

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: A63-09997
Date Received: 1/03/1990 1-4-1990
Receipt No: 208-573,98 D.E. J
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: FEB 09, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
ARTESIAN WELL W/PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		4.50
RECREATION	01/01	12/31	0.040		0.40

7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) 4.90 A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION USE FOR SOLAR/HTD. SWIMMING POOL & ICE SKATING RINK.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	12	NW		NW		IRR	1.0
			NW		NW		REC	
							Section Acres	1.0
							Total Acres	1.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

CLAIM NO. A63-10271, PERMIT NO. 63-10508 - SAME WELL.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not 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): Dwayne V. Shupe Date: 1-3-90
Jinda M. Shupe Date: 1-3-90

State of Idaho)
County of ADA) SS.

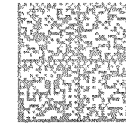
Subscribed and sworn (or affirmed) before me this 3rd day
of January 19 90
Seal Jan Shulte
Notary Public

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

ADDRESS SERVICE
REQUESTED

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

FIRST CLASS



EST
☒ Not Deliverable As Addressed
☐ Unable to Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street ☐ Name
☐ Recant ☐ Other
☐ No Mail Recipients
☐ Box Closed ☐ No Order
☐ Forward for New Address

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

DWAYNE SHUPE
LINDA SHUPE
22930 21ST AVE
MIDDLETON ID 83644

WF

63-9997
10271



05/18/2006

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

RIGHT NUMBER: 63-9997
NAME AND ADDRESS: LINDA SHUPE
22930 21ST AVE
MIDDLETON ID 83644

DWAYNE SHUPE
22930 21ST AVE
MIDDLETON ID 83644

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.070 CFS
4.900 AFY

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

PRIORITY DATE: 02/09/1983

POINT OF DIVERSION:
T04N R03W S12 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	1/01 12/31	0.040 CFS 0.40 AFY
IRRIGATION	3/15 11/15	0.030 CFS 4.50 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 R03W S12 NWNW 1.00
RECREATION Within CANYON County
T04N R03W S12 NWNW

1 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

Recreation use is for a swimming pool and an ice skating rink on a pond.

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

Property is also known as Tract 1, Blk 2, T & M Acres.

Idaho Department of Water Resources

**T04N, R03W,
SEC 12**

Claim No: 63-9997

Prepared By: Kimberly Brown

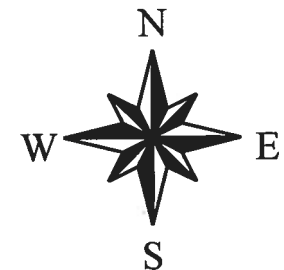
Date: May 18, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Irrigated Acres = 1



0 0.04 Miles



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9997

WATER RIGHT NUMBER: 63-9997 ✓

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

Current Owner:

Kenneth S. Burton

Priority Date: 02/09/1983 ✓

Basis: License ✓

Status: Active

capacity
150 gpm = 0.33 cfsProperty Address:22930 21st Ave. W.
MiddletonSource

GROUND WATER ✓ (artesian)

TributaryBeneficial Use

RECREATION ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.040 CFS ✓

0.030 CFS ✓

Total Diversion:

0.070 CFS ✓

Annual Volume

0.40 AF ✓

4.50 AF ✓

4.90 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4NW1/4 ✓

Sec. 12, Twp 04N, Rge 03W, B.M. ✓

Place of Use

RECREATION ✓ - for swimming and ice skating on pond

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

IRRIGATION ✓ - covers 1 acre around home

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	03W	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								1.0											1.0

Total Acres: 1 ✓

ADD S39 - Season of use is 3/1 to 11/15.ADD - Use is combined with water from Canyon County Water Co. Ltd.ADD J01 - Place of use is also known as Tract 1, Blk. 2,
T & M Acres.

Parcel No: R 2728600000. (4.38-4.4 AC)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9997

Conditions of Approval:

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

Remarks:

ADD - Recreation use is for ^{a solar heated swimming} swimming and pool
an ice skating ^{rink} on a pond.

Comments:

ADD - The maximum combined rate of diversion under this right and Right No. 63-10271 shall not exceed 0.33 cfs.

Water Supply Bank:

Cin-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 \$55.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in NWNW, S12
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63 - 9997Owner: Linda & Dwayne Shupe Phone No. _____Current Address: 22930 21st Ave., Middleton 83644

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Kenneth S. Burton
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 2/9/83

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

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-10271, 63-10508not claimed
in SRBA

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

The maximum combined rate of diversion under this right and Right No. 63-10271 shall not exceed 0.33 cfs.**WATER USES**

- ☐ No change
☐ Different Uses

Season of use is 3/1 to 11/15.
ADD: 839 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
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

Recreation use is for a swimming pool and ice skating rink on a pond.**PLACE OF USE:**

- ☒ No Change
☐ Changes shown below:

ADD 501 – Place of use is also known as Tract 1, Blk. 2,
T # M Acres.Parcel No: R 27286000000, (4.38² – 4.4 AC)

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

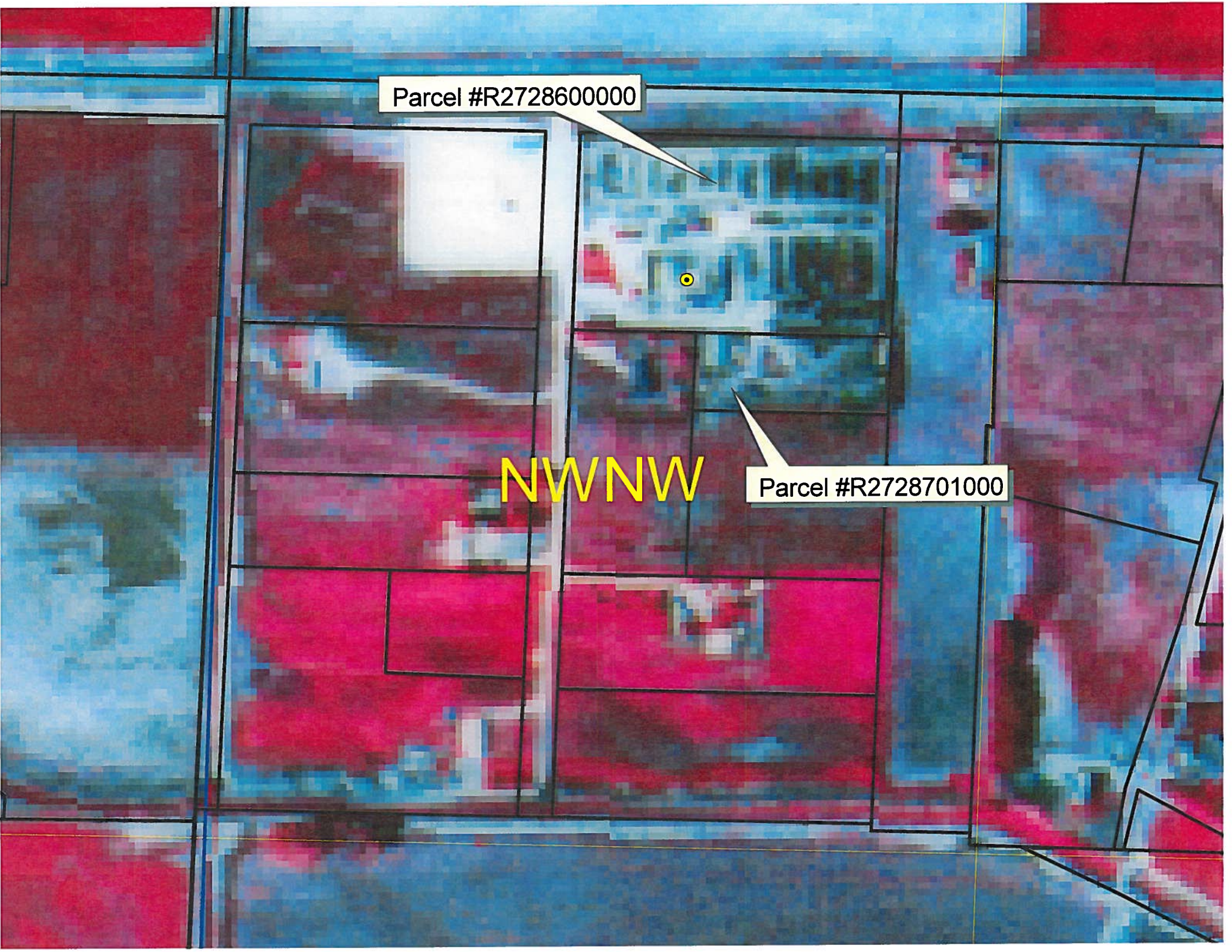
DATE EXAM CONDUCTED: 5.18.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Parcel #R2728600000

NWNW

Parcel #R2728701000



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9997

WATER RIGHT NUMBER: 63-9997

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

Priority Date: 02/09/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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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	0.030 CFS	4.50 AF
RECREATION	1/01 to 12/31	0.040 CFS	0.40 AF
	<u>Total Diversion:</u>	0.070 CFS	4.90 AF

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	12						1.0											1.0

Total Acres: 1

RECREATION same as IRRIGATIONConditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. Recreation use is for swimming & ice skating on pond.

Remarks:

REAL PROPERTY INQUIRY

```

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

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MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R27286000 0 UNIT 001 TOTAL UNITS 1

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

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

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

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

REAL PROPERTY INQUIRY

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

```

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9997

03/22/2006

1

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

- claim supplemental to Canyon County Water Co. Ltd. surface water

- overlap with #63-10271 and #63-10508 → limited to a combined diversion rate of 0.33 cfs.

Overlap review-

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10508

WATER RIGHT NUMBER: 63-10508

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

- not claimed
in SRBA

Priority Date: 06/17/1987

Basis: License

Status: Active

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

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

Location of Point(s) of Diversion

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

Place of Use

COMMERCIAL

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

Conditions of Approval:

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

Remarks:

Receipt Details for ID W007398

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/4/1990 3:35:07 PM	1/4/1990	Western	\$113.00	Check
Payer		C-T-R USED PRTS & EQUIP.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
11452			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$113.00	ADJUDICATION CLAIM FEES	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	9997		\$55.00	Claim
63	10271		\$58.00	Claim

✓ Correct Amount

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-9997

Priority: February 9, 1983 Amount: .07 CFS 4.9 AFA

This is to certify, that DWAYNE SHUPE
LINDA SHUPE

RT. 11 BOX 5

MIDDLETON, ID 83644

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 9, 1983, and has submitted proof to the Department of Water Resources on April 8, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .33 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.03 cfs	4.5 afa
Recreation	01/01 to 12/31	.04 cfs	.4 afa
Totals		.07 CFS	4.9 AFA

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

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
4N	3W	12	NWNW	1			1

Total number of acres irrigated: 1

PLACE OF USE: Recreation, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
5. Recreation use is for swimming & ice skating on pond.

MICROFILMED

AUG 20 1987

State of Idaho
Department of Water Resources

PAGE 2

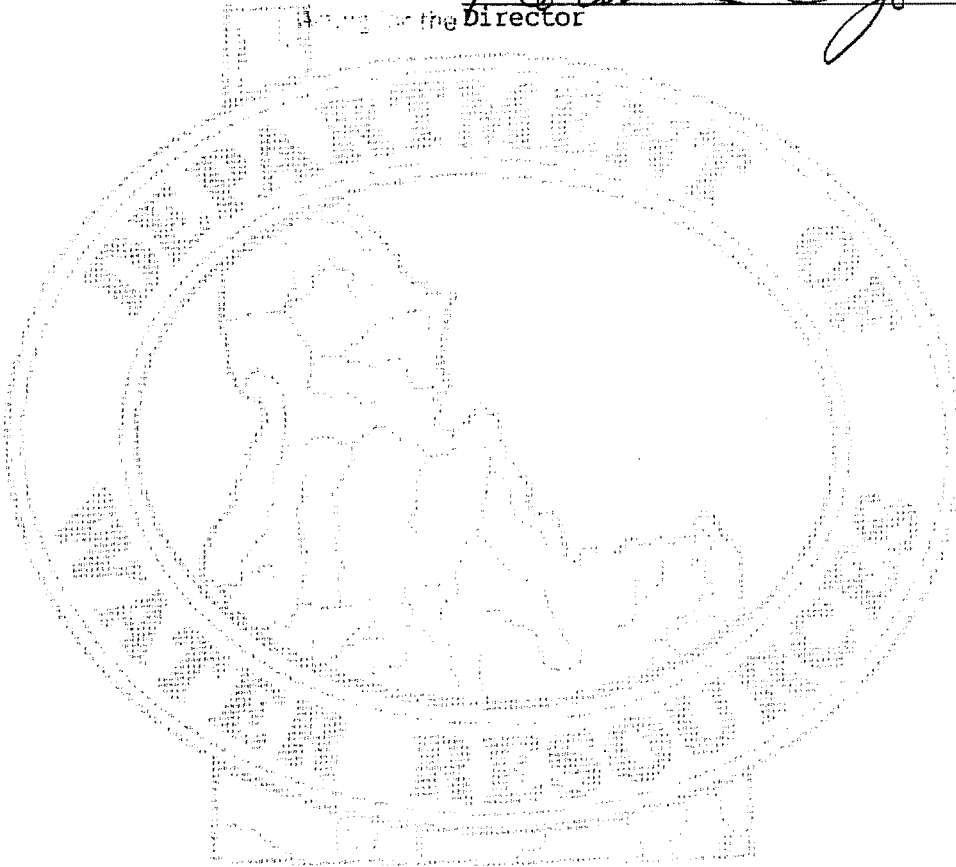
WATER RIGHT LICENSE

WATER RIGHT NO. 63-9997

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

Director

Norman C. Young



RECEIVED

AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

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

4. Water will be used for the following purposes:

Amount .15 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Recreation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Allow 0.19 cfs DRT 4/20/83
Amount .33 for Power purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

Allow 0.19 cfs DRT 4/20/83
a. .33 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well (artesian) with pipe
and pump into sprinkler and small recreation pond.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 170 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 4N
Range 3W B.M.

(2) Amount of power to be generated: 2 horsepower under 15-20 PSI 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: Recreation for small pond for
swimming and skating

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

[illegible]

Total number of acres to be irrigated 5

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

District Water

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

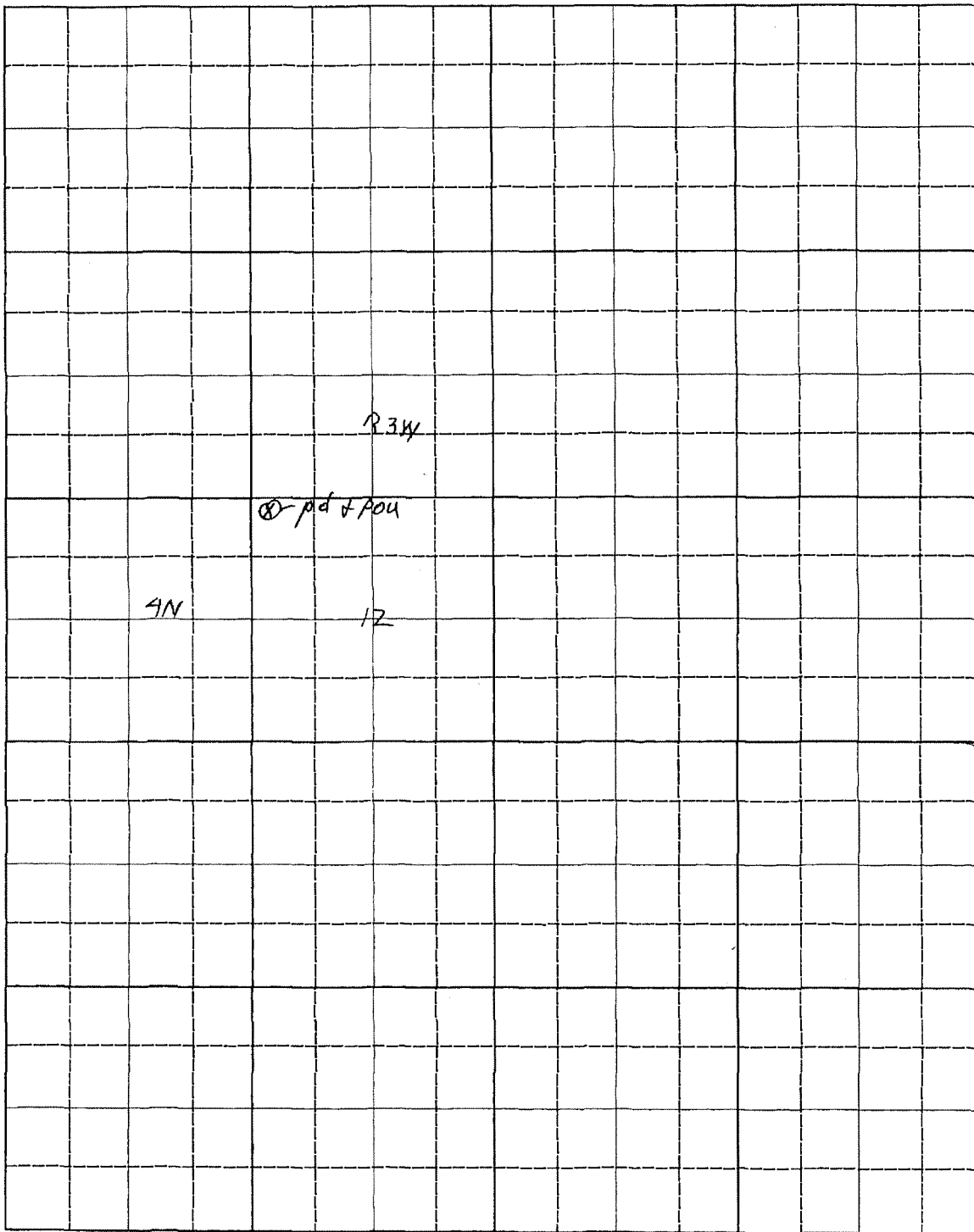
b. Who owns the land to be irrigated or place of use Applicant

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

417721
P. 111
B. 111
B. 111

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



Scale: 2 inches equal 1 mile.

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

Wayne V. Shupe
(Applicant)

Proposed Priority 2/9/1983

Received by CHS Date 2/9/83 Time 3:30
Preliminary check by JG Fee \$ 45.00
45.00 # 23183
Receipted by JP Date 2/9/83
Publication prepared by JP Date 2/24/83
Published in Press-tribune
Publication dates 3/3 & 3/10/83
Publication approved JP Date 3/11/83
Protests filed by: [Signature]

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by NBS [Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9997, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

The maximum water diversion under this permit shall be 0.19 cfs from March 15 to November 15 and 0.04 cfs for the remainder of the year. Water shall not be diverted solely for power production purposes, however, power may be produced utilizing water diverted for other uses.

Witness my hand this 25th day of April, 1983.

[Signature]
Chief, Operations Bureau

DRT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Dwayne &/or Linda Shupe of Caldwell, Idaho 83605,
(name) (city)

county of Canyon, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city)

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____
_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at
_____ Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for
Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit.

Dwayne V. Shupe
Linda M. Shupe
Applicant

State of Idaho _____)
County of Canyon) ss.

On this 15th day of March, 1983, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Jean D. Schreiner
Notary Public residing at
Madison

seal

My commission expires:
12/31/84

10 day

RECOMMENDED AMOUNTS

- AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. **Overlap Review**

- a) Other water rights with same place of use: 63-10271, 63-2406 ^{irrig. dist.}

- b) Other water rights with same point of diversion: 63-10271 ← also being licensed

- c) Analysis: Recommend R32 for ditch irrig. dist. overlap.

FILED

AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Pic. #s 3, 4, 5 & 6

EXPLOITED

A GENERAL INFORMATION

1. Owner: DWAYNE & DR LINDA SHUPE Permit No. 63-9997
Current Address: RE. 11, Box 5, MIDDLETON, ID Phone No. 459-6875
2. Accompanied by: DWAYNE SHUPE EXAM. DATE: 2/2/86
Address: _____ Phone No. 459-6875
Relationship to Permit Holder: _____
3. Source: G-W. tributary to JUN 18 1987

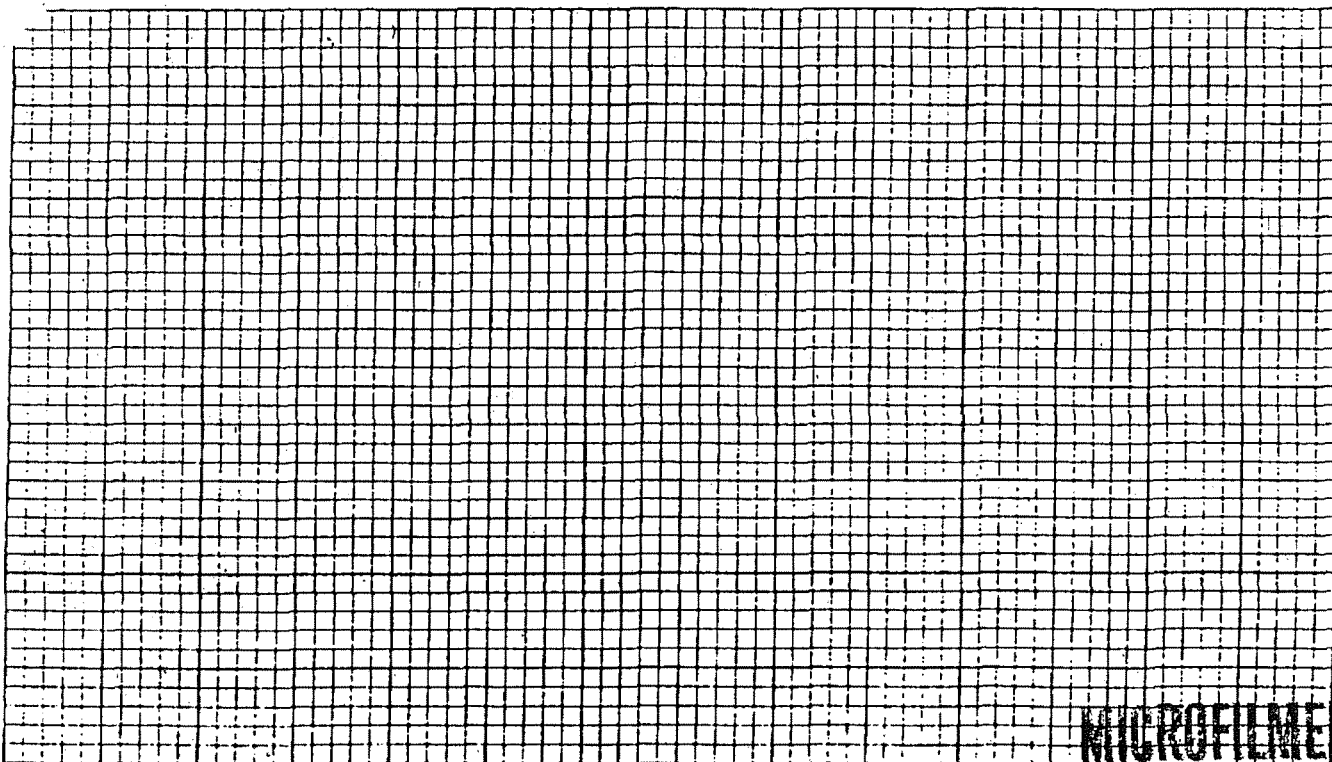
RECEIVED

B OVERLAP REVIEW

1. Other water rights with same place of use: Ditch rights not used. ☐ Copies Attached
2. Other water rights with same point of diversion: 63-10271 - see remarks & ditch rights. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C SYSTEM DESCRIPTION

1. Diversion System Diagram: see diagram in 63-10271 (COPY ATTACHED)
Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☐ Photo of Diversion and System Attached

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

System Description (continued)

3. Narrative: Description (operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

6" casing - flowing artesian w/ 1/2 hp pump & pressure tap for domestic. 3" pipeline directly from well to pond - 85' x 50' x 4' dimensions of pond. Drains thru 4" pipe into drain ditch along the front of property. 5 hp pump & motor & pressurized irrigation system. The pipe for lawn branches off of main pipe for irrigation covered under 63-10271. No power usage ~~indicated~~.

☐ See Remarks on page 4 for continuation.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	5	9M	Jacuzzi	2K722148

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					NW 1/4 12	4N	3W	Canyon	Map & permit holder

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	3W	12					1												1
							R												
																			1

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

5 gallon bucket tested only artesian flow w/s pump at 150 gpm.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$150 \text{ gpm} \div 448.8 = .33 \text{ cfs. (artesian well flow)}$$

2. Alternate Method for Checking Purposes:

$$\frac{5.44 \times 80 \times 8.8}{0' + (60 \div .4333)} = \frac{35.2}{138} = .26 \text{ cfs (pump)} + \frac{(FLAKE FLOW)}{\text{artesian}} = .33 \text{ cfs} = .59 \text{ cfs}$$

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) $\div$ 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 = _____

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G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \text{ AC} \times 4.5 = 4.5 \text{ af/ac}$$

$$V_{DN} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .036 \times 1.9835 \times 24500 = 14.6 \text{ af/ANN}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DN} = 4.5 \text{ AF/ANN}$$

2. Volume Calculations for Other Uses:

$$\text{RECREATION} - .04 \text{ cfs} \times 85' \times 50' \times 4' = 17,000 \text{ ft}^3 \div 43,560 \text{ acft/ft}^3 = .40 \text{ acft.}$$

AUG 20 1987

H. REMARKS AND OVERALL REVIEW ANALYSIS

63-10271 covers the pond for fish propagation, but it is also used for swimming & skating (ice). The irrigation is different areas covering the rural also. No overlaps. This permit covers the 4 acre pasture & 63-9997 covers 1 acre around home. Has ditch water also, but is not used.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation - 1 ac	3/15	11/15	0.03 cfs	4.5 afa
Recreation (swimming & skating)	1/1	12/31	0.04 cfs	0.4 afa
Totals:			0.07 cfs	4.9 afa

2. Recommended Amendments

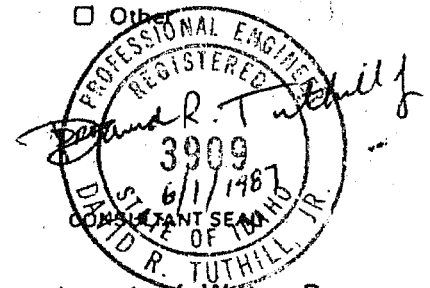
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

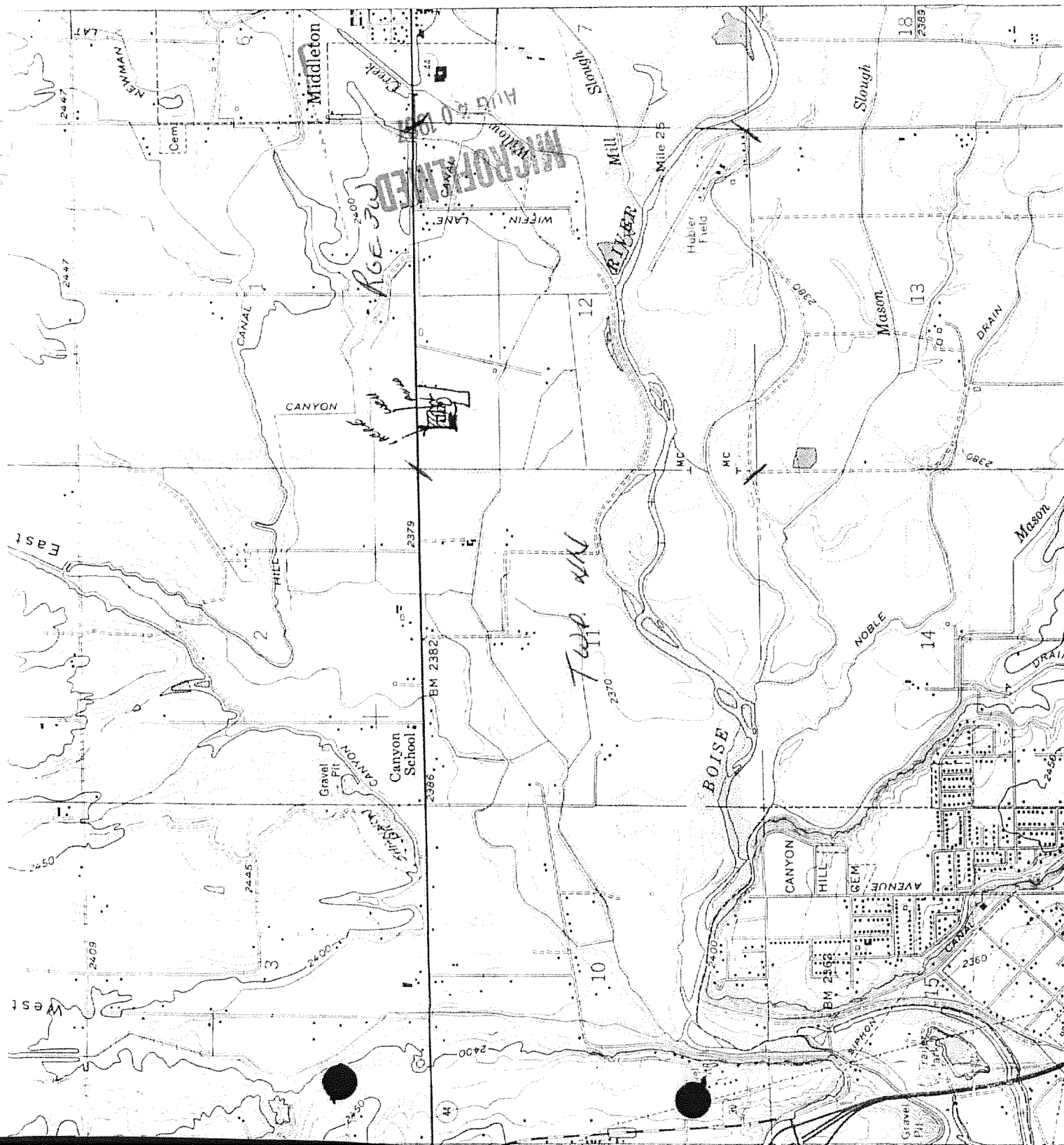
Field Examiner's Name JAN SHUNTE
 Signature [Signature]
 Certification Date _____
 Field Report Preparation Date 7/7/86



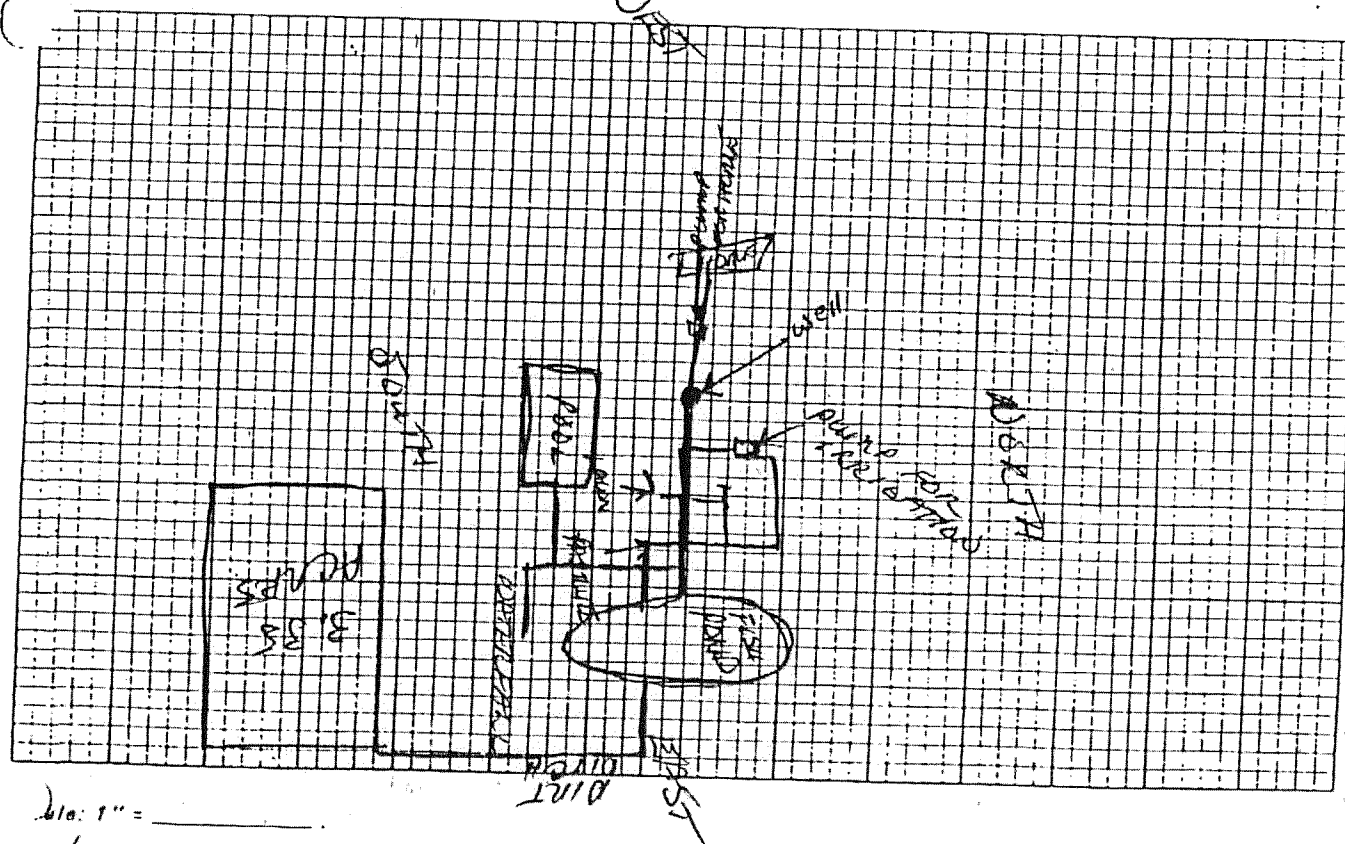
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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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



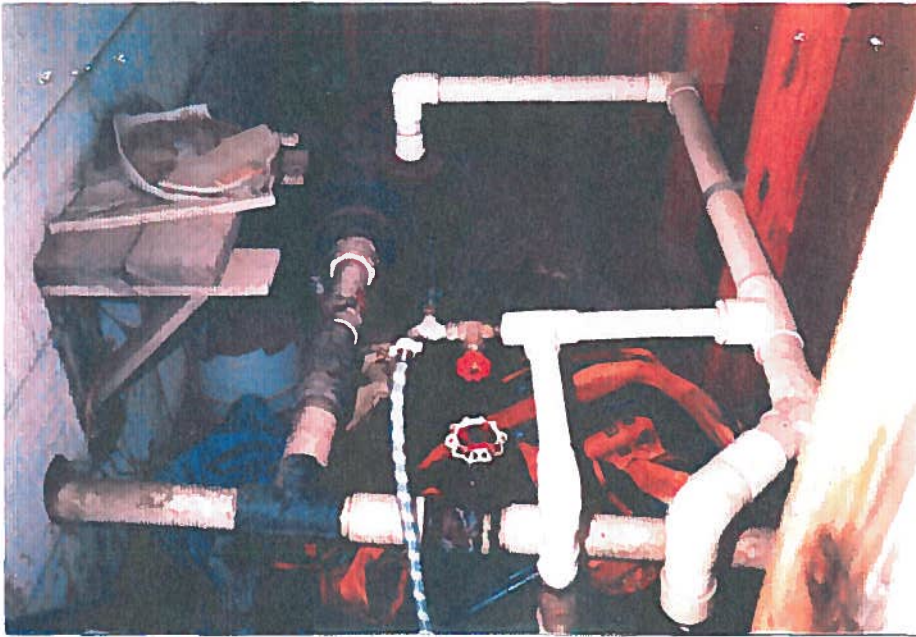
4/10: 1" =

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

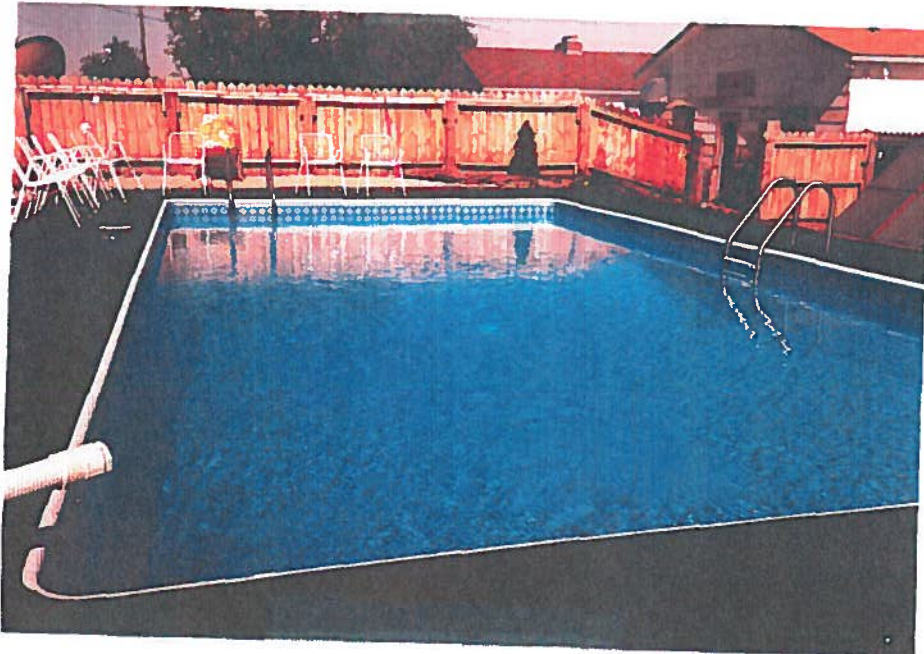
AUG 20 1961

SECRET

Permit No. 63-9997



5 HP CENT. PUMP
USED TO PRESSURIZE
WATER FOR IRRIGA-
TION SYSTEM.



RECREATION USE
← SOLAR PANELS HEAT
H₂O & THEN FLOWS
INTO POOL.

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