



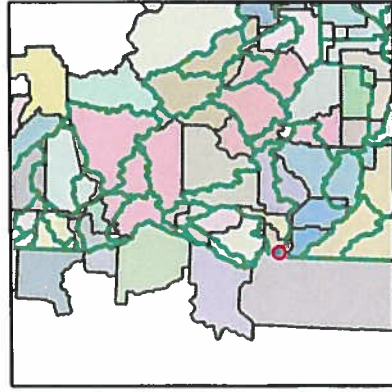
Idaho Department of Water Resources

SRBA Recommendation:

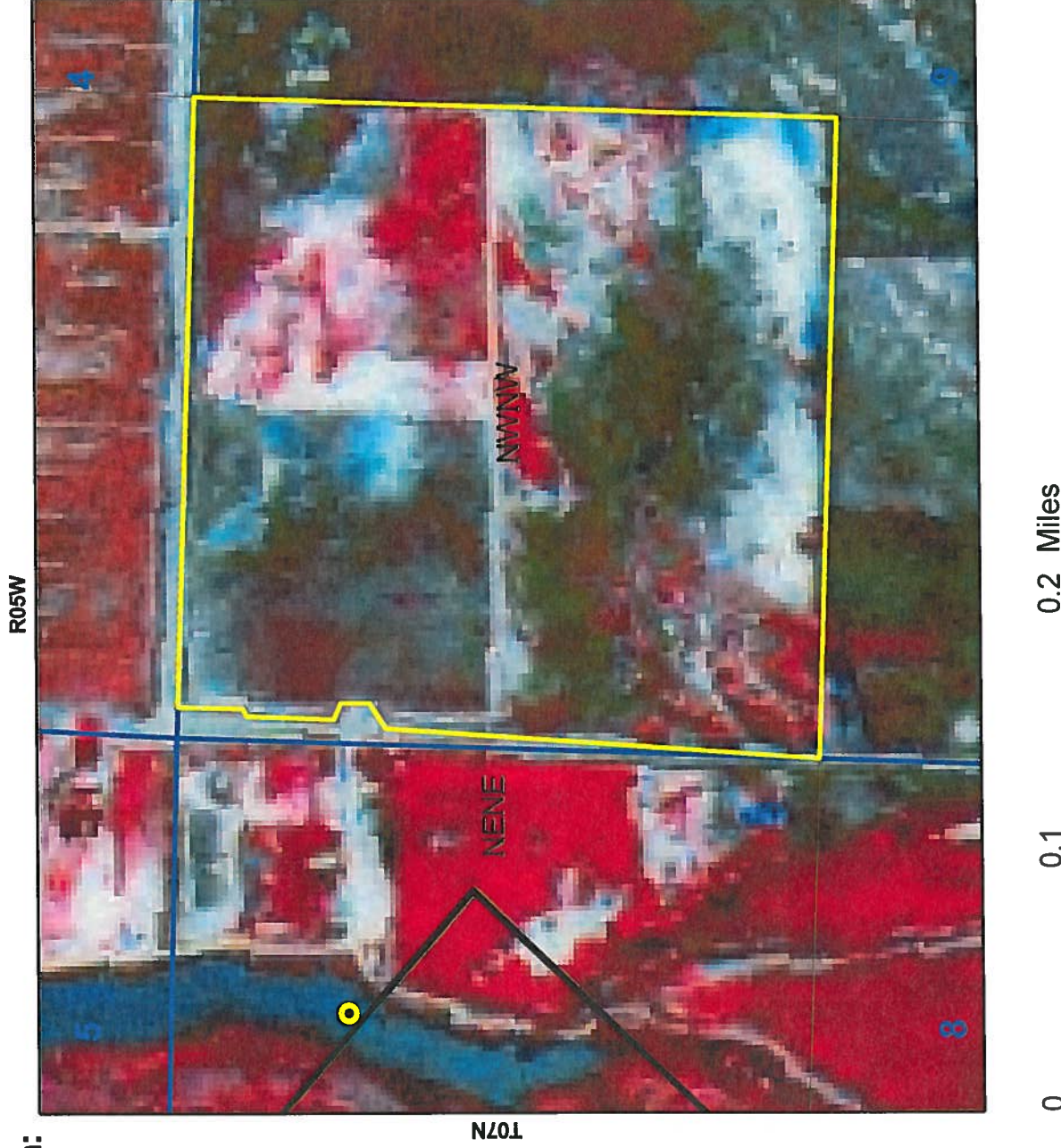
3-10219

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Payette County
IDWR Basin 3



Prepared by J. Dean
On Friday, June 2, 2006
1987/88 Aerial Photography

06/02/2006

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

RIGHT NUMBER: 3-10219

NAME AND ADDRESS: J R SIMPLOT CO
PO BOX 27
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1947

POINT OF DIVERSION:

T07N R05W S8 NENENE Lot 1 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.800 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T07N R05W S09 NWNW 40.00

40 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described above: 3-10197 & 3-10236.

This right is a split from former right 3-4018.

This right is a split from former right 3-10196.

06/16/2006

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PO BOX 27
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PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.800 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County

T07N R05W S09

NWNW 40.00

40 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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Idaho Department of Water Resources

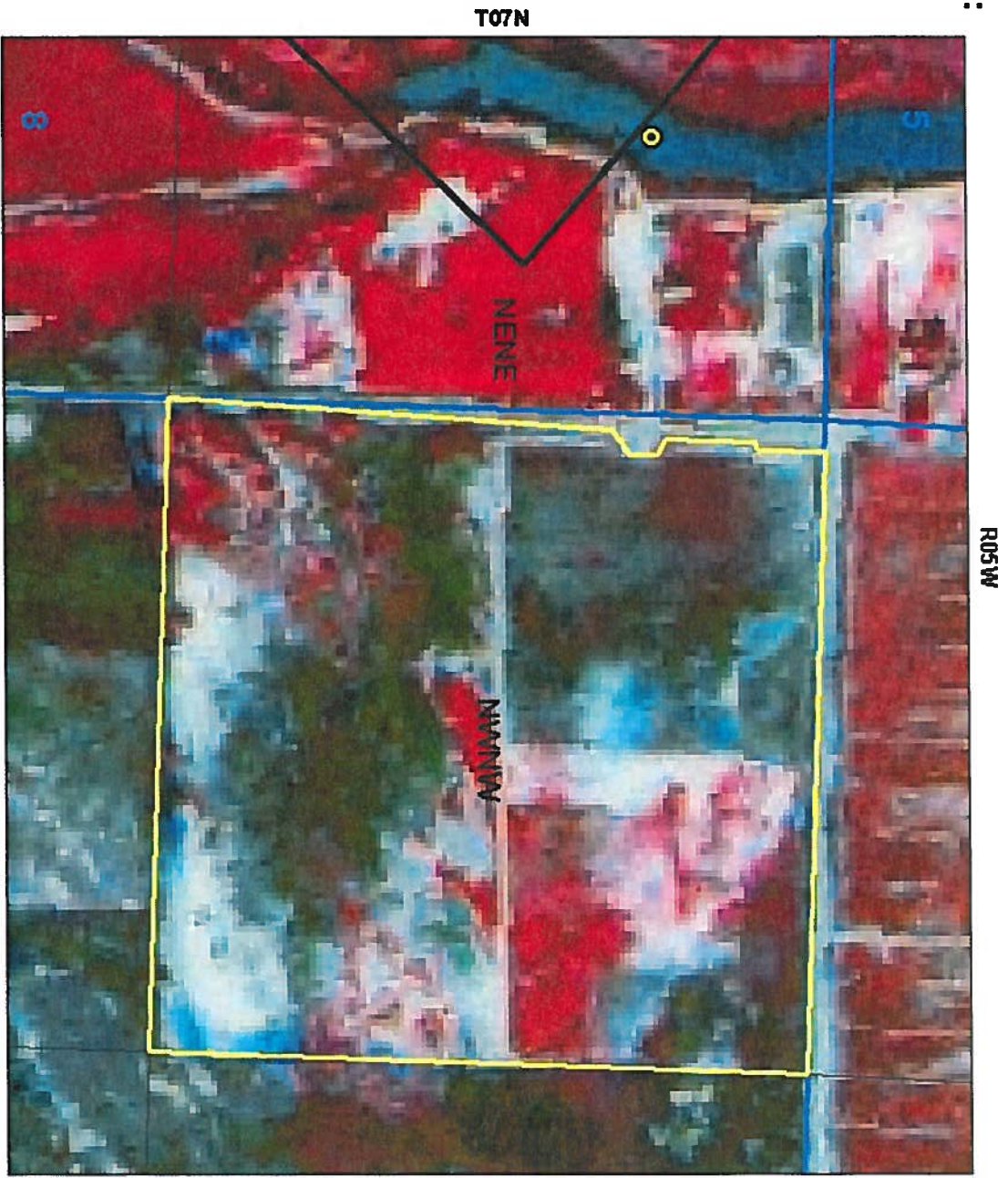
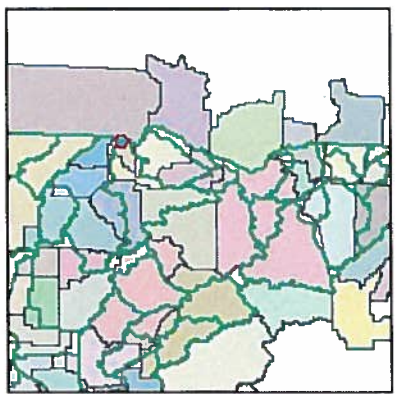


SRBA Recommendation:

3-10219

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Prepared by J. Dean
On Friday, June 2, 2006
1987/88 Aerial Photography

Contacts Data Entry Form

Claim Number: 3-10219

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	PETER J MC CABE	5951 WHITLEY	FRUITLAND	ID	83619	(208)452-4475
Original Owner	PAUL E MC CABE	5945 WHITLEY DR	FRUITLAND	ID	83619	(208)452-3919
Current Owner	J R SIMPLOT CO	PO BOX 27	BOISE	ID	83707	(208) 336-2110

Comment for 1: desk review

Date of Field Exam: March 22, 2006 Time: _____Accompanied By: Mike Usabell Phone Number: 208-850-2371Relationship to Claimant: field hand

Directions to Property (if different from above) and/or update owner information:

See 3-4017

_____Reviewer: JLDDate: 6/2/06

Priority Date Data Entry Form

Claim Number 3-10219

Claimed Priority Date: 6/1/1947

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date 6/1/1947Recommended Basis Beneficial Use

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

evidence of priority for other parts split from 3-4018,
conversations with Pete McCabe.

as per conversation with Pete McCabe 6/1/06 - okay
to use evidence of priority submitted for 3-10218;
3-10197 as evidence of priority for this claim
by Simplot.

Reviewer: JLDDate: 6/2/06

Point of Diversion and Source Data Entry Form

Claim Number 3-10219

Claimed Point of Diversion and Source

T07N R05W S8 NENENE Within PAYETTE County Source: SNAKE RIVER COLUMBIA RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Snake River

Twp	Rge	Sec	Gov Lot	QQQ of Q	County	Source

Other rights from this POD? 3-10197, 3-10236

Document how the POD and Source were verified:

Rediversion A0017608RD 226301D 1422727 7N5W54#1

pump 1 25hp 5K6247XH8A 2262788 1423147

pump 2 25hp 5K6247XH8A

A0017608P

7N5W55#1

The points taken during the field exam are not the historic diversion points for this claim. It appears that the transfer took place after Simplot purchased the property in 1990. Will recommend the historic POD.

Reviewer: JLD

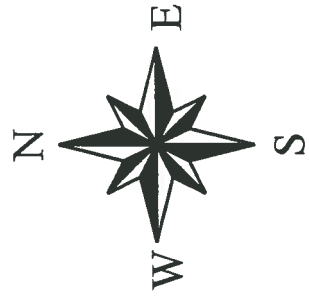
Date: 6/2/06

Basin 03 Field Exam Maps

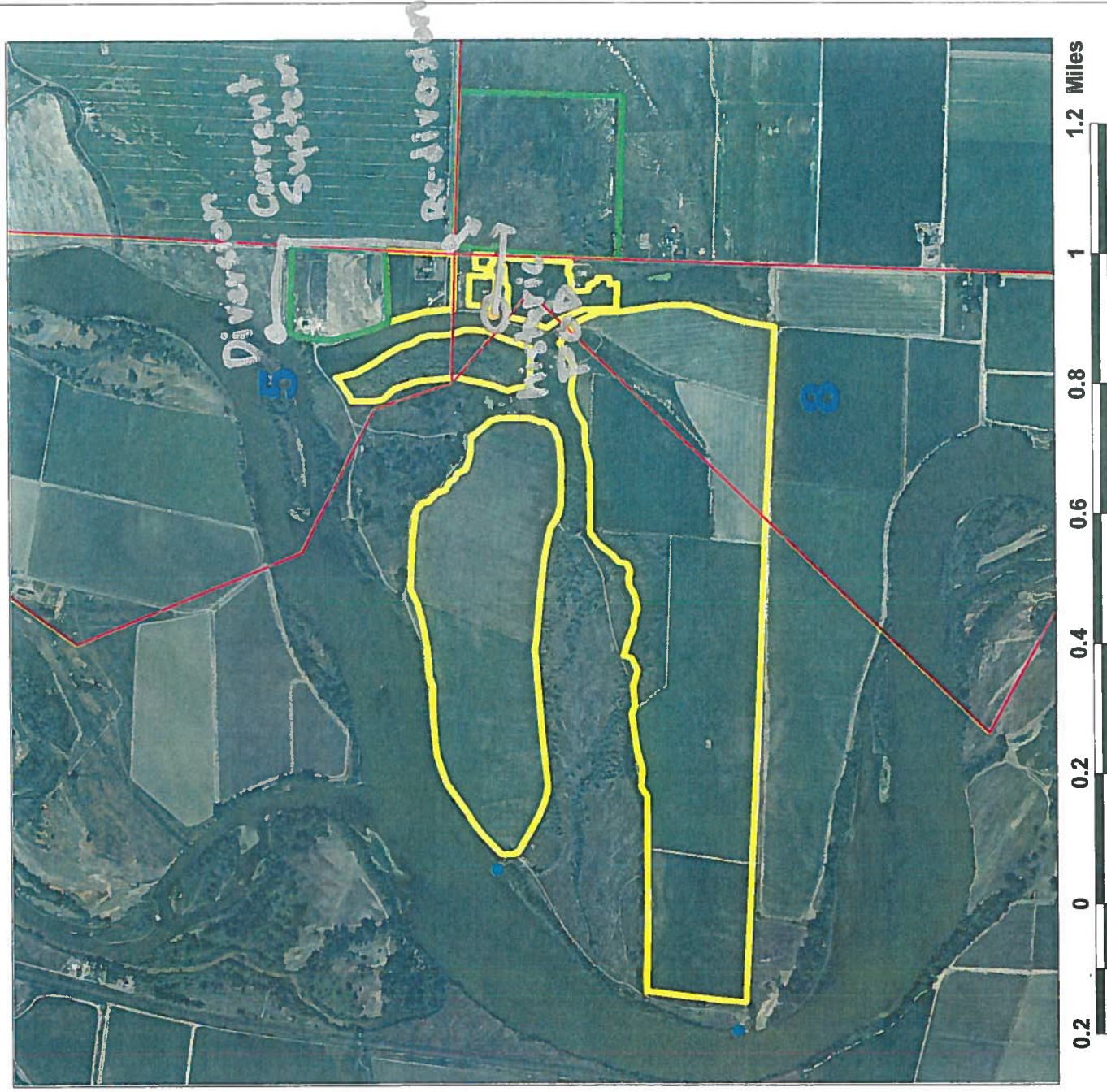
Claim Number:
03-04003

Section Lines	
03_4017_pou	
03_4017_pou	
03_4017_pou	
03_10197_pou	
03_10197_pou	
03_10219_pou	
03_10219_pou	
03_10218_pou	
03_10218_pou	

Legal: T07N, R05W, S05 & S08



2004 NAIP Photo



Place Of Use Data Entry Form

Claim Number 3-10219

Claimed Place Of Use

T07N R05W S09 NWNW 40.00

Total Acres 40

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

_____ See corrections to claimed POU above

Twsp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 40

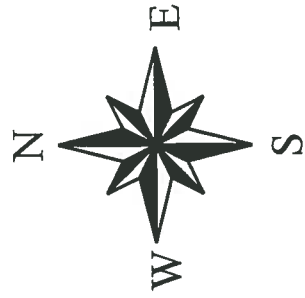
Document how the POU was verified:

aerial photographyReviewer: JLDDate: 6/2/06

Basin 03 Field Exam Maps

Claim Number:	
McCabe Bros.	
	Section Lines
	03_4017_pou
	03_4017_pod
	03_10197_pou
	03_10197_pod
	03_10219_pou
	03_10219_pod
	03_10218_pou
	03_10218_pod

Legal: T07N, R05W, S05 & S08



1987 Aerial Photo



Purpose of Use Data Entry Form

Claim Number 3-10219

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Irrigation - based on Aerial photography & field exam

Reviewer: JLDDate: 6/2/06

Period of Use and Quantity Data Entry Form

Claim Number 3-10219

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	03/15	11/15	0.8	

Overall Diversion Rate 0.8 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
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Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	3/1	11/15	0.8	

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

use standard irrigation season of use
 Diversion rate- sufficient pump capacity (based
 on theoretical calculation of pump horsepower
 and lift) to recommend 1 1/2 acre - see attached.

$$40 \text{ acres} * 0.02 \text{ cfs/acre} = 0.8 \text{ cfs}$$

Reviewer: JLD

Date: 6/2/06

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 3-04017, 3-10197, 3-10218

Examiner: Jennifer Dean

Date of Field Exam: 3/22/2006

3-10219 ; 3-10197 ; 3-10236

Pump 4
5
12
0
2.57

P/D No.:	Pump 1	Pump 2	Pump 3	Pump 4
PUMP HORSEPOWER	20	20	10	5
BOOSTER HORSEPOWER		0	7	
PUMPING LEVEL	20	15	12	12
DISCHARGE PRESSURE	0	0	0	0
RATE OF FLOW (cfs)	6.16	8.21	8.73	2.57

$$0.8 + 0.26 + 0.07 = 1.13 \text{ cfs}$$

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
No Friction

Examiners Notes:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2005

3-10219
J R Simplot Company
PO Box 27
Boise, ID 83707

RESPONSE DEADLINE
October 28, 2005

Re: Evidence of Priority Date, Snake River Basin Adjudication claim 3-10219

Dear Claimant(s):

The Notice of Claim to a Water Right (claim) identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water. We are asking that you provide proof that the lands included on this claim were indeed being irrigated by the date that you have claimed, which is 1947. Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

PLEASE NOTE: IDWR may recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence that dates the irrigation of your land back to 1947. If you choose to submit statements from individuals as evidence, the statements should be in the form of a notarized affidavit.

Should you decide to return materials in a mailer other than that enclosed, please include the notation "ATTN: SRBA Claim Number 3-10219" on the front of the mailer.

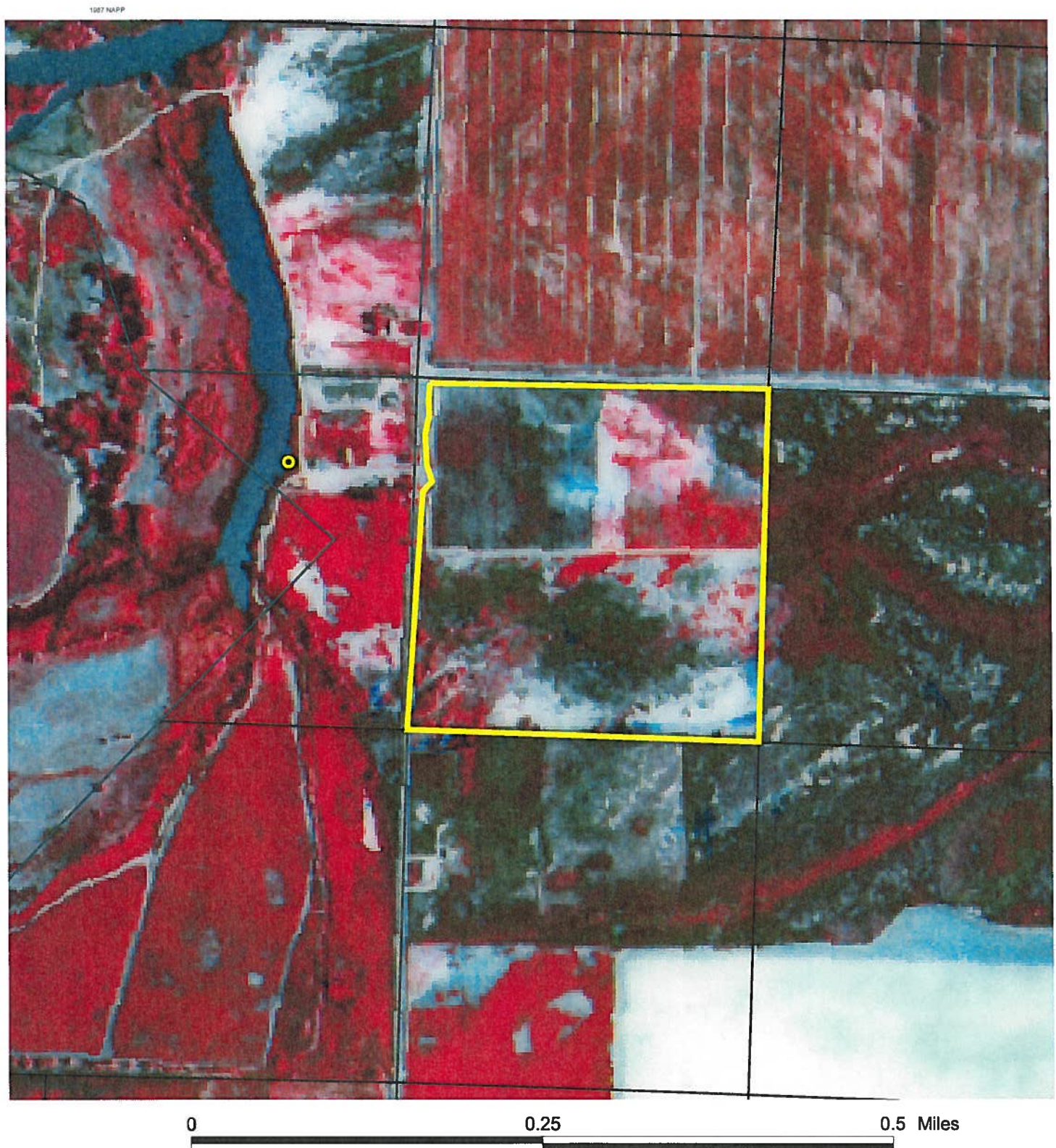
If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 3-10219, handy when you call.

Misty Mount
Water Rights Agent
Adjudication Section

Enclosures

Proof of Priority Pamphlet
Copy of Claim 3-10219 and map of claimed area

Idaho Department of Water Resources



Claim Number: 03-10219
Legal: T07N, R05W, S09
Reviewed By: MRM 09/27/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 3-10219

WATER RIGHT NUMBER: 3-10219

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PETER J MC CABE 5951 WHITLEY FRUITLAND, ID 83619 (208)452-4475
Original Owner	PAUL E MC CABE 5945 WHITLEY DR FRUITLAND, ID 83619 (208)452-3919
Current Owner	J R SIMPLOT CO PO BOX 27 BOISE, ID 83707 (208) 336-2110

Priority Date: 06/01/1947

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NE1/4NE1/4NE1/4	Sec. 8,	Twp 07N,	Rge 05W, B.M.
PAYETTE County				

Place of Use

IRRIGATION Within PAYETTE County

T07N R05W S09 NWNW 40.0

Total Acres: 40

Conditions of Approval:

1. P21 This right is a split from former right 3-4018.
2. This right is a split from former right 3-10196 .

Remarks:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

September 15, 2005

KARL J. DREHER
Director

J R SIMPLOT COMPANY
ATTN VIC CONRAD
PO BOX 27
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #3-10219

Dear Claimant: *VIC*

As a result of buying a portion of the property and water rights from the McCabes, the identification number to your water right has been changed as follows:

From
3-10196

To
3-10219

Please use the new number in future inquiries or correspondence you may have with our Department.

Enclosed is a copy of your water right. Please retain this copy for your file.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Notice of Claim to a Water Right Referenced Above

SCANNED

SEP 15 2005

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 3-10219
Date Received: 9/14/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J R SIMPLOT COMPANY Phone: (208) 336-2110

PO BOX 27
BOISE ID USA 83707

2. Date of Priority: 06/01/1947

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	8	NE NE NE	PAYETTE	

5. Description of diverting works:

5 HP PUMP IN SLOUGH WITH SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	9	NW	NW	IRRIGATION	40
Section Acres						40
Total Acres						40

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 3-4018.

This right is a split from former right 3-10196 .

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.