

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: A63-09127
Date Received: 2/09/1990
Receipt No: m 5827
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD BINFORD 208-459-6183
Address: 22589 UPPER PLEASANT RIDGE RD.
CALDWELL, ID 83605

2. Date of Priority: MAR 15, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	20	SW	SW	SW		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.
INDUSTRIAL	01/01	12/31	0.510		30.30

7. Total Quantity Appropriated is:
0.510 C.F.S. (and/or) 30.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/MINT STILL.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	20	SW	SW		INDUST	

11. Place of use in counties: CANYON

A63-09127

Page 1

Date: 02/09/90

MICROFILMED
AUG 24 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Howard Buford Date: 2-9-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Feb. 19 90

Linda Werner
Notary Public

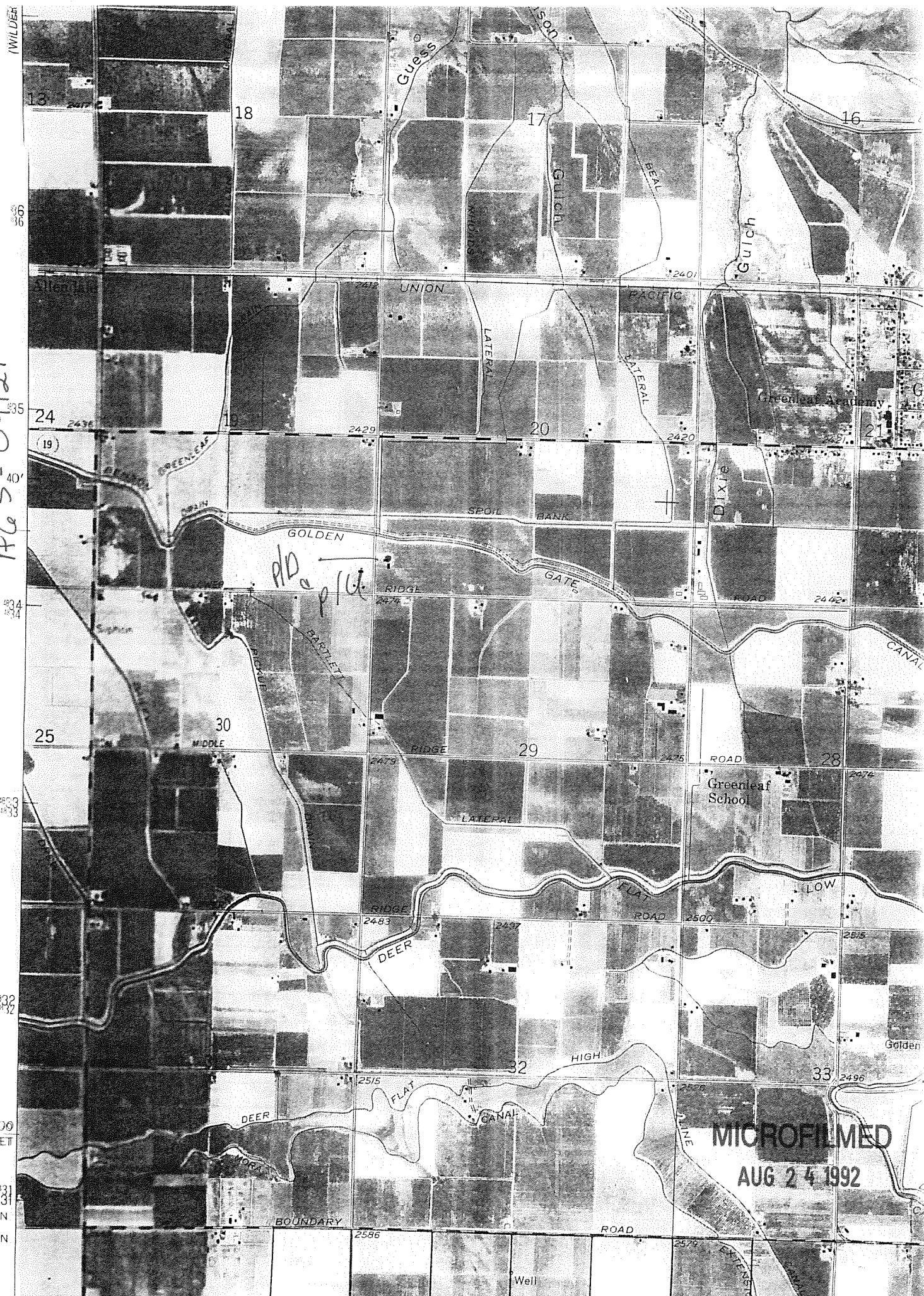
Seal

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

T4N, R3W, Sec. 20
AG 3-09127

120000
FEET

4821
4831
T 4 N
T 3 N



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9127 Priority March 15, 1978 Amount 0.51 cfs

THIS IS TO CERTIFY, that DELMAR CLOUD
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9127 issued pursuant to Application for Permit dated March 15, 1978
and has submitted proof to the Department of Water Resources on April 2, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.51 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use of
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Industrial</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.51</u> cfs and	<u>30.3</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.51 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
30.3 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 4N,
Rge. 4W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	4W	20											X						

Total number

MICROFILMED

REMARKS:

Industrial use for mint still.

AUG 24 1992

05/25/2006

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

RIGHT NUMBER: 63-9127

NAME AND ADDRESS: HOWARD BINFORD
22589 UPPER PLEASANT RIDGE RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.510 CFS
30.300 AFY

PRIORITY DATE: 03/15/1978

POINT OF DIVERSION:

T04N R04W S20 SWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	1/01 12/31	0.510 CFS 30.30 AFY
Industrial use is for a mint still.		

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R04W S20 SWSW

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9127

WATER RIGHT NUMBER: 63-9127

Owner Type

Current Owner

Name and Address

HOWARD BINFORD
22589 UPPER PLEASANT RIDGE RD
CALDWELL, ID 83605
(208)459-6183

Original Owner

~~DELMAR CLOUD
RT 2
CALDWELL, ID 83605~~

Priority Date: 03/15/1978

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

INDUSTRIAL

From To

1/01 to 12/31

Diversion Rate

0.510 CFS

Annual Volume

30.30 AF

Total Diversion:

0.510 CFS

30.30 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SW1/4SW1/4

Sec. 20, Twp 04N, Rge 04W, B.M.

Place of Use

INDUSTRIAL

Twp Rge Sec

04N 04W 20

NE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

Conditions of Approval:Remarks:Comments:

industrial use ~~is~~ for a mint
still.

claimed as
licensed - in
office verification
by kw 5/25/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9127

WATER RIGHT NUMBER: 63-9127

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DELMAR CLOUD RT 2 CALDWELL, ID 83605

Priority Date: 03/15/1978

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>
INDUSTRIAL	1/01 to 12/31	0.510 CFS	30.30 AF
	<u>Total Diversion:</u>	0.510 CFS	30.30 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 20, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

INDUSTRIAL

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	04W	20											X						

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9127

02/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9127	Claim	04N	04W	20	SW	SW		INDUSTRIAL		HOWARD BINFORD
9127	Water Right	04N	04W	20	SW	SW		INDUSTRIAL		DELMAR CLOUD

0 OK

Receipt Details for ID M005827

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/9/1990 3:10:44 PM	2/9/1990	Mobile	\$126.00	Check
Payer		BINFORD, HOWARD		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6800			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$126.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20832		\$25.00	Claim
63	9127		\$101.00	Claim

OK

Print Report

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that DELMAR CLOUD

Beneficial Use Period of Use Rate of Diversion Annual Volume

Industrial from January 1 to December 31 at 0.51 cfs and 30.3 acre feet

from _____ at _____ cfs and _____

from _____ at _____ cfs and _____

(both dates inclusive)

Description and location of place of use:

Type	Range	SOURCE																Totals					
		NEW	NW%		SW%		SEW		NEW	NW%		SW%		SEW		NEW	NW%		SW%		SEW		
4N	4W	20																					

REMARKS:

Industrial use for mint still.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of January, 19 80

Director

TOTAL ACREAGE _____

DATE OF EXAM 7/16/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
INDUSTRIAL .51 cfs V= 30.3 AF/Ann 1/1 to 12/31

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .51 cfs Method of measurement CALCULATION

Total Q recommended .51 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 30.29 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
 $Q = 7.5 \text{ hp } (80\% \text{ eff}) (1.8) / 40 \text{ psi } (1.4111) + 12' \text{ LIFT} = .51 \text{ cfs}$
 $V = .51 \text{ cfs } (1.48) (30 \text{ days/yr}) = 30.29 \text{ AF/Ann}$
*BASED ON 30 days/yr ABLE TO USE STILL.1

SYSTEM DESCRIPTION:
7 1/2 hp SUBMERSIBLE PUMP, 12" X 105' WELL
12' LIFT

REMARKS:
CLOSED SYSTEM.

Examiner's Signature Charles W. Brown Jr. Date 7/16/79

Checked by W. H. Smith Date 17.1.5.17

Approved by _____ Date _____

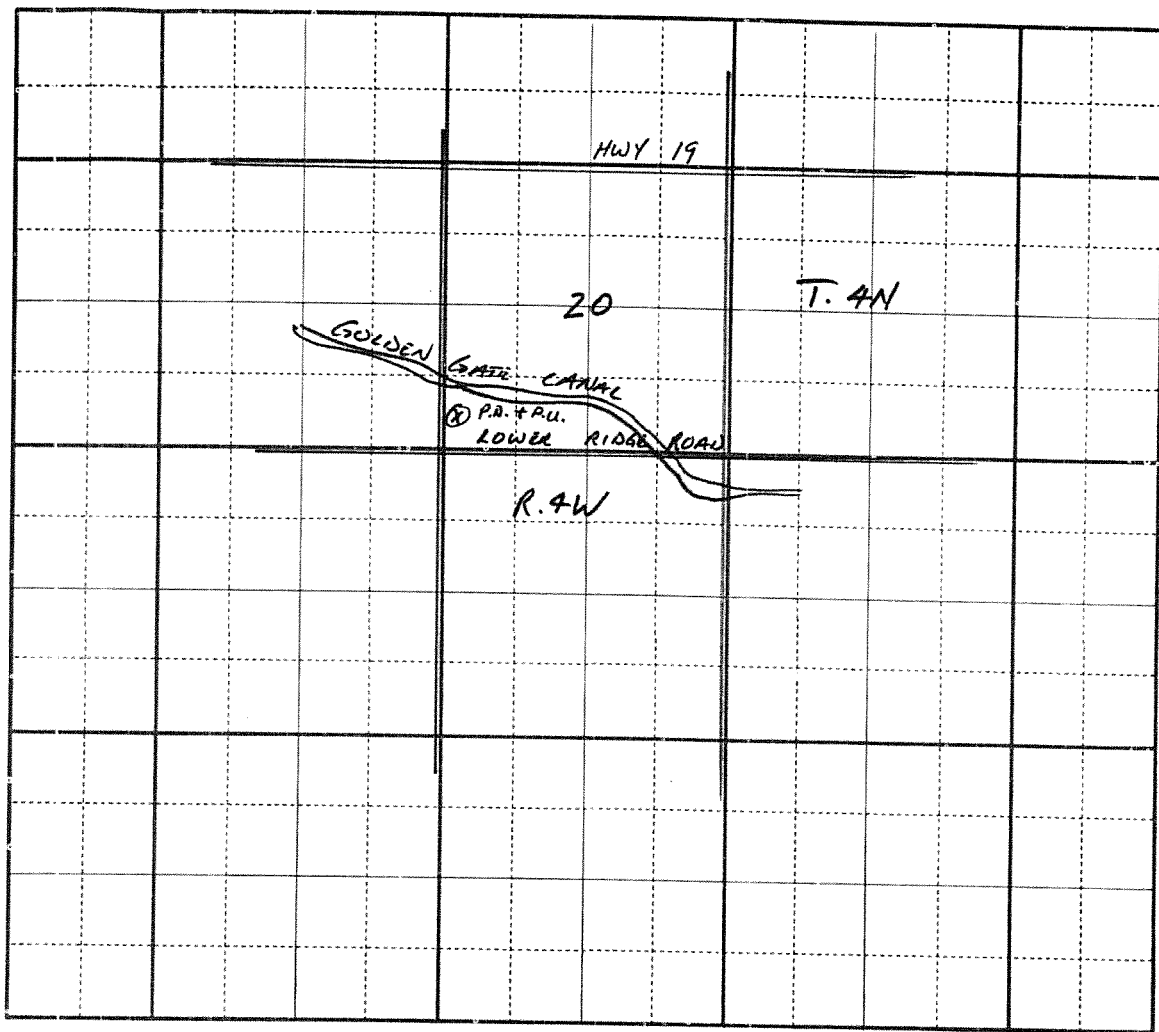


Diagram of System

Identification No. _____

Application No. 63-9127

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Delmar Cloud Phone: 459-4717
post office address Rt. #2, Caldwell, ID 83605
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 4N
Range 4W B.M. CANYON County; additional points 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 0.70 for Mint still purpose from JAN. 1 to Dec. 31 (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. 0.70 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 7 1/2 hp pump, well

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) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 90-100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 4N
Range 4W B.M.
(2) Amount of power to be generated: _____ hp 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: Mint still

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JAN 10 1963

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. None

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 _____

[illegible]

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.

Delmar Cloud
(Applicant)