

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: A63-05353
Date Received: 7/13/1992
Receipt No: W015050
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SABINO DE LA CONCEPCION 208-922-1190
Address: PO BOX 503
CALDWELL ID 83605

AND/OR

Name: VICKI L DE LA CONCEPCION 208-922-1190
Address: PO BOX 503
CALDWELL ID 83605

2. Date of Priority: JAN 1, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	26		NE	NW		CANYON

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		
STOCKWATER	01/01	12/31	1.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 5000 RANGE CATTLE.

MICROFILMED

AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	26	NW	NE		IRR	1.0
			SW	NE		IRR	12.0
			NE	NW		IRR	6.0
			SE	NW		IRR	7.0

Section Acres 26.0

Total Acres 26.0

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:
63-05352, 63-05351

14. Remarks:

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 X 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): Thicki de la Concepcion Date: 2-13-92

Date: _____

MICROFILMED
AUG 21 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day

of July 1992

Seal

Kathleen A. Walker
Notary Public

Residing at Boise, Idaho

My Commission Expires 2-14-1993

MICROFILMED
AUG 21 1992

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: 63-5353

VICKI L DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605

SABINO DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605
Telephone Number: (208)922-1190

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: 10/12/06 SIGNATURE: *Vicki de la Concepcion*
Please print your name: Vicki de la Concepcion

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

08/03/2006

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

RIGHT NUMBER: 63-5353

NAME AND ADDRESS: VICKI L DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605

SABINO DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.250 CFS
181.000 AFY

PRIORITY DATE: 12/31/1942

POINT OF DIVERSION:

T04N R03W S26 NENW 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	0.250 CFS 87.30 AFY
STOCKWATER	01/01 12/31	0.250 CFS 100.80 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S26 SWNE 7.40

T04N R03W S26 SENW 12.00

STOCKWATER Within CANYON County

T04N R03W S26 SWNE

T04N R03W S26 NENW

T04N R03W S26 SENW

19.4 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 5,000 range cattle.

Idaho Department of Water Resources

T04N, R03W, SEC 26

Claim No: 63-5353

Prepared By: Kimberly Brown

Date: August 2, 2006



Place of Use



Section Lines

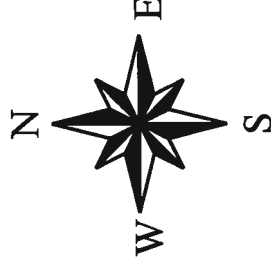


1/4 1/4



Point of Diversion

Irrigated Acres = 19.4



0 0.03 Miles



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5353

WATER RIGHT NUMBER: 63-5353 ✓

Owner TypeName and Address

Current Owner

✓ VICKI L DE LA CONCEPCION
910 N 19TH AVE
CALDWELL, ID 83605

cell # 860-8491

(+) # 459-3232

Current Owner

✓ SABINO DE LA CONCEPCION
910 N 19TH AVE
CALDWELL, ID 83605
~~(208) 922-4490~~

Original Owner

IDAHO MEAT PACKERS INC
1602 CHICAGO ST
CALDWELL, ID 83605

Priority Date: ~~04/04/1953~~ ✓

Basis:

~~Statutory Claim~~ ✓

Beneficial Use

Status:

Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION

STOCKWATER

change to
3/01

From To

3/15 to 11/15 ✓

1/01 to 12/31 ✓

Diversion Rate0.25 ~~1.500 CFS~~ ✓0.25 ~~1.500 CFS~~ ✓Total Diversion:~~1.500 CFS~~ ✓Annual Volume

87.3 AFA

100.8 AFA

181.0 AFA

0.25 (capacity of system)

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 26, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp Rge Sec

04N 03W 26

NE ✓ NW ✓ SW ✓ SE ✓
1.0 12.0
7.4

NE ✓ NW ✓ SW ✓ SE ✓
6.0 7.0
12.0

SW

SE

Totals ✓

19.4

Total Acres: ~~26~~ 19.4

* STOCKWATER same as IRRIGATION (+) NENW (change in eCVR)

Conditions of Approval:

ADD - Use is combined with water from Pioneer
W40 Irr. Dist.

Remarks:

ADD X02 - Stockwater use is for 5,000 range cattle.

Parcel No: ~~a portion of~~ R3537100000. (38.3 AC)

Field Exam Date 8.2.06

(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 \$76⁰⁰
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in S26
- ☐ 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) A63-5353

Owner: Vicki & Salino De la Concepcion Phone No. _____

Current Address: 910 N. 19th Ave., Caldwell 83605

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER Cell # 860-8491
- ☒ No change Address
- ☐ NEW ADDRESS Home # 459-3232
- ☐ How long owned property? _____

Accompanied by: in-office verification

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: 01/01/1953

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

Maynard Keith Thomas signed an affidavit that states that he observed this water right being used for stockwater and irrigation purposes beginning in 1942. Recommendation:

Source: Ground Water Tributary to _____ 12/31/1942

- ☒ 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: _____

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

WATER USES☐ No change☐ Different Uses

Change season of use to 03/01 - 11/15,

Use Irrigation From 3/01 To _____ Amount 0.25 CFS 87.3 AFA

Use Stockwater From _____ To _____ Amount 0.25 CFS 100.8 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 181.0 AFA
- ☒ Changes found, the new total is, Amount 0.25 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 # Field Report states that
Types _____ Additional comments: 7,500 head

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

of cattle
were present
in 1987, but
5,000 head were
claimed.

Parcel No: ~~a portion of~~ R3537100000. (38.3 AC)

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: 8.3.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5353

WATER RIGHT NUMBER: 63-5353

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO MEAT PACKERS INC 1602 CHICAGO ST CALDWELL, ID 83605

Priority Date: 01/01/1953

Basis: Statutory Claim

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>
IRRIGATION	3/15	to 11/15	1.500 CFS	
STOCKWATER	1/01	to 12/31	1.500 CFS	
	<u>Total Diversion:</u>		1.500 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 26, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	03W	26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				1.0	12.0		6.0			7.0									26.0

Total Acres: 26

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5353

03/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2283	Claim	04N	03W	26	NW	NE		IRRIGATION	40/836	CANYON HILL IRRIGATION DIST
2994	Claim	04N	03W	26	NW	NE		IRRIGATION	20/69	CANYON HILL IRRIGATION DIST
5353	Claim	04N	03W	26	NW	NE		IRRIGATION	1/26	VICKI L DE LA CONCEPCION
2276	Water Right	04N	03W	26	NW	NE		IRRIGATION		PIONEER IRRIGATION DISTRICT
2994	Water Right	04N	03W	26	NW	NE		IRRIGATION		CALDWELL IRRIGATION DIST
5353	Water Right	04N	03W	26	NW	NE		IRRIGATION	1/26	IDAHO MEAT PACKERS INC
2994	Claim	04N	03W	26	SW	NE		IRRIGATION	4/69	CANYON HILL IRRIGATION DIST
5353	Claim	04N	03W	26	SW	NE		IRRIGATION	12/26	VICKI L DE LA CONCEPCION
2276	Water Right	04N	03W	26	SW	NE		IRRIGATION		PIONEER IRRIGATION DISTRICT
2994	Water Right	04N	03W	26	SW	NE		IRRIGATION		CALDWELL IRRIGATION DIST
3063	Water Right	04N	03W	26	SW	NE		IRRIGATION	4/7	DAVID OCHSNER
5353	Water Right	04N	03W	26	SW	NE		IRRIGATION	12/26	IDAHO MEAT PACKERS INC
2994	Claim	04N	03W	26	NE	NW		IRRIGATION	10/69	CANYON HILL IRRIGATION DIST
5353	Claim	04N	03W	26	NE	NW		IRRIGATION	6/26	VICKI L DE LA CONCEPCION
2275	Water Right	04N	03W	26	NE	NW		IRRIGATION		PIONEER IRRIGATION DISTRICT
2276	Water Right	04N	03W	26	NE	NW		IRRIGATION		PIONEER IRRIGATION DISTRICT
2994	Water Right	04N	03W	26	NE	NW		IRRIGATION		CALDWELL IRRIGATION DIST
5353	Water Right	04N	03W	26	NE	NW		IRRIGATION	6/26	IDAHO MEAT PACKERS INC
2994	Claim	04N	03W	26	SE	NW		IRRIGATION	5/69	CANYON HILL IRRIGATION DIST
5353	Claim	04N	03W	26	SE	NW		IRRIGATION	7/26	VICKI L DE LA CONCEPCION
5353	Water Right	04N	03W	26	SE	NW		IRRIGATION	7/26	IDAHO MEAT PACKERS INC

— supplemental to Pioneer Irr.
Dist. water

Property owned by de la Concepcion —

#63-5353
2004 NAPP

NENW

NWNE

SENW

SWNE

Chicago St.

26



REAL PROPERTY INQUIRY

```

+++++
01 6R35371-000- -0 001-12 SCH132+ 01 10,500 19.20
+++++
DE LA CONCEPCION, SABINO + 20 500 1.00
& DE LA CONCEPCION, VICKI H/W + 22 15,750 15.73
+ 43 13,400
+
+
910 N 19TH AVE +
CALDWELL ID 83605 +
+++++
26-4N-3W NW + TOTAL 40,150 38.10
SW1/4-N & E OF CHICAGO ST & W OF ++++++
NOTUS CANAL LS TX48,50,52,60,61,62 + SURVEY INST 9023745
&63,66&85,,W1/2 SWNE S&W OF CANAL + DRAIN DR VALUE APPR SMB
+ CLASS IN REAP 03 MAN 02 UNIT 0
E CHICAGO ST, CA + PARCEL 6RC4N03W262501 H/O N C/B N
+ PRIOR ACCOUNT 5R35371-000- -0
SEE 35372 & ETAL + 02 MH on Property NO

```

ACCOUNT NUMBER R35371000 0 UNIT 001 TOTAL UNITS

SITE E CHICAGO ST CA SEC/TWN/RNG 26-4N-3W

ASSESSED VALUE 40,150 ACREAGE 38.10

SUB/PARK NAME YEAR/MAKE

CLASS IN INDUSTRIAL SPACE LOT BLOCK

+++++

YR BUILT	0	AIR COND	AIR - NONE	CARPORT	N
STORY	NO BLDG	HEATING		CARPORT SQ FT	
FIRST SQ FT	0	EXTERIOR	UNKNOWN	DECK/PATIO?	N
SECOND SQ FT		ROOF	UNKNOWN	POOL?	N
BEDS	0	BSMT SQ FT		SPA?	N
BATHS	.00	% BSMT FIN		LOT SIZE	
FRPLC	0	GARAGE	N	NEIGHBORHOOD	0
		GARAGE SQ FT			

+++++

COMMENTS	MOBILE HOME ONLY
	WIDTH/LENGTH
	EXPANDO

REAL PROPERTY INQUIRY

+++++

01 6R35372-000- -0 001-12 SCH132+ 22 1,000 1.00

+++++

DE LA CONCEPCION, SABINO +
& DE LA CONCEPCION, VICKI H/W +

+

+

+

910 N 19TH AVE +

CALDWELL ID 83605 +

+++++

26-4N-3W NW + TOTAL 1,000 1.00

TAX 66 IN NW 1/4 ++++++

+ SURVEY INST 9023745

+ DRAIN DR VALUE APPR SMB

+ CLASS REAP 03 MAN UNIT 0

N 21ST ST, CA + PARCEL 6RC00000262550 H/O N C/B N

+ PRIOR ACCOUNT 5R35372-000- -0

SEE R35371 & ETAL + 02 MH on Property NO

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R35372000 0 UNIT 001 TOTAL UNITS

SITE N 21ST ST CA SEC/TWN/RNG 26-4N-3W

ASSESSED VALUE 1,000 ACREAGE 1.00

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Receipt Details for ID W015050

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/13/1992 10:18:28 AM	7/13/1992	Western	\$126.00	Check
Payer	DE LA CONCEPCION, SABINO			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
901			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$126.00	ADJUDICATION FEES	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	5351		\$25.00	Claim
63	5352		\$25.00	Claim
63	5353		\$76.00	Claim

Print Report

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	FRANKLIN ELECT	5HP	282113930	UNKNOWN	2"

2.) Lift (distance from pump to water) 9.5 FT

3.) How was lift determined (well log, measurement, owner)? MEASUREMENT

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) OWNER'S gauge.

5.) Was a measurement made? NO If no can a measurement be made at a latter time? NO

6.) What type of measurement device was used? THEORETICAL CALCULATION

7.) Is there a pump curve available for pump? NO

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

Pioneer
Irrigation
water used
mainly for
Irrigation

9.) Please outline all acres irrigated on attached aerial photo. ✓ DONE

10.) Please clearly mark all points of diversion on map and GPS. ✓ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

✓ DONE

12.) Pictures taken of place of use and point of diversion. ✓ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

(see memo!)

7500 Head Capacity
7,500 Head OF CATTLE in 1987
3,400 Head OF CATTLE in 2003
(MOST CURRENT OWNER Has had).
2,700 Head in EARLY 2006.

ONLY a Few hundred head in Feedlot
AT Time OF Exam
(CATTLE VERY depending ON CATTLE
PRICES & availability.)

Claimed DUST abatement (Approximately
5/8" nozzle ???)

Plugs LAST WATER TROUGH OVERFLOW
goes INTO ditch Through a pipe

Knife Pump installed Pump.

NO
Commercial
use
Claimed.

DATE EXAM CONDUCTED 7-18-06

FIELD EXAMINER Daniel A. Mel

MEMORANDUM

TO: ADJUDICATION FILE 63-5353

FROM: DANIEL A. NELSON

DATE: 7/26/06

SUBJECT: FIELD EXAMINATION

I performed the field exam for water right 63-5353 on 7/18/2006. The point of diversion is located in the well house in the NENW of S26 and the feedlot covers an area in the W $\frac{1}{2}$ of the NE and the E $\frac{1}{2}$ of the NW in S26. The feedlot consists of several pens and loading chutes and two pastures. A theoretical calculation was done on the well, and it showed a maximum flow rate for the system of 0.25 cfs.

The stockwater portion of this claim is supplied through a series of water troughs in the feedlot full of feeder or range cattle only. The troughs split the pens, so there is one trough along each fence line. The owner informed me that the capacity of the feedlot is 7500 head of cattle, which were in the feedlot in 1987. The most cattle that the current owner has had in the feedlot were 3,400 head in 2003, and he had 2,700 earlier this year in 2006. There were only a couple hundred head of cattle in the feedlot at the time of the exam. However, occupation rates of feedlots vary greatly from month to month depending on cattle prices and availability.

In order to determine the maximum allowable flow rate for stockwater, I used the Field Examiners Handbook multiplier of 0.00022 to determine the maximum amount of water allowed or 1.65 cfs for 7500 head or .59 cfs for 2700 head. Therefore, the flow rate for this claim would be limited by the capacity of the well or 0.25 cfs.

The volume calculation for stockwater was a little difficult to determine, since it is impossible to determine the actual yearly average of cattle in the feedlot due to the variance of cattle numbers in this type of operation. At a flow rate of 0.25 cfs, the well has the capability to provide 181 afa of water if it is operates continually year round. However, this would supply more water than is needed for this type of operation. The range cattle water requirements are 12 gallons per day per animal, so fairly simple to calculate the water for a certain number of animals. At the maximum capacity of the feedlot (7500 head) the cattle would require a yearly volume of 100.8 afa. They requirement for 3,400 head would be 45.7 afa, and 36.3 afa for 2,700 head of cattle.

The feedlot has changed very little since 1987 and before, so I would recommend that the entire capacity be recommended. Therefore, I would recommend the stockwater use for 0.25 cfs and 100.8 afa.

The irrigation use was also a little confusing. The owners can use well water for irrigation of two pastures in the SWNE and SENW. In order to do this, they block off all of the water troughs, and send the water to last water trough in the feedlot area. A pipeline goes from this trough to the ditch system used to irrigate the pastures. There is 19.4 acres irrigated in this system. At an inch or 0.02 cfs, the maximum allowable diversion rate for irrigation would be 0.39 cfs, however, the well only produces 0.25 cfs. Therefore, 0.25 cfs would be limiter for the irrigation use. This diversion rate can supply the full volume per acre of 4.5 afa if needed, so the irrigation volume would be 87.3 afa for the 19.4 acres.

This claim stated that 26 acres were irrigated under this system. Of those 26 acres, 6 acres were described in the NENW. The only lands in this 40-acre tract are covered by corrals. When I asked the owner about this, he told me that he used a large sprinkler to irrigate this ground for dust abatement. Dust abatement is a commercial use, and not irrigation, but it could have described incorrectly. When I asked the owner to show me sprinklers used for the dust abatement, he told me that the dust abatement sprinklers had been stolen, along with the hose that supplied the water to the sprinkler from the pump. I spoke with Jan Shurte about this issue, and we determined that we shouldn't include the dust abatement at this time. In order to include the dust abatement, the owner would first need to amend their claim to include commercial use, and then would need to provide some type of evidence (picture or something) that showed the dust abatement being used. The owner would also need to provide a flow rate for the dust abatement.

In conclusion, I would recommend this claim at 0.25 cfs and 100.8 afa for year round stockwater use, and 0.25 cfs and 87.3 afa for irrigation use between 3/1 and 11/15, for a total combined use of 0.25 cfs and 181 afa. The total combined use is the maximum capacity of the system. Pioneer Irrigation District water is the main source of irrigation water. The well is only used during the shoulder seasons when needed.



NENW

T4N R3W S26

NWNE

SENW

SWNE

Feedlot/Stockwater Place of Use



T4N R3W S26

NENW

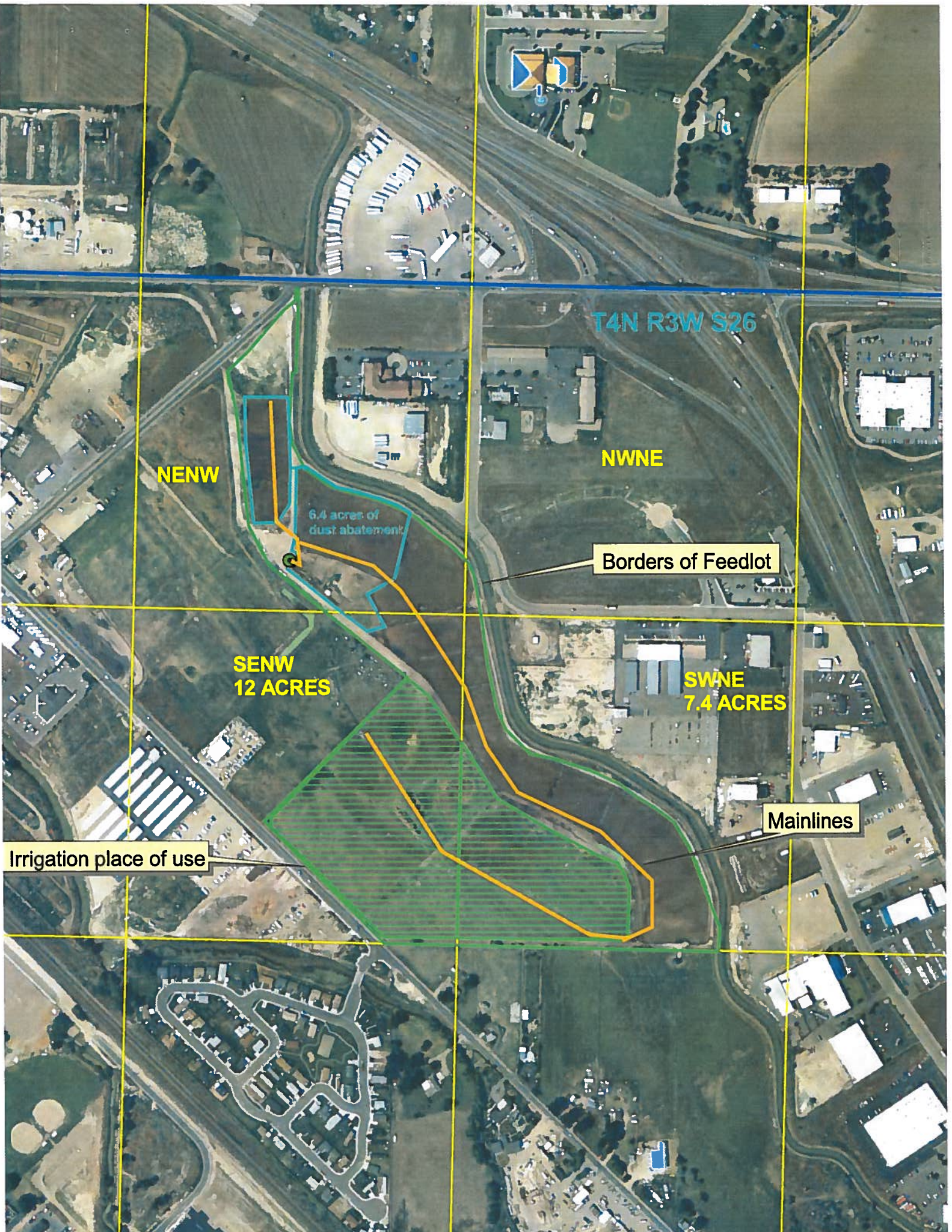
NWNE

6.4 acres of
dust abatement

SENE
12 ACRES

SWNE
7.4 ACRES

Irrigation place of use



T4N R3W S26

NENW

NWNE

6.4 acres of
dust abatement

Borders of Feedlot

SENW
12 ACRES

SWNE
7.4 ACRES

Mainlines

Irrigation place of use

GROUNDWATER THEORETICAL ANNALYSIS

Feed LOT
Well

FILE: 65-53 53

DATE: 2-18-2006

BY: DAN NELSON

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

Q = CFS

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

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

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

$$(8.8) \times (5 \text{ Hp.}) \times (0.70) = 30.8$$

$$Q = \frac{30.8}{125} = 0.25 \text{ CFS}$$

$$[(9.5 \text{ FT}) + (50 \text{ psi} \times 2.31)] / 2.31$$

LIFT FROM:

Measurement (X)

Owner ()

Area estimate ()

Well Logs ()

PSI FROM:

Measurement ()

Owner ()

Estimate ()

Owner Gage (X)

Booster (Y) (N)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS:

LIFT was measured while
pump was running, PSI taken
from owner's gage.

TABLE 1, RECOMMENDED DIVERSION RATES FOR STOCKWATER

In cubic feet per second (cfs)

<u>No. of head</u>	<u>Dairy cows</u>	<u>Other cattle, horses & mules</u>	<u>Hogs</u>	<u>Sheep & goats</u>
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.26	0.09	0.03	0.02
401 - 500	0.33	0.12	0.04	0.02
501 - 600	0.39	0.14	0.05	0.03
601 - 700	0.46	0.16	0.05	0.03
701 - 800	0.52	0.19	0.06	0.03
801 - 900	0.58	0.20	0.07	0.04
901 - 1000	0.65	0.23	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.

For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of stock (other than poultry), round the number of head to the next highest 100, and multiply this number by one of the following factors:

For dairy cows, multiply by 0.00065

For other cattle, horses, or mules, multiply by 0.00022

For hogs, multiply by 0.000074

For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

VOLUME FACTORS

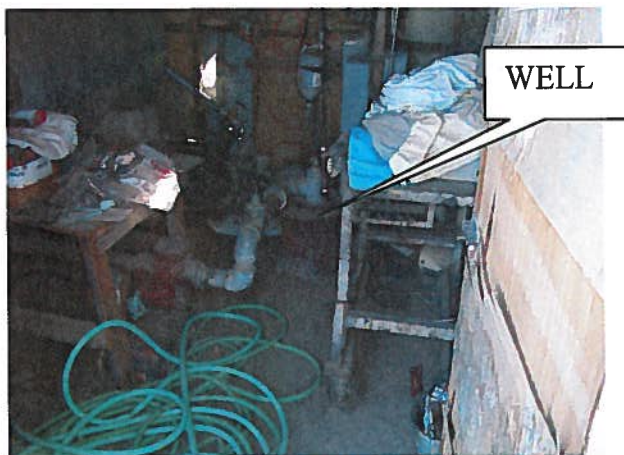
<u>STOCK</u>	<u>GPD/HEAD</u>
dairy cattle	35
range cattle	12
horses	12
mules	12
hogs	4
goats & sheep	2

SEE Dairy worksheets

Sources of information for this page include SRBA Claim Instructions, revised 6/89, and Field Examiners Handbook, 1986, currently under revision.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/18/2006

FILE NUMBER 63-5353



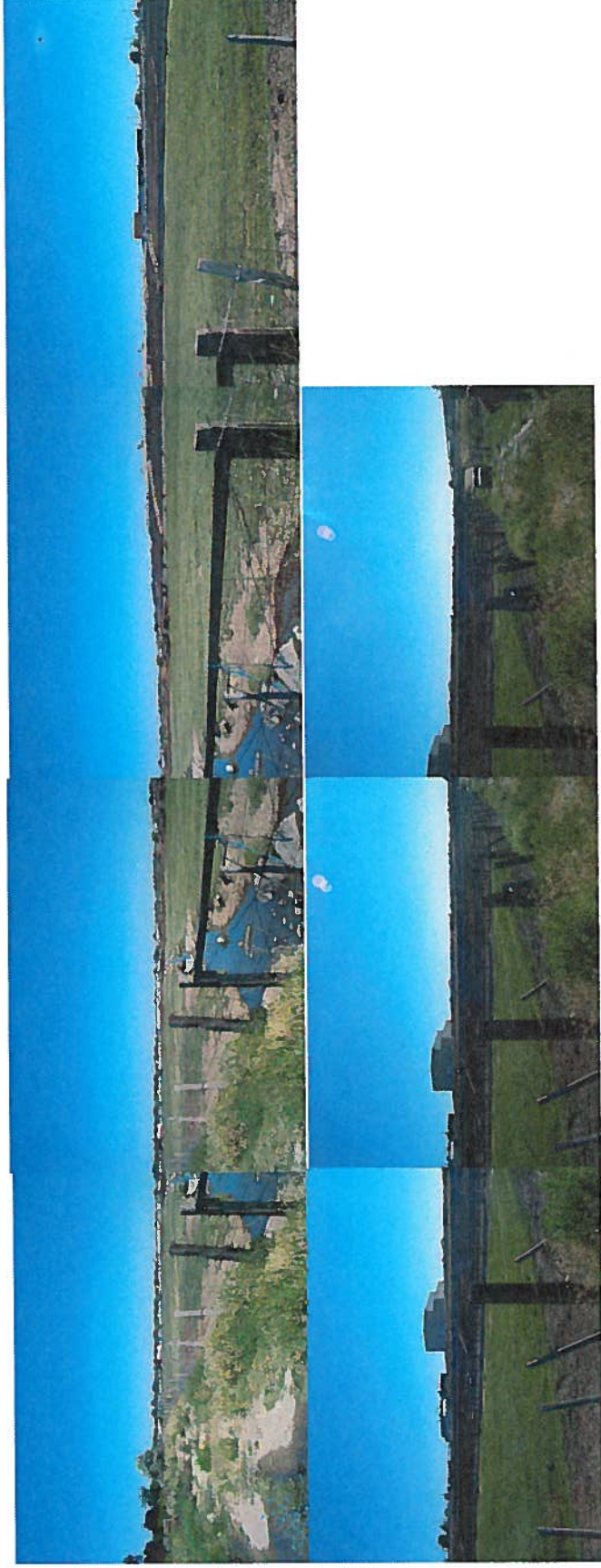
The top picture shows the well for the feedlot.

The middle pictures show the entire well house including the pressure tank.

The bottom picture shows the pressure gauge on the system, that read 55 psi.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/18/2006

FILE NUMBER 63-5353



The pictures above show the feedlot and the pastures. The feedlot sits a small hill and the pastures are below on a more flat spot.

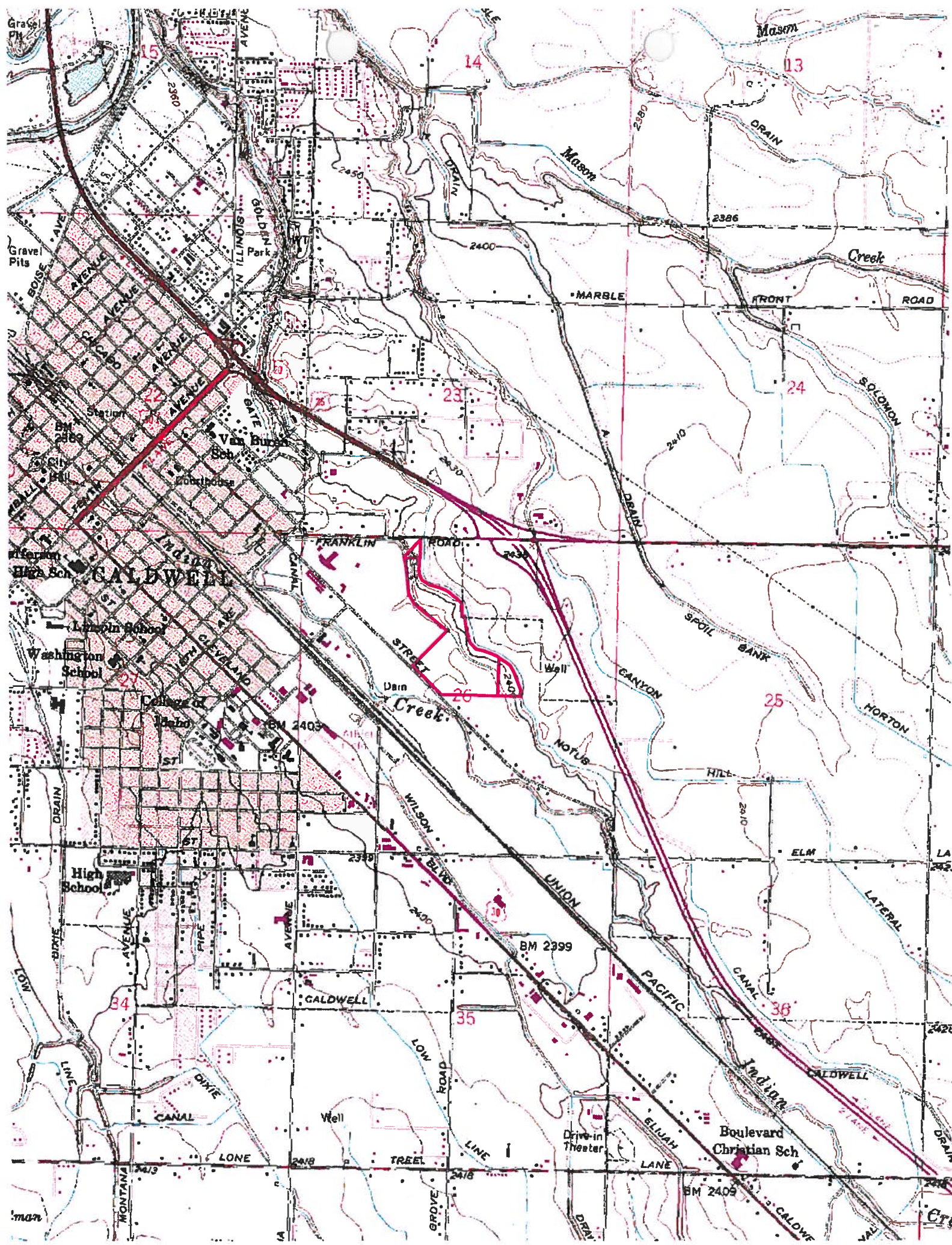


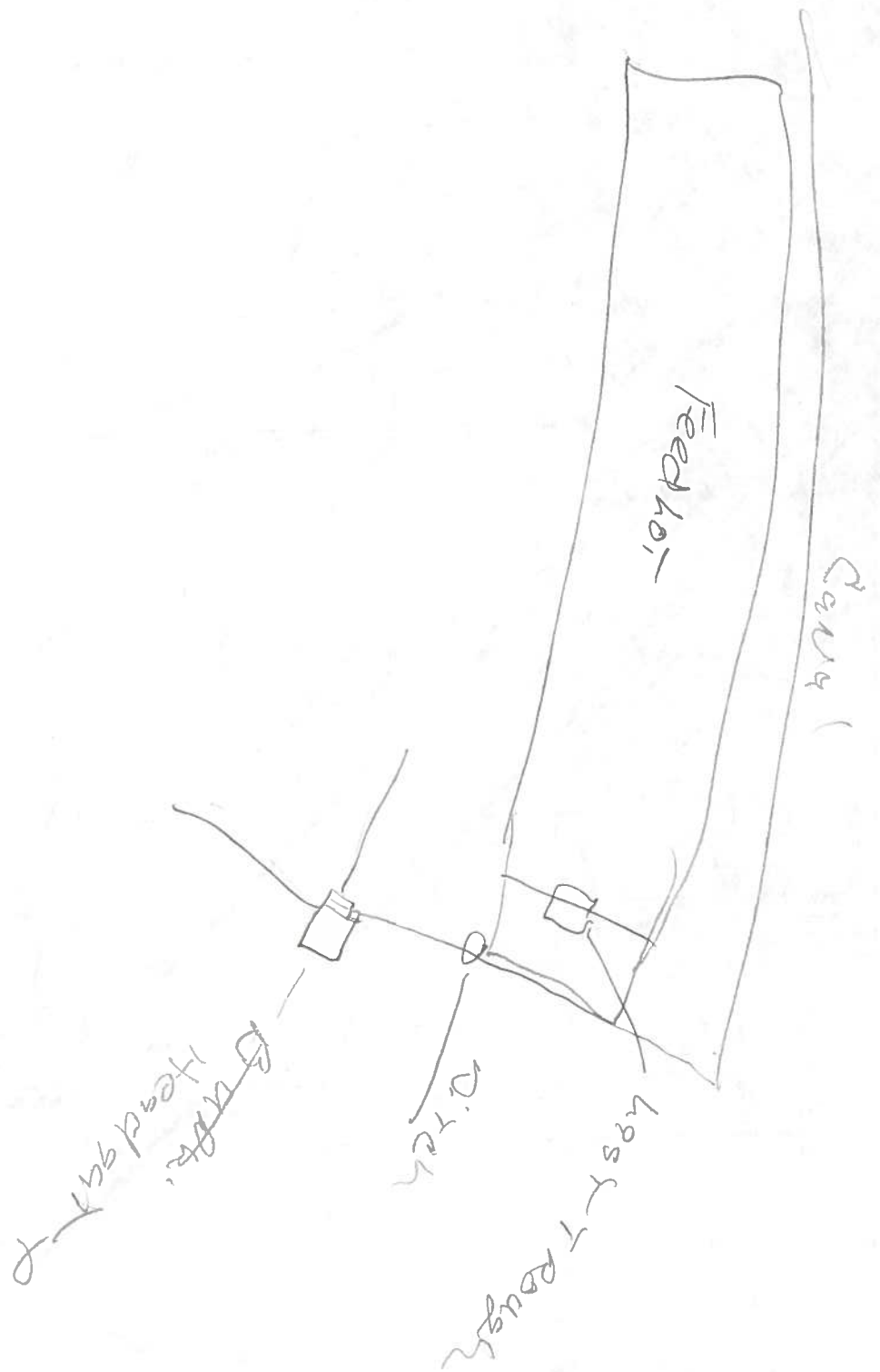
W/100

ONST
ALARM

ELECTRIC

EAST
THOUGH





A63-5351 & A63-5353 Field Exam Request:
De La Concepcion

Contact:

06/19/2006

Contact **Vicki or Sabino De La Concepcion** at #459-3232 (Home) or #860-8491 (cell) to set up a field exam. Please do both a field exam for **BOTH** claims at the same time.

Property Address:

910 N. 19th Ave, Caldwell (#63-5351)
&
0 East Chicago St., Caldwell (#63-5353)

Requests:

*Please verify **all of the elements** of this right.

In addition, please verify:

- GPS the location of both the wells (for 63-5351 & 63-5353).
- Is Pioneer Irrigation District water used to supplement 63-5353?
- How many stock were watered in 1987 for both claims? Today?
- **Domestic Use for 63-5351:** Why was 0.25 cfs claimed for 1 domestic home for 63-5351? Is there ½ acre of lawn and garden or is this just internal domestic use?
- **1987 Aerial Photo:** For 63-5353, please draw the 26.0 acres that were irrigated from the well in 1987 on the enclosed 1987 aerial photograph (There is a long gray swath of land that appears questionable on the 1987 aerial). Draw the diversion works on the 1987 aerial photo also; along with the points of diversion.
In addition, please draw the location of the 1 domestic home associated with 63-5351.
- **Capacity of both Systems:** Calculate the capacity of each well/system. Verify that the claimed 0.25 cfs is possible/applicable for 63-5351 and that 1.50 cfs is for 63-5353.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

RECEIVED

APR 20 2006

WATER RESOURCES
WESTERN REGION

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

63-5353)

-- priority 01-01-53

AFFIDAVIT

State of Idaho)

County of Canyon)

Maynard Keith Thomas

deposes and says: he observed the water right number
63-5353 being used to water cattle (stockwater)
and irrigate given property on 04N 03W 26
in the years 1942 and on. trwp rge section

Maynard Keith Thomas
(Signature)

RECEIVED

APR 20 2006

WATER RESOURCES
WESTERN REGION

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

AFFIDAVIT

priority 10-18-1985 63-16908 / 63-16909 - priority May 20, 1926

10-18-1985)
State of Idaho)
County of Canyon)

Margaret Keith Thomas

deposes and says: I observed cattle being watered
in their pens from domestic wells and pasture /
hay being water from domestic wells also. The
time period was 1942 on that this observation
was made

	township	range	section	
16908	02N	01W	10	1/4 of 1/4 of 1/4

approved 0.130 C.F.S. SE SE

16909

This affidavit for
63-16908 and 63-16909
is not applicable, since
both are domestic and
stock rights that
have already been
decreed.

- Kimberly Brown

Margaret Keith Thomas
(signature)

de la Commission
910 N. 1st Ave.
Calhoun, Id. 83605



Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

A3705+5082-23 COB



CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-5351 & -5353
Evidence of Priority**

March 30, 2006

Vicki De La Concepcion (Cell # 860-8491, Home # 459-3232) called in response to the evidence of priority request she recently received in the mail. She said that she found one relative that was old enough to go back several decades, but that he was not involved with the meat packing plant; so she would not be able to have him fill-out an affidavit. She also stated that there is a couple who is 80 years old and that she would have them fill-out an affidavit.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 22, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VICKI & SABINO DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-5351 & A63-5353

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 19, 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 will 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 A63-5351 & A63-5353

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.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05353 Date: 1-11-61

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	3W	26		1	12		6			7									26
GIS					.3	11.6		11			14									41.3
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 26

Overlapping POU Claim #'s:

Total GIS Acres: 41.3

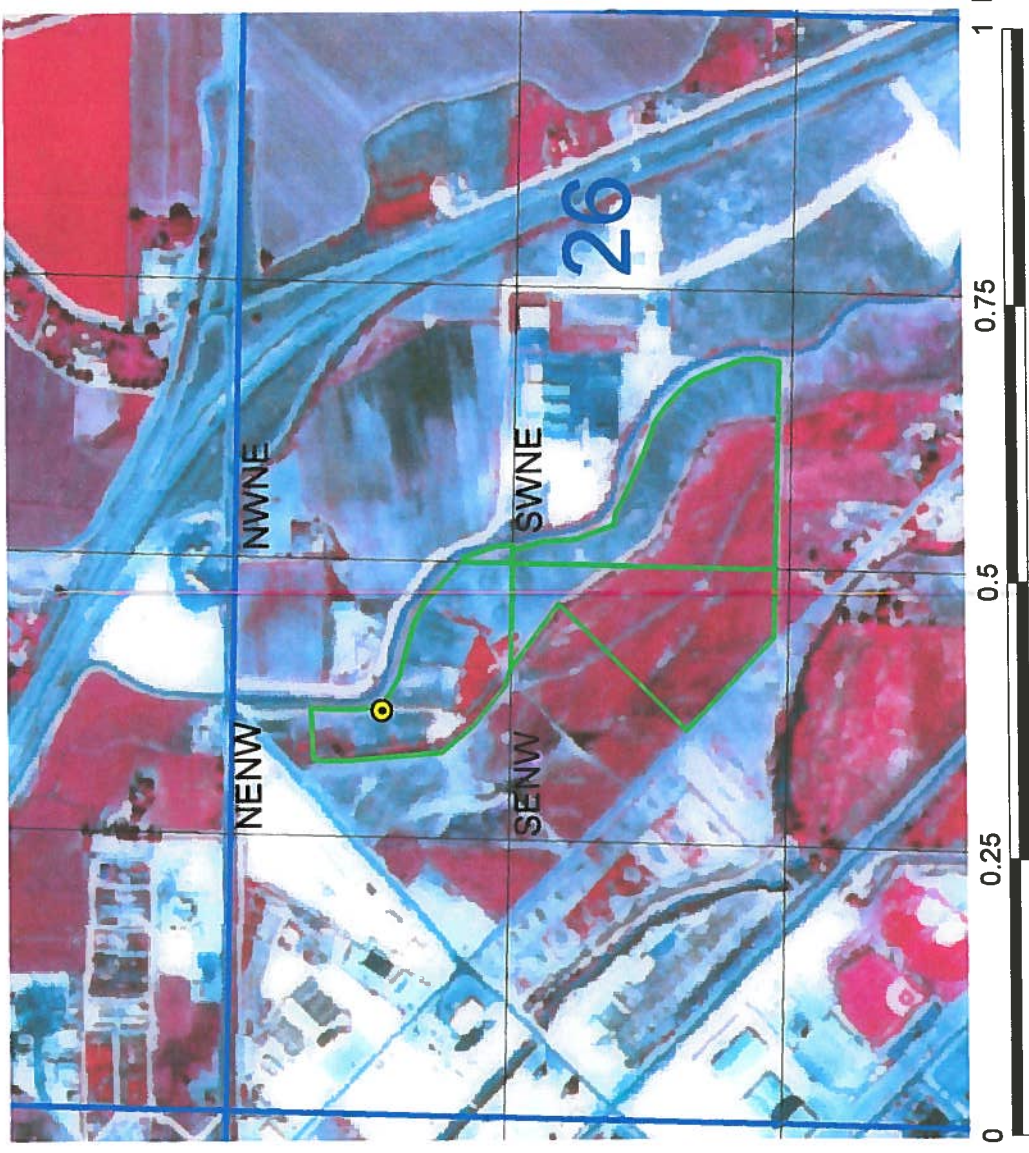
COMMENTS:

No map provided. Per image & county data.

Idaho Department of Water Resources

Claim Number: 63-05353
Legal: T04N, R03W, S26
Reviewed By:

1987 Napp Photo



● Point of Diversion



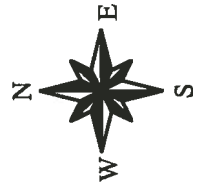
Place of Use



Section Lines



Quarter Quarter Lines



DATE: 05/08/98
PAGE: 1

TOTAL DIVERSION: 1.50 CFS

Tributary to:

CANYON County

ES

26.0

for: IRRIGATION



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
MAY 06 1998
Department of Water Resources

April 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SABINO DE LA CONCEPCION
VICKI DE LA CONCEPCION
910 N 19TH AVE
CALDWELL ID 83605-3482

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 63-16908, 63-16909, 63-05351, 63-05352, 63-05353,
63-16907
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on 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 can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by May 11, 1998. 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 of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 or call 327-7906 to obtain a form to make this required change to the water right records.

Yours truly,

Sandy Egbert
Sandy Egbert
Clerical Specialist

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

Vicki de la Concepcion

Signature of water right claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim. - -

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that IDAHO MEAT PACKERS, INC.

(Name of Claimant)

1602 CHICAGO STREET CALDWELL, IDAHO 83605

Telephone No. 459-4695

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1953

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GROUND

tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity: <u>1.50 cfs</u>	Use <u>STOCK</u>	Period of Use From	<u>JAN 1</u>	To <u>DEC 31</u>
Quantity: <u>1.50 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From	<u>3/15</u>	To <u>11/15</u>
Quantity: _____	Use _____	Period of Use From	_____	To _____
Quantity: _____	Use _____	Period of Use From	_____	To _____
Quantity: _____	Use _____	Period of Use From	_____	To _____

- (4) 1.50 TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ NW ¼, Sec. 26

Twp.

4N

e.

B.I.

country

CA

Additional points of diversion:

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. WELL

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for Irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 26

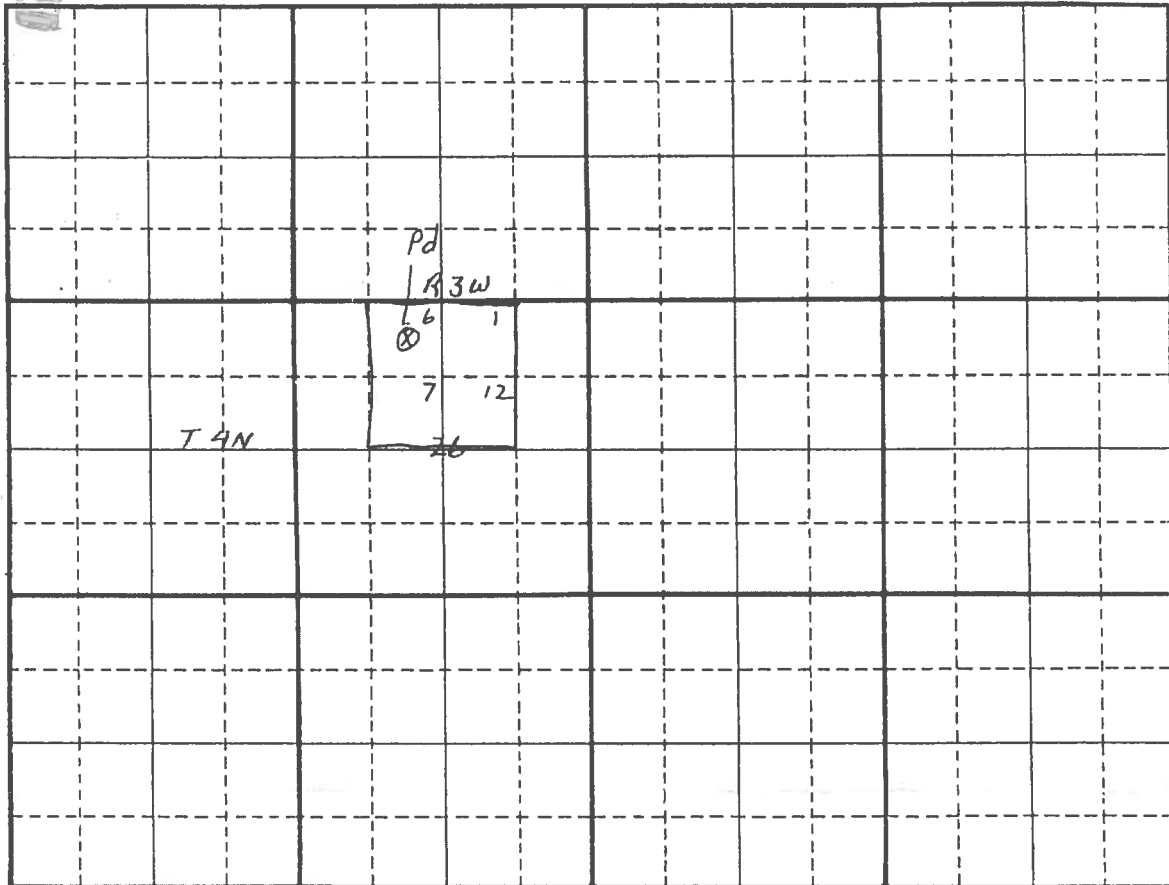
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

STOCK WATER, IRRIGATION

NOTE: Include here the type and number of stock watered: 5000 HEAD FEEDER CATTLE & SLAUGHTER CATTLE

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks



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 CANYON) 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.

Sworn to before me this 5 day of JUNE

(Claimant)

Notary Public
Residing at CALDWELL, IDAHO

My commission expires NON EXPIRING

FOR DEPARTMENT USE ONLY

Received by 615 Date 6/8/84 Exception filed by: _____ Date _____
Prelim. check by 615 Date 6/19/84
100 \$20.00 fee received by 615 Date 6/8/84 # 34464
Published in Press-Tribune
Dates 6/28/84 & 7/5/84

Forwarded to
claimant by: _____ Date _____