Amendments

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

J. AUTHENTICATION

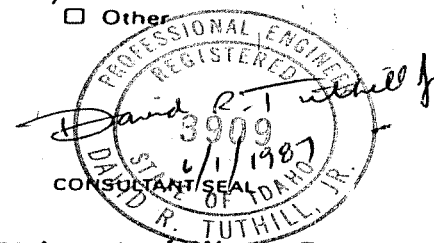
Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

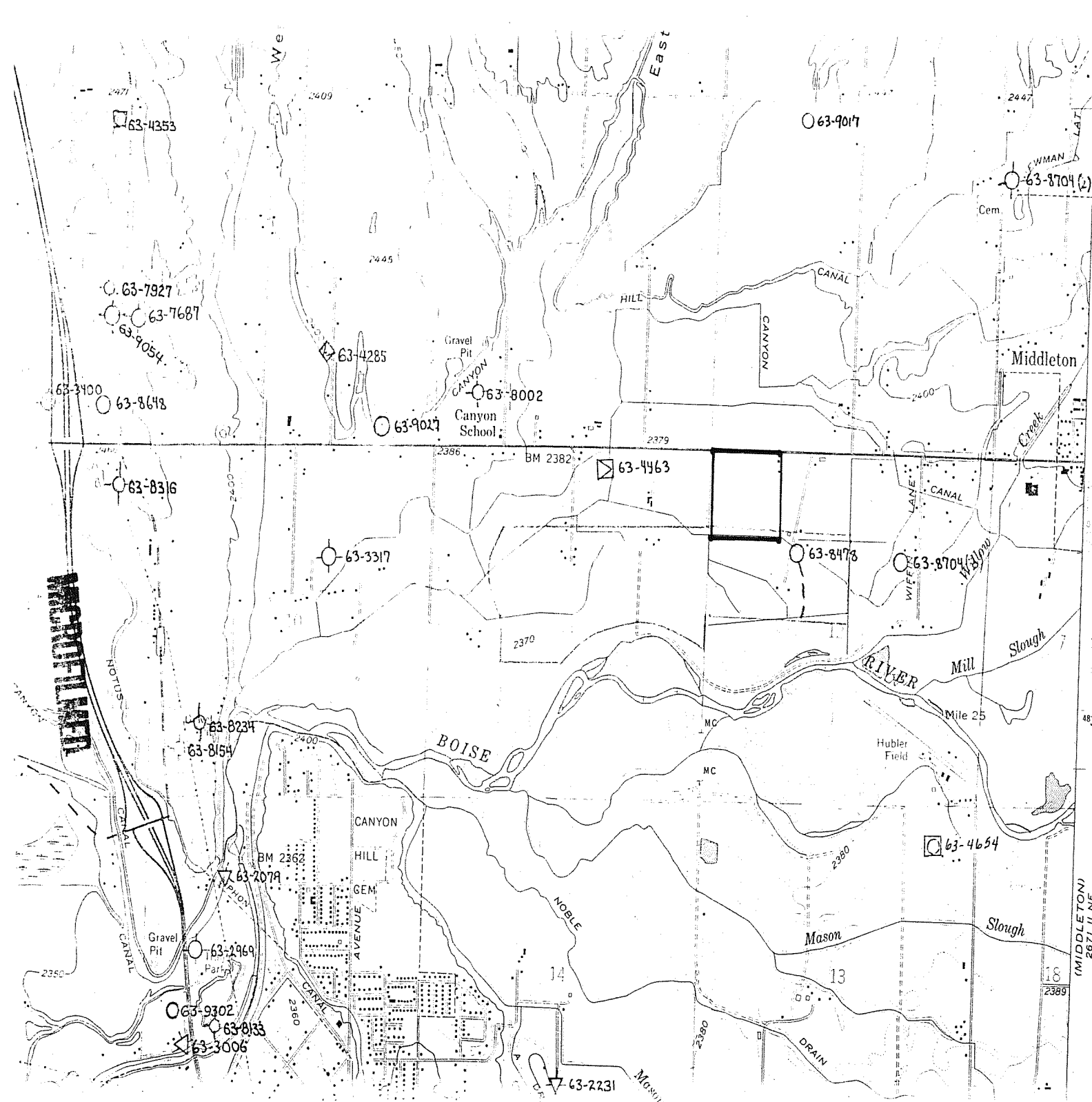
JAN SHUTE
 Jan Shute
 2/7/86



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

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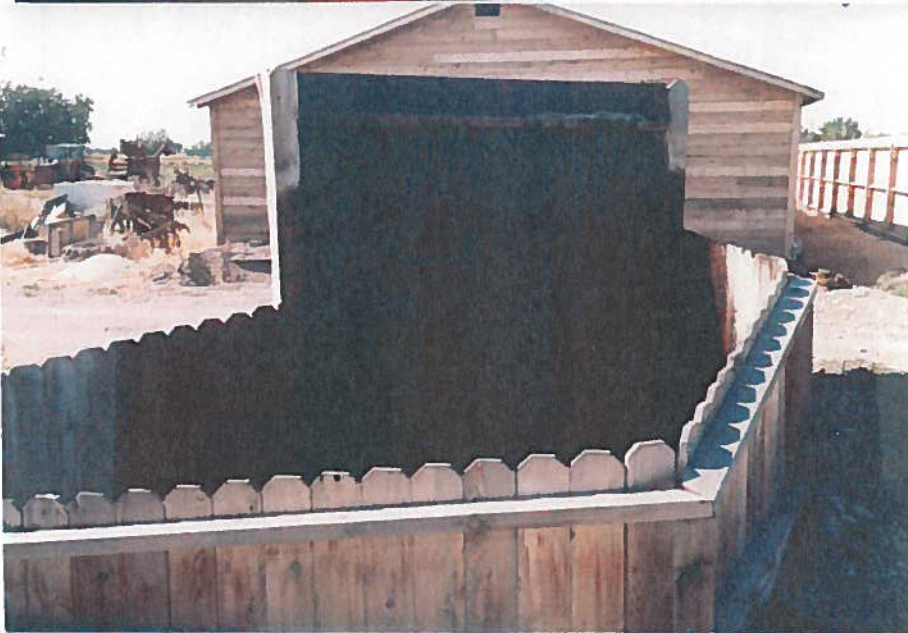


- 63-7553
- 63-9011
63-9017
63-4353 63-4407
63-8881
63-8704(2) see x-6
- 63-8413
- 63-7927
63-7687
- 63-4285 63-8800
63-8704(2) 63-9054
- 63-8002 63-3400
63-8648 63-9027
- 63-8794
63-4529
63-8316 63-4463
63-2910 63-4532
63-7695
63-3596 63-4855
63-8478 63-8704(3) see x-6
63-2542
63-3317
- 63-7721
63-4531
- 63-8934
63-8234
63-8154
- 63-4654
- 63-2079 SEE FILE FOR LAND USE
- 63-4537
- 63-2969
- 63-8133
63-3006
- 63-2231

PERMIT No. 63-10271



PRESSURE TANK &
1/2 HP PUMP FOR
DOMESTIC PORTION
OF PERMIT.



WATERFALL USED TO
RE-CIRCULATE H₂O
FOR FISH POND.
FACING SOUTH. FROM WELL.

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FISH POND - MAINLY
USED FOR RECREATIONAL
FISHING & ICE SKATING
IN WINTER. FACING
NORTHEAST. DIRECTLY
EAST FROM WELL.

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jim GHS APPLICATION NUMBER: 63-10271

CHECK:

- ☒ Source.
☐ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☐ Map.
☒ Signature.
☐ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. JP 11/9/84
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. Other water
☒ Yes ☐ No* In form for advertising.
Final date for protests: December 29, 1984
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/27/84
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 45/35207
☒ Publication dates and paper, recorded on application. Nov. 1984
☒ Protests, dates, withdrawal, etc., recorded on application. 11/15 & 11/22/84
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 623
11/2/84 Date of priority recommended.
Special conditions of approval or cover letter. I.P. GW letter
(26) water quality stds.

By: OBG Date: 12/4/84

STATE OFFICE REVIEW:

106, 105, 117

09C 26 07A

RECEIVED

☐ See attached sheet for more information.

By: KW Date: 12-5-84 DEC 4 1984

Department of Water Resources

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