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: **A63-28221**
Date Received: 1/27/1993
Receipt No: W015863
Received By: [signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD P RAINEY 208-459-9626
   Address: 2615 DORMAN
   CALDWELL ID 83605

2. Date of Priority: JAN 1, 1945

3. Source: SEIDENBERD CANAL Trib. to: BOISE RIVER
   UNNAMED DRAIN BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	7	SW	SW	NE		CANYON
			NW	NW	SE		CANYON

5. Description of diverting works:
   HEADGATE & DITCH AT CONFLUENCE OF 2 DRAINS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		
WILDLIFE	01/01	12/31	5.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   STOCKWATER, 200 RANGE CATTLE AND MISC. WILDLIFE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	7	SW	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04N	03W	7	SW	NE		WILDLF	
			NW	NW	5	STOCK	
			NW	NW	5	WILDLF	
			SW	NW	4	STOCK	
			SW	NW	4	WILDLF	
			SE	NW		STOCK	
			SE	NW		WILDLF	
			NW	SE		STOCK	
			NW	SE		WILDLF	

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:
A63-04531 AND NEW APPLICATION FOR PERMIT

14. Remarks:
SINGLE POINT OF DIVERSION ON OR NEAR LINE BETWEEN SWSWNE AND NWNWSE, S.7, T04N, R03W. SAME POINT OF DIVERSION AS IRRIGATION CLAIM A63-04531. ALSO SAME P/D AS NEW APPLICATION FOR PERMIT TO COVER THREE PONDS CONSTRUCTED ALONG COURSE OF OLD DITCHES. PONDS ARE USED FOR STOCK, WILDLIFE, AND GROUND WATER RECHARGE. THE OLD DITCHES ARE ENHANCED BY ADDITION OF PONDS, BUT OLD DITCHES ARE STILL IN USE ON THE PROPERTY. THE LARGEST OF OLD DITCHES IS 20' TO 30' WIDE AND UP TO 8' DEEP IN PLACES. THIS PROPERTY WAS KNOWN AS THE TRUMBULL (PREVIOUSLY JOHNSON) PLACE. RETURN FLOWS TO RIVER OCCUR AROUND CONJUNCTION OF W1/2 NW1/4 S.7 AND E1/2 NE1/4 S.12 VIA DITCH SYSTEM.
NO LATE FEE SINCE CLAIMANT FILED A63-04531 AND NOW SEEKS TO CLARIFY HISTORICAL USES ON SITE. FEE BASED ON WILDLIFE; STOCK USE IS INCIDENTAL, NO FEE.

15. Basis of Claim: BENEFICIAL USE

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: 3 (maps)

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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: January 27, 1993

_____ Date: _____

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 27 day of January 19 93

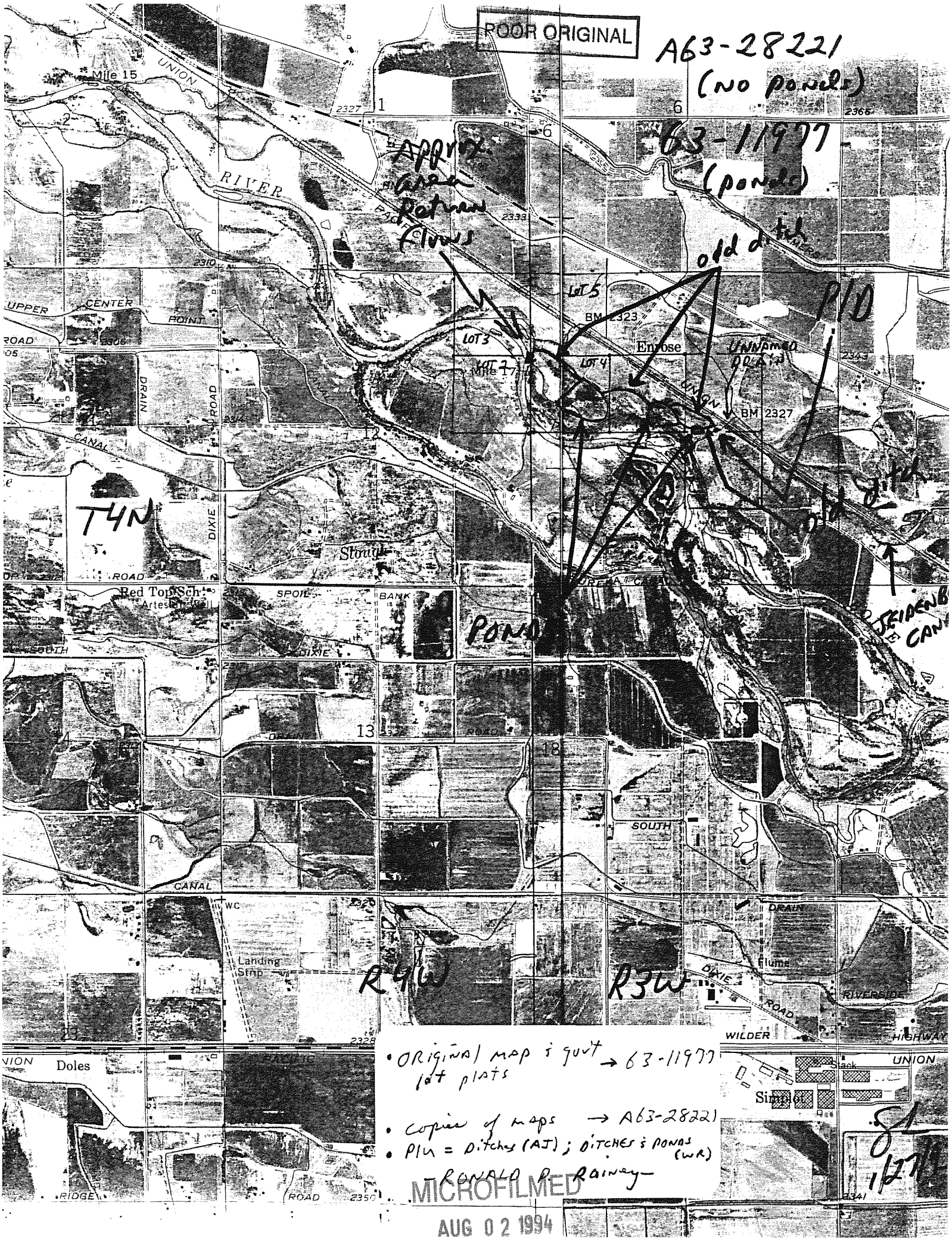
Lori Harris
Notary Public

Seal

Residing at Boise, Id

My Commission Expires 12-8-94

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AUG 0 2 1994

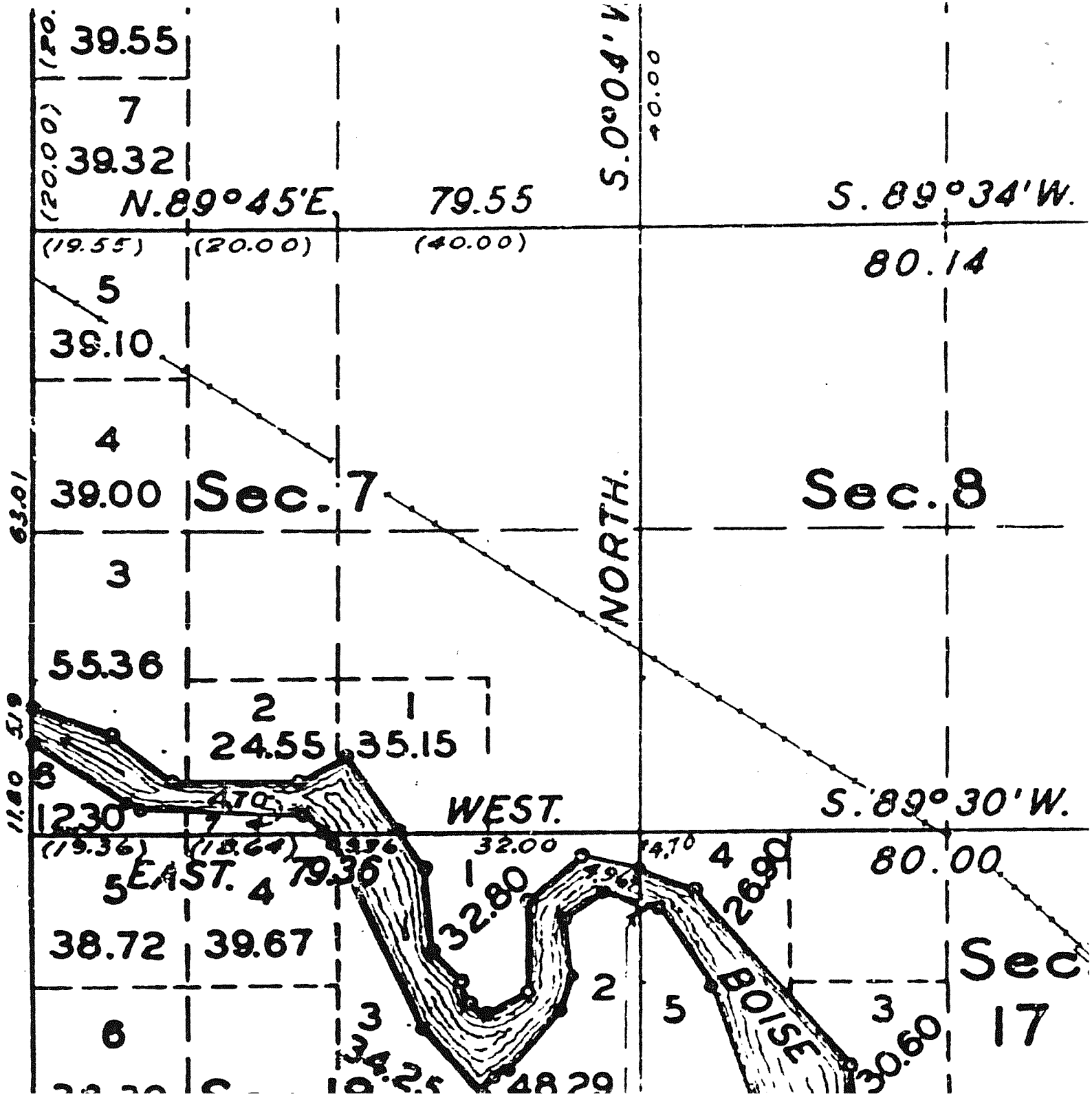


- ORIGINAL map & surv → 63-11977 lot plats
- Copies of maps → A63-28221
- PID = Ditches (AJ); DITCHES & PONDS (WR)

RONALD R. Rainey

MICROFILMED
AUG 02 1994

T4N
R3W
5.7
1935 Survey

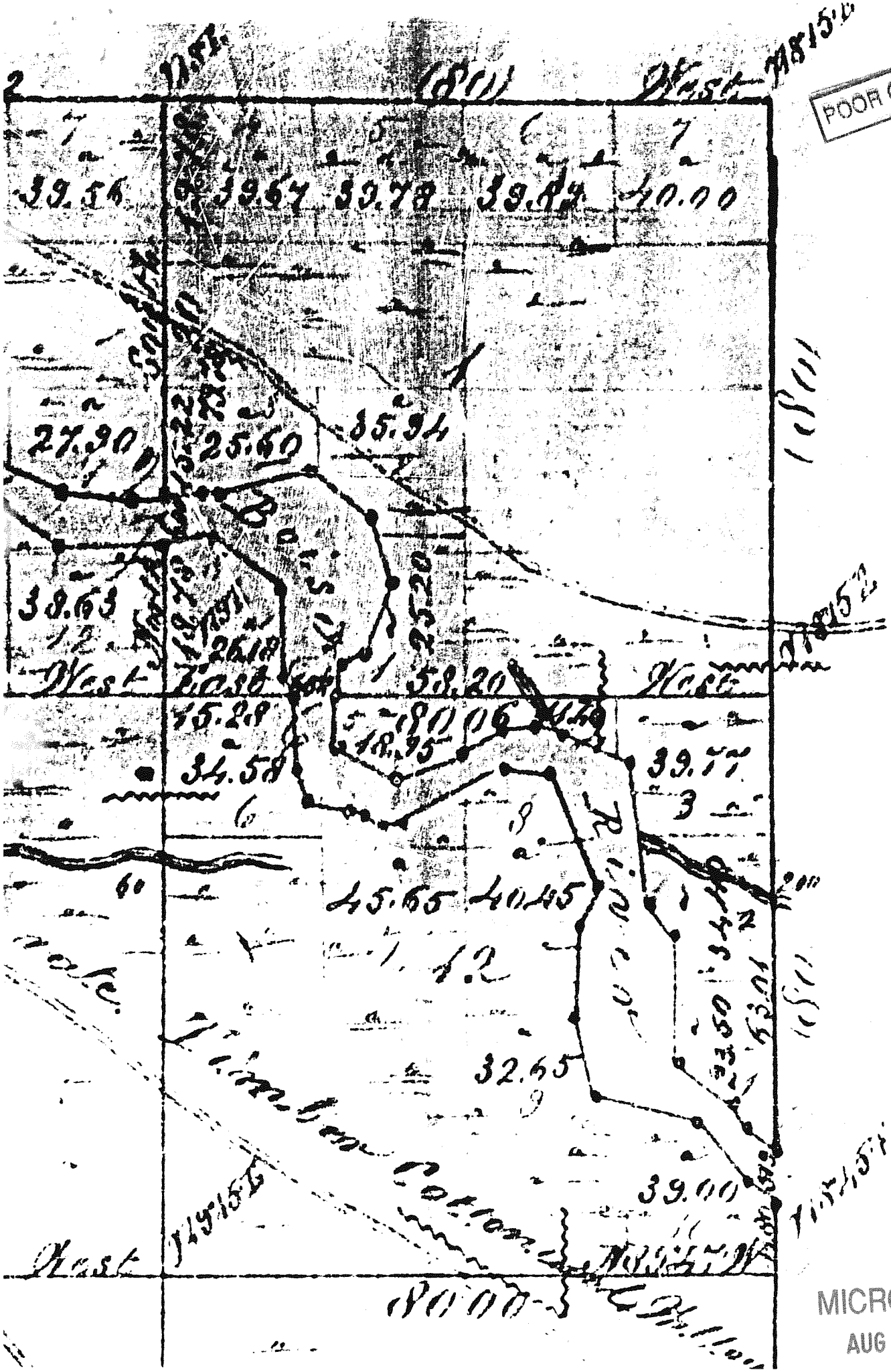


MICROFILMED
AUG 02 1994

POOR ORIGINAL

T4N
R4W

5.1
5.12



MICROFILMED
AUG 0 2 1994

12/10/2006

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

RIGHT NUMBER: 63-28221

NAME AND ADDRESS: RONALD P RAINEY
2615 DORMAN
CALDWELL ID 83605

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 5.050 CFS

PRIORITY DATE: 01/01/1958

POINT OF DIVERSION: T04N R03W S7 SWSWNE Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.050 CFS
WILDLIFE	01/01 12/31	5.000 CFS

PLACE OF USE:

STOCKWATER in CANYON County

T04N R03W S07 SWNE	T04N R03W S07 Lot 5 NWNW
T04N R03W S07 Lot 4 SWNW	T04N R03W S07 SENW
T04N R03W S07 NWSE	

WILDLIFE in CANYON County

T04N R03W S07 SWNE	T04N R03W S07 Lot 5 NWNW
T04N R03W S07 Lot 4 SWNW	T04N R03W S07 SENW
T04N R03W S07 NWSE	

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Wildlife use is for wildlife habitat.

Stockwater use is for 200 range cattle.

11/01/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-28221

NAME AND ADDRESS: RONALD P RAINEY
2615 DORMAN
CALDWELL ID 83605

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 5.050 CFS

PRIORITY DATE: 01/01/1958

POINT OF DIVERSION:

T04N R03W S7 SWSWNE Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.050 CFS
WILDLIFE	01/01 12/31	5.000 CFS

PLACE OF USE:

STOCKWATER Within CANYON County

T04N R03W S07	SWNE	T04N R03W S07 Lot	5 NWNW
T04N R03W S07 Lot	4 SWNW	T04N R03W S07	SENW
T04N R03W S07	NWSE		

WILDLIFE Within CANYON County

T04N R03W S07	SWNE	T04N R03W S07 Lot	5 NWNW
T04N R03W S07 Lot	4 SWNW	T04N R03W S07	SENW
T04N R03W S07	NWSE		

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

Wildlife use is for wildlife habitat.

Stockwater use is for 200 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28221

WATER RIGHT NUMBER: 63-28221

Owner Type	Name and Address
Current Owner	RONALD P RAINEY 2615 DORMAN CALDWELL, ID 83605 (208)459-9626

Priority Date: ~~01/01/1945~~ 1958

Basis: Beneficial Use

Status: Active

Source ~~Seidenbord Canal~~ Waste water ~~Unnamed Drain~~ Tributary Boise River

(see #63-11977)

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	1/01 to 12/31	0.050 CFS	
WILDLIFE	1/01 to 12/31	5.000 CFS	

Total Diversion: 5.050 CFS

Location of Point(s) of Diversion

4N 3W Sec. 7 SW SW NE ~~NW NW SE~~ } see remarks from Notice of Claim

Place of Use

STOCKWATER

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	7			X			X L 5	X L 4	X						X			

WILDLIFE

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	7			X			X L 5	X L 4	X						X			

Conditions of Approval:

X01- Stockwater use is for 200 range cattle.

ADD-Wildlife use is for wildlife habitat.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28221

1. SINGLE POINT OF DIVERSION ON OR NEAR LINE BETWEEN SWSWNE AND NWNWSE, S.7, T04N, R03W. SAME POINT OF DIVERSION AS IRRIGATION CLAIM A63-04531. ALSO SAME P/D AS NEW APPLICATION FOR PERMIT TO COVER THREE PONDS CONSTRUCTED ALONG COURSE OF OLD DITCHES. PONDS ARE USED FOR STOCK, WILDLIFE, AND GROUND WATER RECHARGE. THE OLD DITCHES ARE ENHANCED BY ADDITION OF PONDS, BUT OLD DITCHES ARE STILL IN USE ON THE PROPERTY. THE LARGEST OF OLD DITCHES IS 20' TO 30' WIDE AND UP TO 8' DEEP IN PLACES. THIS PROPERTY WAS KNOWN AS THE TRUMBULL (PREVIOUSLY JOHNSON) PLACE. RETURN FLOWS TO RIVER OCCUR AROUND CONJUNCTION OF W1/2 NW1/4 S.7 AND E1/2 NE1/4 S.12 VIA DITCH SYSTEM.
NO LATE FEE SINCE CLAIMANT FILED A63-04531 AND NOW SEEKS TO CLARIFY HISTORICAL USES ON SITE. FEE BASED ON WILDLIFE; STOCK USE IS INCIDENTAL, NO FEE.

Remarks:

Comments:

Water Supply Bank:

Field Exam Date 10·31·06

(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
- ☐ Well logs (if needed)
- ☐ 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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-28221

Owner: Ronald Rainey Phone No. 459-9626

Current Address: 2615 Dorman, Caldwell 83605

- ☑ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☑ No change Address
- ☐ NEW ADDRESS
- ☐ 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|1945

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

Several affidavits were submitted as evidence of the priority date. The affidavit signed by Roger Daniels substantiates use in 1958. Therefore, the year recommended will be 1958.

Source: Wastewater **Tributary to**

- ☐ No Change –SAME SOURCE
- ☑ Source found is different than claimed: source should match #63-11977 source of wastewater

POINT OF DIVERSION

- ☐ No change (same as #63-4531)
- ☑ POD found is different than claimed: the field investigation conducted for 63-4531 & 63-28821 in Sept./Oct. 2006
- ☐ 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
		SW	SW	NE	7	4N	3W		
REMOVE →		~~NW~~	~~NW~~	~~SE~~	~~7~~	~~4N~~	~~3W~~		

Description of diverting works See Fied 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 ADD X02 - Stockwater use is for 200 range cattle

- ☐ No change
- ☐ Different Uses

Use _____From _____To_____Amount_____CFS_____AFA
Use _____From _____To_____Amount_____CFS_____AFA
Use _____From _____To_____Amount_____CFS_____AFA

TOTAL VOLUME – Groundwater only N/A

- ☐ 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:_____

PLACE OF USE:

- ☑ No Change
- ☐ Changes shown below:

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: _____

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

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: See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(*) See Conversation Memorandum dated 10.31.06 regarding connection/association of this claim, #63-28221, and Application for Permit No. 63-11977.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☑ Completed claim checklist
- ☑ Photographs of POD's and POU > 9/29/06 & 10/01/06 Field Exam
- ☑ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 10.31.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-28221 & 63-11977

October 31, 2006

I spoke with Steve Lester, the IDWR employee who assisted Ronald Rainey when he filed the 63-11977 Application for Permit and 63-28221 Notice of Claim to a Water Right, in order to ascertain the relationship of these two water rights.

Steve Lester explained that in the early 1990s, Gary King filed a complaint against Ronald Rainey and, as a result, IDWR found that Mr. Rainey didn't have proper water right coverage for his water use and these two claims were, therefore, filed with our department.

According to Steve Lester:

- Application for Permit No. 63-11977 covers the ponds (storage component) and pre-1987 development,
- Notice of Claim to a Water Right No. 63-28221 covers the natural flow component for the wildlife and stockwater use,
- and both 63-11977 and 63-28221, when "combined" together like a puzzle, cover the non-irrigation component of Ronald Rainey's water use that Gary King filed a complaint about.

Kimberly Brown
Senior Water Resource Agent
Western Region

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-28221

April 18, 2006

Ronald Rainey called (#459-3659) and stated that he needed more time to supply evidence of priority; which I granted.

October 30, 2006

I called Ronald Rainey at work in order to ask him a few questions regarding how 63-11977 and 63-28221 relate to each other. Mr. Rainey informed me that the Application for Permit for 12.0 cfs (63-11977) was filed in response to Gary King's protest. He also stated that he has owned this property for approximately 25 years (since 1980/1981) and that, during the irrigation season, he splits the use of the water to both irrigation and stockwater/wildlife use. In the winter, when he's not irrigating, he "takes it all" and runs the water through the ponds for wintering wildlife and cattle. Other than that, he really had no idea why both 63-11977 and 63-28221 were filed; other than they were a response to Gary King's protest.

Kimberly Brown
Senior Water Resource Agent
Western Region

System User- IDWRR Date 03/24/2006 Time 14:21

REAL PROPERTY INQUIRY

```
+------------------------------------------------------------------------------+
  01 6R34589-011- -0  127-00     G  SCH135+      02          2,200       7.39
+-----------------------------------------+
    RAINEY, RONALD P                      +
                                          +
                                          +
                                          +
                                          +
  110 N 9TH AVE                           +
  CALDWELL       ID 83605                 +
+-----------------------------------------+
  07-4N-3W SE                             +   TOTAL         2,200       7.39
  SWSE-S & W OF RR                        +-------------------------------------+
                                          + SURVEY             INST 9738422
                                          + DRAIN   DR VALUE            APPR CTR
                                          + CLASS     REAP 02  MAN      UNIT   0
  HWY 20-26, CA                           + PARCEL 6R04N03W071649  H/O N C/B N
                                          + PRIOR ACCOUNT   5R34589-011- -0
                                          + 02 MH on Property NO
                                          + 03 Traits  04 Companion Sheet
```

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

System User- IDWRR Date 03/24/2006 Time 14:22

REAL PROPERTY INQUIRY

```
+------------------------------------------------------------------------------+
  01 6R34598-000- -0  127-00     G  SCH135+      01          4,600       7.00
+-----------------------------------------+     02          2,400       8.00
    ANNIE OAKLEY INC                      +     05          1,000      30.00
  % RAINEY, RONALD P                      +     19                     10.00
                                          +
                                          +
                                          +
  2615 DORMAN AVE                         +
  CALDWELL       ID 83605                 +
+-----------------------------------------+
  07-4N-3W NW                             +   TOTAL         8,000      55.00
  LT 5 S OF RR,, LT 4                     +-------------------------------------+
                                          + SURVEY             INST 8903609
                                          + DRAIN   DR VALUE            APPR CTR
                                          + CLASS     REAP 02  MAN      UNIT   0
  HWY 20-26, CA                           + PARCEL 6R04N03W073600  H/O N C/B N
                                          + PRIOR ACCOUNT   5R34598-000- -0
                                          + 02 MH on Property NO
                                          + 03 Traits  04 Companion Sheet
```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R34598000 0 UNIT 001 TOTAL UNITS

```
SITE        HWY 20-26            CA         SEC/TWN/RNG 07-4N-3W
ASSESSED VALUE       8,000                  ACREAGE      55.00
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
```

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COMMENTS                                                MOBILE HOME ONLY
                                                        WIDTH/LENGTH
                                                        EXPANDO
                                                        REAL ACCOUNT


MODE:F ACTION:            PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT      TRQK101
           System User- IDWRR      Date  03/24/2006   Time  14:22
                            REAL PROPERTY INQUIRY
+++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
  01 6R34595-010- -0  127-00     G  SCH135+      02        14,300     47.33
++++++++++++++++++++++++++++++++++++++++++      19                   16.90
    ANNIE OAKLEY INC                    +
  % RAINEY, RONALD P                    +
                                        +
                                        +
                                        +
  2615 DORMAN AVE                       +
  CALDWELL       ID 83605               +
++++++++++++++++++++++++++++++++++++++++
  07-4N-3W NW                           +   TOTAL        14,300     64.23
  E 1/2 NW S OF RR,,                    ++++++++++++++++++++++++++++++++++++
  NWSE S OF RR                          + SURVEY            INST 8903609
                                        + DRAIN   DR VALUE           APPR CTR
                                        + CLASS     REAP 02  MAN     UNIT   0
  LOOK LN, CA                           + PARCEL 6R04N03W074350  H/O N C/B N
                                        + PRIOR ACCOUNT   5R34595-010- -0
  SEE R34595 & R34597                   + 02 MH on Property NO
                                        + 03 Traits  04 Companion Sheet

MODE:F ACTION:                  TRAITS INQUIRY                          TRQK318

ACCOUNT NUMBER R34595010 0     UNIT 001     TOTAL UNITS

SITE        LOOK LN              CA         SEC/TWN/RNG 07-4N-3W
ASSESSED VALUE      14,300                  ACREAGE      64.23
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
                                                        REAL ACCOUNT


MODE:F ACTION:            PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT      TRQK101
           System User- IDWRR      Date  03/24/2006   Time  14:23
                            REAL PROPERTY INQUIRY
+++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
  01 6R34591-000- -0  127-00     G  SCH135+      18         9,200     28.84
++++++++++++++++++++++++++++++++++++++++++
    HOLTON, JOHN H                      +
  & HOLTON, LINDA C H/W                 +
  & RAINEY, RONALD P                    +
                                        +
```

```
  PO BOX 26                                +
  CALDWELL       ID 83606                  +
+++++++++++++++++++++++++++++++++++++++++++
  07-4N-3W SE                              +   TOTAL         9,200     28.84
  LOT 1 N&E OF RIVER LS TX 4               +++++++++++++++++++++++++++++++++++
                                           + SURVEY            INST 8632271
                                           + DRAIN   DR VALUE           APPR CTR
                                           + CLASS     REAP 02  MAN     UNIT   0
  LOOK LN, CA                              + PARCEL 6R04N03W078401  H/O N C/B N
                                           + PRIOR ACCOUNT   5R34591-000- -0
  SEE 34591-010- -0                        + 02 MH on Property NO
                                           + 03 Traits  04 Companion Sheet

MODE:F ACTION:            PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT      TRQK101
           System User- IDWRR      Date  03/24/2006   Time  14:23
                          REAL PROPERTY INQUIRY
+++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++
  01 6R34591-010- -0  128-00     G  SCH139+      18         5,400     10.00
+++++++++++++++++++++++++++++++++++++++++++
    HOLTON, JOHN H                         +
  & HOLTON, LINDA C H/W                    +
  & RAINEY, RONALD P                       +
                                           +
                                           +
  PO BOX 26                                +
  CALDWELL       ID 83606                  +
+++++++++++++++++++++++++++++++++++++++++++
  07-4N-3W SE                              +   TOTAL         5,400     10.00
  LOT 1 S&E OF RIVER                       +++++++++++++++++++++++++++++++++++
                                           + SURVEY            INST
                                           + DRAIN   DR VALUE           APPR CTR
                                           + CLASS     REAP 02  MAN     UNIT   0
  LOOK LN, CA                              + PARCEL 6R04N03W078700  H/O N C/B N
                                           + PRIOR ACCOUNT   5R34591-010- -0
  SEE 34591-000- -0                        + 02 MH on Property NO
                                           + 03 Traits  04 Companion Sheet

MODE:F ACTION:                  TRAITS INQUIRY                          TRQK318

ACCOUNT NUMBER R34591010 0     UNIT 001     TOTAL UNITS

SITE         LOOK LN              CA         SEC/TWN/RNG 07-4N-3W
ASSESSED VALUE       5,400                  ACREAGE      10.00
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
                                                  REAL ACCOUNT
```

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE Rate* c.f.s. (1	RANGE CATTLE Volume AF/yr. (1	DAIRY CATTLE Rate* c.f.s. (2	DAIRY CATTLE Volume AF/yr. (2
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3				

12,500 gpd

12,000 gpd

(1 The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head animal -

Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138D	Claim	04N	03W	7	SW	NE		IRRIGATION	4/764	SIEBENBERG COOPERATIVE DITCH C LTD
2542	Claim	04N	03W	7	SW	NE		IRRIGATION	35/141	GARY L KING
4531	Claim	04N	03W	7	SW	NE		IRRIGATION	5/149	RONALD P RAINEY
5089	Claim	04N	03W	7	SW	NE		IRRIGATION	5/46	GARY L KING
2542	Water Right	04N	03W	7	SW	NE		IRRIGATION	35/141	J F BRENNEMAN
4531	Water Right	04N	03W	7	SW	NE		IRRIGATION	5/149	BETH TRUMBULL
5089	Water Right	04N	03W	7	SW	NE		IRRIGATION	5/47	GARY L KING
?8221	Claim	04N	03W	7	SW	NE		STOCKWATER		RONALD P RAINEY
?8221	Claim	04N	03W	7	SW	NE		WILDLIFE		RONALD P RAINEY
138C	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
138D	Claim	04N	03W	7	NW	NW		IRRIGATION	15/764	SIEBENBERG COOPERATIVE DITCH C LTD
-188	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
4529C	Claim	04N	03W	7	NW	NW		IRRIGATION	20/128	SEBREE FARMS INC
4531	Claim	04N	03W	7	NW	NW		IRRIGATION	14/149	RONALD P RAINEY
4851	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	04N	03W	7	NW	NW		IRRIGATION	24/16111	FARMERS COOPERATIVE DITCH CO
4529	Water Right	04N	03W	7	NW	NW		IRRIGATION	20/143	ROY A SEBREE
4531	Water Right	04N	03W	7	NW	NW		IRRIGATION	14/149	BETH TRUMBULL
303A	Claim	04N	03W	7	NW	NW		IRRIGATION FROM STORAGE	24/16031	FARMERS COOPERATIVE DITCH CO
?8221	Claim	04N	03W	7	NW	NW	5	STOCKWATER		RONALD P RAINEY
?8221	Claim	04N	03W	7	NW	NW	5	WILDLIFE		RONALD P RAINEY
138D	Claim	04N	03W	7	SW	NW		IRRIGATION	39/764	SIEBENBERG COOPERATIVE DITCH C LTD
4531	Claim	04N	03W	7	SW	NW		IRRIGATION	35/149	RONALD P RAINEY
4531	Water Right	04N	03W	7	SW	NW		IRRIGATION	35/149	BETH TRUMBULL

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
28221	Claim	04N	03W	7	SW	NW	4	STOCKWATER		RONALD P RAINEY
28221	Claim	04N	03W	7	SW	NW	4	WILDLIFE		RONALD P RAINEY
138D	Claim	04N	03W	7	SE	NW		IRRIGATION	24/764	SIEBENBERG COOPERATIVE DITCH C LTD
4531	Claim	04N	03W	7	SE	NW		IRRIGATION	35/149	RONALD P RAINEY
4532	Claim	04N	03W	7	SE	NW		IRRIGATION	8/45	RICK BOWMAN
4531	Water Right	04N	03W	7	SE	NW		IRRIGATION	35/149	BETH TRUMBULL
4532	Water Right	04N	03W	7	SE	NW		IRRIGATION	8/45	BETH TRUMBULL
28221	Claim	04N	03W	7	SE	NW		STOCKWATER		RONALD P RAINEY
28221	Claim	04N	03W	7	SE	NW		WILDLIFE		RONALD P RAINEY
138D	Claim	04N	03W	7	NW	SE		IRRIGATION	36/764	SIEBENBERG COOPERATIVE DITCH C LTD
4531	Claim	04N	03W	7	NW	SE		IRRIGATION	35/149	RONALD P RAINEY
4531	Water Right	04N	03W	7	NW	SE		IRRIGATION	35/149	BETH TRUMBULL
28221	Claim	04N	03W	7	NW	SE		STOCKWATER		RONALD P RAINEY
28221	Claim	04N	03W	7	NW	SE		WILDLIFE		RONALD P RAINEY

overlap review –

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-11977

WATER RIGHT NUMBER: 63-11977

Owner Type	Name and Address
Current Owner	RONALD P RAINEY ATTORNEY AT LAW PO BOX 26 CALDWELL, ID 83606-0026

Priority Date: 01/27/1993

Basis:

Status: Active

Source	Tributary
WASTE WATER	BOISE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
WILDLIFE STORAGE	1/01	12/31		35.00 AF
DIVERSION TO STORAGE	1/01	12/31	12.000 CFS	
WILDLIFE	1/01	12/31	7.000 CFS	
STOCKWATER STORAGE	1/01	12/31		35.00 AF
		Total Diversion:	12.000 CFS	35.00 AF

Location of Point(s) of Diversion

WASTE WATER CANYON County	SW1/4SW1/4NE1/4	Sec. 7,	Twp 04N,	Rge 03W, B.M.
WASTE WATER CANYON County	NW1/4NW1/4SE1/4	Sec. 7,	Twp 04N,	Rge 03W, B.M.

Place of Use

STOCKWATER STORAGE

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	7			X			X	X	X						X			
								L 5	L 4										

WILDLIFE same as STOCKWATER STORAGE

Conditions of Approval:

1. Stockwater use is for 200 range cattle.
Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights.
Use of water under this approval is subject to the control of the watermaster of Water District No. 63, Boise River and tributaries See Preliminary Order for additional conditions of approval.

Overlap review –

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-11977

WATER RIGHT NUMBER: 63-11977

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Basis:

Status: Active

Source	Tributary
WASTE WATER	BOISE RIVER

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WILDLIFE STORAGE	1/01	12/31		35.00 AF
DIVERSION TO STORAGE	1/01	12/31	12.000 CFS	
WILDLIFE	1/01	12/31	7.000 CFS	
STOCKWATER STORAGE	1/01	12/31		35.00 AF
		Total Diversion:	12.000 CFS	35.00 AF

Location of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4NE1/4	Sec. 7,	Twp 04N, Rge 03W, B.M.
CANYON County			
WASTE WATER	NW1/4NW1/4SE1/4	Sec. 7,	Twp 04N, Rge 03W, B.M.
CANYON County			

Place of Use

STOCKWATER STORAGE

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	7			X			X	X	X						X			
								L 5	L 4										

WILDLIFE same as STOCKWATER STORAGE

Conditions of Approval:

1. Stockwater use is for 200 range cattle.
Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights.
Use of water under this approval is subject to the control of the watermaster of Water District No. 63, Boise River and tributaries See Preliminary Order for additional conditions of approval.

Form No. 217
7/94

FOR OFFICE USE ONLY
Amt. of Fee $: 375.00
Receipt No. W020272
Receipt By: JFV
Date Receipted: 1/18/96

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Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11977 Telephone No. (208) 459-3659

2. Name(s) of Permit Holder(s): Ronald P. Rainey

3. Mailing Address: P.O. Box 26, Caldwell, ID 83606-0026

4. Source of Water: Unnamed Drain If **GROUNDWATER** (well), Date Drilled: mo._____ / yr._____

a. Well Driller: N/A Drilling Permit Number: ____ - ____ - ____ - ____

b. *OPTIONAL:*
Pump Horsepower: N/A Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Wildlife Recreation

6. Total rate of diversion and/or volume for which proof is submitted: 12 cfs **OR** _____ acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ____ **or**	No ____
	Has the measuring device been installed?	Yes ____ **or**	No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ **or**	No ____
	Has the measurement port been installed?	Yes ____ **or**	No ____

8. Fee Enclosed: $ 400.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ronald P. Rainey Telephone Number: 208-459-3659

Address: 110 N. 9th P.O. Box 26, Caldwell, ID 83606-0026

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____ Date: 1-18-96
(include your title, if on behalf of company or organization)

FEB 26 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11977 IN)
THE NAME OF RONALD P. RAINEY)
)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for permit, the department having held a conference and a hearing in the matter, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On January 27, 1993, Ronald P. Rainey (applicant) filed Application for Permit No. 63-11977 (application) with the department proposing the diversion and storage of 35 acre feet of water to be diverted from the Seidenberd Canal and an Unnamed Drain both tributary to the Boise River. Uses sought in the application include ground water recharge and storage for wildlife and stockwater. The proposed rate of diversion to storage is 12.0 cubic feet per second and the proposed rate of diversion for ground water recharge is 4.0 cfs. The proposed points of diversion and place of use are within Section 7, T4N, R3W, B.M. located about four (4) miles west of Caldwell, Idaho.

2. The department advertised the application as required by law and received a protest against approval of the application from Gary L. King (protestant).

3. On September 29, 1993, and on December 20, 1993 the department held hearings in the contested matter. The applicant was present and represented himself. The protestant was present and was represented by Richard Harris. At the second hearing, the protestant withdrew his protest based on a private agreement reached between the applicant and protestant.

4. The water sought by the applicant from the Unnamed Drains is considered to be wastewater.

5. The applicant has filed with the department Snake River Basin Adjudication (SRBA) Claim No. A63-04531 which claims the following:

Source : Unnamed Drains tributary to the Boise River
Priority : June 1, 1865

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Point of div : NW1/4SE1/4 Section 7, T4N, R3W, B.M.
Rate of div : 2.98 cfs
Use : Irrigation of 149 acres
Period of use: March 15 through November 15

6. The applicant has also filed SRBA Claim No. A63-28221 which claims the following:

Source : Seidenberd Canal and Unnamed Drain
Priority : June 1, 1945
Point of div*: SW1/4NE1/4 Section 7, T4N, R3W, B.M.
NW1/4SE1/4 Section 7, T4N, R3W, B.M.
Rate of div : 5.05 cfs total
Use : Stockwater - 0.05 cfs
Wildlife - 5.0 cfs
Period of use: January 1 through December 31

* There is only one point of diversion which is located on or near the line common to the SW1/4NE1/4 and NW1/4SE1/4 Section 7.

7. The applicant owns 160 acres between Caldwell and Notus and has owned the land for about fourteen (14) years. The diversion system to be used under the application is an existing system and is the same as used under SRBA Claim Nos. A63-04531 and A63-28221.

8. The three (3) ponds identified on the application were constructed or enlarged after 1987 and have a total surface area of about 14 acres. Water flowing from the ponds returns to the Boise River within about 1,000 feet from the point of diversion.

9. The location of the points of diversion and place of use is within the lower reach of the Boise River drainage where the water available for use is primarily return flow to the river from upstream diversion and uses. Even though the Boise River is generally fully appropriated, there usually is not a water delivery or water shortage problem in the lower part of the Boise River drainage because of the return flows to the river.

10. At the hearing held on December 20, 1993, the applicant withdrew the "Groundwater Recharge" use from the application.

11. The ponds are used by large numbers of ducks for resting and breeding and for hunting dog field trials.

12. Water discharging from the ponds is less turbid than water entering the ponds due to settlement of suspended matter from the water in the ponds.

13. Stockwater and wildlife uses are commonly accepted beneficial uses of water in Idaho. The stockwater use is for about

JAN 19 1994

200 head of range cattle.

14. The rate of diversion of 12.0 cfs shown on the application includes the rate of diversion of the applicant's SRBA claims.

CONCLUSIONS OF LAW

1. Section 42-203A, Idaho Code, provides in part as follows:

> "In all applications whether protested or not protested where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, ..."

2. Impoundment of water in the ponds will not injure prior water rights.

3. The water supply is sufficient for the purposes intended since the applicant is not seeking an appropriation of water over that rate or volume of water which has already been diverted and impounded in the existing ponds for a number of years.

4. The application for permit was made in good faith and not for delay or speculative purposes.

5. The application for permit does not conflict with the local public interest.

6. The application for permit is not contrary to conservation of water resources within the state of Idaho.

7. The department should partially approve the application and should issue a permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, hereby ORDERED that Application for Permit No. 63-11977 is **PARTIALLY APPROVED** subject to the following conditions and limitations:

MICROFILMED

JAN 19 1994

1. Use of water under this right is subject to all prior water rights.

2. Uses approved are as follows:

Use	Rate or volume	Season of use
Stockwater Storage	35.0 AF	01-01 to 12-31
Wildlife Storage	35.0 AF	01-01 to 12-31
Div to storage	12.0 cfs	01-01 to 12-31
Wildlife	7.0 cfs	01-01 to 12-31
TOTAL	35.0 AF	12.0 cfs

3. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1996.

4. Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights.

5. Use of water under this approval is subject to the control of the watermaster of Water District No. 63, Boise River and tributaries.

6. Stockwater is for 200 range cattle.

7. The total rate of diversion to storage under this permit when considered together with other rights shall not exceed 12.0 cfs.

8. This approval does not grant any right-of-way or easement across the land of another party and does not authorize the use of diversion and/or conveyance works of another party.

Signed this 7th day of January, 1994.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JAN 19 1994

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 14th day of January, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing Preliminary Order to the following:

Ronald P. Rainey
2615 Dorman
Caldwell, ID 83605

Donna L. Corless
Clerical Specialist

MICROFILMED
JAN 19 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11977

Proposed Priority: January 27, 1993 — Maximum Diversion Rate: 12.00 CFS; Maximum Diversion Volume: 35.0 AF

This is to certify, that **RONALD P RAINEY**
2615 DORMAN
CALDWELL ID 83605
has applied for a permit to appropriate water from:

WASTEWATER tributary of **BOISE RIVER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER STORAGE	01/01 to 12/31		35.0 AF
WILDLIFE	01/01 to 12/31	7.00 CFS	
WILDLIFE STORAGE	01/01 to 12/31		35.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	12.00 CFS	
	Totals	12.00 CFS	35.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSWNE , Sec. 7, Township 04N, Range 03W
NWNWSE , Sec. 7, Township 04N, Range 03W
CANYON County

PLACE OF USE: STOCKWATER STORAGE

TWN	RGE	SEC			
04N	03W	7	SWNE	Lot 5(NWNW)	Lot 4(SWNW)
			SENW	NWSE	

PLACE OF USE: WILDLIFE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. See Preliminary Order for conditions of approval.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this

7th day of January, 1994.

for R. Keith Higginson, Director

Microfilmed

JAN 19 1994

Ident. No. **63-11977**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RONALD P RAINEY 208-459-9626
   Address: 2615 DORMAN
   CALDWELL ID 83605

2. Source: SEIDENBERD* CANAL Trib. to: BOISE RIVER
   UNNAMED DRAIN BOISE RIVER
3. Location of Point of Diversion: SWSWNE Sec. 7, Township 04N, Range 03W
   NWNWSE Sec. 7, Township 04N, Range 03W
   CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER STORAGE	01/01	12/31			35.00
STOCKWATER FROM STORAGE	01/01	12/31			35.00
WILDLIFE STORAGE	01/01	12/31			35.00
WILDLIFE FROM STORAGE	01/01	12/31			35.00
~~GROUNDWATER RECHARGE~~	~~01/01~~	~~12/31~~	~~4.000~~	WITHDRAWN 12/20/93	
DIVERSION TO STORAGE	01/01	12/31	12.000		

5. Total quantity to be appropriated is:
   12.000 CFS (and/or) AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   HEADGATE & DITCH TO MULTIPLE DITCHES & PONDS (3), EXISTING SYSTEM
   b. Height of storage dam 5 feet; active reservoir capacity 35.00 acre-feet; total reservoir capacity 35.00 acre-feet; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.
   c. Proposed well diameter is inches; proposed depth of well is feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

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* according to Watermaster, should be spelled Seibenberg, but USGS Name Spelled as shown in database per typed. SZ 2/10/93

8. Place of Use: STOCKWATER FROM STORAGE

TWN	RGE	SEC					
04N	03W	7	SWNE SENW	Lot 5 (NWNW)	NWSE	Lot 4 (SWNW)	

Place of Use: WILDLIFE FROM STORAGE, same as STOCKWATER FROM STORAGE use

Place of Use: GROUNDWATER RECHARGE, same as STOCKWATER FROM STORAGE use

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:
Single point of diversion on or near line between SWSWNE and NWNWSE, S.7, T04N, R03W.
Stockwater use is for 200 range cattle.
* Wildlife use is for variety of animals at ponds and in ditches.
Ponds are located in all place of use tracts except Lot 5 (NWNW).
** This right is based upon and used in conjunction with SRBA claims A63-04531 and A63-28221.
Return flows to Boise River occur near conjunction of W 1/2 NW 1/4, S.7, T04N, R03W, and E 1/2 NE 1/4, S.12, T04N, R04W.

11. Map of proposed point of diversion and place of use attached? ☒

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.

Applicant

Received by JL Date 1/27/93 Time 11:25 Preliminary check by G

Fee $ 265 Receipted by JL # W015863 Date 1/27/93

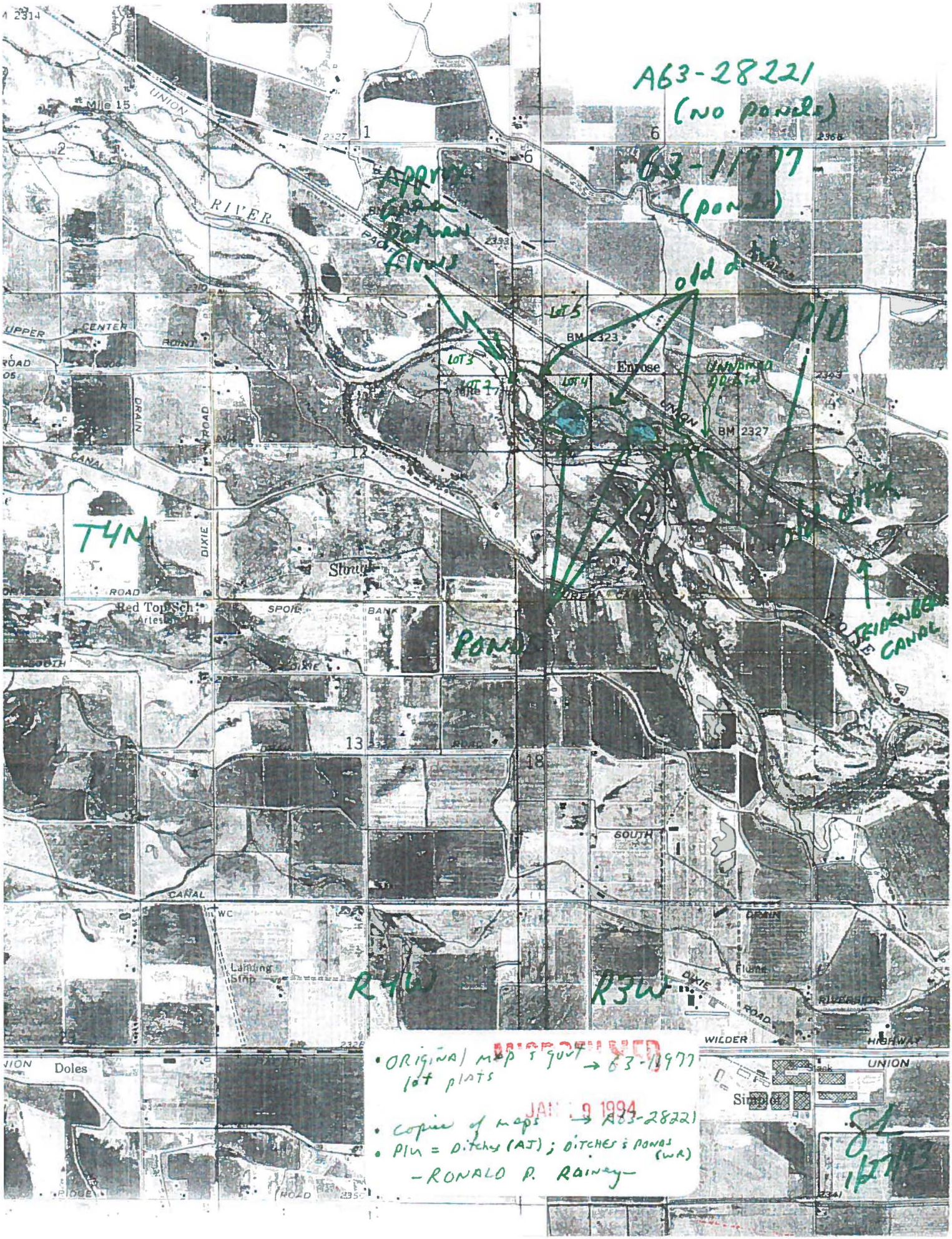
Publication prepared by GG Date 2-10-93 Published in Press-Tribune 2/17 & 2/24/93

Publication approved st Date 3-22-93

* Remarks updated 1/27/93: Reservoir capacity is 35 acre-feet. Ground water recharge is to ~~Mason~~ Watson ground ponds.

** " deleted " & placed in comments.

JAN 19 1994


A63-28221
(NO ponds)
63-11977
(ponds)
Approx
Canal
Return
flows
old d
PID
LOT 5
LOT 3
LOT 2
LOT 4
BM 2323
Enrose
UNNAMED
DRAIN
BM 2327
UNION
Mile 15
RIVER
UPPER
CENTER
ROAD
DRAIN
CANAL
DIXIE
ROAD
T4N
Red Top Sch
Artesian
SPOIL
BANK
PONDS
SOUTH
CANAL
13
18
R4W
R3W
Landing
Slip
WC
Doles
PIOUDE
ROAD
2356
DRAIN
Flume
RIVERSIDE
WILDER
HIGHWAY
UNION
Simnasho
Creek
• ORIGINAL MAP & GOVT lot plats → 63-11977
• Copies of maps → A63-28221
• PLN = Ditches (AJ); DITCHES & PONDS (WR)
-RONALD P. RAINEY-
RECEIVED
JAN 19 1994

Comments: Date: 1/27/1993 User-ID: LESTER

Subject:
GROUND WATER RECHARGE, MORATORIUM, OTHER INFORMATION.

Applicant filed upon GWR in sense that ponds cause water to seep to nearby areas and enhance the land by improving pasture and other vegetation. The GWR therefore aids in irrigation covered by A63-04531 but additional irrigation is not being applied for. This is the same diversion system in A63-04531 and A63-28221. New application is filed to cover storage water developed in late 1970's and 1980's (before SRBA commencement). Uses are exempt from moratorium to the extent that uses prior to 11/87 can be verified. Since it appears that applicant will submit good info, ok to proceed with advertising without delay. Hold file at Region until verification is submitted.

Diversion is at confluence of canal and drain. Canal or drain continues past P/D and ends at river less than 1000' SW of P/D. Due to this, appears that adverse impact downstream but before river would not occur. No need to notify irrigation district or canal company (if operate in this area) because of proximity to river?

Return flows to river via existing ditch system occur near common point for W 1/2 NW 1/4 S.7 and E 1/2 NE 1/4 S.12. Is SCA permit needed for return flows for existing system?

Comment letters in advertising: 1) Watermaster 2) Complaintant, Gary L. King, 16991 Hwy 20-26, Caldwell, 83605.

Pond information: from west to east: est. sizes 10 ac., 3.5 ac., .25 ac.; each pond averages 2.5'deep. Total area covered is 13.75 ac.; total volume stored is 13.75 ac. X 2.5' = 34.4 af but rounded to 35 af as best estimate. The two larger ponds were in place by late 1970's and last and smallest pond built by 1986-7. Site is the old Trumbull place (previously was Johnson place).

RECEIVED
JAN 19 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 19, 1993

Soil Conservation Service
ATTN: H. LeRoy Zollinger, State Conservation Engineer
3244 Elder Street
Boise, ID 83705

RE: Protested Water Right Application No. 63-11977
in the name of Ronald P. Rainey

Dear LeRoy:

Thank you for conveying to me the Engineering Trip Report prepared by Neil Wilton with assistance from John Jeffredo. The report contains suggestions which I believe will be of value in resolving concerns about water diversions in this matter.

By copy of this letter I am forwarding the SCS report to interested parties. I would ask that they respond to this office regarding their reactions to the information in the report no later than September 1, 1993.

I appreciate the helpful and professional assistance from your staff in this matter.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

cc w/enclosures: Ronald P. Rainey, Gary L. King, Dan Blele,
Virgil Tucker Jr., Richard Harris

RECEIVED
JAN 19 1994

United States Department of Agriculture

Soil Conservation Service

3244 Elder . reet
Room 124
Boise, Idaho 83705

August 18, 1993

RECEIVED
AUG 1 8 1993
Department of Water Resources
Western Regional Office

Mr. David Tuthill, Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Dave,

Enclosed is a copy of Neil Wilton's report on the assistance to Mr. Rainey and Mr. King concerning flooding from an irrigation diversion structure.

The report does display alternatives, with alternative "c" the best solution. As the report indicates, Neil has offered SCS assistance to provide engineering assistance for a design of the alternative selected.

I hope this assistance will lead to a solution and that it is useful to the IDWR. If you have any questions, please feel free to contact Neil directly.

Sincerely,

H. LEROY ZOLLINGER, P.E.
State Conservation Engineer

Enclosure

cc: (w/enclosure)
Lee Brooks, Area Conservationist, SCS, Boise, ID
Bob Bishop, Area Engineer, SCS, Boise, ID
John Gleim, District Conservationist, SCS, Caldwell, ID

RECEIVED
JAN 1 9 1994

United States Department of Agriculture
Soil Conservation Service

3244 Elder Street
Room 124
Boise, Idaho 83705

August 17, 1993

To: H. LeRoy Zollinger
State Conservation Engineer
SCS, Boise, Idaho

Subject: ENG - Trip Report - Caldwell Field Office - Assistance to IDWR in the Matter of Mr. Rainey and Mr. King

On August 13, John Jeffredo and I met in the field with Mr. Rainey and Mr. King separately. Both parties share some of the same problems common to water users at the end of a canal system. The Seidenberd Canal (spelling varies) terminates near the center of Section 7, T4N, R3W on the southwest side of Union Pacific railroad tracks. A 36 inch gate structure spills the canal into a natural drain about 800 feet from the Boise River. Unregulated flow fluctuations disrupt Rainey's downstream irrigation, while unwanted backwater floods the low ends of King's fields (upstream).

Rainey irrigates from a flat ditch on the southwest side of the tracks. When his ditch is checked-up, more backwater occurs further aggravating King's flooding. Rainey also gets water from an unnamed drain that parallels the Seidenberd Canal on the northeast side of the tracks. This drain crosses under the tracks at the spill structure and contributes to the backwater problem.

John and I made a level survey of this troublesome area. The spill structure on this date was spilling water, but 4 to 5 cfs was also flowing northwest down Rainey's irrigation ditch. The ditch was not checked up for irrigating. The depth from water surface elevation to invert of the spill conduit was 5.5 feet. The receiving drain is deeper yet.

The water surface of the ponded water at the spill was 1.6 feet above the water surface in the ditch and the invert of the irrigation outlet, about 1150 feet distant. Field shots from 35 to 120 feet away from the invert were 0.6 and 0.4 feet above the invert, respectively. To properly irrigate the field, a minimum water surface 12 inches above the invert is necessary, confirmed by water lines on the ditchbank at the outlet. Backwater will (and does) affect the water surface profile to something less than a foot higher at the spill structure, but compounds King's flooding. When Rainey irrigates, upstream backwater is inevitable.

In an attempt to alleviate flooding, King has deepened a southerly flowing drain connecting it to a northerly flowing drain. High water surface elevations of the backed up system forces flow to the north, but does not satisfactorily eliminate King's high water concerns.

JAN 19 1994

Several factors contribute to this situation:

1. Uncontrolled return, drain, and delivery flows terminate at the spill.
2. The spill is a gate only and provides no weir control.
3. Rainey's ditch is flat, falling only 0.6 feet per 1,000 feet. Flow velocities are low and carry very little sediment load.
4. Rainey's field is high, but leveling seems to be of little value. Underlying soils seem to be coarse.
5. King's drain is directly connected to the canal and unnamed drain when water surface elevations are high.
6. Natural drainage for King is southwesterly.

The remedy for minimizing backwater effects probably consists of the following elements:

1. Limit water in Rainey's ditch to time of irrigation use only.
2. Reconstruct the spill structure with a long sharp crested weir in conjunction with a 36 inch control gate. The crest of the weir to be set at an elevation low enough to minimize unwanted backwater, if possible, but still doubtful.
3. King to improve irrigation water management (not yet evaluated to see if this is possible) to lessen return flows contributing to the problem.
4. A berm on King's side of the tracks isolating the unnamed drain from flowing northerly and into King's field.
   From the berm:
   a. A deeper northerly drain could be dug.
   b. A pipe with flap gate against the backwater could be installed. King's drain would then be in effect, or at low backwater levels would drain through the flap gate and through the existing spill.
   c. A pipe through the berm, under the tracks, bypassing the spill structure and outletting directly into the existing natural drain. Continuous drainage would then occur under scheme "c".

Only scheme "c" provides the biggest relief for Mr. King. It also provides the greatest degree of freedom for both parties concerned. King's runoff and shallow drainage would continuously evacuate, and Rainey would not need to change his management style, nor would any structural changes be needed. He could operate as is.

Costs for any of the scheme elements has not been made.

Both parties were informed that SCS exists to provide them further technical assistance if they so request, but that the agency will not enter into dispute settlements with them. Both parties were also very cordial to John and me, as well as straightforward about their assessment of this situation.

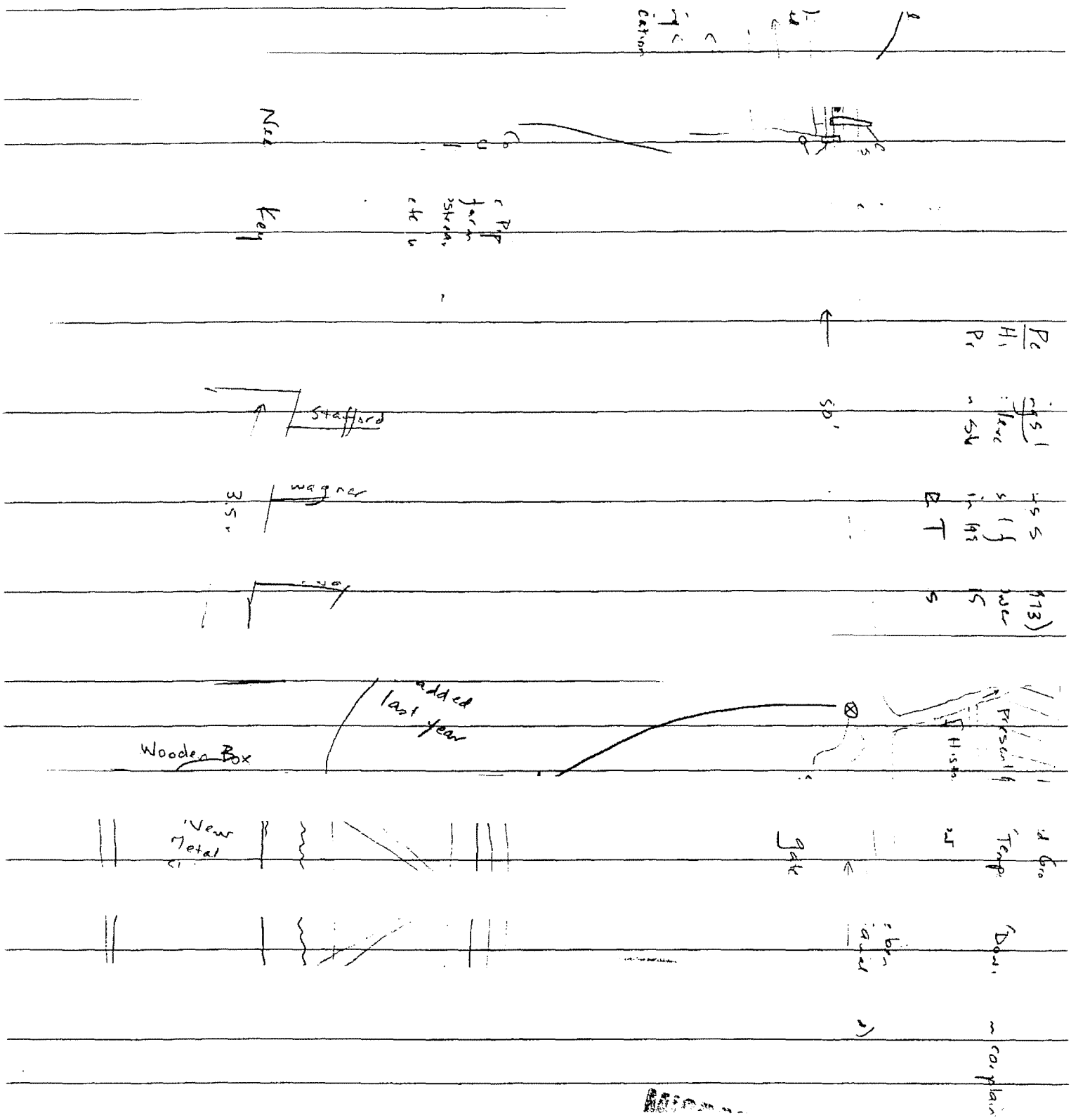
RECEIVED
JAN 19 1994

Neil D. Wilton, P.E.
Civil Engineer
SCS, Boise, Idaho

Concurred in by:

H. LeRoy Zollinger, P.E.
State Conservation Engineer
SCS, Boise, Idaho

JAN 19 1994



JAN 19 100

AGREEMENT

We, the undersigned, agree that the Soil Conservation Service (SCS) participation in the matter of protested Application for Permit No. 63-11977 is a technical service provided to the Idaho Department of Water Resources. If any litigation should result from this matter, we agree to not subpoena SCS employees, but instead we agree to hire consulting engineers to serve as expert witnesses.

Signed this 5th day of August, 1993.

Ronald P. Rainey, Applicant

Gary L. King, Protestant

JAN 19 1994

From: DWR80::TUTHILL 3-AUG-1993 10:49:05.18
To: DWR01::WRYOUNG, DWR01::RASSIER, TUTHILL
CC:
Subj: SCS Participation

We have a protested water right application, No. 63-11977 in the name of Ronald P. Rainey, the resolution of which hinges on the design and operation of a check structure in a drain ditch. At an initial water right protest conference the parties agreed to meet on-site with SCS personnel in an attempt to resolve the dispute. The SCS balked because of the potential to become embroiled in a lawsuit. They agreed, however, to participate if we prepare an agreement whereby they would be shielded from lawsuit testimony requirements. Will an agreement as simple as the following language serve to accomplish this? We are planning to meet onsite on Thursday, 5 August, and I will plan to take a copy of this agreement unless I hear otherwise from either of you.

Thanks, Dave

AGREEMENT

We, the undersigned, agree that the Soil Conservation Service (SCS) participation in the matter of protested Application for Permit No. 63-11977 is a technical service provided to the Idaho Department of Water Resources. If any litigation should result from this matter, we agree to not subpoena SCS employees, but instead we agree to hire consulting engineers to serve as expert witnesses.

Signed this _____ day of _____, 1993.

_____ _____
Ronald P. Rainey, Applicant Gary L. King, Protestant

JAN 19 1994

63-11977

RAINEY, RONALD P
2615 DORMAN
CALDWELL, ID 83605

Source: SEIDENBERD CANAL Tributary: BOISE RIVER
Source: UNNAMED DRAIN Tributary: BOISE RIVER

Diversion Pt: SWSWNE Sec 7 T 04N R 03W in CANYON County.
NWNWSE Sec 7 T 04N R 03W in CANYON County.

Use:			
	STOCKWATER STORAGE		(35.00 AF)
	WILDLIFE STORAGE		(35.00 AF)
	GROUNDWATER RECHARGE	(4.000 CFS)	
	DIVERSION TO STORAGE	(12.000 CFS)	
	STOCKWATER FROM STORAGE		(35.00 AF)
	WILDLIFE FROM STORAGE		(35.00 AF)
	Total Diversion:	(12.000 CFS)	

Date Filed: 1/27/1993

In: CANYON County
T04N R03W S07 SWNE Lot 5(NWNW) Lot 4(SWNW) SENW
NWSE

MICROFILMED
JAN 19 1994

Receipt Details for ID W015863

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/27/1993 11:25:37 AM	1/27/1993	Western	$815.00	Check
Payer	BLELE RANCH ACCOUNT			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2312			
Card Expiration Date	**Credit Card Transaction #**		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$550.00	SRBA CLAIM	41503	337	0	0	1155
$265.00	APPLICATION FOR PERMIT	62103	229	21	0	1155

Refund(s):

Amount	Payee	Date	Document Number

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	28221		$550.00	Claim

Print Report

RECEIVED
APR 24 2006
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF NOTICE OF CLAIM TO A WATER RIGHT NO. A63-28221)

AFFIDAVIT OF ROGER DANIELS

STATE OF IDAHO)
) ss:
County of Canyon)

Roger Daniels, being first duly sworn on oath, deposes and states as follows:

1. I am over the age of majority, currently reside at 15112 Christopher Street, Caldwell, Idaho 13607 and I make this Affidavit based upon facts within my own personal knowledge.

2. I started hunting on the real property currently owned by Ronald P. Rainey located 2 miles west of Caldwell, Idaho, in 1958 and continued to hunt on the property until 1979.

3. In 1958 there were ponds on the property used for watering livestock and wildlife habitat that were fed by two unnamed ditches and the Siebenberg Ditch which joined on the northern edge of the Rainey property.

4. I have been on the property recently and observed that the water is still being diverted from the two unnamed ditches and the Siebenberg Ditch into ponds which provide habitat for wildlife, hunting and watering of livestock in the same manner as it was diverted in 1958.

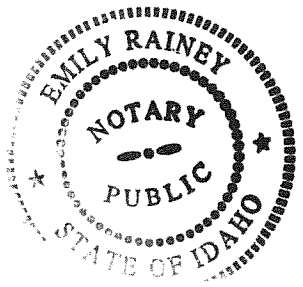
DATED This 23rd day of April, 2006.

Roger L. Daniels

Roger Daniels

ORIGINAL

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for said State, this 23rd day of April, 2006.



Emily Rainey
Notary Public for Idaho
Residing at: Caldwell Idaho
My Commission Expires: 07-26-08

RECEIVED
APR 24 2006
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF NOTICE OF CLAIM TO A WATER RIGHT

NO. A63-28221

AFFIDAVIT OF THOMAS NEEDHAM

STATE OF IDAHO)
) ss:
County of Canyon)

Thomas Needham, being first duly sworn on oath, deposes and states as follows:

1. I am over the age of majority, currently reside at 19001 Pride Lane, Caldwell, Idaho and I make this Affidavit based upon facts within my own personal knowledge.

2. As early as 1969 and 1970 the real property owned by Robert and June Johnson and now owned by Ronald P. Rainey had ponds used for watering livestock and wildlife habitat which were fed by water diverted from two unnamed drain ditches and the Siebenberg ditch. These ditches joined on the northern edge of this property.

3. I managed the Kent Ranch Feed Lot owned by my father-in-law, Howard Kent. The Kent Ranch Feed Lot had shares in the Siebenberg Cooperative Ditch Company. I assisted in cleaning the Siebenberg ditch and remember going on the property now owed by Ronald Rainey in 1969 and 1970.

4. I have been on the property since Ronald Rainey purchased it and noticed that the water is still being diverted into ponds for wildlife habitat, hunting and watering livestock in much the same manner as it was in 1969.

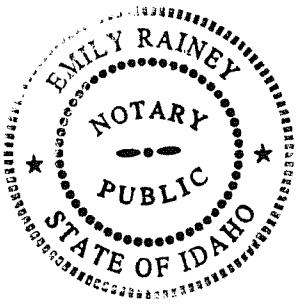
ORIGINAL

DATED This 23rd day of April, 2006.

Thomas Needham

Thomas Needham

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for said State, this 23rd day of April, 2006.



Emily Rainey

Notary Public for Idaho
Residing at: Caldwell, Id
My Commission Expires: 07-26-08

RECEIVED
APR 24 2006
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF NOTICE OF CLAIM TO A WATER RIGHT NO. A63-28221	))))	AFFIDAVIT OF RONALD P. RAINEY

STATE OF IDAHO)
) ss:
County of Canyon)

Ronald P. Rainey, being first duly sworn on oath, deposes and states as follows:

1. I am over the age of majority, and I make this Affidavit based upon facts within my own personal knowledge.

2. There were ponds on the real property I now own, formed by water that was diverted from two unnamed drain ditches and the Siebenberg Ditch, that provided water for the cattle that pastured on the property. In addition, the ponds provided habitat for ducks, geese, deer and beaver.

3. In 1966, my wife and I rented a residence located approximately ½ mile east of the property I presently own.

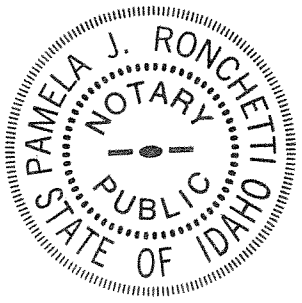
4. I am continuing to divert water from the two unnamed ditches and the Siebenberg ditch to fill the ponds and provide wildlife habitat for ducks, geese, beaver, catfish and watering of livestock.

DATED This 24 day of April, 2006.

Ronald P. Rainey

ORIGINAL

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for said State, this 24th day of April, 2006.



Pamela J. Ronchetti
Notary Public for Idaho
Residing at: Caldwell
My Commission Expires: 7/25/06

RECEIVED
APR 24 2006
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF NOTICE OF CLAIM TO A WATER RIGHT NO. A63-28221

AFFIDAVIT OF DIANE BISSELL

STATE OF IDAHO)
) ss:
County of Canyon)

Diane Bissell, being first duly sworn on oath, deposes and states as follows:

1. I am over the age of majority, currently reside at 3030 S. Cobble Way, Meridian, Idaho 83642 and I make this Affidavit based upon facts within my own personal knowledge.

2. I am the daughter of Beth E. Trumball, now deceased, and know that my Mother purchased the real property now owned by Ronald Rainey which lies south of the Union Pacific Railroad tracks from Robert Johnson and June Johnson, husband and wife in May, 1973.

3. At the time my Mother purchased the property there were two unnamed ditches and the Siebenberg Ditch which joined on the north edge of the Rainey property. Waters were diverted from these three ditches into a pond which was used for wild life habitat, hunting and water livestock.

4. My Mother owned the property until April 1979 when she sold it to Charles McGinnis. During that period of time my husband and I hunted ducks and geese on this property.

5. When my Mother sold the property, water was still being diverted from the two unnamed ditches and the Siebenberg Ditch into the ponds.

DATED This 24 day of April, 2006.

Diane Bissell

Diane Bissell

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for said State, this 24 day of April, 2006.

SANDY JOHNSON NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: Ada County
My Commission Expires: 12 July

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD P RAINEY
2615 DORMAN
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-28221

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-28221

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.

Field Exam Date 9/29/2006 10/4/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED
OCT 03 2006
WATER RESOURCES
WESTERN REGION

COPY

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ 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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-4531 & 63-28821 (-28221)

Owner: Ronald P. Rainey, Attny. at Law Phone No. (208) 459-3659

Current Address: PO Box 26, Caldwell, Id 83606-0026

FAX (208) 459-9067

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS * add phone number (208) 459-3659 (W) / 459-9626 (H)
- ☒ How long owned property? 30 yrs

Accompanied by: Ronald Rainey (208) 459-3659 (W) / (208) 459-9626 (H)

PRIORITY DATE WK address: 110 N. 9th Ave PO Box 26 Caldwell, Id 83606-0026

- ☒ 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: 6/1/1865

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

—

Source: Unnamed Drains **Tributary to** Boise River

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

POINT OF DIVERSION

- ☐ No change
- ☑ POD found is different than claimed: SWSWNE, S.7
- ☐ If different, when did POD change? _____

Please verify since no sections noted on maps (4 POD's)

No sections notated, please confirm POD#2 possible POD for 63-4531

POD #1
POD #2
POD #3
POD #4
↑ well for trailer that burned down 20 yrs ago. Not used since, but was D1 interned external + stockwater to canal.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remar GPS ID
								Canyon	N43° 42.186' W1
		SW	SW	NE	7	4N	3W	Canyon	N 43° 41.909' W1
								Canyon	N 43° 41.684' W1
								Canyon	N43° 42.370' W116°4

Description of diverting works

* see attachment

OVERLAP REVIEW

Other water rights with the same point of diversion: Skogsberg #63-04295

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

At the time of inspection, the gates were all open allowing water to flow to each piece of property claimed (Skogsberg + Rainer)

WATER USES

- ☐ No change
- ☐ Different Uses

63-4531 Use Irrigation From 3/1 To 11/15 Amount _____ CFS _____ AFA

63-28221 Use Stockwater From 1/1 To 12/31 Amount _____ CFS _____ AFA

Use Wildlife From 1/1 To 12/31 Amount _____ CFS _____ AFA

from well Use Domestic Stockwater From 1/1 To 12/31 Amount N/A 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 # presently 20 pr cattle

Types Wildlife Additional comments: # cattle presently lower than normal due to renter of property going through a divorce

4-5 deer, 10-15 pheasant, 50+ quail, 1-2 coyote, 1-2 fox, 500 - 2000 ducks, 200 geese, 50 turkey

1987: 100 pr cattle + 5 bulls

PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

Ponds (estimated sizes):

Pond #1	5 acres	1½-3' deep
Pond #2	7 acres	3' deep
Pond #3	3 acres	3' deep

* depth of ponds is usually lower during irrigation season, at a full capacity pre/post irrigation season

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	
4N	3W	7			3			10	7.5	16.5						18			55
																		1	1
4N	4W	1																	
																			13
4N	4W	12	13																69

Overlap with other water rights: ~~None~~ 63-4531 + 63-28321 (2)
Rainey

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

Different uses

Delivery System Narrative: * see attachment

please recalculate acreage for irrigation subtracting slough/treed area

* totally gravity flow system

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Seidenbard Coop Ditch Co. comes onto the property at SE corner. It is the sole source for the immediate acreage, with dirt ditches following the east boarder then turning west at the north end & co-mingles w/ 2 unnamed drains, that come on to the property north to south, under the railroad tracks (Rainey owns 97 shares).

* see attachment for additional comments/remarks.

Directions: I84, Parma/Notus off ramp, West on Hwy 20/26, South on Wilson Ln, East after crossing the railroad tracks. POD: continue 0.4 miles to POD#1 (POD#4 is located 50' east & 25' north from where you turn east after the railroad tracks); POD#2 is 0.6 miles east of POD#1. POD#3: at POD#2, follow the curve in the road to the left then go diagnally across the field to the [redacted] SE corner then 0.3 miles. POU: fields & ponds south of POD#1, 2 & 4, & south between POD's, also NW & NE of POD#3.

AFTER EXAM THE FILE SHOULD CONTAIN:

- [x] Completed claim checklist
- [x] Photographs of POD's and POU
- [x] GPS readings
- [x] Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 10/3/2006

FIELD EXAMINER: Sandy Hemenway

63-28221 & 63-4531 Rainey
Date of Inspection: 9/29/2006 & 10/1/2006
Inspector: Sandy Hemenway

Diversion Works Background Information: I84, Parma/Notus off ramp, west on Hwy 20/26, south on Look Ln (before the railroad tracks) is a 54" culvert discharging to a unnamed drain (common name is Gladys Brauns ditch; partially filled pipe calculation of 87.78 cfs) which flows north to south then follows the railroad tracks on the north side, merges with an unnamed drain flowing north to south from the King property (WR A63-5089 with ditch capacity measured 7/13/06 by Sandy Hemenway at 15.85 cfs). Total capacity of drain coming under the railroad tracks would be 103.63 cfs. **POD#2**

Continuing south on Look Ln., crossing the railroad tracks and immediately turn west 0.4 miles, there is a ditch (Seiderberd Canal) on the south side of the road to a head gate that continues flow west, turning south, then returning west again to the SENWSE (**POD#3**). At the head gate, there is also a culvert that goes under the road to the north for the Seidenberg Canal overflow, and discharges into a dirt ditch that runs east to west just south of the railroad tracks. At POD #2 this ditch co-mingles with the 2 unnamed drains (King and Gladys Brauns). NOTE: Mr. Rainey owns 97 shares from the Seidenberg Canal.

Go back out to Hwy 20/26, turn west, turn south on Wilson Ln, turn east immediately after the railroad tracks. **POD#4** Domestic internal/external well is located about 50' east, 25' north. This well is substandard, with casing 4" above ground level, and submerged in a swamp area/reeded area, at the time of inspection. There used to be a trailer located here, but it burned down 20 years ago, and has never been replaced (no other well information available, and no power source to conduct a physical measurement; a power pole still stands at the location). Mr. Rainey stated that he still feels he would like to put another trailer out there at some point in time.

Continuing east 0.4 miles on dirt road just south of the railroad tracks is **POD#1**. An unnamed drain that is piped under the railroad tracks, running north to south, then turns west (this is the same POD #1 as A63-4529C Skogsberg).

<u>Delivery System Narrative</u>:
POD#4: well, no additional information about well, discharge size, or line that is buried to the stock tanks supplying water to the corrals. Use: D1/internal/external, and stockwater for cattle year-round. NOTE: well has not been used since the trailer burned down 20 years ago, but Mr. Rainey wanted this POD included with this inspection since he wants to replace the trailer and continue use at this site.

From POD#4/domestic well at the entrance off of Wilson Ln. past POD#1, and to POD#2, running west to east on the south side of the road is a dirt ditch for irrigation (gravity flow north to south). There are numerous areas where there are buried pipes

from the main ditch on the north side of the road to the small dirt ditch on the south side of the road. SWSESE, NENE, NWNW, SWNW, SENW.

On the north side of the dirt road is the main ditch. 0.4 miles from the entrance is POD#1, unnamed drain piped under the railroad tracks, discharged to the main ditch running east and west on the south side of the railroad tracks, continues east to west, to a head gate, with flow continuing down the ditch east to west to Skogsberg's property, and also piped north to south under the road to a dirt ditch that is one of the inlets to Pond #3, and/or dammed up with tarps to flood irrigate east to west. SWNWNW, SENWNW.

Continue 0.1 mile east of POD#1 is weir #1, can continue west down the ditch, or piped south under the road to the concrete ditch running north to south (gravity flow east to west with 2" siphon tubes), in addition to being used to fill Pond #3. SWNW, SENWNW, SWNWNW.

Continue another 0.2 miles east to weir #2, can continue west down the ditch, or piped south under the road to dirt ditch running north to south (tarps used to dam up, gravity flood irrigate both east to west and west to east), and used to fill Pond #2. SENW, SWSWNE.

Continue another 0.3 miles east to POD#2, head gate and 24" buried culvert to a dirt ditch running southwest to fill Pond #1. The co-mingled water from the 2-unnamed drains and flow from the Seidenberd continue east to west down the ditch for filling the ponds and irrigation.

Continue north around the small curve that takes you going south again to the NWSE pasture. There is a dirt ditch that is located on the north side of the dirt road following the southern boarder of the property (gravity flow north to south), and then at the POD#3 (from the Seidenberd Canal), the dirt ditch also continues east then north, and discharges into the main ditch (which at this point is made up of the overflow from the Seidenberd Canal)

Backtracking to the concrete ditch location, go south 0.2 miles to weir #4, outlet from Pond #2, buried culvert under the road running east to west, discharging to a dirt ditch running east to west used to fill Pond #3, or dammed up with tarps to flood irrigate (north to south gravity flow).

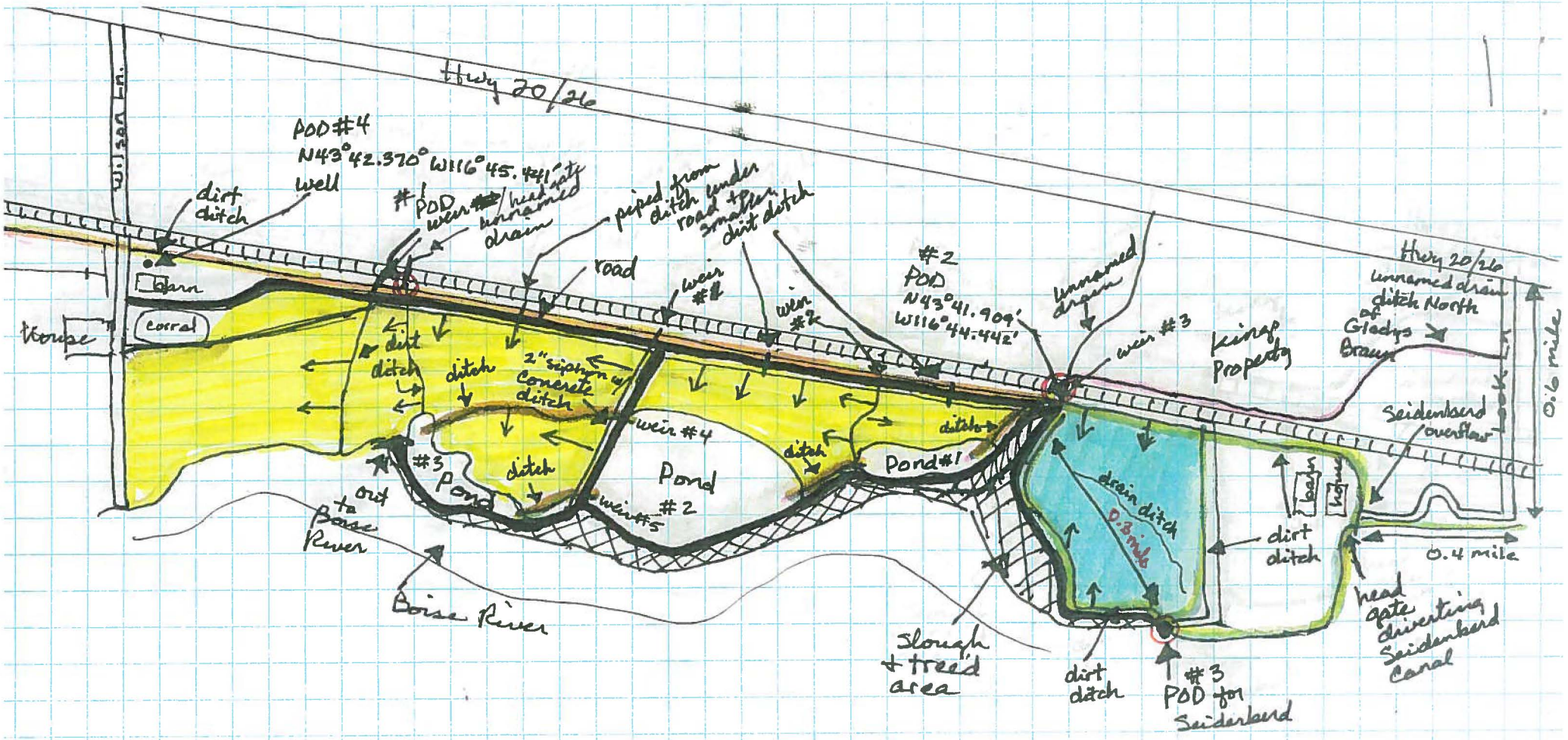
Continuing south from weir #4 another 0.1 mile to weir #5, another outlet from Pond #2, buried culvert under the road running east to west, discharging to a dirt ditch running east to west used to fill Pond #3.

Comments: Along the south boarder of this whole property is a slough and tree area. Some of the water making up the slough is run-off water from the Kings property, and some is seepage from the Boise River. The ponds, slough and tree area are used for

noncommercial wildlife (4-5 deer, 10-15 pheasant, 50+ quail, 1-2 coyote, 1-2 fox, 500-2000 ducks, 200 geese, 50 turkey).

Stock water: 100 pair cattle, and 5 bulls. The cattle, in addition to drinking the same water as that is used for irrigation, and ponds, use no stock tanks, but concrete ditch. (year-round source is available due to springs supplying water to unnamed drains).

The outlet for Pond #3 is on the far southwest end, which has an overflow those discharges to the Boise River.



Ponds (each are 1½-3' deep)

#1 = 1½-3' deep

#2 = 3'

#3 = 3'

* ponds are kept full after + before irrigation season

= Seidenbard

= POD #1 - irrigated w/ Seidenbard only POU

= Nonirrigated / wildlife refuge (trees + slough area)

= Road

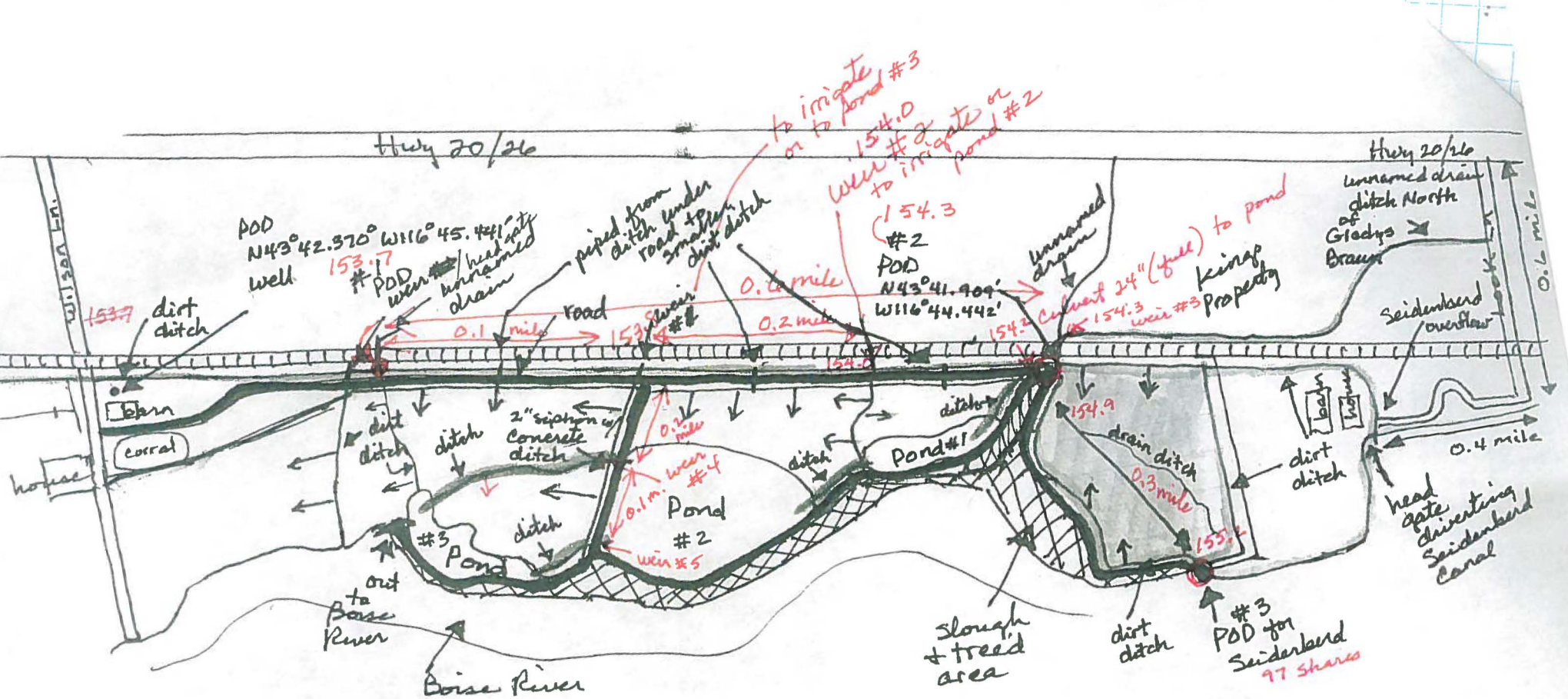
= POU irrigated

= Co-mingled water in drain

N

63-28221 + 63-4531 Rainey

9/29/2006 + 10/1/2006 SH



= Seidenbard

= POD

= irrigated w/ Seidenbard only POU

= Nonirrigated / wildlife refu (trees + slough area)

= Road

= POU irrigated

= co-mingled water in

run-off fr Kings

Ponds (each are 1½-3' deep)

#1 = 1½-3' deep

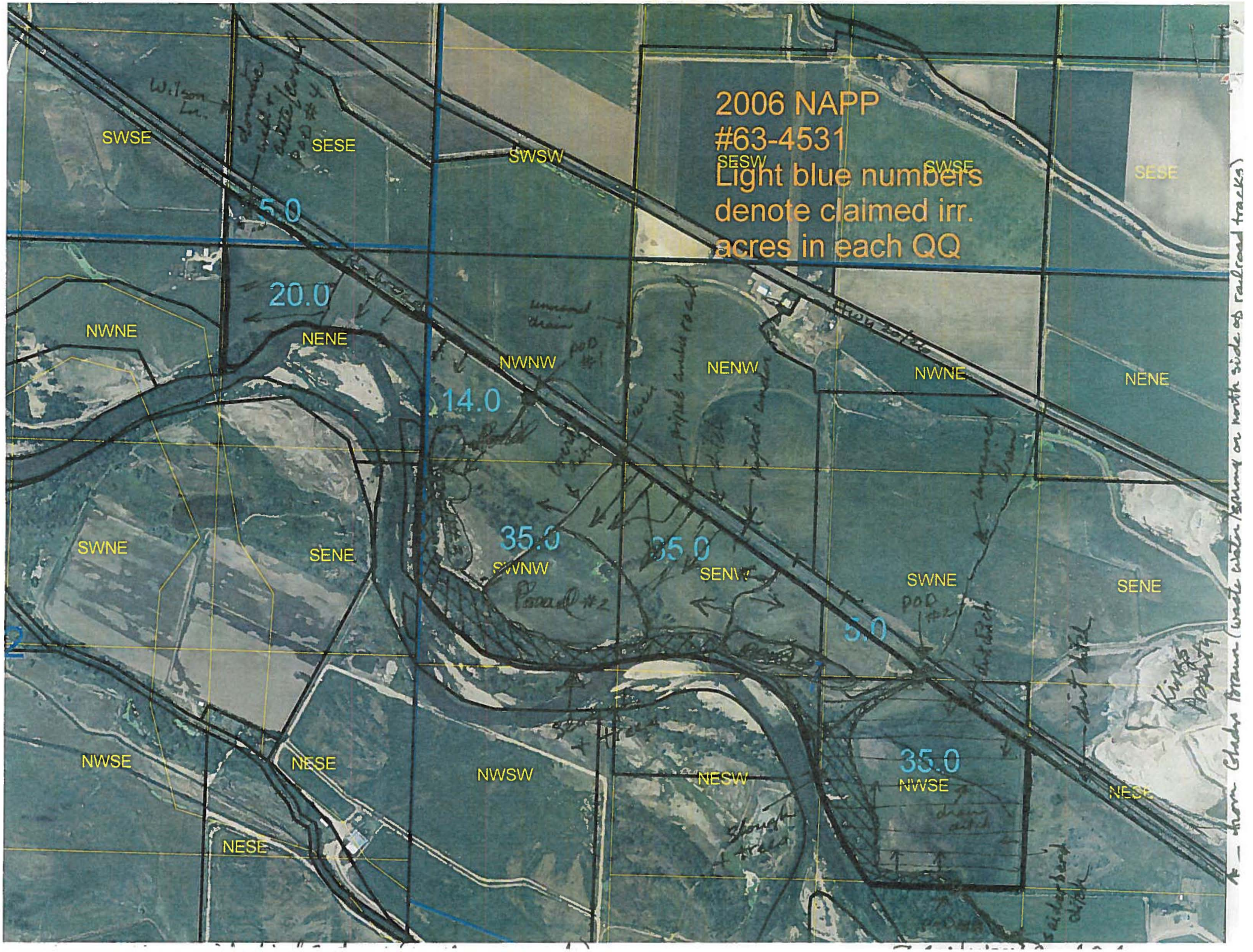
#2 = 3'

#3 = 3'

* ponds are kept full after + before irrigation season

(3-28221 + 63-4531 Rainey

10/1/2006 SH


2006 NAPP
#63-4531
Light blue numbers denote claimed irr. acres in each QQ
SWSE
SESE
SWSW
SESW
SWSE
SESE
5.0
20.0
NWNE
NENE
NWNW
NENW
NWNE
NENE
14.0
SWNE
SENE
35.0
SWNW
35.0
SENW
SWNE
SENE
5.0
NWSE
NESE
NWSW
NESW
35.0
NWSE
NESE
NESE

63-4531 + 63-28821 Rainey
Inspection Date: 10/1/2006
Inspector: Sandy Hemenway

POD #1 N43°42.186' W116°45.020' (location: S. Wilson 0.3 miles, turn east + go 0.4 mile to gate by railroad underpipe)
Same POD for Skogsberg A63-4529C + Rainey A63-04531 A63-28221
Ditch Measurement to headgate then dirt ditch ~ aqua
Orange Peel ~~weir~~
width = 46" = 3.83' H = 3'1" deep = 3.08'
Q = VA = 1.5 ft/sec x 11.7964 ft² = 17.69 cfs ditch capacity coming from under railroad tracks
V = 6ft/4 sec = 1.5 ft/sec.
A = H x W = 3.83' x 3.08' = 11.7964 ft²

* Note: It was indicated that this is low flow, since earlier in the season there is a higher flow.

POD #2 N43°41.909' W116°44.442' (location: (where unnamed drain, unnamed drain from Gladys Braun, + Seidenberd co-mingle as the come under the railroad tracks)
Unnamed drain from King A63-5089: ditch capacity measured 7/13/2006 by Sandy Hemenway with ditch running east to west leading to this drain having the capacity of 15.85 cfs

Junction of 2 unnamed drains added = 103.63 cfs capacity of junction

Unnamed drain from Gladys Braun's ditch measured 9/29/06:
* indicated at time of inspection that this is low flow.
Partially filled pipe:
54" D = 54" F = 27' F/D = 0.5 = 50% = factor = .500 L = 27"
gpm = (0.500) 54² x 27 = 39366 gpm x 0.00223 = 87.78 cfs
Pipe Flow Capacity (54/12)/2 = R π = 3.1416 Q = 5πR² = 79.52 cfs

POD #3 N43°41.542' W116°43.838' where measurement taken, to determine capacity of flow to ditch, since none at the time of inspection was being diverted to POD #3

Seidenberg: 11' x 17" 10ft/6 sec. (orange peel measurement)
Q = VA = 1.66 ft/sec x 15.62 ft² = 25.93 cfs low flow ditch capacity
V = 10ft/6 sec. = 1.66 ft/sec
A = H x W = 11' x 1.42' = 15.62 ft²
width = 11'
Height = 17" = 1.4

GPS for POD #3 is: N43°41.684' W116°44.294'
POD #4 N43°42.370' W116°45.441' — well (D1 stockwater @ corral) no well info
Stockwater: 1987: 100 pr cattle + 5 bulls = 205 cattle (12 gpd)
Exh. 15A Table 1. Rec. Div. Rates for Stockwater 201-300 = 0.07 cfs
Vir = (# head x gpd/head x days use per yr)/325,850 =
(205 x 12 x 365)/325,850 = 2.755 = 2.8 af
Vdr = 0.07 x 365 x 1.9835 = 50.678 = 51.0 af
V = 2.8 af

531 & 63-28821 Rainey Inspection Date 10/1/06 S. Hernandez

Weir #1 (0.1 mile east of POD #1 north of concrete ditch) that is piped under road to concrete ditch) flows south for irrigation or to Pond#
N43°42.132' W116°44.894' 16"x3" = 1.3' x 0.25'
U of I chart shows 0.25' x 1' = 0.404 cfs
0.25' x 1.5' = 0.609 cfs

Weir #2 (0.2 miles east of weir #1 + concrete ditch) for irrigation + to pond #2
N43°42.022' W116°44.664' 38"x16" = 3.16' x 1.33'
U of I chart shows 1.33 x 3.0' = 14.40 cfs
1.33 x 4.0' = 19.34 cfs

Weir #3 N43°41.908' W116°44.441' 36"x7" (south of POD#: to ditch supplyin Pond#1
U of I chart shows 0.58' x 3' = 4.26 cfs

Weir #4 N43°42.032' W116°45.007' 38"x13" (0.2 mile south of weir #1; outlet for pond #2, inlet for pond #3 + for irrigat
U of I chart shows 1.08' x 3.0' = 10.61 cfs
1.08' x 4.0' = 14.24 cfs

Weir #5 N43°41.988' W116°45.084' 38"x8" (0.1 mile south of weir #4, another outlet for pond #2 + inlet for pond #3)
U of I chart shows 0.66' x 3.0' = 5.15 cfs
0.66' x 4.0' = 6.90 cfs

24" Culvert to Pond #1 (full) N43°41.922' W116°44.491'
15.70 cfs maximum capacity

Outlet from #1 Pond, Inlet for #2 Pond N43°41.935' W116°44.741'
Ditch measurement (orange peel) 8' x 15", 15'/4 sec.
Q = VA = 3.75 ft/sec x 10 ft² = 37.5 cfs
V = 15 ft/4 sec. = 3.75 ft/sec A = H x W = 1.25' x 8' = 10 ft²
* Per owner, these are measurements of "low flow."

Pond Sizes (per owner):
#1 = 3 acres 1½-3' deep
#2 = 7 acres 3' deep
#3 = 5 acres 3' deep

* ponds are kept full after + before irrigation season + have more than one inlet supplying their water

Groundwater Source/well: N43°42.370' W116°45.441'
- trailer burnt down 20 yrs ago + was never replaced
Rainey said he might want to replace the trailer some day (no info. on well depth, static, HP); no power o

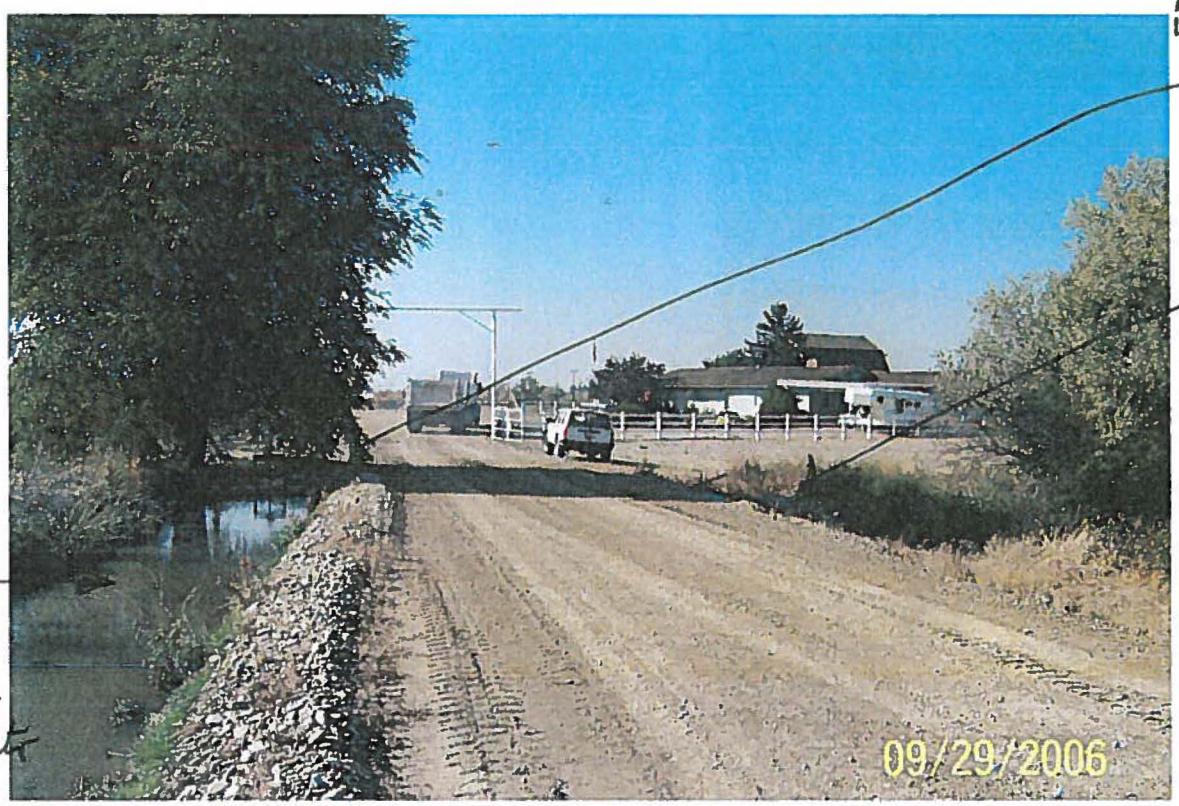
COPY



N43°41.733'
W116°43.396'

Gladys, Braun's ditch

54" culvert (½ full) on Look Ln, south of Hwy 20/26



N43°41.542'
W116°43.838'

Seidenberd canal (maximum capacity flow, where lead gate located)

Seidenberd overflow

0.4 miles from railroad track

Seidenberg @ low flow 11'X17" 10 ft/6 sec. (low capacity of ditch)

63-28221 + 63-4531 Rainey
9/29/2006 SH





63-28221 & 63-4531 Rainey
to 9/29/2006 SH



POD#4
D1 internal external + stockwater for corrals; well & holding tk for trailer that burn down

located 50' east + 25' north at turn after the railroad tracks

N 43° 42.370' W 116° 45.441'



POU: stockwater for corral located directly south from well + small barn

63-28221 + 63-4531 Rainey
9/29/2006 SH



N43°42.186'
W116°45.020'



A63-4529C Skogsberg / Also Rainey 63-4531 + 63-28221

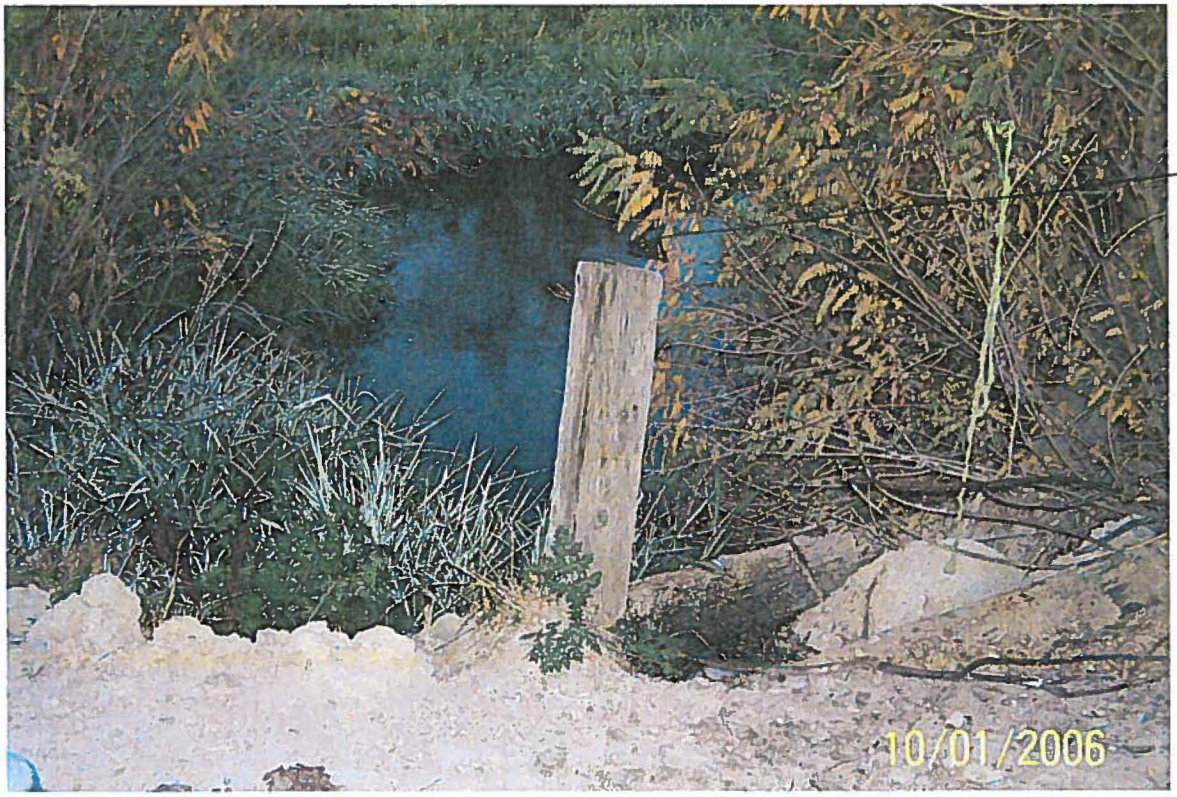
9/29/2006 SH

9/29/2006 SH



flow from POD#1 coming from under the railroad tracks

head gate w/ flow going north to south to pond#3



piped under road to dirt ditch running to pond#

63-28221 + 63-4531 Rainey

9/29/2006 SH



weir #1

~~N43° 42' 1.32"~~ N43°42.132' W116°44.894' weir 16" x 3"



63-28221 + 63-4531 Rainey

9/29/2006 SH



POU1

Stockwater incidental to irrigation (year-round drain - spring fed)

100 pr. cattle in 1987, currently 20 due to renter going through a divorce



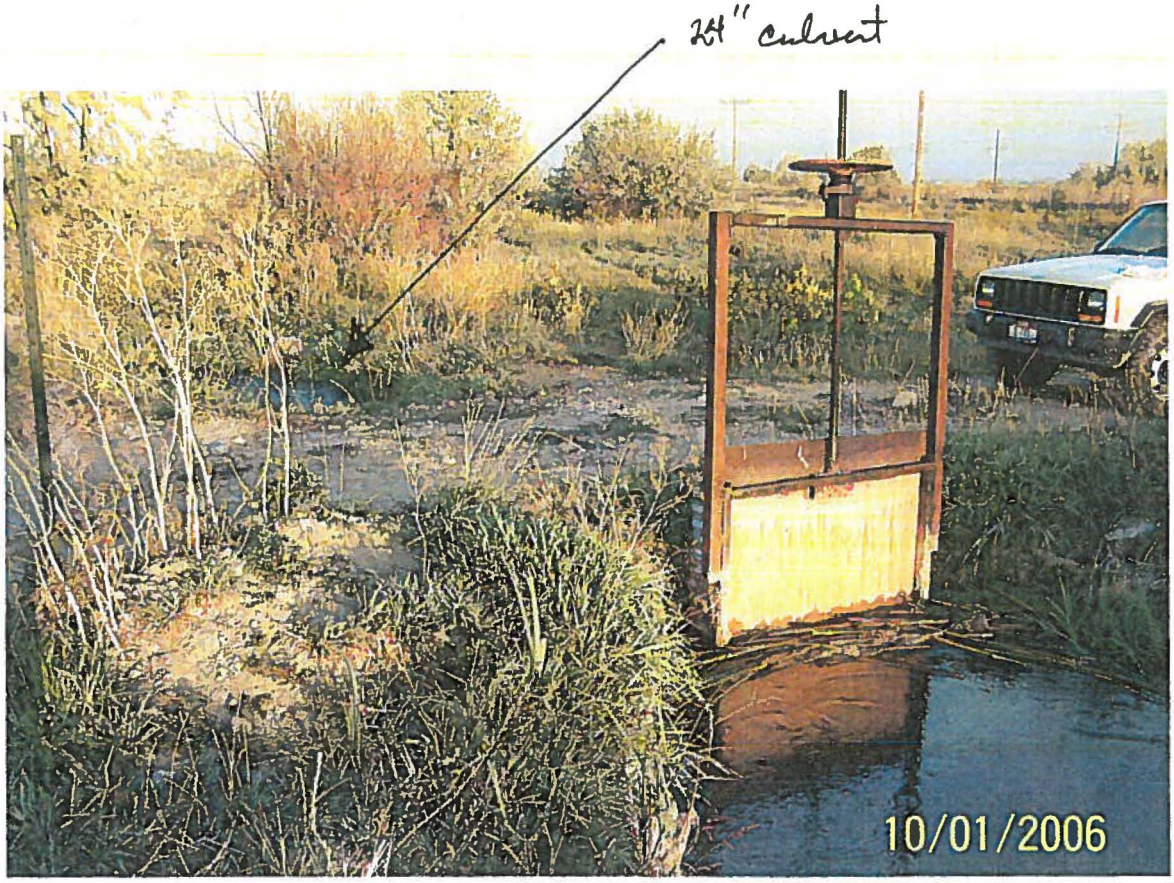
weir #2

N43°42.02
W116°44.66
38" x16" piped under road to dirt ditch for irrigation + to pond

63-28221 + 63-4531 Rainey
10/1/2006 SH



dirt ditches located at different areas runnin north to south this one off of weir #2 (to the south) to pon with gravel flow east to west & west to ea



head gate controlling flow to pond #1

Rainey 63-28221 + 63-4531
10/1/2006 SH

N 43° 41.893' W 112° 44.519'



24" culvert (full) to dirt ditch running south to southwest to pond ~~#~~ #1

N43°41.922' W116°44.491'



POD#2 junction for Combined drains from Seidenbard were water co-mingles

63-28221 & 63-4531 Rainey
10/1/2006 SH

POD#2 Junction of 2 unnamed drains both flows from unnamed drains from Kings property + Gladys Braun meet + come under railroad tracks

Kings property

dirt ditch with water from seidenbe travelin from POD east to west, sou of railroa tracks

All 3 ditches/d co-mingle at this point then



N43°41.909'
W116°44.442'

63-28221 + 63-4531 Raine
9/29/2006 SH



weir #3
36" x 7"
piped under road to dirt ditch running north to south to pond #1

N43°.41.908' W116°44.441'
weir #3



ditch to pond #1 from weir #3

63-28221 + 63-4531 Rainey
10/1/2006 SH





63-28221 + 63-4531 Rainey
10/1/2006 SH



Slough & tree area

(Slough water is some run-off from Kings & seepage from Boise River)



POU

SE corner looking NW

63-28221 & 63-4531 Rainey
10/1/2006 SH

N43°41.684'
W116°44.294'

POD #3 where Seidenbard Canal first comes onto the property



dirt ditch splits at the corner with one ditch following the southern boarder of the property, the other running north then turning west + running east to west across the northern boarder merging with flows from ditches from the Kings property (north of railroad tracks) + flow from Gladys Braun's ditch.

Rainey 63-28221 + 63-4531
9/29/2006 SH



where water first comes on to proper from Seidenberd

POD #3

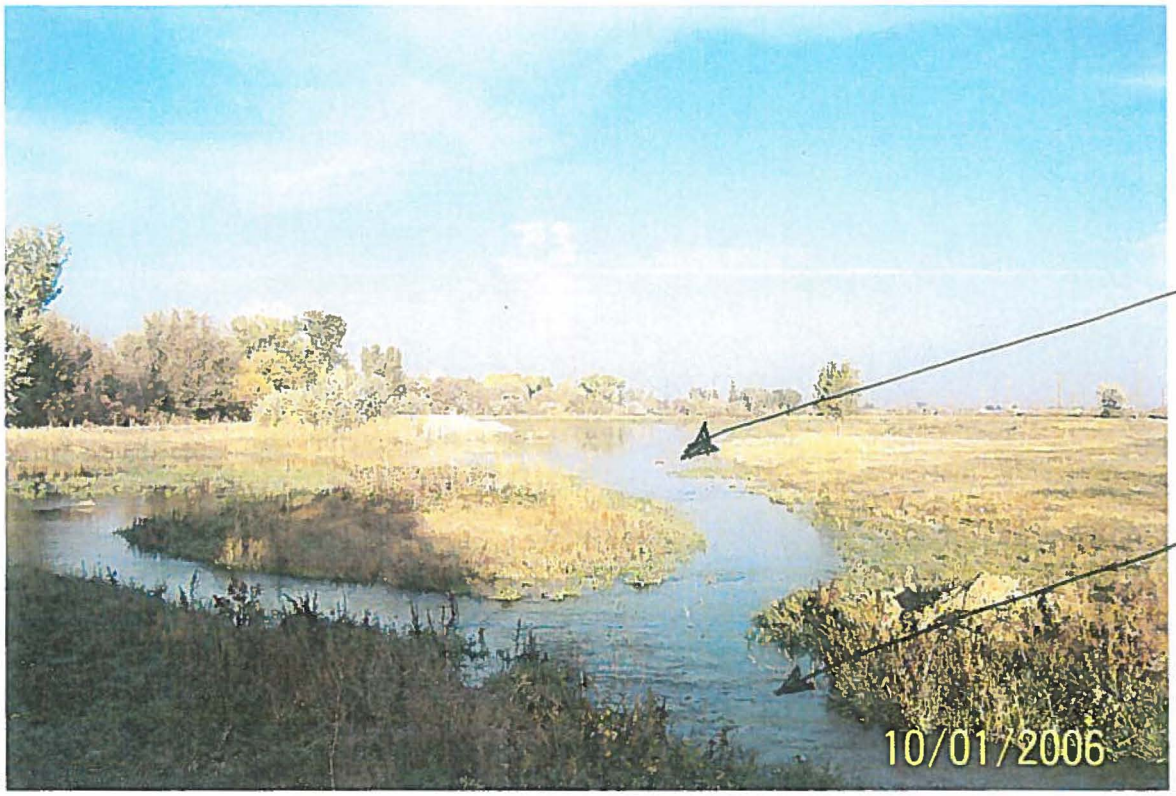
with dirt ditch making its way north on east boarder, & going west then north along the south boarder



drainage ditch that runs diagnally through property

dirt ditch on east boarder

63-28221 + 63-4531 Rainey
10/1/2006 SH





63-28221 + 63-4531 Rainey
10/1/2006 SH

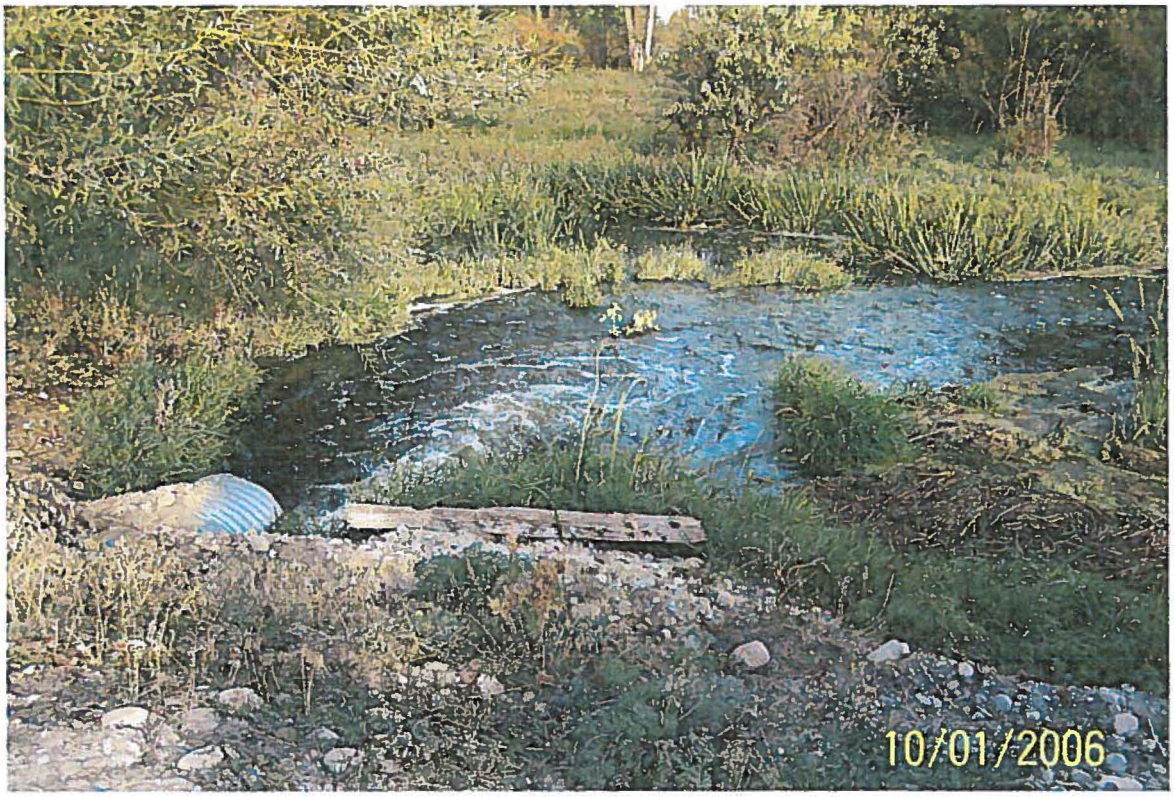
N43°41.935' W116°44.741'



0.2 miles south of weir #1 + the north end of the concrete ditch

38" X 13"

N43°42.032' W116°45.007'

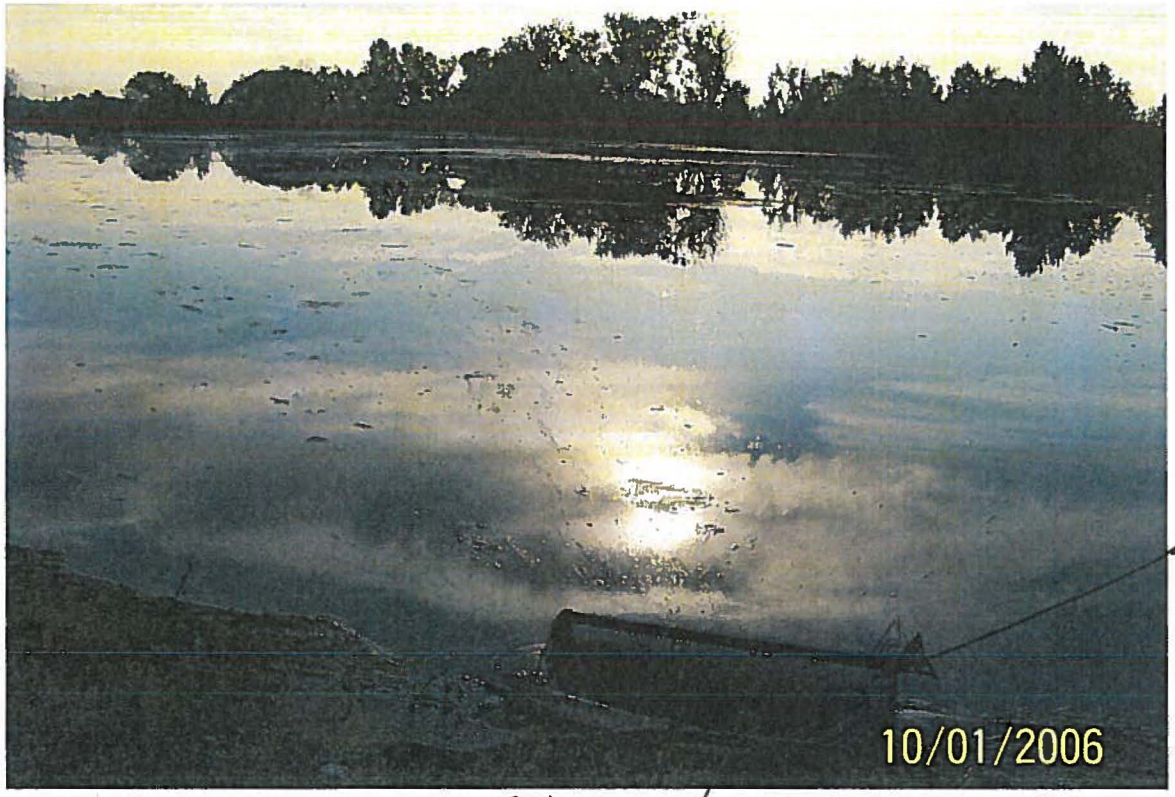


weir #4 piped under road to dirt ditch running east to west used for irrigatio + to fill pond #3

63-28221 + 63-4531 Rainey
10/1/2006 SH



Pond #2
3' deep



Pond #2

outlet
weir # 5
38" X 8"
SE corner of pond #2, 0.1 miles south of weir #4

63-28221 + 63-4531 Rainey / N43°41.988' W116°45.084'
10/1/2006 SH



weir #5 piped under road to dirt ditch inlet for pond #3



pond #2

inlet to pond #

63-28221 & 63-4531 Rainey
10/1/2006 SH



Pond #3
3' deep

63-28221 + 63-4531 Rainey
10/1/2006 SA

A63-4531 & A63-28821 Field Exam Request: Rainey

Contact: 05/23/2006

Contact **Ronald Rainey** at #459-3659 or #459-9626 to set up a field exam.

IMPORTANT: Contractor Merlaine Bishop conducted a field exam for **#63-28221** on 11/01/05, but she did not take any water measurements "due to water backing up." In addition, she did not convey the correct GPS numbers for the location of the POD in her field report. I have attached copies of her Field Report if they should prove to be useful during this exam. **Please find out as much information on both **#63-28221 and #63-4531** as possible while conducting this exam, even though she was already out for one.

Property Address:
0 Hwy. 20-26
Caldwell

Requests:

*Please verify **all of the elements** of both these claims, **#63-4531** and **#63-28221**.

In addition, please verify:

- **GPS** the location of the "**Unnamed Drains**" for **#63-4531** and the **Seidenberd Canal/Unnamed Drain** for **#63-28221.**

- Is **Seidenberg Cooperative Ditch Co.** water used to supplement these two rights? Does the claimant own **shares** in Seidenberg Coop. Ditch Co.? It is the sole source for one piece of property, then co-mingles w/ other unnamed drains to irrigate + fill ponds (he owns 97 shares)

- How many **stock** were watered from the unnamed drain in **1987**? **Today**? Please give a description of the **wildlife** claimed for **#63-28221**.

- **1987 Aerial Photo:** Please draw the **149.0 acres** that were irrigated from the Unnamed Drain in 1987 on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the 1987 aerial photo also; along with the **point(s) of diversion for both claims**. In addition, also include information on the **3 ponds** used for 63-28221.

- **Capacity of System:** Verify the **capacity of both systems** for both claims. Verify that the claimed **0.2.98 cfs** is possible/applicable for **#63-4531** and **5.05 cfs** for **#63-28221.**

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

A63-4531 & A63-28821 Field Exam Request: Rainey

Contact: 05/23/2006

Contact **Ronald Rainey** at #459-3659 or #459-9626 to set up a field exam.

IMPORTANT: Contractor Merlaine Bishop conducted a field exam for **#63-28221** on 11/01/05, but she did not take any water measurements "due to water backing up." In addition, she did not convey the correct GPS numbers for the location of the POD in her field report. I have attached copies of her Field Report if they should prove to be useful during this exam. **Please find out as much information on both **#63-28221 and #63-4531** as possible while conducting this exam, even though she was already out for one.

Property Address:
0 Hwy. 20-26
Caldwell

Requests:

*Please verify **all of the elements** of both these claims, **#63-4531** and **#63-28221**.

In addition, please verify:

- **GPS** the location of the **"Unnamed Drains"** for **#63-4531** and the **Seidenberd Canal/Unnamed Drain** for **#63-28221.**

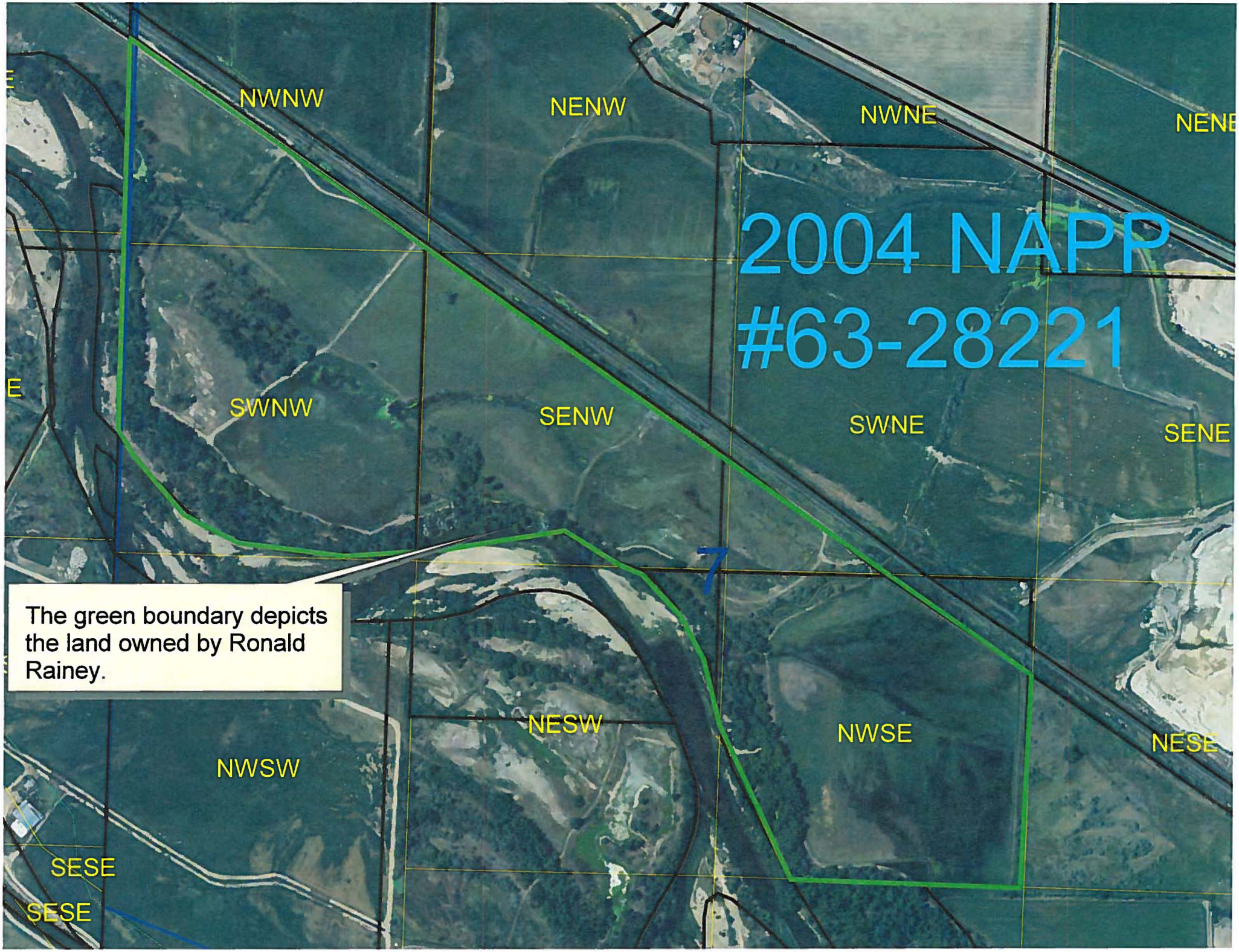
- Is **Seidenberg Cooperative Ditch Co.** water used to supplement these two rights? Does the claimant own **shares** in Seidenberg Coop. Ditch Co.?

- How many **stock** were watered from the unnamed drain in **1987**? **Today**? Please give a description of the **wildlife** claimed for **#63-28221**.

- **1987 Aerial Photo:** Please draw the **149.0 acres** that were irrigated from the Unnamed Drain in 1987 on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the 1987 aerial photo also; along with the **point(s) of diversion for both claims**. In addition, also include information on the **3 ponds** used for 63-28221.

- **Capacity of System:** Verify the **capacity of both systems** for both claims. Verify that the claimed **0.2.98 cfs** is possible/applicable for **#63-4531** and **5.05 cfs** for **#63-28221.**

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region


NWNW
NENW
NWNE
NENE
2004 NAPP
#63-28221
SWNW
SENW
SWNE
SENE
7
The green boundary depicts the land owned by Ronald Rainey.
NESW
NWSE
NESE
NWSW
SESE
SESE

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Field Exam Date 11/01/05

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ 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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) AC03-28221

Owner: Ronald P Rainey Phone No. _____

Current Address: PO Box 26 Caldwell ID 83606

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

Accompanied by: Ronald R Rainey

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: 1865 - Sent Evidence of Priority

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

Sent affid - other Doc as well

Source: Seidenberd Canal Tributary to Boise River

- ☑ 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? _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
IVERSION AND DELIVERY SYSTEM FAX (208) 334-2348
DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SW	SW	NE	7	4N	3		
		NW	NW	SE					

Description of diverting works

Headgate - Ditches Joining Two Main

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

Use Stockwater From 1-01 To 12/31 Amount 0.05 CFS _____ AFA

Use _____ From Mar To 12/31 Amount 3.00 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 1 Stock # 200

  Types Well Additional comments: _____

  House Burned down Well still exist

PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

State of Idaho
DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

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	
4N	3W	7																	

Overlap with other water rights: Sedenhed Canal 63

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

Delivery System Narrative: Stock Pod as Claim #63-04432 3 Dand Other Owner of old Ditches. Ponds are used to Stock water and wildlife - Ponds with reservoir old Ditches are still in use but Dand with enlarged Irrigate with 3-20+ Set wells and Pump from Snake River.

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

No water measurements were made at time of visit to write Permit up

State of Idaho
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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

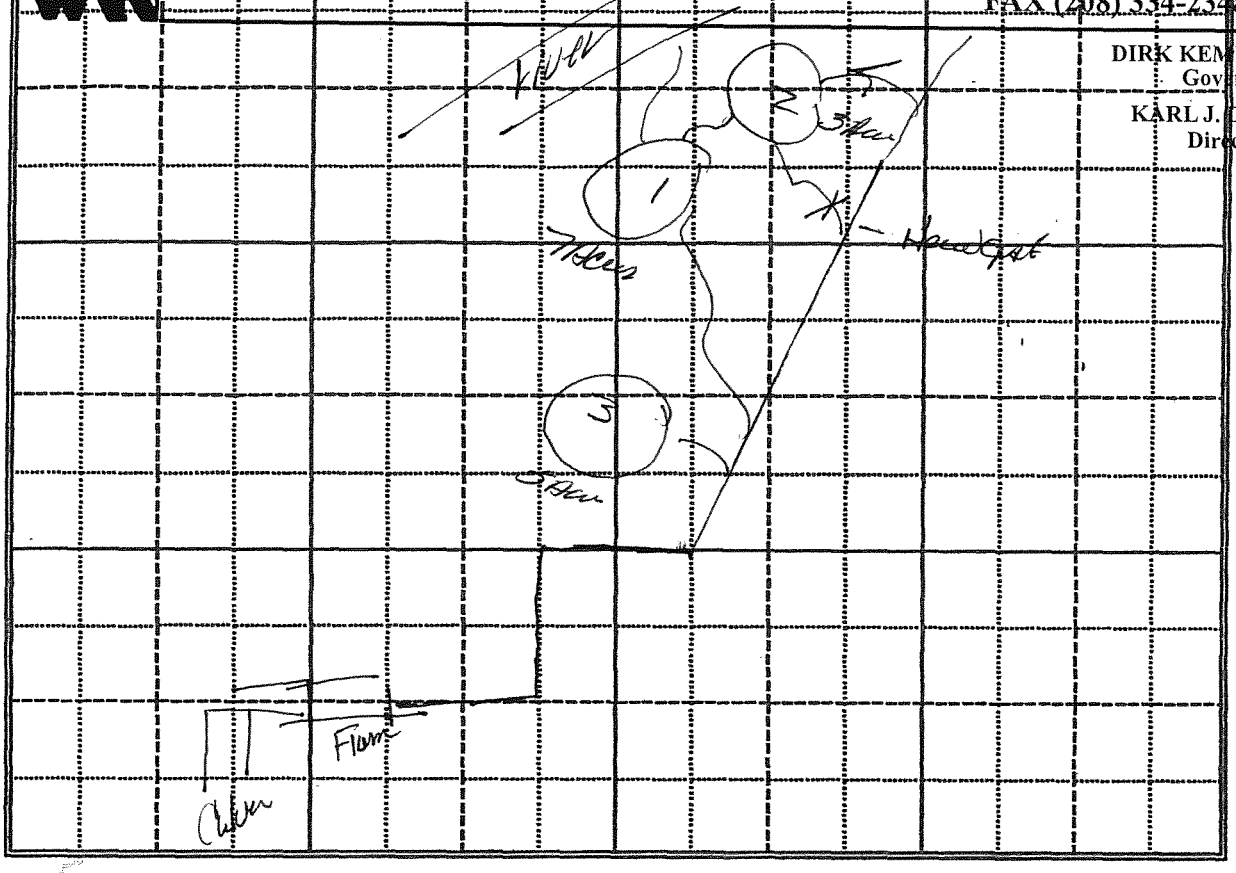
DATE EXAM CONDUCTED: 11-05

FIELD EXAMINER: [signature]

3. Delivery System Description: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

State of Idaho
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DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: No Flow Measurement was take at this time due to unsafe sys and water backing up

State of Idaho
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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

F. FLOW CALCULATIONS (Additional Computation Sheets Attached)
Measuring Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S)) AFFIDAVIT
_____)
_____)
_____)
State of Idaho)
County of_____)

_____

deposes and says:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

(Signature)

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

FIELD EXAM

TELEPHONE CONVERSATION MEMORANDUM

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DATE OF CONVERSATION: _____

DATE SET FOR EXAM: _____

NAME OF CONTACT: _____

ADDRESS CHANGE: _____

_____

PHONE NUMBER: ( ) _____

LOCATION/DIRECTIONS: _____

_____

_____

_____

TYPE OF SYSTEM: _____

_____

_____

_____

OTHER NOTES: _____

_____

_____

_____

_____

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

CONVERSATION MEMORANDUM

SUBJECT _____

WITH _____

Claim/WR # _____

Agent: _____

Date: _____

A63-28221
Ronald P Rainey
2615 Dorman
Caldwell Id 83605

Source Seidenberg Canal

Water runs from head gate (#1 see map and Photos) GPS 43-42-10972-1164500974 North of RR tracks Flows to NW to through 12 inch culvert to cement ditch 4 feet 18 deep and 12 at bottom to

Pond #3 (See Map) Gps 43.42.11.011-1164500977w
Outlet south west corner of pond on west side. And dumps into Boise River. Size is about 3 acres

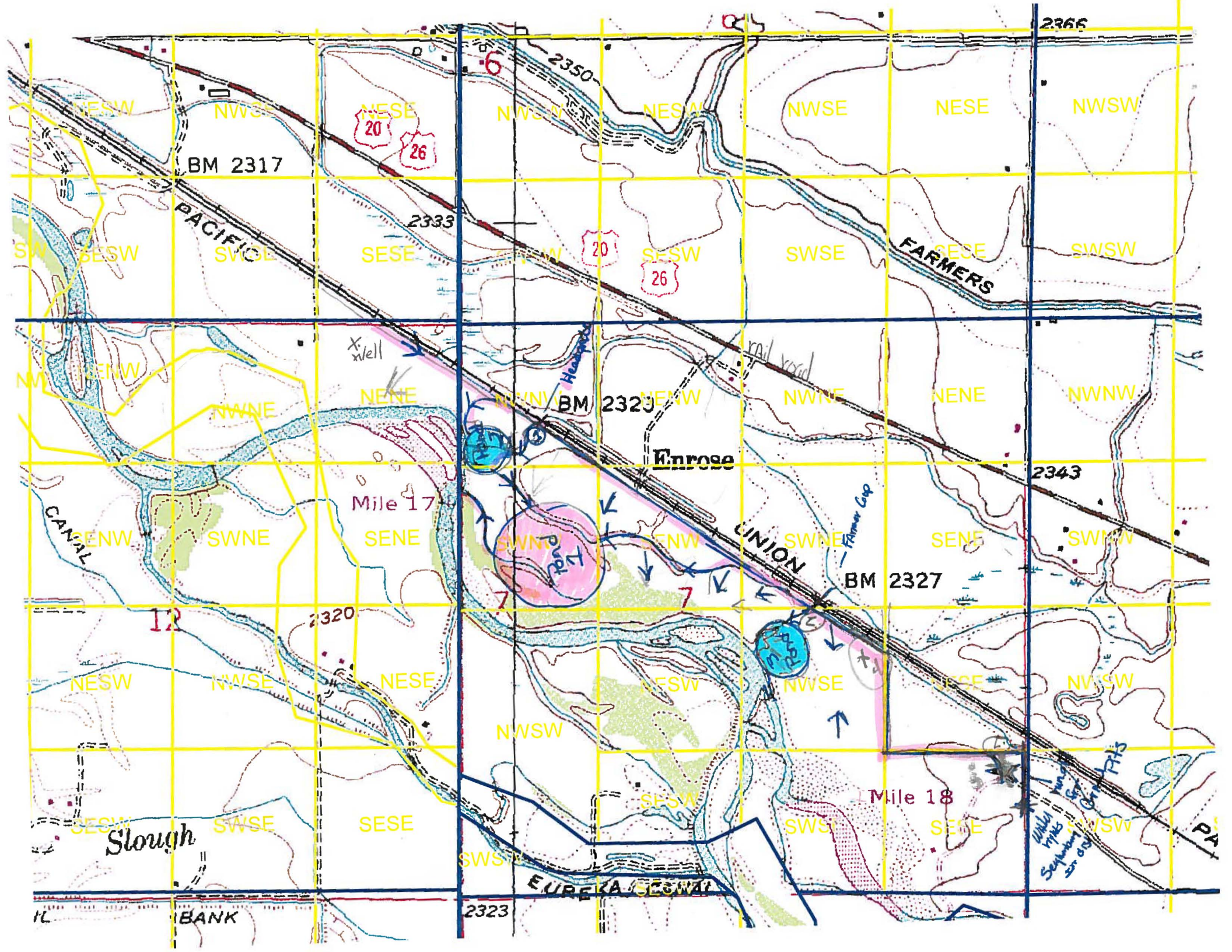
Pond 2 (see Map) is around 7 acres Gps 434201.175n 116.4501929w

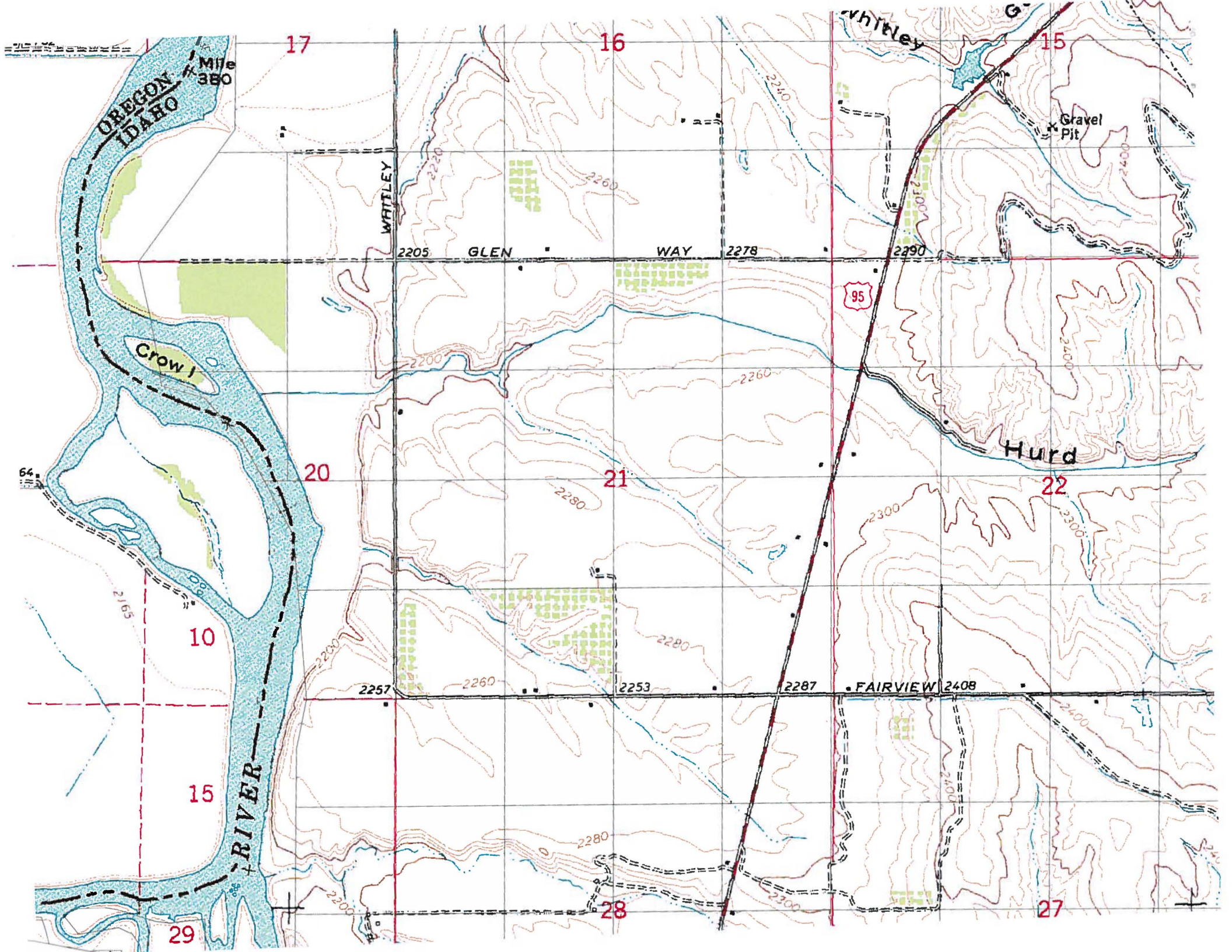
Pond 1 (see Map) 30 inch culverts exits pond 1 and goes to pond 2 overflow s west of pond. A 24 in strait pipe over flows to pond 2 gps 434201218 -1164501890 then dumps into the Boise River. Size is about 5 acres

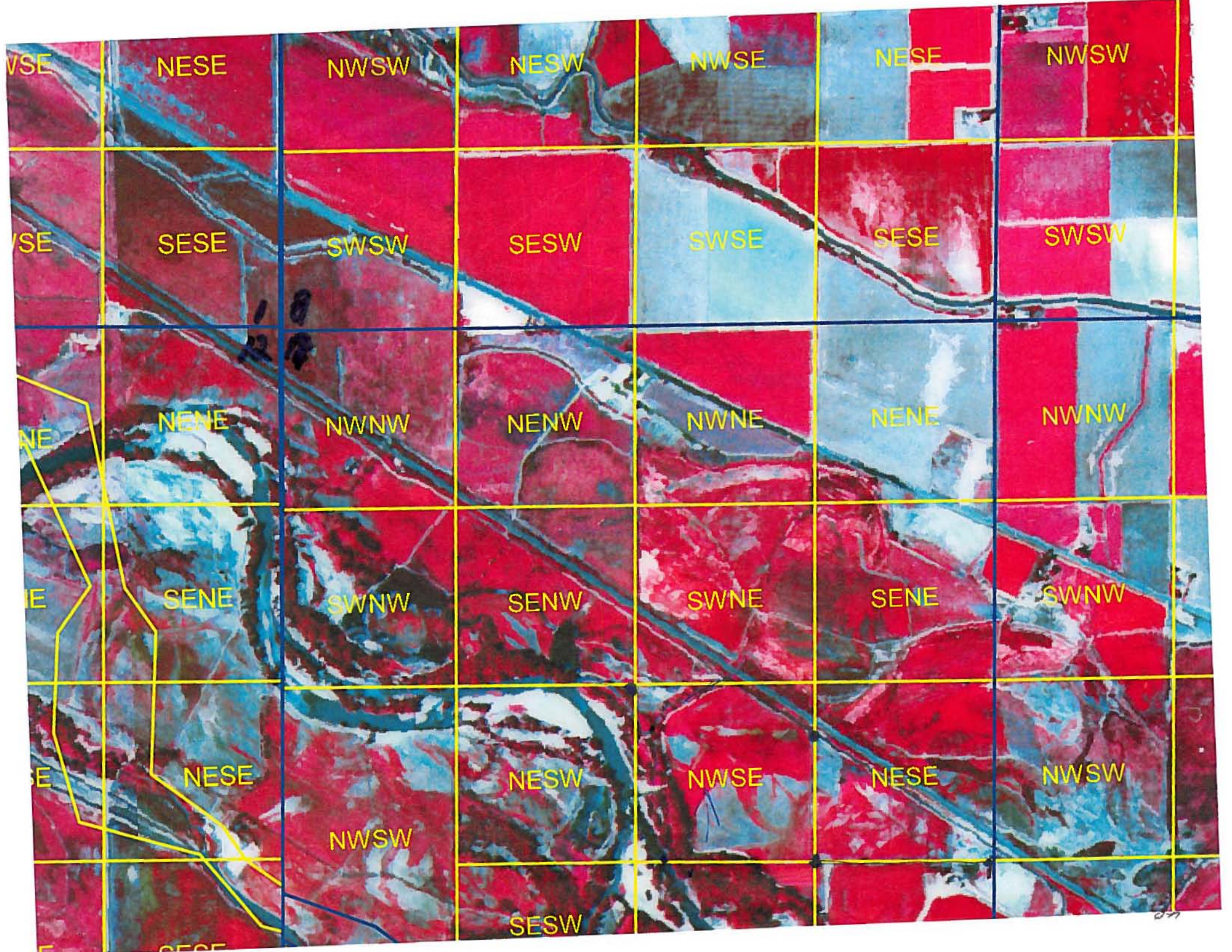
There is also run off from gravel pits that pump seepage down Mr. Rainey's ditch through pond to river.
Water comes from run off from farmer's co-op and Seidenberg drain also from run off from gravel pits. Gravel pits at one time were a prior farm owned by Simplot that was turned into a gravel pit. The gravel co pumps seepage that runs through Mr. Rainey's farm into the Boise River.

Mr. Rainey also has 96 shares of Siedenburg canal irrigation shares when he bought property in 1981. Farm was an established farm at time when Mr. Raney bought from McGinnis/Annie Oakley. A priority date of 1865 was claimed due to the fact that the place was homesteaded in that time. Mr. Rainey gave me some documentation (see attachments in file)

A water Measurement wasn't done at time of field exam do to the structures of the head gates, water backing up and size of ditch. To big in size to do alone and unsafe.


BM 2317
PACIFIC
2333
2350
2366
FARMERS
BM 2320
Enrose
2343
Mile 17
CANAL
UNION
BM 2327
2320
Slough
EUREKA
BANK
2323
Mile 18
20
26
6
7
12


OREGON
IDAHO
Mile
380
17
16
15
WHITLEY
2205
GLEN
WAY
2278
2290
95
Gravel
Pit
Crow I
20
21
22
Hurd
64
10
15
29
28
27
RIVER
2257
2253
2287
FAIRVIEW
2408
2165
2200
2220
2240
2260
2280
2300
2400


NESE
NWSW
NESW
NWSE
NESE
NWSW
SESE
SWSW
SESW
SWSE
SESE
SWSW
NENE
NWNW
NENW
NWNE
NENE
NWNW
SENE
SWNW
SENW
SWNE
SENE
SWNW
NESE
NWSW
NESW
NWSE
NESE
NWSW
SESW

Water Come from Frank Coop. / Smyth Ranch



Head Gate water out

1 GPS 43.4210472 -116.4500474 Head Gate 1 (Lamp)





A63-28221 Ron Ray

Gravel Pit runoff



Farmer Coop / Sewer backup

Head gate backed up

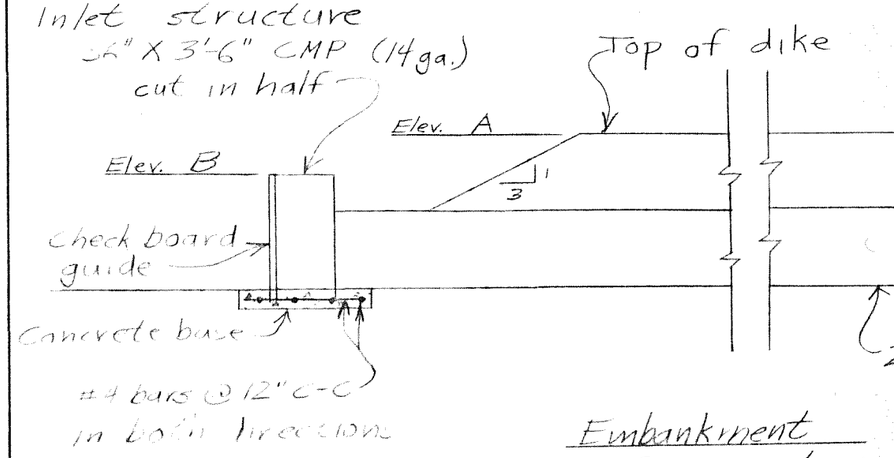


Brit water from Gravel Pit





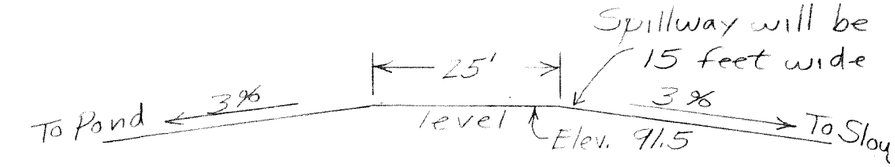
AG-29221 Rowan



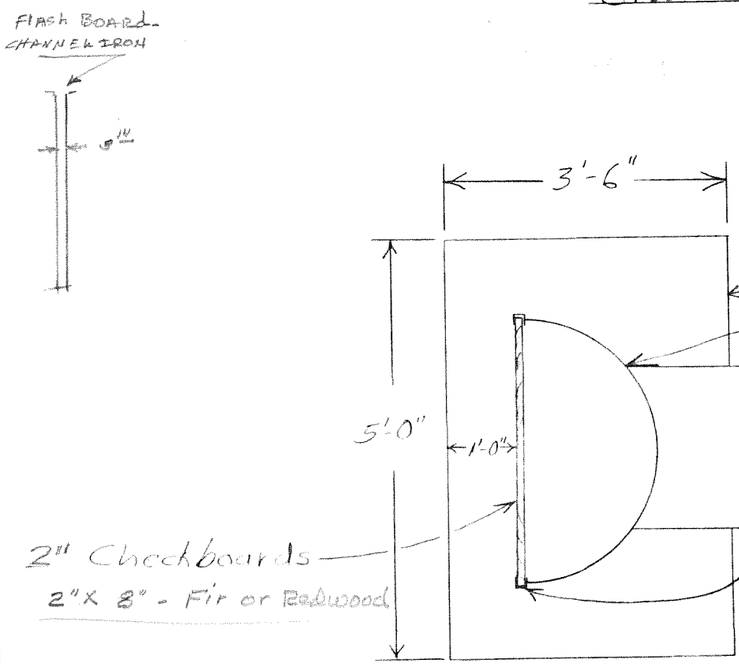
Embankment
Cross-section

Pond Number 1 —
Top of dike (Elev. A) = 95.5'
Top of inlet (Elev. B) = 94.0'
Normal high water = 93.5'

Pond Number 2 —
Top of dike (Elev. A) = 92.5'
Top of inlet (Elev. B) = 91.5'
Normal high water = 91.5'



Emergency Spillway
Profile



Plan
Inlet Structure

Elevation TBM 1 = 94.3'
(top of hub)
Elevation TBM 2 = 89.8'
(top of hub)

Note: Structures are to be installed in accordance with construction specification ID-587.

Ron Rainey
Outlet Structures
Canyon SCD Canyon Co.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

	Date		
Designed GAK	8/25	Approved by Glenn A. Kruger	
Drawn GAK	8/25	Title Civil Engineer	
Traced		Title	
Checked		Sheet No. 1 of 1	Drawing No. Job Class II

SCS-ENG-313A REV 8-

S T A T E O F I D A H O

----OFFICE OF STATE ENGINEER----

CERTIFICATE NO. 105, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted HARRY E. MEEK, of Caldwell, County of Canyon, State of Idaho, to transfer the use of twenty-five (25) inches of the waters of BOISE RIVER, in Canyon County, State of Idaho, from the lands upon which it is now used, i.e., Northeast quarter of Southwest quarter (NE4 SW4), Section 7, Township 4 North, Range 3 West of Boise Meridian, to the following described tract: Southwest quarter of Northwest quarter (SW4 NW4) Section 16, Township 4 North, Range 3 West of Boise Meridian, said water to be diverted at the heading of the Canyon Canal, in Lot 6, Section 15, Township 4 North, Range 3 West of Boise Meridian and conducted through said Canyon Canal.

The waters appurtenant to the above described land was adjudged by decree, dated January 18, 1906, of Geo. H. Stewart, Judge of the Third Judicial District of the State of Idaho, in and for Canyon County, in the matter of Farmers' Co-operative Ditch Company, Plaintiff, vs. Riverside Irrigation District, Limited, Defendant, in the following words:

" That each of the parties to this action is entitled to a judgment and decree of this Court, adjudicating and settling his right to the use of the waters of Boise River, in the quantity and of the date of each appropriation, as

stated in the findings herein, to-wit:

"Siebenberg Co-operative Ditch Company, 671 inches from June 1, 1865."

Twenty-five (25) inches of the above water right was transferred by William Siebenberg and wife to Harry E.Meek.

WITNESS, My hand and the seal of my office at Boise, Idaho, this eighteenth day of September, 1912.

W. B. Robinson

State Engineer.

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY NO.	PRIORITY DATE	AMOUNT DECREED STEWART DECREE	INTERVENORS STEWART DECREE	BRYAN DECREE	INCHES	TOTAL SEC. FT.
SIEBENBERG			9	6-1-1865	13.42			671	
		105*	9	6-1-1865	.50*			25*	
		717*	9	6-1-1865	.64*			32*	12.28
THURMAN MILL			7	6-1-1864	3.30			165	
			10	6-1-1865	1.20			60	
			11	6-1-1865	.66			33	
			36	6-1-1868	14.10			705	
			37	6-1-1868	3.70			185	
			42	6-1-1869	1.60			80	
			55	6-1-1872	.70			35	
			56	6-1-1872	1.40			70	
			62	6-1-1876	.44			22	
			75	6-1-1880	2.40			120	
			76	10-20-1880	.90			45	
			78	6-1-1882	.90			45	
			79	6-1-1882	.60			30	
			81	6-1-1882	2.60			130	
			84	6-1-1882	1.50			75	
			87	6-1-1883	.90			45	
			128	7-1-1895	.66			33	
		412*	81	6-1-1882	.40*			20*	
		736*	37	6-1-1868	1.00*			50*	
		871*	36	6-1-1868	.288*			14.4*	
		872*	36	6-1-1868	.22*			11*	35.652
UPPER CENTER POINT			23	6-1-1865	3.20			160	
			24	6-1-1865	2.40			120	
			25	6-1-1865	3.94			197	
			26	6-1-1865	1.60			80	
			27	6-1-1865	1.58			79	
	71*		24	6-1-1865	.80*			40*	
	85*		24	6-1-1865	.50*			25*	
	148		96	10-1-1887	3.00			150	
	159*		24	6-1-1865	.10*			5*	
	289		89	11-9-1883	.50			25	14.82

*SUBTRACT

That the defendant C. C. HAVIRD be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E., B.M., through the Thurman Mill Slough or ditch, for use upon 160 acres of land situated in sections 23 and 26, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

63. 8 0135 165 inches, from June 1, 1864. and hereby designated as Right No. 7. And be adjudged to pay $11.55 costs, inaddition to the costs incurred by him

VIII.

That the defendant, the PIONEER DIXIE DITCH COMPANY, a corporation be, and it is hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river near the center of NE 1/4 of NW 1/4 of Sec. 20, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

63 8 0136 1000 inches, from Sept. 1, 1864. And hereby designated as Right No. 8.
T-111, 790 P.D. 9, P.D. 35

63 8 0137 1772 inches, from June 1, 1869. And hereby designated as Right No. 45.
T-111, 790 P.D. 9 P.D. 35 And be adjudged to pay $194.04 costs in addition to the costs incurred by it

~~VIII~~. IX

That the defendant the SIEBENBERG COOPERATIVE DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near the center of the NW 1/4 of Sec. 15, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63 8 0138 671 inches, from June 1, 1865. And hereby designated as Right No. 9.
T-105, 717 P.D. 12 And be adjudged to pay $46.97 costs, in addition to the costs incurred by it.

Overlapping Claim 5/94
New permit

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: **A63-28221**
Date Received: 1/27/1993
Receipt No: WO:5865
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: RONALD P RAINEY 208-459-9626
   Address: 2615 DORMAN
   CALDWELL ID 83605

2. Date of Priority: JAN 1, 1945

3. Source: SEIDENBERD CANAL Trib. to: BOISE RIVER
   UNNAMED DRAIN BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	7	SW	SW	NE		CANYON
			NW	NW	SE		CANYON

5. Description of diverting works:
   HEADGATE & DITCH AT CONFLUENCE OF 2 DRAINS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		
WILDLIFE	01/01	12/31	5.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   STOCKWATER, 200 RANGE CATTLE AND MISC. WILDLIFE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	7	SW	NE		STOCK	

MICROFILMED
JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04N	03W	7	SW	NE		WILDLF	
			NW	NW	5	STOCK	
			NW	NW	5	WILDLF	
			SW	NW	4	STOCK	
			SW	NW	4	WILDLF	
			SE	NW		STOCK	
			SE	NW		WILDLF	
			NW	SE		STOCK	
			NW	SE		WILDLF	

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:
A63-04531 AND NEW APPLICATION FOR PERMIT

14. Remarks:
SINGLE POINT OF DIVERSION ON OR NEAR LINE BETWEEN SWSWNE AND NWNWSE, S.7, T04N, R03W. SAME POINT OF DIVERSION AS IRRIGATION CLAIM A63-04531. ALSO SAME P/D AS NEW APPLICATION FOR PERMIT TO COVER THREE PONDS CONSTRUCTED ALONG COURSE OF OLD DITCHES. PONDS ARE USED FOR STOCK, WILDLIFE, AND GROUND WATER RECHARGE. THE OLD DITCHES ARE ENHANCED BY ADDITION OF PONDS, BUT OLD DITCHES ARE STILL IN USE ON THE PROPERTY. THE LARGEST OF OLD DITCHES IS 20' TO 30' WIDE AND UP TO 8' DEEP IN PLACES. THIS PROPERTY WAS KNOWN AS THE TRUMBULL (PREVIOUSLY JOHNSON) PLACE. RETURN FLOWS TO RIVER OCCUR AROUND CONJUNCTION OF W1/2 NW1/4 S.7 AND E1/2 NE1/4 S.12 VIA DITCH SYSTEM.
NO LATE FEE SINCE CLAIMANT FILED A63-04531 AND NOW SEEKS TO CLARIFY HISTORICAL USES ON SITE. FEE BASED ON WILDLIFE; STOCK USE IS INCIDENTAL, NO FEE.

15. Basis of Claim: BENEFICIAL USE

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: 3 (maps)

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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: January 27, 1993

_____ Date: _____

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 27 day of January 19 93

Lori Harris
Notary Public

Seal

Residing at Boise, Id

My Commission Expires 12-8-94

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JUL 25 1994

Ident. No. **63-11977**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
PERMIT

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RONALD P RAINEY 208-459-9626
   Address: 2615 DORMAN
   CALDWELL ID 83605

2. Source: SEIDENBERD CANAL Trib. to: BOISE RIVER
   UNNAMED DRAIN BOISE RIVER
3. Location of Point of Diversion: SWSWNE Sec. 7, Township 04N, Range 03W
   NWNWSE Sec. 7, Township 04N, Range 03W
   CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER STORAGE	01/01	12/31			35.00
STOCKWATER FROM STORAGE	01/01	12/31			35.00
WILDLIFE STORAGE	01/01	12/31			35.00
WILDLIFE FROM STORAGE	01/01	12/31			35.00
GROUNDWATER RECHARGE	01/01	12/31	4.000		
DIVERSION TO STORAGE	01/01	12/31	12.000		

5. Total quantity to be appropriated is:
   12.000 CFS (and/or) AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   HEADGATE & DITCH TO MULTIPLE DITCHES & PONDS (3), EXISTING SYSTEM
   b. Height of storage dam 5 feet; active reservoir capacity 35.00 acre-feet; total reservoir capacity 35.00 acre-feet; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.
   c. Proposed well diameter is inches; proposed depth of well is feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

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8. Place of Use: STOCKWATER FROM STORAGE

TWN	RGE	SEC					
04N	03W	7	SWNE SENW	Lot 5 (NWNW)		Lot 4 (SWNW)	

Place of Use: WILDLIFE FROM STORAGE, same as STOCKWATER FROM STORAGE use

Place of Use: GROUNDWATER RECHARGE, same as STOCKWATER FROM STORAGE use

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:
Single point of diversion on or near line between SWSWNE and NWNWSE, S.7, T04N, R03W.
Stockwater use is for 200 range cattle.
☆ Wildlife use is for variety of animals at ponds and in ditches. Ponds are located in all place of use tracts except Lot 5 (NWNW).
☆☆ This right is based upon and used in conjunction with SRBA claims A63-04531 and A63-28221.
Return flows to Boise River occur near conjunction of W 1/2 NW 1/4, S.7, T04N, R03W, and E 1/2 NE 1/4, S.12, T04N, R04W.

11. Map of proposed point of diversion and place of use attached? ☒

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.

Applicant

Received by FC Date 1/27/93 Time 11:25 Preliminary check by _____

Fee $ 265 Receipted by FC # W015865 Date 1/27/93

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

☆ Remarks updated 1/27/93: Reservoir capacity is 35 acre-feet. Ground water recharge is to enhance land around ponds. 3

☆☆ " deleted " & placed in comments.

FC

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Subject:
GROUND WATER RECHARGE, MORATORIUM, OTHER INFORMATION.

Applicant filed upon GWR in sense that ponds cause water to seep to nearby areas and enhance the land by improving pasture and other vegetation. The GWR therefore aids in irrigation covered by A63-04531 but additional irrigation is not being applied for. This is the same diversion system in A63-04531 and A63-28221. New application is filed to cover storage water developed in late 1970's and 1980's (before SRBA commencement). Uses are exempt from moratorium to the extent that uses prior to 11/87 can be verified. Since it appears that applicant will submit good info, ok to proceed with advertising without delay. Hold file at Region until verification is submitted.

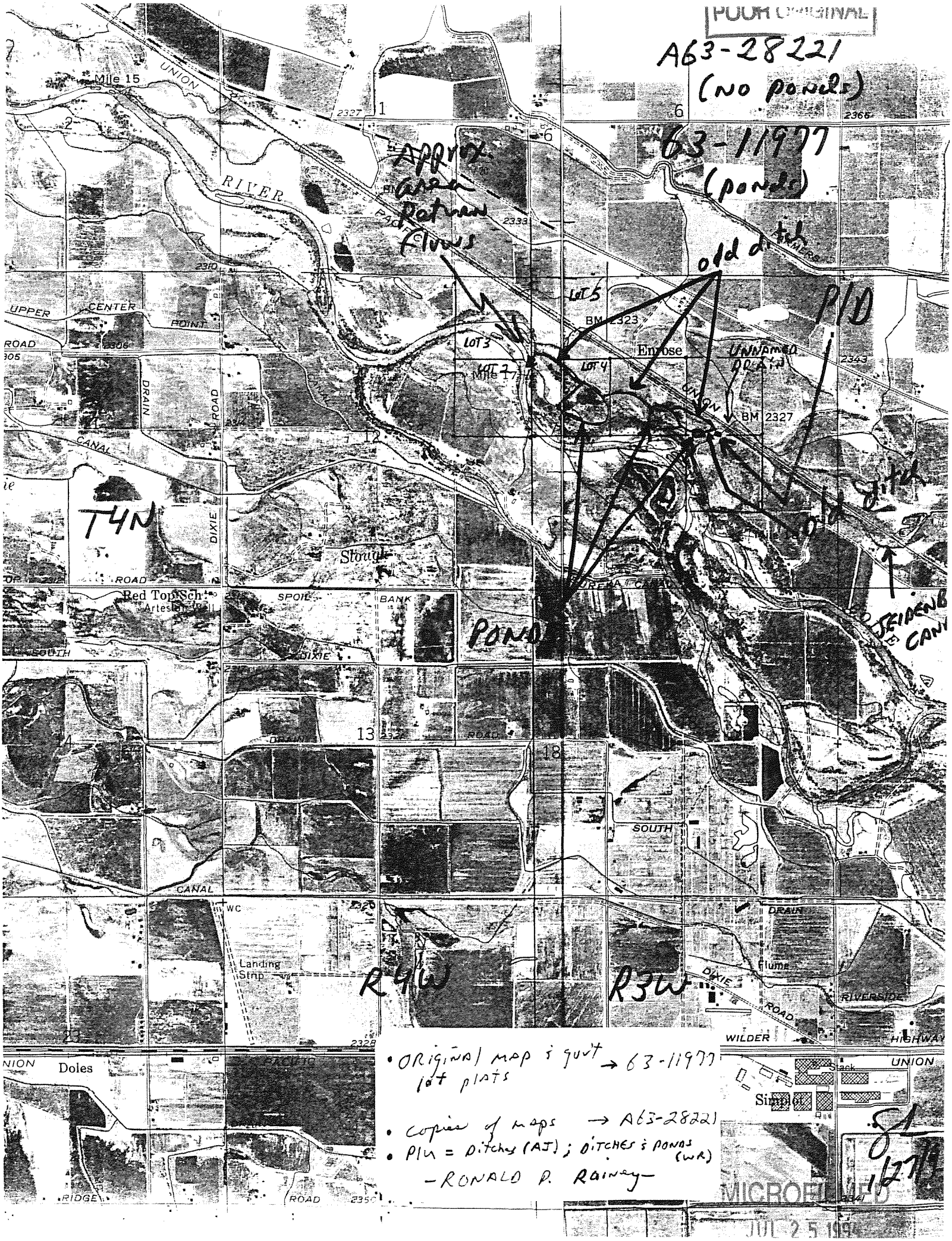
Diversion is at confluence of canal and drain. Canal or drain continues past P/D and ends at river less than 1000' SW of P/D. Due to this, appears that adverse impact downstream but before river would not occur. No need to notify irrigation district or canal company (if operate in this area) because of proximity to river?

Return flows to river via existing ditch system occur near common point for W 1/2 NW 1/4 S.7 and E 1/2 NE 1/4 S.12. Is SCA permit needed for return flows for existing system?

Comment letters in advertising: 1) Watermaster 2) Complaintant, Gary L. King, 16991 Hwy 20-26, Caldwell, 83605.

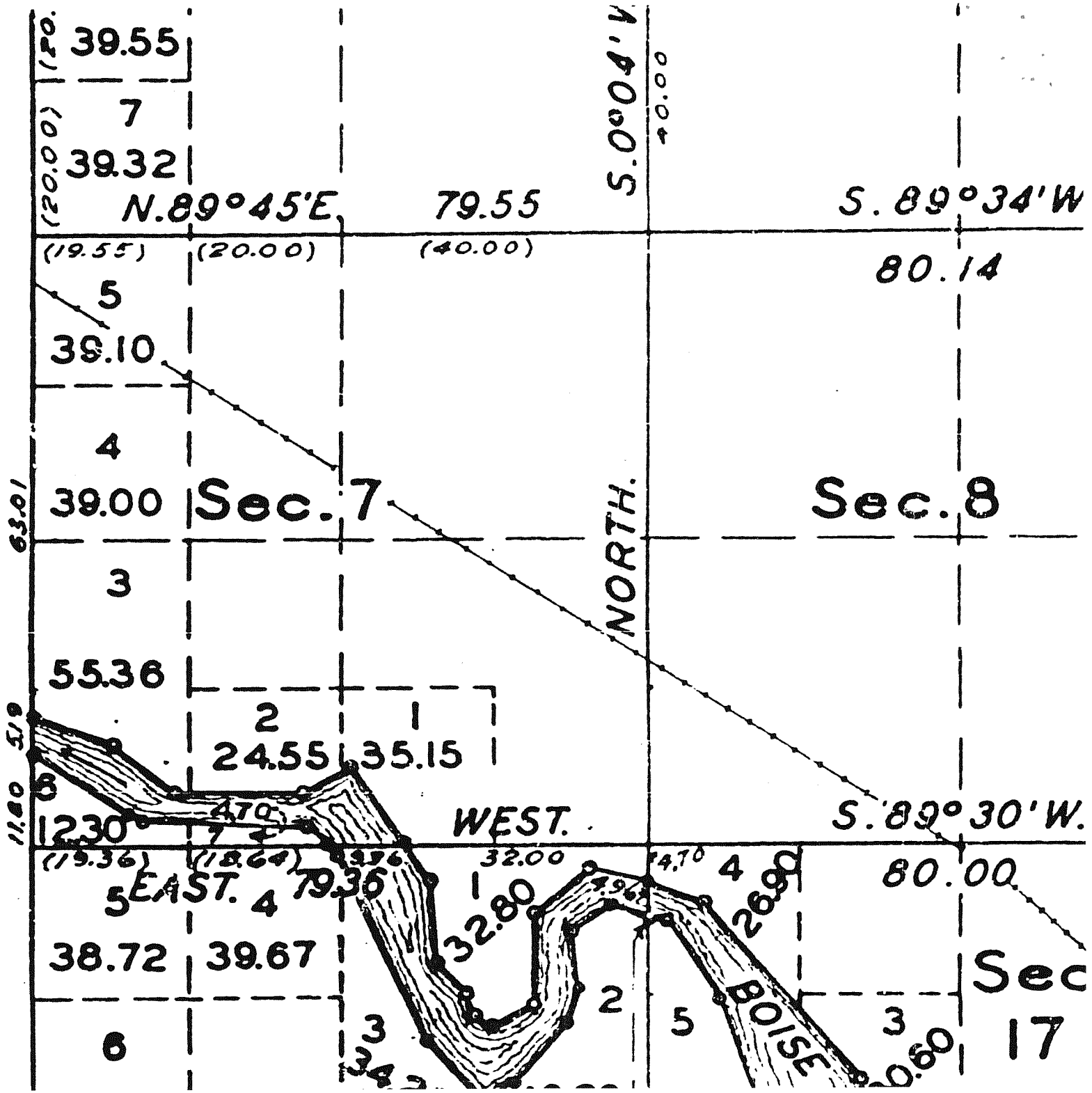
Pond information: from west to east: est. sizes 10 ac., 3.5 ac., .25 ac.; each pond averages 2.5'deep. Total area covered is 13.75 ac.; total volume stored is 13.75 ac. X 2.5' = 34.4 af but rounded to 35 af as best estimate. The two larger ponds were in place by late 1970's and last and smallest pond built by 1986-7. Site is the old Trumbull place (previously was Johnson place).

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POOR ORIGINAL
A63-28221
(NO PONDS)
63-11977
(ponds)
Approx area Ratman flows
old ditch
PID
Mile 15
UNION
RIVER
PACIFIC
2327
2333
2366
2310
UPPER
CENTER
POINT
ROAD
2306
DRAIN
CANAL
LOT 5
BM 2323
LOT 3
LOT 2
Mile 17
LOT 4
Enrose
UNNAMED DRAIN
2343
BM 2327
T4N
DIXIE
Stroup
Red Top Sch
Artesian Well
SPOIL
BANK
POND
SOUTH
13
18
R4W
R3W
Landing Strip
WC
Flume
RIVERSIDE
WILDER
HIGHWAY
Doles
RIDGE
2350
Simplot
Back
• ORIGINAL map is govt lot plats → 63-11977
• Copies of maps → A63-28221
• PIN = ditches (AJ); ditches & ponds (WA)
-RONALD R. RAINEY-
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POOR ORIGINAL

T4N
R3W
5.7
1935 Survey

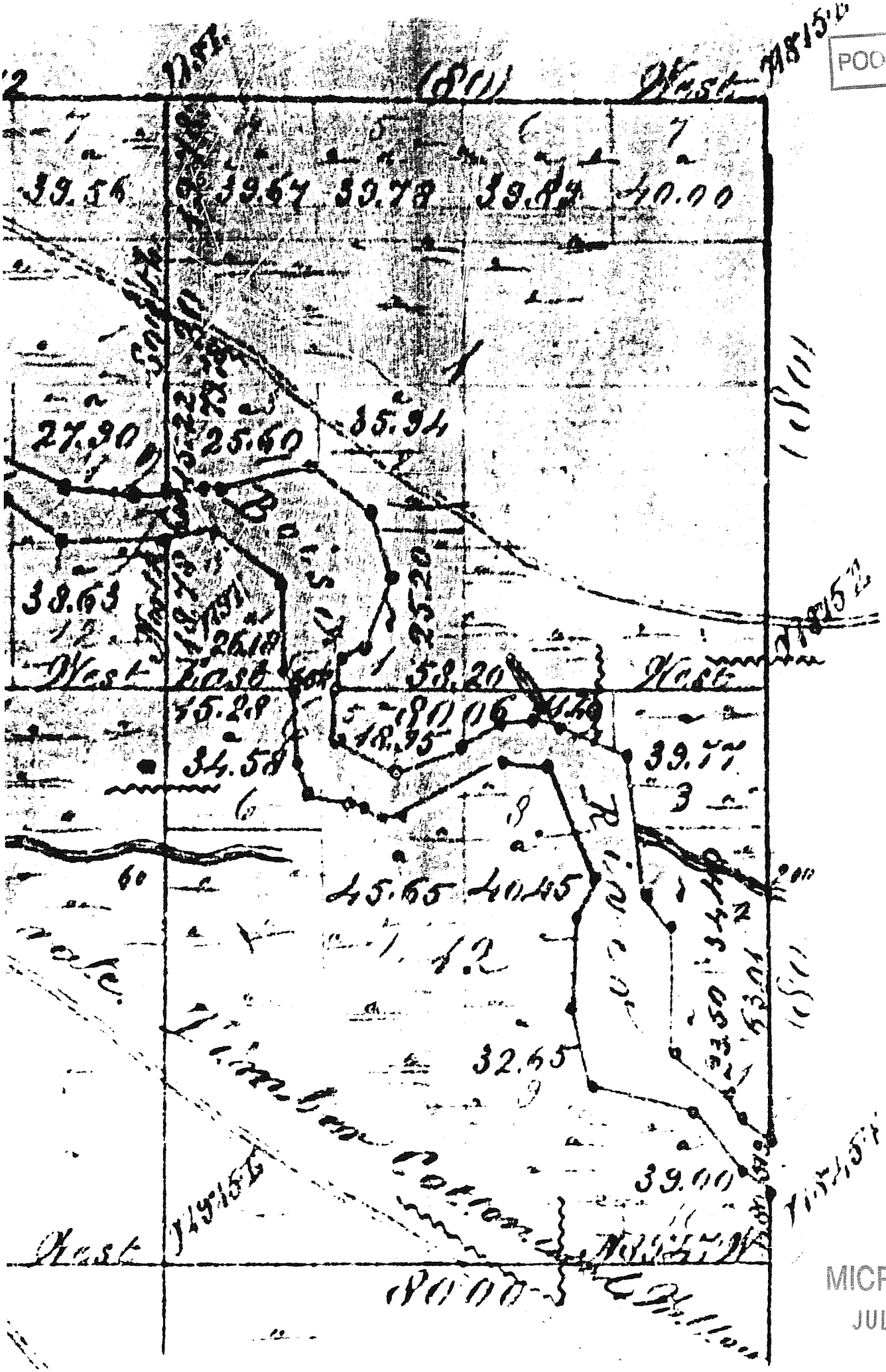


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POOR ORIGINAL

T4N
R4W

5.1
5.12



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