

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: **A63-08789B**
Date Received: 2/15/1990
Receipt No: X777777
Received By: _____

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

1. Name: LELAND C EARNEST 208-466-6068
Address: 3125 LASTER LN
NAMPA ID 83687
OR
Name: MARTHA EARNEST 208-466-6068
Address: 3125 LASTER LN
NAMPA ID 83687

2. Date of Priority: MAY 12, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	25	NE	NE	NE		CANYON

5. Description of diverting works:

WELL 146' DEEP, 10" CASING, PUMP, INTO CEMENT DITCH, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.237		

7. Total Quantity Appropriated is:

0.237 C.F.S. (and/or) 115.10 A.F.A.

8. Total consumptive use is 126.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		IRR	36.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	36.0
					Total Acres	36.0

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:

THIS WELL IS SUPPLEMENTAL TO PIONEER IRRIGATION

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A63-08789 FEE PAID UNDER RECEIPT NO. M005898.
RDH 5/26/95.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Water Right Number - A63-08789 ^B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

~~BROWN~~

EARNEST, LELAND C
OR
MARTHA

~~BROWN~~

~~MILDRED M~~

~~BLAINE-E~~

1 - 6467 HWY 20-26

2 -

3 -

City- NAMPA

Phone - 208-466-3908

1 - 6467 HWY 20-26

2 -

3 -

City- NAMPA

Phone - 208-466-3908

State- ID Zip- 83687

State- ID Zip- 83687

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/12/1977 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
04N 02W 25 NE NE NE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 ~~0.480~~ .237 C.U.

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
~~0.480~~ ~~233.30~~ (3.5)(36) = 126

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04N 02W 25 NE NE 36.0 01 IRRIGATION (27) CANYON
~~04N 02W 25 NW NE 37.0 01 IRRIGATION (27) CANYON~~

Total Acres: ~~73.0~~ 36

+ - - Diversion Means - WELL 146' DEEP, 10" CASING, PUMP, INTO CEMENT DITCH, FLOOD IRRIG.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - THIS WELL IS SUPPLEMENTAL TO PIONEER IRRIGATION

+ - - - - Remarks - - - - - +
No Remarks found. ^{CFS}
$$\frac{36}{x} \cdot \frac{73}{.48} = 73x = 17.28$$
$$x = .237 \text{ cfs}$$

$$\frac{233.3}{73} \cdot \frac{x}{36} = 115.1$$

Div. Vol

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Water right number - A63-08789

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

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 the
- lands above.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +
00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/23/1985	Old Judicial District	-
Claim Received Date	- 02/15/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005895	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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021 08 1990



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 19 1995

Department of Water Resources

DATE OF CLOSING: Mar 14, 1995

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 2W
Section 25, NE 1/4 of NE 1/4 1/4 of 1/4, Govt. Lot , BM.

Lot , Block, , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

MAY 22 1995

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A63-08789

☒ Name and Address of Former
Owner/Claimant(s)(Seller): Blaire & Mildred Brown

6467 Hwy 20-26

Nampa ID 83687

☐ New Owner/Claimant
(Purchaser):

Leland C. or Martha Earnest

☐ New Mailing Address:

3125 Laster Ln

Nampa, Ida 83687

☐ New Telephone Number: (208) 466-6068

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

TOTAL Right = .48 cfs for 73 Acres → .48/73 = .0066 cfs/acre.

Current owner's share = 36.5 Acres x .0066 cfs/acre = 2409 cfs.

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Leland C. Earnest

Date 5/12/95

Martha Earnest

Date 5/12/95

☐ Signature of Former
Owner/Claimant(s):

Mildred M. Brown

Date 05/17/95

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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OCT 08 1996

PC12034

9506240

WARRANTY DEED

RECEIVED

MAY 22 1995

WATER RESOURCES
WESTERN REGION

FOR VALUE RECEIVED Mildred M. Brown, a widow

the Grantor, does hereby grant, bargain, sell and convey unto **Leland C. Earnest and Martha Earnest, husband and wife**

the Grantees, whose address is 3125 Laster Ln., Nampa, ID 83687

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1995 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

DATED: March 13, 1995

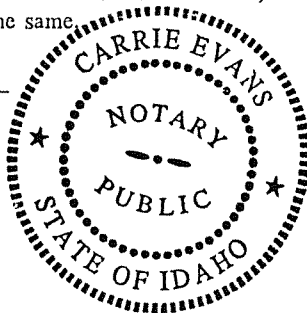
Mildred M. Brown
Mildred M. Brown

STATE OF IDAHO

COUNTY OF CANYON

On this ^{14th} day of March in the year 1995, before me, a Notary Public, personally appeared Mildred M. Brown known or identified to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Carrie Evans
Notary Public
Residing at Parma
My commission expires 8/17/96



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

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OCT 08 1996

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MAY 22 1995

WATER RESOURCES
WESTERN REGION

PC 12034

Exhibit "A"

The Northeast Quarter of the Northeast Quarter of Section 25, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 25, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at a railroad spike marking the Northeast corner of said Section 25 from which the East Quarter corner of said Section 25 bears South 00° 32' 40" West 2,643.01 feet; thence along the East boundary line of said Section 25

South 00° 32' 40" West 261 feet; thence leaving said East boundary line

South 89° 52' 49" West 25 feet to a 5/8-inch iron pin marking the intersection with the Westerly right of way of Can-Ada Road; thence continuing

South 89° 52' 49" West 252.48 feet to a 5/8-inch iron pin; thence

North 00° 50' 05" West 219.48 feet to a 5/8-inch iron pin marking the intersection with the Southerly right of way of Highway 20/26; thence continuing

North 00° 50' 05" West 40 feet to a point on the North boundary line of said Section 25; thence along said boundary line

North 89° 34' 18" East 283.75 feet to the POINT OF BEGINNING.

SUBJECT TO all existing rights of way and easements of record.

MmB.

REQUEST
PIONEER — CALDWELL
type *Deed* *6*

CANYON COUNTY RECORDER
M. Davis Deaf

95 MAY 14 PM 3 28

RECORDED

9506240

MICROFILMED
APR 18 1995

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: A63-08789
Date Received: 2/15/1990
Receipt No: M005895
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE E. BROWN 208-466-3908
Address: 6467 HWY 20-26
NAMPA, ID 83687

OR

Name: MILDRED M. BROWN 208-466-3908
Address: 6467 HWY 20-26
NAMPA, ID 83687

2. Date of Priority: MAY 12, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02W	25	NE	NE	NE		CANYON

5. Description of diverting works:
WELL 146' DEEP, 10" CASING, PUMP, INTO CEMENT DITCH, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		

7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) 233.30 A.F.A.

8. Total consumptive use is 255.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		IRR	36.0
			NW	NE		IRR	37.0
Section Acres							73.0
Total Acres							73.0

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:

THIS WELL IS SUPPLEMENTAL TO PIONEER IRRIGATION

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: _____

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 _____

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: A63-08789
Date Received: 2-15-90
Receipt No: 11005895
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE E. BROWN 208-466-3908
Address: 6467 HWY 20-26
NAMPA, ID 83687

OR

Name: MILDRED M. BROWN 208-466-3908
Address: 6467 HWY 20-26
NAMPA, ID 83687

2. Date of Priority: MAY 12, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02W	25	NE	NE	NE		CANYON

5. Description of diverting works:

WELL 146' DEEP, 10" CASING, PUMP, INTO CEMENT DITCH, FLOOD IRRIG.

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		

7. Total Quantity Appropriated is:

0.480 C.F.S. (and/or) 233.30 A.F.A.

8. Total consumptive use is 255.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		IRR	36.0
			NW	NE		IRR	37.0
						Section Acres	73.0
						Total Acres	73.0

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:

THIS WELL IS SUPPLEMENTAL TO PIONEER IRRIGATION

14. Remarks:

15. Basis of Claim: LICENSE

RECEIVED
FEB 16 1990
COUNTY CLERK
SANDHILL COUNTY

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: 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): Walter M. Brown Date: 02-15-90

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of February 1990

Chana Baun
Notary Public

Seal

Residing at _____

My Commission Expires _____



22

Franklin
School

Creel
Creek

CANAL

FEEDER

ROAD

LN

ELM

LANE

37

36

FOD

ROAD

Creel

ELM

LANE

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AG 3-08789

Tennile

RES

SCOTT

camp

Well

Lone Tree
School

ADA CO

SAFFORD
SUBLATERAL

CANAL

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Original Notice of Claim to a Water Right No. A63-08789
Renumbered to Notice of Claim to a Water Right No. A63-08789B

Leland C Earnest or
Martha Earnest
3125 Laster Ln
Nampa ID 83687

Dear Leland and Martha,

We have received and processed the Change of Ownership form submitted on the Original Notice of Claim to a Water Right Number as referenced above. This change of ownership required a split of this original claim resulting in the renumbering of the original claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right Number for your portion is referenced above. The right holders of the remaining portion have also been notified of this split and renumbering of their original claim.

Enclosed is a copy of this new claim which now reflects your portion of the original water right. Please keep this copy for your files and refer to the new claim number when corresponding with our office. If you have any questions concerning this letter or the enclosed claim, please feel free to contact this office.

Sincerely,

Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

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OCT 08 1996

COMMUNICATION DOCUMENTATION

Claim No. A63-08789

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

May 26, 1995

CUSTOMER

LELAND EARNEST 466-6068/880-0976/cell

SUBJECT: A63-08789 SPLIT OWNERSHIP

1. Called Leland at 12:30 PM, I asked about the note on the ownership change form marked 36.5 acres?
2. I explained that this right was licensed in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ for 36 acres. Thus, I couldn't expand that on an ownership change.
3. He said he didn't realize that the license read that way. I said I would only be able to show the 36 acres on the split.
4. He had questions about why the license was for only 24 inches? I said it probably wasn't able to produce anymore at the time of exam. He said yes, that could be because even though the well was set up to pump more, it tends to run dry. (This well is only a supplemental source to Pioneer Irrigation).
5. I offered to send him applications to repair/abandon or a new application to drill an new well with a new application for permit to appropriate more water to bring his use up to an inch per acre. He said please do so. I will attach them to the to the split claim info.

MICROFILMED
OCT 08 1996

EXPENDITURE VOUCHER

AUDITOR USE

WHITE - State Auditor
 *YELLOW - Reimbursement Advice
 PINK - State Auditor then Agency
 GO. DE. ROD - Agency Copy

AGENCY USE

9078
Date
05/10/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

BLAINE OR MILDRED BROWN
 6467 HWY. 20-26
 NAMPA, ID 83687

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A63-08789 5/ 8/90	73.00 73.00	
TOTAL						73.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form, that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

M005895

02/15/90
10:13:19

BROWN, MILDRED OR BLAINE

ADJUDICATION FEE

0410162 9337 6490

\$148.00

\$148.00

CHECK 1904

WR/NO: A63-08789 A63-20995

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

4N 2W Sec 25 NE NE 36 ✓
NW NE 37

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OCT 08 1996

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MAY 07 1990

Inter-Department Memorandum Department of Water Resources

From: Bruce A. Schuld
Western Region

Date:

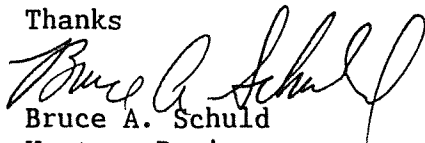
To: Don Shaff/Debbie Allen
State Office

Re: Refund of Acreage Fees for Blaine/Mildred Brown
6467 Hwy 20-26
Nampa, Idaho
83687

Attached are copies of Rcpt. # M005895 and Adjudication
claim #A63- 08789. There is an overlap with the
irrigated acreages paid for by Pioneer Irrigation District in
the 40 acre tracts as indicated by on the copy of their Rcpt.

Would you please initiate a refund to Mr./Mrs. Brown for \$ 73

Thanks


Bruce A. Schuld
Western Region

Approved  5/09/90
Data Entry NA
Region File

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MAR 23 1990

Department of Water Resources

March 20, 1990

Adjudication Bureau
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

MAR 23 1990

Department of Water Resources

Dear Sirs:

On advisement of Pioneer Irrigation District, this is a request for refund of one dollar (\$1.00) per acre for 73 acres for which there has been duplicate payments.

Our Water Right number is A63-08789 and the receipt number is M 005895.

Thank You.

Sincerely,
Mildred M. Brown

Blaine E. & Mildred M. Brown
6467 Highway, 20-26
Nampa, ID 83687

MICROFILMED
OCT 08 1996

03/13/2006

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

RIGHT NUMBER: 63-8789B

NAME AND ADDRESS: MARTHA EARNEST
3125 LASTER LN
NAMPA ID 83687

LELAND C EARNEST
3125 LASTER LN
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.237 CFS
115.100 AFY

PRIORITY DATE: 05/12/1977

POINT OF DIVERSION:

T04N R02W S25 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.237 CFS
115.10 AFY

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.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R02W S25 NENE 36.00

36 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 - License

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

NENW

NWNE

NENE

SWNE

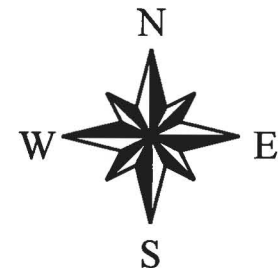
SENE

25

Claim No: 63-8789B
Prepared By: Kimberly Brown
Date: March 10, 2006

● Point of Diversion

Irrigated Acres = 36.0



1987 NAPP

0 0.3 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8789B

WATER RIGHT NUMBER: 63-8789B ✓

Owner Type Name and Address

Original Owner MILDRED M BROWN ✓
6467 HWY 20-26
NAMPA, ID 83687
(208)466-3908

Current Owner MARTHA EARNEST ✓
3125 LASTER LN
NAMPA, ID 83687
(208)466-6068

Original Owner BLAINE E BROWN ✓
6467 US HWY 20-26
RT 2 BOX 2186
NAMPA, ID 83687
(208)466-3908

Current Owner LELAND C EARNEST ✓
3125 LASTER LN
NAMPA, ID 83687
(208)466-6068

Priority Date: 05/12/1977 ✓
Basis: License ✓
Status: Active

Property Address:
Ø Can Ada Rd.
Nampa

Source Tributary

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 ✓	0.237 CFS ✓	115.10 ✓: ADD
	<u>Total Diversion:</u>	0.237 CFS ✓	115.10 AF ✓

Location of Point(s) of Diversion

GROUND WATER
CANYON County ✓

(NE 1/4) NE 1/4 NE 1/4 ✓ Sec. 25, Twp 04N, Rge 02W, B.M. ✓

Remove QQQ,
only QQ licensed.

Place of Use
IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	02W	25	36.0				36.0 ✓

Total Acres: 36 ✓

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

Conditions of Approval:

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

Parcel No: R3421100000. ^{38.9 -} (39.17 AC)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8789B

1. THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-08789 FEE PAID UNDER RECEIPT NO. M005898.
RDH 5/26/95.

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:

Water Supply Bank:

(in officer 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 \$123.00 pd. for 63-8789
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-8789 BOwner: Martha & Leland Earnest Phone No. _____Current Address: 3125 Laster Lane, Nampa

Property Address: ☒ No change NAME IS THE SAME
☐ NEW OWNER
☒ No change Address
☐ NEW ADDRESS
☐ How long owned property? _____

Ø Can Ada Rd., Nampa

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: 5/12/77

(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? remove QQQ, only NENE licensed

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
			NE	NE					

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-8789A

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

When combined, 63-8789 A & 63-8789B are limited to 0.48 cfs and 233.3 afa.**WATER USES**

- ☐ No change
- ☐ Different Uses

Season of use begins 3/1.
ADD: S39 Condition

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:

- ☒ No change None
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

Parcel No: R3421100000.

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: 63-7587, 63-88369, (+) Pioneer Irr. Dist. water

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

63-7587 & 63-88369 are not located in Section 25, they are actually located in Section 29 - no overlap.

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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8789B

02/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres Total	Name
~~1789B~~	~~Claim~~	~~04N~~	~~02W~~	~~25~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~38.45~~	~~MARTHA EARNEST~~
~~8789~~	~~Water Right~~	~~04N~~	~~02W~~	~~25~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~38.43~~	~~BLAINE E BROWN~~
20993	Water Right	04N	02W	25	NE	NE		STOCKWATER		NANCY F BROWN
7587	Claim	04N	02W	25	NE	NE		INDUSTRIAL		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		INDUSTRIAL		CROP PRODUCTION SERVICES
7587	Water Right	04N	02W	25	NE	NE		INDUSTRIAL		FEED SERVICE INC
7587	Claim	04N	02W	25	NE	NE		COOLING		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		COOLING		CROP PRODUCTION SERVICES
7587	Claim	04N	02W	25	NE	NE		DOMESTIC		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		DOMESTIC		CROP PRODUCTION SERVICES
~~20993~~	~~Water Right~~	~~04N~~	~~02W~~	~~25~~	~~NE~~	~~NE~~		~~DOMESTIC~~		~~NANCY F BROWN~~
~~20994~~	~~Water Right~~	~~04N~~	~~02W~~	~~25~~	~~NE~~	~~NE~~		~~DOMESTIC~~		~~NANCY F BROWN~~
~~28304~~	~~Water Right~~	~~04N~~	~~02W~~	~~25~~	~~NE~~	~~NE~~		~~DOMESTIC~~		~~MASAYO UJIYE~~

63-7587 & 63-28369

are not located in Section 25,
they are located in Section 29.
— no overlap

Receipt Details for ID M005895

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/15/1990 10:13:19 AM	2/15/1990	Mobile	\$148.00	Check
Payer	BROWN, MILDRED OR BLAINE			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1904			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$148.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
\$73.00	BLAINE OR MILDRED BROWN	5/10/1990	

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8789		\$123.00	Claim
63	20995		\$25.00	Claim

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08789

Priority: May 12, 1977 Amount: 0.48 CFS 233.3 AFA

This is to certify, that BLAINE E. BROWN
RT. 2 BOX 2186
NAMPA, ID 83651

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 11, 1977, and has submitted proof to the Department of Water Resources on July 1, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .480 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	0.48 CFS	233.3 AFA

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 25, Township 04N, Range 02W
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>TOTAL</u>
04N	02W	25	NENE 36	NWNE 37		73
Total number of acres irrigated:						73

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

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 9th day of MARCH, 1989.

RECORDED

Director

MAR 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR -1 1988

Department of Water Resources

A. GENERAL INFORMATION

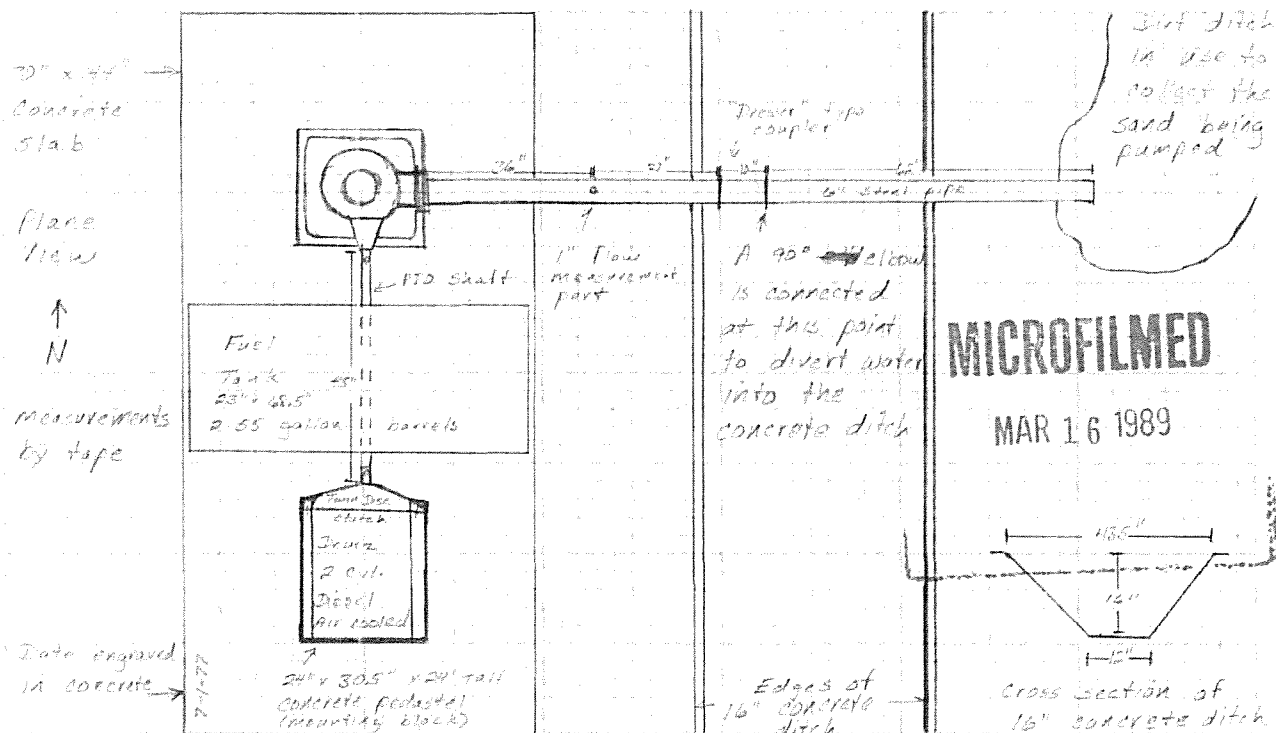
Permit No. 63-8789
Phone No. 466-3908
Current Address: Rt 6 Box 2186 Nampa, ID 83651
2. Accompanied by: Leland Ernest EXAM. DATE: 7-16-87
Address: Rt 1, Box 1089, Nampa ID Phone No. 466-6065
Relationship to Permit Holder: Partner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-7587 Not used on this land. ☒ Copies Attached
2. Other water rights with same point of diversion: 63-7587 This well is not actually located in this 1/4 section ☒ 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



Scale: 1" = 3'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

Do not use this space

RECORDED

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Protractor		Dover	7517-3/16-55	091402	6"	
Manometer		IDWR		F1	45"	
5 gallon Bucket						
Stopwatch						

2. Measurements:

Filled a 5 gallon bucket in 1.4 sec.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$\frac{5 \text{ gal}}{1.4 \text{ sec}} \times \frac{60 \text{ sec}}{1 \text{ min}} = 214.3 \text{ gpm} \quad \frac{214.3}{2.448} = 0.48 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

Est 150' lift open discharge

$$\frac{27.5 \times 8.8 \times 1.6}{100 - 23103} = 1.45 \text{ cfs}$$

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:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 73 \times 4.5 = 328.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.48 \times 245 \times 1.9835 = 233.3 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 233.3 \text{ afa}$$

2. Volume Calculations for Other Uses:

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R2W

23.24

26.65

C62

H07C

T2147

S16

H08C

T2126

A
18.0

B
25.4

A
27.6

B532

H09C

T1543

B
36.6

H06

A
36.5

24.19

25.30

MAR 16 1989

B
36.4

C10

H16

T2130

D
62.0

A
19.5

B
21.7

C
19.1

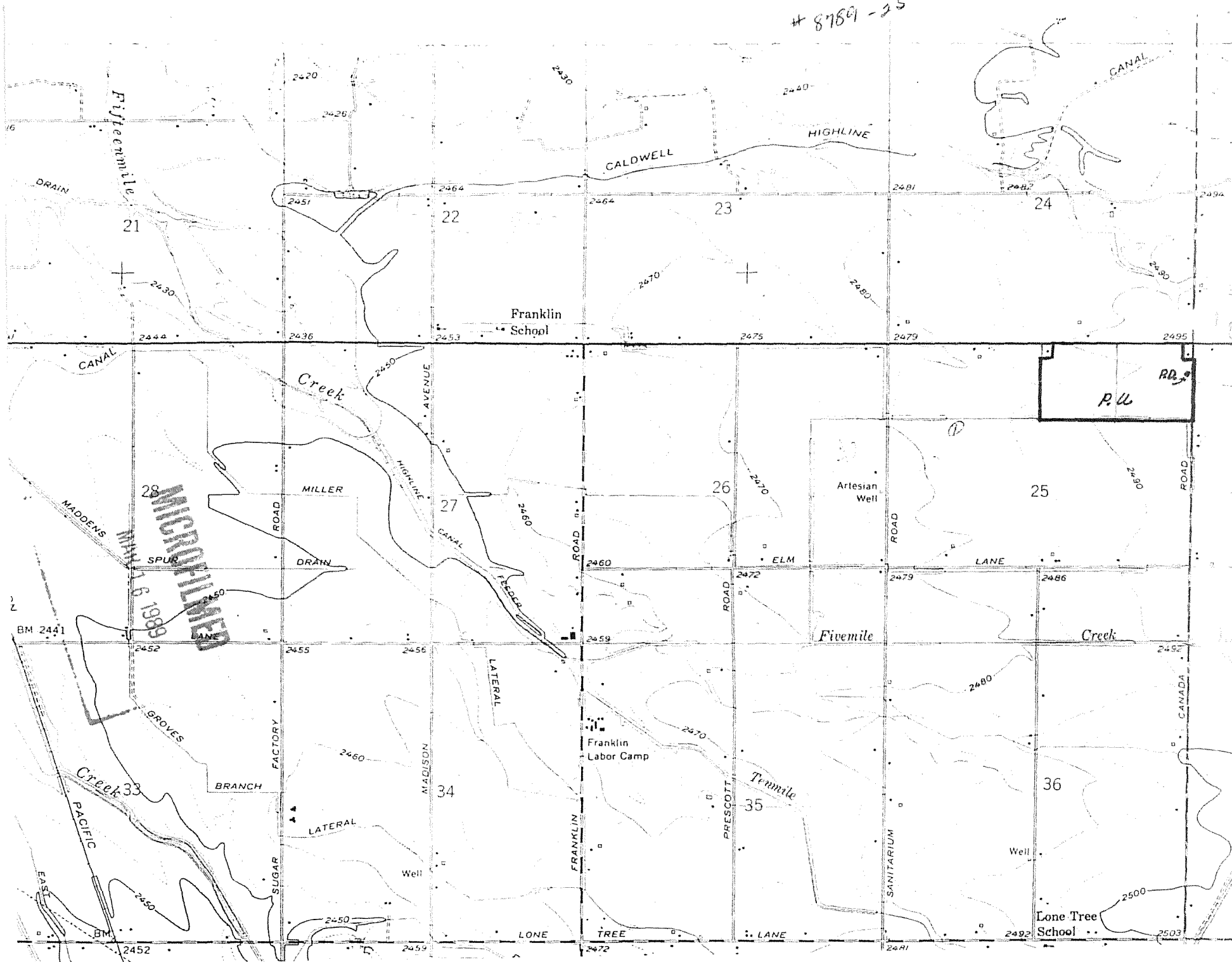
C114

H2C

T2138

A
62.3

8789-25



63-8787



P.D. Looking
North west



P.U. + P.D
Looking West

MAY 16 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 63-8789 IN THE NAME	)	ORDER ADVANCING
	)	DATE OF PRIORITY
OF BLAINE E. BROWN	)	
	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-8789 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. The Department approved Application for Permit No. 63-8789 to appropriate the public waters of the State of Idaho with a proposed priority of MAY 11, 1977.

2. On APRIL 30, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The license examination fee was paid on
JUNE 30, 1986, 1 day(s) late.

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MAR 16 1989



CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 63-8789 should be advanced 1 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 63-8789 is advanced to MAY 12, 1977.

Dated this 2nd day of December, 1988.

J. Glen Sayton

Chief, Water Allocation Bureau

MICROFILMED

MAR 16 1989

Identification No. _____
Applicant's No. 6-3789

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Blaine E. Brown Phone: 466-3908
post office address Rt. 2, Box 2186, Nampa, ID 83651
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 4N
Range 2E B.M. Canyon County; additional point of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.6 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.6 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and existing ditches

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 8,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet _____
(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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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	2W	25	40	40															80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above.

Pioneer Irrigation District

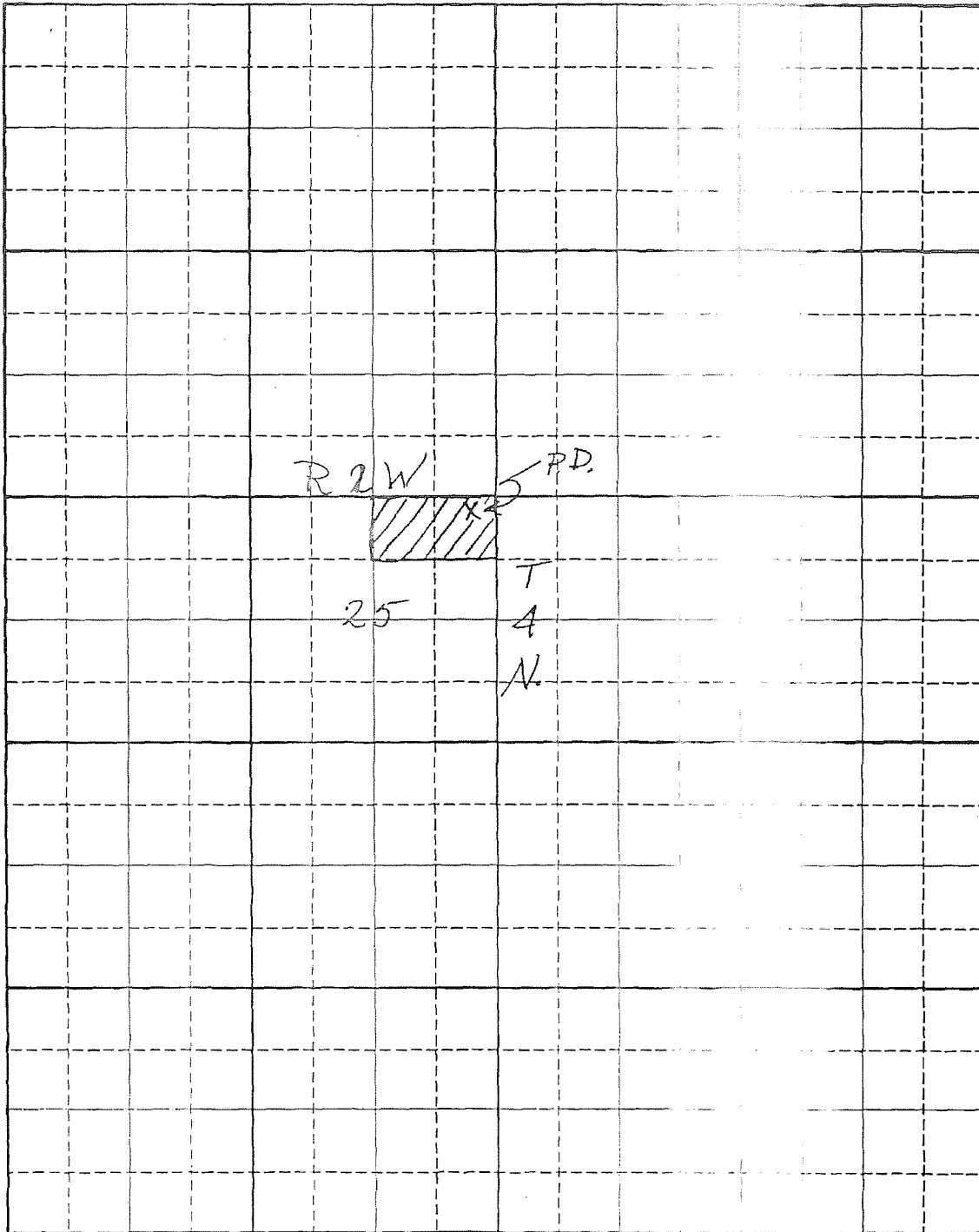
9. a. Who owns the property at the point of diversion Applicant

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 diversion number, township and range number.



Scale: 2 inches equal 1 mile

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

Blaine C. Brown
(Applicant)