

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: **A63-28670**
Date Received: 3/13/1990
Receipt No: W010963
Received By: DE JN

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

1. Name: JON T FRYE 208-454-9378
Address: 621 SUNRISE
CALDWELL ID 83605

2. Date of Priority: MAY 15, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	23	NW	SW	SE		CANYON

5. Description of diverting works:
175' WELL, 4" CASING, 7 1/2 HP PUMP, PIPES TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.030		
FIRE PROTECTION	01/01	12/31	0.040		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 2 HORSES; FIRE PROTECT., 3 HYDRANTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	03W	23	SW	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	23	SW		SE		STOCK	
			SW		SE		DOMEST	
			SW		SE		FIRE	

Section Acres 3.0

Total Acres	3.0
-------------	-----

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

DOMESTIC WELL WITH PIPE TO HOUSE AND YARD

14. Remarks:

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

Number of attachments:

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A63-28670Date Received 3-13-90Receipt Number W010963

RECEIVED
MAR 13 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Jon T. Frye Phone (208) 454-9378Mailing Address 621 Sunrise, Caldwell, Idaho Zip 836052. Date of Priority (Only one (1) per claim) May 15, 19573. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4N Range 3W Section 23,
NW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Well 4 inch casing 175 feet deep, 7½ h.p. pump, underground pipes to
house, land and fire hydrants, underground sprinklers.

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AUG 02 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 0.09 or _____

For Stock water purposes from 1-01 to 12-31 amount 0.02 or _____

For Domestic purposes from 1-01 to 12-31 amount 0.03 or _____

For Fire protection purposes from 1-01 to 12-31 amount - or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic-One household; Stock water-2 horses; 3 fire hydrants

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	3W	23															3		3
		23															S		
		23															D		
		23															F		

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Domestic well with pipe to house and yard or None ()

14. Remarks:

Separate claim filed for 13 above.

Last Name Frye Ident No. _____

Copies: White State, Yellow Claimant

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AUG 2 1994

Scale: 2 inches equals 1 mile

7
 4
 N
 12
 3
 3 Age Use  POINT OF WELL

Frye

Ident No.

AUG 02 1994

Copies: White-State, Yellow-Claimant

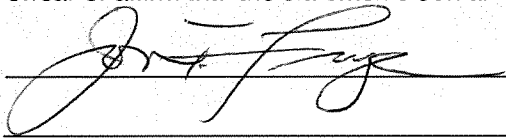
15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)  Date March 12, 1990
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

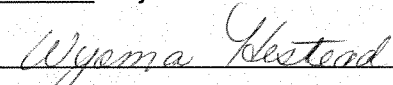
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 12 day of March 19 90

SEAL

Notary Public 

Residing at Caldwell, Idaho

My Commission Expires Jan 10, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Fugate Ident. Number _____

MICROFILMED

Aug 9 2 1994
Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Lopez, Jon

CLAIM IDENT. NO.

AG 3 -

DATE RECEIVED

3-13-94

RECEIPT #

W10923

FEE PAID \$

53

FEE REQ'D \$

53

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use? Fire Protection: 0.04	☐	☒	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	☐	☒	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☐	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	☐	☐	*
22. Is the fee enclosed correct? Exempt	☒	☐	*

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AUG 02 1994

Sent
1 tr. w/
Domestic
claim.

YES NO

23. Is this claim being rejected and returned to claimant?

— / —

24. Can this claim be data entered?

/ —

25. Was claim modified?

/ —

If yes, do modifications require notification to claimant?

/ —

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: J. W. Wimmer Date 1-19-93

Claim data entered by: fad Date 4-22-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

MICROFILMED

05/23/2006

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

RIGHT NUMBER: 63-28670

NAME AND ADDRESS: JON T FRYE
621 SUNRISE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
13.500 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/15/1957

POINT OF DIVERSION:

T04N R03W S23 NESWSE Within CANYON County

T04N R03W S23 NESWSE Within CANYON County

Two points of diversion located in T04N, R03W, S23, NESWSE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY
FIRE PROTECTION	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 guest home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S23 SWSE 3.00

STOCKWATER Within CANYON County

T04N R03W S23 SWSE

DOMESTIC Within CANYON County

T04N R03W S23 SWSE

FIRE PROTECTION Within CANYON County

T04N R03W S23 SWSE

3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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

05/23/2006

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

PARCEL NO: R3513200000.

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

Stockwater use is for 2 horses.

Idaho Department of Water Resources

**T04N, R03W,
SEC 23**

Claim No: 63-28670

Prepared By: Kimberly Brown

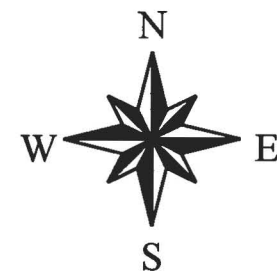
Date: May 2, 2006



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

 Point of Diversion

Irrigated Acres = 3.0



0 0.1 Miles

1987 NAPP

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-28670
Notice of Error Reply**

October 20, 2006

In response to the *Notice of Error Reply* received from Jon T. Frye on 10/19/06, only 3.0 acres of irrigation were claimed; therefore, I cannot give him more than he claimed.

In addition, when the home, the guest house, swimming pool, sidewalks, driveways, outbuildings, etc. are subtracted from the total 3.9 acres; 3.0 acres of irrigation remain (refer to the shapefile *attached*).

Kimberly Brown
Senior Water Resource Agent
Western Region

An aerial photograph of a coastal area, likely a bay or inlet. A green line outlines a specific land area. Two small yellow dots are marked on this outlined area. The surrounding water is blue, and the land is a mix of green and brown. The text 'SWSE' is overlaid in yellow on the left side.

SWSE

#63-28670
1987 NAPP
(close-up)

An aerial photograph of a property. A green outline is drawn on the image, enclosing a central area. Two yellow dots are placed within this green-outlined area. The property is surrounded by a road and a body of water. The text "#63-28670" and "2003 NAPP" is in the top left, and "SWSE" is in the middle left. A callout box is in the bottom right.

#63-28670

2003 NAPP

SWSE

This POU shape, which was originally drawn on the 1987 NAPP, was overlaid on this 2003 NAPP to show the house, guest house, pool, etc. (all unirrigrable) better than the 1987 NAPP image.

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-28670

JON T FRYE
621 SUNRISE
CALDWELL ID 83605
Telephone Number: (208)454-9378

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Irrigation use. The property size is 3.9 AC-S
AS SHOWN ON ATTACHED COUNTY ASSESSMENT

2. Describe the changes you wish to make in the proposed recommendation:

Increase Allowance for INCREASED size of
property

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: JON T. Frye

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



Gene T Kuehn

Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2006

ASSESSMENT NOTICE

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

35132000 0
23-4N-3W SE
TX 38 IN SW SE LESS HWY

Annual - Real Property 6/5/2006

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: **(208)454-7431**

Parcel Address: **621 SUNRISE LN CA ID**

04N03W238500 ****5-DIGIT SCH 83605



Appeals of your property value must be filed in writing, on a form provided by the County, by:

FRYE JON T
621 SUNRISE LN
CALDWELL ID 83605

6/26/2006

Tax Code Area: **104-00**

Parcel Number:

ALT PIN: **04N03W238500**

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES		CURRENT YEAR'S VALUE
2A Rural Res Tract > 1 Ac (12)	2.9000		26,100
12 Rural res tract	1.0000		30,000
32 Non-res imp on 1-12,15			10,800
34 Res imp on 12			294,700
SUBTOTAL:	3.9000		361,600
LESS HOMEOWNERS EXEMPTION:			75,000
NET TAXABLE PROPERTY VALUE:			286,600

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
PEST	208-454-7507	8/14/2006
AMBULANCE DISTRICT	208-466-8800	8/14/2006
CANYON HWY #4	208-454-8135	8/31/2006
CALDWELL RUR FIRE	208-459-3649	9/5/2006
CALDWELL SCH #132	208-455-3300	6/12/2006
CANYON COUNTY	208-454-7507	8/14/2006

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

Adjudication Claim Report 63-28670

<u>Owner Type</u>	<u>Name and Address</u> ✓
Current Owner	JON T FRYE 621 SUNRISE CALDWELL, ID 83605 (208)454-9378

Property Address:
621 Sunrise Lane
Caldwell

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION ✓	3/15	11/15 ✓	0.090 CFS ✓	13.5 AF
FIRE PROTECTION ✓	1/01	12/31 ✓	0.040 CFS ✓	N/A
STOCKWATER ✓	1/01	12/31 ✓	0.020 CFS ✓	
DOMESTIC ✓	1/01	12/31 ✓	~~0.030~~ CFS ✓	
			0.02	
			~~0.040~~ CFS	
			0.13	
				13.5 AF

change to 3/15

est House

Total Diversion:

for Guest ^K House

NE
NW1/4SW1/4SE1/4 Sec. 23, Twp 04N, Rge 03W, B.M. (1957)

ADD: NE SW SE

(2 POLDs) (1968)

Place of Use
IRRIGATION ✓

ADD F02 -

Twp	Rge	Sec	NE				NW				SW				SE ✓				Totals ✓
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
✓ 04N	03W	23															3.0		3.0

Total Acres: 3 ✓
FIRE PROTECTION ✓

[illegible]

STOCKWATER ✓

ADD N09 & N14 - Domestic + stock use

✓ Twp Rge Sec | NE | NW | SW | SE

ADD - Use is combined with water from Canyon Hill Irr. Dis.

ADD WB5 - Domestic use is for 1 home and does not include irrigation of lawn and garden.
 P... Rh. DZ 12 900000 (3.9-4.0 AC)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28670

✓ 04N 03W 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
															X		

DOMESTIC ✓

Twp Rge Sec	NE				NW				SW				SE ✓				Totals
✓ 04N 03W 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X		

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

ADD X02- Stodewater use is for 2 horses.

(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 \$53.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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 completeClaim No(s) A63-28670Owner: Jon T. Frye Phone No. 454-9378Current Address: 621 Sunrise (Lane), Caldwell 83605
(property address)

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

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

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

Priority date, per claimant, is: 5/15/57 * Affidavit submitted by claimant Jon T. Frye on 4/17/06

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

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: NE SW SE, S23, T04N, R 03
- ☐ If different, when did POD change?

ADD F02-2 PODS < 1st drilled in 1957
2nd drilled in 1968

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
	Ø	NE	SW	SE	23	4N	3W		

Description of diverting works

175' well, 4" casing, 7.5 HP pump, pipes to place of use

OVERLAP REVIEW

Other water rights with the same point of diversion: None

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

#63-28699, for domestic & stockwater use, is a separate well on property that was drilled in 1957 & is used, I am assuming, for the home located at 621 Sunrise since the well is located in the garage & Canyon Co. tax lot information shows house built in 1958.

WATER USES

- ☐ No change
- ☐ Different Uses

Use Irrigation From _____ To _____ Amount _____ CFS 13.5 AFA _____
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
 for Guest House Use Domestic From _____ To _____ Amount 0.02* CFS _____ AFA _____

3 acres x 4.5 af/acre = 13.5 af/annum (✓) 0.09 cfs x 1.9835 x 260 days = 46. af/ann

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 13.5 AFA _____
- ☒ Changes found, the new total is, Amount 0.13* CFS See page 3 - Narrative/Remarks/Comments AFA _____
- ☒ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

IDWR allows 0.03 cfs/acre when total irrigated acres are less than 5.

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes 1* Stock # 2 horses
 Types _____ Additional comments: * Domestic use does not

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

include irrigation of lawn & garden since the lawn is covered by the 3 ACRES of irrigation (internal use only).

Parcel No: R3513200000.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: #63-28669

(+) Canyon Hill Irr. Dist.

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

#63-28669 is used for the home & 63-28670 is used internally for the guest house.

Delivery System Narrative: Piped to POU.

Wells Drilled:

(1957)

(1968)

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
<u>A0002037</u>					
<u>A0002036</u>					

FLOW MEASUREMENTS: See both (2) Field Investigation Reports dated 6/6/03.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(*) Referring to: Changes Found in Total Volume - (p. 2)
The correction of the total diversion rate from the claimed 0.04 cfs to 0.13 does not require an Amended Claim because we are correcting a clerical error (per Jan Shwartz, 5/1/06).

ADD N09 & N14 - for domestic + stockwater volume

According to Canyon County tax lot information, the home located at 621 Sunrise Lane, Caldwell, was built in 1958. Since the Field Investigation conducted on 6/6/03 states that the 50-75' well is located in the garage, I am assuming that decreed water right #63-2866 for domestic and stockwater uses covers the actual home. Canyon County tax lot information also states that (cont

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU > Karan Waters Field Investigation (6/6/03)
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 5.2.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

↓(cont.)

a 784 square foot guest house is also located on the property. The guest house is evident in Field Investigation Photo # 448 (associated with the 175' well drilled in 1968) and on 1987, 1994, 2000, & 2004 NAPP images. Since #63-28669 covers the home and this claim, #63-28670, covers the guest house. I am only recommend internal use of the guest house because the lawn & garden surrounding the guest house are covered by the 3 acres of irrigation.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-28670

03/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2283	Claim	04N	03W	23	SW	SE		IRRIGATION	35/836	CANYON HILL IRRIGATION DIST
~~28670~~	~~Claim~~	~~04N~~	~~03W~~	~~23~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~3/3~~	~~JON T FRYE~~
2276	Water Right	04N	03W	23	SW	SE		IRRIGATION		PIONEER IRRIGATION DISTRICT
~~28670~~	~~Claim~~	~~04N~~	~~03W~~	~~23~~	~~SW~~	~~SE~~		~~STOCKWATER~~		~~JON T FRYE~~
28669	Water Right	04N	03W	23	SW	SE		STOCKWATER		JON T FRYE
~~28670~~	~~Claim~~	~~04N~~	~~03W~~	~~23~~	~~SW~~	~~SE~~		~~DOMESTIC~~		~~JON T FRYE~~
26222	Water Right	04N	03W	23	SW	SE		DOMESTIC	} no overlap different Pous	WILMA J PLATT
26992	Water Right	04N	03W	23	SW	SE		DOMESTIC		K T ATWELL
28669	Water Right	04N	03W	23	SW	SE		DOMESTIC		JON T FRYE
~~28670~~	~~Claim~~	~~04N~~	~~03W~~	~~23~~	~~SW~~	~~SE~~		~~FIRE PROTECTION~~		~~JON T FRYE~~

= supplemental to Canyon Hill
Irrigation District water

#63- 28669 covers domestic use of the
home; not the guest house.

⇒ no overlap

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-28669

WATER RIGHT NUMBER: 63-28669

Owner Type

Current Owner

Name and Address

JON T FRYE
621 SUNRISE
CALDWELL, ID 83605
(208)454-9378

Priority Date: 05/15/1957

Basis: Decreed

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

STOCKWATER

From To

1/01 to 12/31

1/01 to 12/31

Diversion Rate

0.040 CFS

0.020 CFS

Total Diversion:

0.060 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4SW1/4SE1/4

Sec. 23, Twp 04N, Rge 03W, B.M.

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X		

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X		

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

I am assuming this is
for the house (which was built
in 1957-58)
63-28670 covers
the guest home for
domestic use.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-28669

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. C18 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.
4. PARCEL NO. 1R35132-000-0 STOCKWATER, 2 HORSES

Remarks:

Comments:

1. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-28670

May 5, 2006

Since there is a question as to whether the Frye's use surface water from Canyon Hill Irrigation District, I called Canyon Hill's office (#442-6988) and left a message on the answering machine. David Bach, Secretary, said that the Frye's property does lie in their jurisdiction; but that they don't necessarily have "shares" in their district. As far as Mr. Bach knew, "The property owners in Mr. Frye's neighborhood have district water available at certain times of the week; in which they may all take turns using the water." "But," Mr. Bach added, "We don't keep any measurements."

May 3, 2006

Since I was still uncertain as to whether the Frye's used Canyon Hill Irrigation District water, I called the Frye's number (#454-9378) and left a message on the answering machine.

May 22, 2006

Jon Frye returned my call from 5/3/06 and left a message on my answering machine.

May 23, 2006

I returned Mr. Frye's call and spoke to him regarding his use of surface water. Mr. Frye said that he does use Canyon Hill Irrigation District water on approximately 1 acre of his property. While I had Mr. Frye on the telephone, I also asked him to describe the location of the two wells; since there are no good depictions of their exact location. Based on Mr. Frye's description while viewing the 2004 NAPP image, I placed the two points of diversion where he described them.

Kimberly Brown
Senior Water Resource Agent
Western Region

REAL PROPERTY INQUIRY

+++++

01 6R35132-000- -0 104-00 SCH132+ 12 30,000 1.00

+++++ 2A 26,100 2.90

FRYE, JON T + 32 10,800

& FRYE, SHARON I H/W + 34 294,700

+

+

+

621 SUNRISE LN +

CALDWELL ID 83605 +

+++++

23-4N-3W SE + TOTAL 361,600 3.90

TX 38 IN SW SE LESS HWY ++++++

+ SURVEY INST 8915954

+ DRAIN DR VALUE APPR TAM

+ CLASS +4 REAP 04 MAN 03 UNIT 1

+ PARCEL 6R04N03W238500 H/O N C/B N

+ PRIOR ACCOUNT 5R35132-000- -0

+ 02 MH on Property NO

621 SUNRISE LN, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R35132000 0 UNIT 001 TOTAL UNITS 1

SITE 621 SUNRISE LN CA SEC/TWN/RNG 23-4N-3W

ASSESSED VALUE 361,600 ACREAGE 3.90

SUB/PARK NAME YEAR/MAKE

CLASS +4 OWNER / OCCUPIED HOUSE CLASS '+4' SPACE LOT BLOCK

+++++

YR BUILT 1958 AIR COND CENTRAL AIR CARPORT N

STORY 1 STORY HEATING CARPORT SQ FT

FIRST SQ FT 3447 EXTERIOR STUCCO DECK/PATIO? Y

SECOND SQ FT ROOF BLT-UP ROCK POOL? Y

BEDS 4 BSMT SQ FT 1435 SPA? N

BATHS 4.00 % BSMT FIN LOT SIZE

FRPLC 2 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS 784 SF GUEST HOUSE MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-28670

Contact:

Contact Date: 6/3/03

JON T FRYE

621 SUNRISE

CALDWELL ID 83605

(208)454-9378

Source of Information

Mrs. Frye

Contact Comments

☒ **Verified**

☐ **New owner**

Appointment Date: 6/6/03

Appointment Time: 11:00 AM

POD id 13

Legal Description 04n 03w 23 ne sw se

Desc of Diversion W well, 6" casing, 50-75', pump and pipelines

Site Tag # A0002037

GPS File Name 255

Motor Make AO Smith model C18412A2,

Pump Make Jacuzzi model 3VHH, s/n W1

Horsepower 7

Pressure gage 66 psi

pump bowl or static pump

Depth level 0 Ft.

dyn. pump level 0 Ft.

POD Remarks:

This well is located in a room off the garage. Claimant states that both wells are hooked together into one system. With underground pipes its hard to tell for sure. Pod legal corrected.

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0

Calc Method: Theoretical

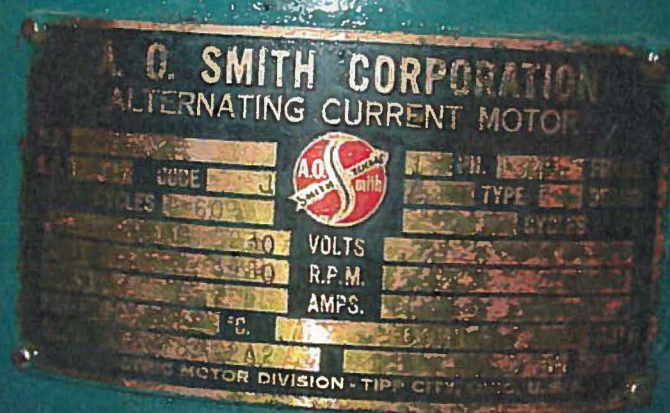
Flow (cfs) 0.28

Photos

dsc00445 motor name plate

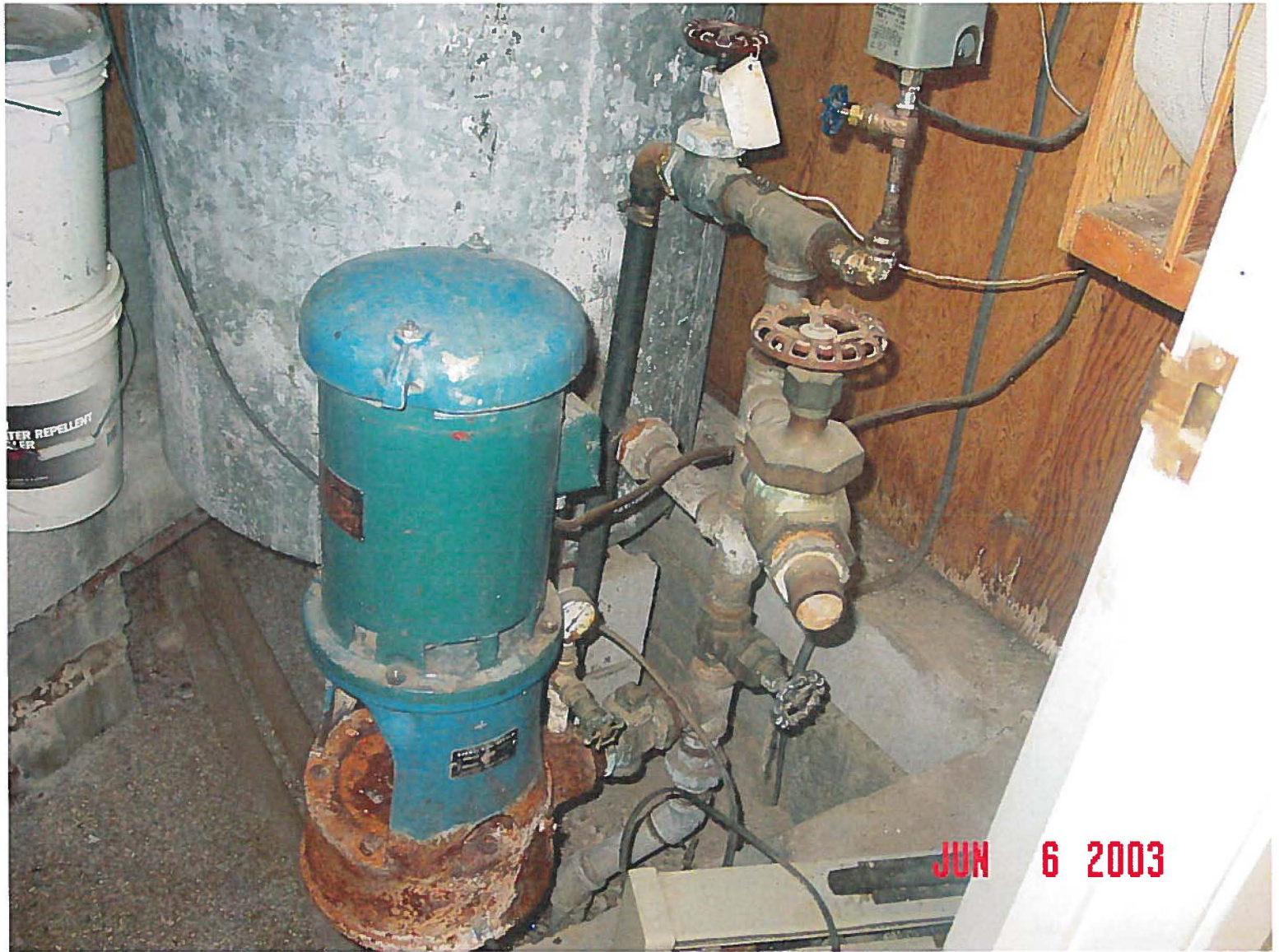
dsc00446 pump name plate

dsc00447 pod system



JUN 6 2003





Claim Number **63-28670**

POD id

Legal Description

Desc of Diversion W

Site Tag # **GPS File Name**

Motor Make

Pump Make

Horsepower

Pressure gage psi

pump bowl or static

Depth level Ft.

dyn. pump level Ft.

POD Remarks:

This is the well described on the claim but the owner says that both wells are tied together into one system and always have been.
Pod legal corrected.

Pressure gage at sprinkler psi

Bucket Measurment (gps)

Calc Method:

Flow (cfs)

Photos

dsc00439	motor name plate
dsc00440	pump name plate
dsc00441	pod system
dsc00442	pou facing west from pod
dsc00448	pou facing NE from top of driveway

HOLLOSHAFT MOTOR

HP.	PH.	CYCLES	88
FRAME	80	A	UPPER
TYPE	116	P	22.3
DESIGN	CODE	E	280
1-5807J	R.P.M.	2800	40
1-7810B76	MODEL	1.15	SERIAL
			1108ACE

LUBRICATION INSTRUCTIONS

LUBRIFLUSH at yearly intervals for maximum bearing life. In LUBRICATE - Remove drain plug. Inject new grease at fill hole. Run motor to discharge excess grease. Re-plate drain plug. Use a medium ball bearing grease equal to the following: Tide-water, Veedol, All-Purpose, Quillex A, Saffron No. 44.



Master Lubrico M-32, H.Y. & N.J. Lubricants Co. S-18, Richfield Rocalube No. 2 MP, Shell Alvania No. 2, Socray Mobile Mobilux No. 2, Standard of Indiana Stanolish No. 57, Standard Andol B, Standard of Calif. Chevron Industrial Medium Texas Multi-Tax No. 2 Union Unoban No. 2.

U.S. ELECTRICAL MOTORS

JUN 6 2003

GPM FT. RPM

MODEL SERIAL
H-134 D19533

Verli-Line® PUMP
A PRODUCT OF
LAYNE & BOWLER PUMP COMPANY
LOS ANGELES CALIFORNIA
PATENT NO. 3098451

ROTATION
→

JUN 6 2003





448



Receipt Details for ID W010963

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/13/1990 4:19:00 PM	3/13/1990	Western	\$53.00	Check
Payer	FRYE, JON T.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1009			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$53.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	28670		\$53.00	Claim

Print Report

RECEIVED

APR 17 2006

WATER RESOURCES
WESTERN REGION

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

AFFIDAVIT

163-28669) -28670
_____)
_____))

State of Idaho)
County of Canyon)

John T. Frye, 621 Sunrise, Caldwell, Idaho,

deposes and says: Residence was constructed in 1957 and Pump
House and Shop were built enclosing well, pump and tank for
house water - per former owner James Muller and contractor Bob
Johnson. On May 16, 1968 a second well was drilled 230
feet deep with 8 inch casing 164 feet. Well test was
120 g.p.m. This second well is also plumbed to residence,
irrigation system and to stock barn and pasture.
A copy of the Jess Doty bill is attached for the
second well.

John T. Frye April 14, 2006
(Signature)

(0.267 =
c8)

LICENSED CONTRACTORS

SERVING IDAHO SINCE 1944

JESS DOTY

WELL DRILLING

DOMESTIC - IRRIGATION - DRAINAGE

Route Three Telephone 459-9611 or 466-7618

CALDWELL, IDAHO

Save No 682

NAME James Muller DATE May 10, 1968

ADDRESS Rt 4 Caldwell YOUR ORDER NO. _____

JOB AT 20 + 80 Hwy.

154 ft 8 in Drilling	770 ⁰⁰
164 ft. " " casing <i>No Good</i>	410 ⁰⁰
37 hrs. at \$10.00 per hr.	370 ⁰⁰
<i>NO Good</i>	1550 ⁰⁰
<i>OK</i> <i>Perceived on rock</i>	1230
	1562 ³⁰
	1000 ⁰⁰
	562 ³⁰
Draw down to 54 ft. at 120 G.P.M.	
Test 2 hrs. 6 P.P.M. Draw	
225 ft casing total	
230 ft. Deep	
<i>OK</i>	



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

JON T FRYE
621 SUNRISE
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-28670

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 may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-28670

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.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

[April 22, 1993]
John T. Frye
621 Sunrise
[Caldwell, ID 83605]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and Receipt No. W0963 are enclosed. Only the item(s) shown below with a checkmark have been either changed or added to your claim(s).

SEE NEXT PAGE

- _____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.
- _____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.
- _____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.
- _____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

MICROFILMED

AUG 02 1994

- _____ Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.
- _____ Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.
- _____ Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.
- _____ Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.
- _____ Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

X other Item 6: The quantity for fire protection was left blank.
I added 0.04cfs based on the total quantity in item 7. Is there
some reason why you only claimed 0.04cfs rather than 0.14cfs?

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

MICROFILMED

AUG 02 1994