

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 63-32436
Date Received: 2/26/1996
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DOUG L MILBURN Phone: (208) 459-9273
6233 SE 11TH AVE
CADLWELL ID USA 83607

CHRISTY D MILBURN Phone: (208) 459-9273
6233 SE 11TH AVE
CADLWELL ID USA 83607

2. Date of Priority: 04/01/1969

3. Source: SAND HOLLOW WASTEWAY Trib. to: SAND HOLLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	03W	31	NW NE	PAYETTE	
06N	03W	31	NW NE	PAYETTE	
06N	03W	31	NW NE	PAYETTE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.01	

7. Total Quantity Appropriated is:
0.01 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
06N	03W	31	NE	NW	IRRIGATION	
			NE	NW	IRRIGATION	0.6
					Section Acres	0.6
					Total Acres	0.6

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 63-5191.

15. Basis of Claim: Beneficial Use

12/10/2006

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

RIGHT NUMBER: 63-32436

NAME AND ADDRESS: DOUG L MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607

CHRISTY D MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607

SOURCE: SAND HOLLOW WASTEWAY

TRIBUTARY: SAND HOLLOW CREEK

QUANTITY: 0.010 CFS

This right when combined with all other rights shall provide no more than .02
cfs per acre.

PRIORITY DATE: 04/01/1969

POINT OF
DIVERSION: T06N R03W S31 NWNE Within PAYETTE County
T06N R03W S31 NWNE Within PAYETTE County
T06N R03W S31 NWNE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.010 CFS

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R03W S31 NENW 0.60
0.6 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.

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

This right is a split from former right 63-5191.

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

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: 63-32436

DOUG L MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607
Telephone Number: (208) 459-9273

CHRISTY D MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607
Telephone Number: (208) 459-9273

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):

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

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

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

DATE: 10-16-06 SIGNATURE: Doug Milburn
Please print your name: DOUG L MILBURN

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

09/15/2006

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

RIGHT NUMBER: 63-32436

NAME AND ADDRESS: DOUG L MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607

CHRISTY D MILBURN
6233 SE 11TH AVE
CADLWELL ID 83607

SOURCE: SAND HOLLOW WASTEWAY

TRIBUTARY: SAND HOLLOW CREEK

QUANTITY: 0.010 CFS

This right when combined with all other rights shall provide no more than .02
cfs per acre.

PRIORITY DATE: 04/01/1969

POINT OF DIVERSION:

T06N R03W S31 NWNE Within PAYETTE County

T06N R03W S31 NWNE Within PAYETTE County

T06N R03W S31 NWNE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.010 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R03W S31 NENW 0.60

0.6 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

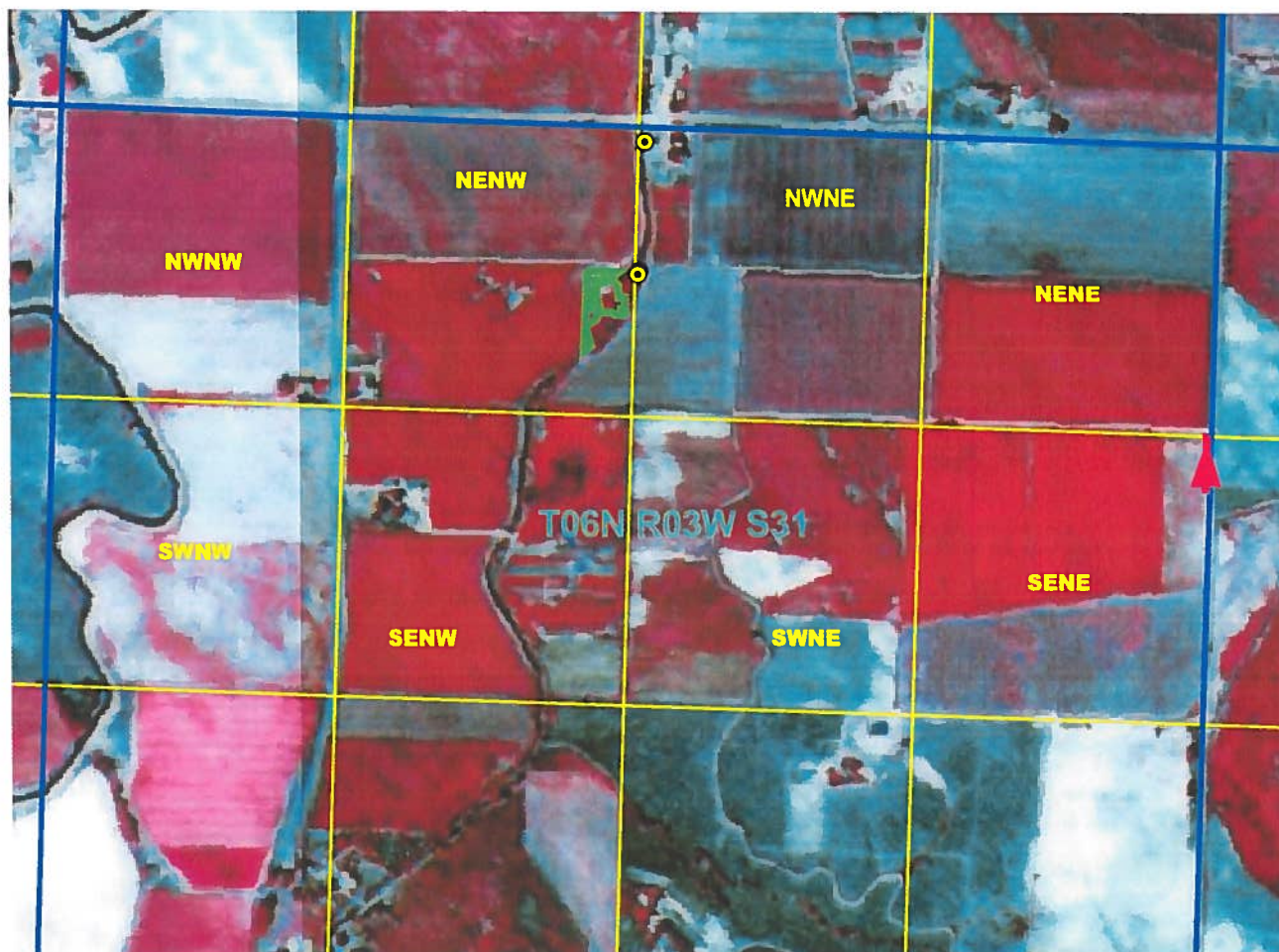
This right is a split from former right 63-5191.

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



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R3W SECTION(S) 31
WATER RIGHT(S) : 63-32436



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

Total Irrigated Acres = 0.6 acre(s)

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32436 V1

WATER RIGHT NUMBER: 63-32436 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOUG L MILBURN 6233 SE 11TH AVE CADLWELL, ID 83607 (208) 459-9273
Current Owner	CHRISTY D MILBURN 6233 SE 11TH AVE CADLWELL, ID 83607 (208) 459-9273

Priority Date: 04/01/1969
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW WASTEWAY	SAND HOLLOW CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

SAND HOLLOW WASTEWAY PAYETTE County	NW1/4NE1/4	Sec. 31, Twp 06N, Rge 03W, B.M.
SAND HOLLOW WASTEWAY PAYETTE County	NW1/4NE1/4	Sec. 31, Twp 06N, Rge 03W, B.M.
SAND HOLLOW WASTEWAY PAYETTE County	NW1/4NE1/4	Sec. 31, Twp 06N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	03W	31					.6												.6

Total Acres: 0.6

Conditions of Approval:

1. 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.
2. W14 Use of this right is combined with water from Black Canyon Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32436 V1

3. Change of Ownership Recieved 6/9/2006. Split from water right 63-5191. DAN
4. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.

Remarks:Comments:

1. dnelson 9/14/2006 Claim Review

Comment: This claim was originally is based on a statutory claim. The claim is for 60 acres of irrigation with a 0.90 cfs diversion rate. I performed a field exam on this claim on 6/13/2006. There are three separate pumps in the drain, and none of the three pumps were being used at the time of the exam. Two of the pumps irrigate the yards of two of the homes, and the third pump supplements the Black Canyon Irrigation District water that irrigates the farm ground. The yards also use Black Canyon Irrigation District water when it is available, the pumps are portable and can be moved from ditches to the drain fairly easily. Black Canyon Irrigation District water is the main source of water and the drain water is only used as necessary.

The original claim included springs, but the owner s son told me the drain runs all year long, so they figured it had springs in the drain keeping it in water. I told him that this was true, but once the water entered the drain, the water was considered drain water. They also listed the drain as an unnamed drain, but it is clearly the Sand Hollow Wasteway Tributary to Sand Hollow Creek.

The claim requested 60 acres of irrigation, and that is what I found. Due to the mapping capabilities, the acre amounts varied a little bit from one 40-acre tract to the other.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	9/14/2006 8:24:00 AM	dnelson			Active
Contacts	9/14/2006 8:25:46 AM	dnelson			Active
Priority Date	9/14/2006 8:26:46 AM	dnelson			Active
POD	9/14/2006 8:36:23 AM	dnelson			Active
Source	9/14/2006 8:36:52 AM	dnelson			Active
POU	9/14/2006 8:38:25 AM	dnelson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32436 V1

Use	9/14/2006 8:38:59 AM	dnelson	Active
Season	9/14/2006 8:39:37 AM	dnelson	Active
Quantity	9/14/2006 8:40:34 AM	dnelson	Active
Summary	09/14/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/14/2006 8:24:00 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: James Shippy Contact Phone Number: 459-8965 Date of Field Exam: 6/13/2006 Directions to Property:
POD	9/14/2006 8:29:31 AM	dnelson	Updated shape
Source	9/14/2006 8:36:52 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Agent.
Summary	9/14/2006 8:42:45 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	9/14/2006 8:25:47 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: James Shippy Contact Phone Number: 459-8965 Date of Field Exam: 6/13/2006 Directions to Property:
POD	9/14/2006 8:28:48 AM	dnelson	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32436 V1

General	9/14/2006 8:26:46 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Letter from son of original owner
POD	9/14/2006 8:28:27 AM	dnelson	Updated shape
POD	9/14/2006 8:31:48 AM	dnelson	Updated shape
POD	9/14/2006 8:36:24 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	9/14/2006 8:38:16 AM	dnelson	Updated shape for Active POU
POU	9/14/2006 8:38:25 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Agent
Use	9/14/2006 8:38:59 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Agent

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32436 V1

Season	9/14/2006 8:39:37 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/14/2006 8:40:34 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Field Exam by Agent using Theoretical Calculations.

Water Supply Bank:

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

CONTACT: GRANDSON

1.) Pump information:

JAMES SHIPPY 459-8965.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
ENID'S YARD PUMP	Red Lion A.O. SMITH CORP	1 Hp	5ER-2K05 MOD-248C 45367	Red Lion	1 1/2 inch line
DOUG'S YARD PUMP	General Electric	2 Hp	778 Jet Pump	Jet Pump	1 1/2 inch line
IRRIGATION PUMP	Century	5 Hp	6-332987-03	Berkeley	7" imp MOD B32 PM.

ENID'S — 4 FT

DOUG'S — 5 FT

IRRIg — 5 FT

2.) Lift (distance from pump to water)

3.) How was lift determined (well log, measurement, owner)? MEASUREMENT

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) ESTIMATE

ENID'S — 45 PSI

DOUG'S — 45 PSI

IRRIg — 15 PSI

5.) Was a measurement made? NO If no can a measurement be made at a latter time? PUMPS WERE NOT ON, BLACK CANYON WATER WAS BEING USED.

6.) What type of measurement device was used? N/A

7.) Is there a pump curve available for pump? NO

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

DITCHES.

9.) Please outline all acres irrigated on attached aerial photo. DONE

10.) Please clearly mark all points of diversion on map and GPS. DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

 DONE

12.) Pictures taken of place of use and point of diversion. DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

55 acres WORTH OF Black Canyon water is
used on this farm. The wasteway is only used
in time of shortage to supplement Black
Canyon water. This claim was filed on
unnamed drain & springs, but entire ^{right} ~~property~~
is diverted from sand hollow wasteway.
There are 3 P/O's for this right.
one at Enid's house for yard and 2 @ Doug's
House, one for Doug's yard, and one for field
irrigation. The water is only used
on the lower fields. it is cost
prohibitive to pump up to the top
of the farm's irrigation system.
60 acres of this farm ^{can be} ~~are~~ irrigated
from the wasteway. The total flow
was calculated @ 0.94 cfs, so 0.90 cfs
Requested is reasonable. There are 3 P/O's
instead of 2 P/O's. 2 of the P/O's were right
next to each other, so they were filed as one.

DATE EXAM CONDUCTED

Daniel A. Moran

VOLUME:

$4.5 \times 60 = 270 \text{ AF}$

FIELD EXAMINER

6-13-06.

Irrigation Pump

Dougs yard pump

Enids yard pump

NENW
35 acres

NWNE
25 acres

NWNW

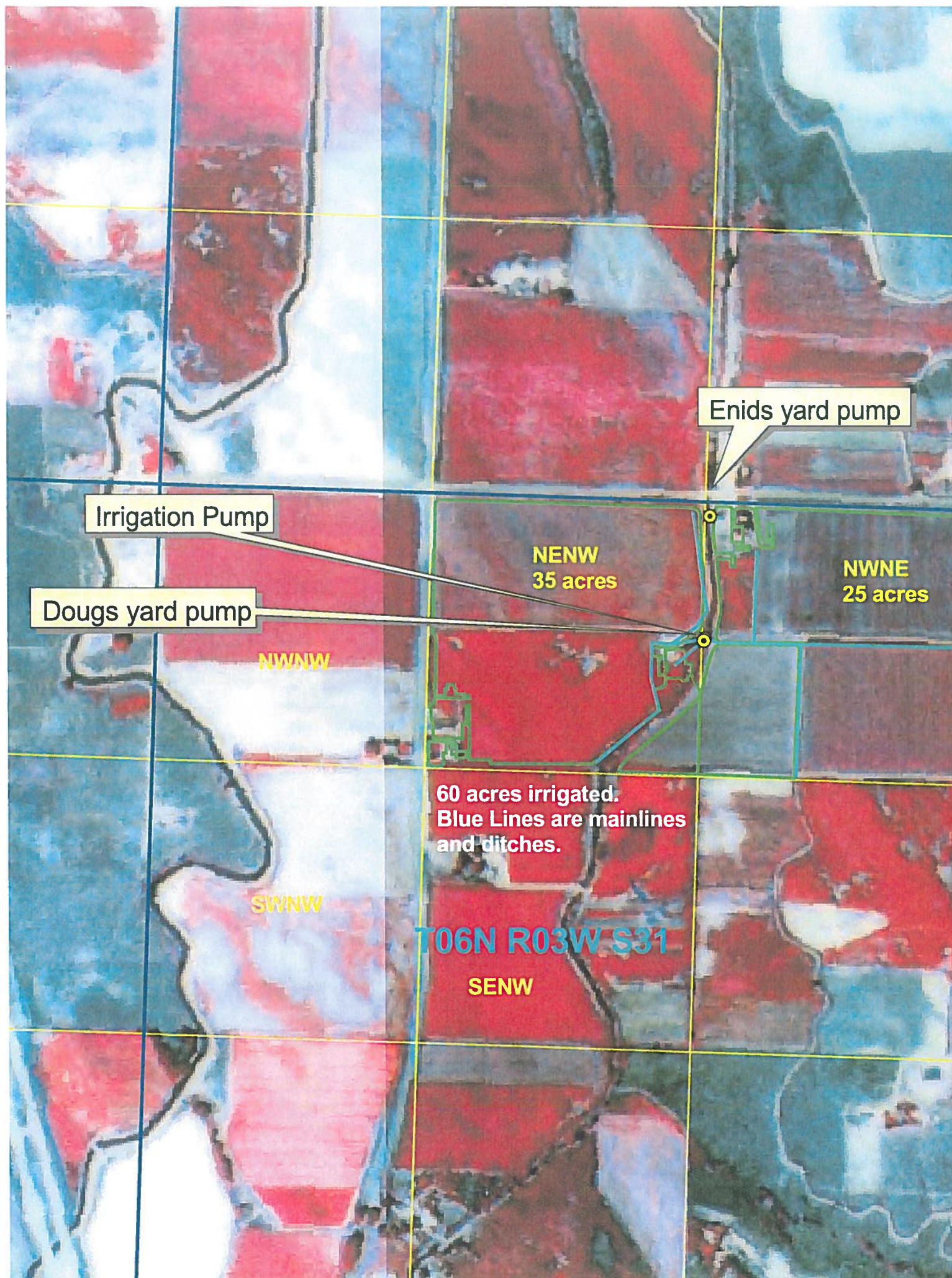
60 acres irrigated.
Blue Lines are mainlines
and ditches.

SWNW

T06N R03W S31

SENW





GROUNDWATER THEORETICAL ANALYSIS

IRRIGATION
Pump

FILE: 63-5191

DATE: 6-13-06

BY: DAN NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (5 \text{ HP.}) \times (0.70)}{[(5) + (15 \times 2.31)]} = \frac{30.8}{39.65} = 0.77 \text{ CFS.}$$

349 GPM.

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
Measurement (✓)	Measurement ()	Motor Make, Serial or ID
Owner ()	Owner ()	
Area estimate ()	Estimate (✓)	Pump Make, Serial or ID, rating
Well Logs ()	Owner Gage ()	
	Booster (Y) (N)	

REMARKS: The LIFT was measured, BUT the pump wasn't operating, so the pressure couldn't be measured. This is an open discharge system, so the open flow would be approximately 5-10 PSI. The ~~open~~ open discharge is approx. 20 FT higher than the pump; so this head differential is between 5-9 PSI. Therefore the pressure was estimated at 15 PSI.

TOTAL FLOW	Enid's pump =	0.06 CFS
	Doug's pump =	0.11 CFS
	IRRIGATION pump =	0.77 CFS
	<u>TOTAL</u>	<u>0.94 CFS.</u>

GROUNDWATER THEORETICAL ANALYSIS

Doug's
VGRD
Pump

FILE: 63-5191

DATE: 6-13-06

BY: DAN Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (\underline{2}) \times (0.70)}{[(\underline{5}) + (\underline{45} \times 2.31)]} = \frac{12.32}{108.95} = \underline{0.11 \text{ CFS}} = \underline{51 \text{ gpm.}}$$

LIFT FROM:

PSI FROM:

NOTES ON PUMP:

Measurement (☒)

Measurement ()

Motor Make, Serial or ID

Owner ()

Owner ()

Area estimate ()

Estimate (☒)

Pump Make, Serial or ID, rating

Well Logs ()

Owner Gage ()

Booster (Y) (N)

REMARKS: The LIFT was measured, BUT THE PUMP
WASN'T OPERATING, SO THE PRESSURE COULDN'T
BE MEASURED. THE STANDARD PRESSURE FOR
VGRD SPRINKLER SYSTEM IS 45PSI, SO THIS
WAS THE PRESSURE USED.

GROUNDWATER THEORETICAL ANALYSIS

Enid's
YARD
Pump.

FILE: 63-5191

DATE: 6-13-06

BY: DAN NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (1) \times (0.70)}{[(4 \text{ FT}) + (45 \text{ psi} \times 2.31)]} = \frac{6.16}{107.95} = 0.06 \text{ CFS.}$$

25 gpm.

LIFT FROM:

PSI FROM:

NOTES ON PUMP:

Measurement (✓)

Measurement ()

Motor Make, Serial or ID

Owner ()

Owner ()

Area estimate ()

Estimate (✓)

Pump Make, Serial or ID, rating

Well Logs ()

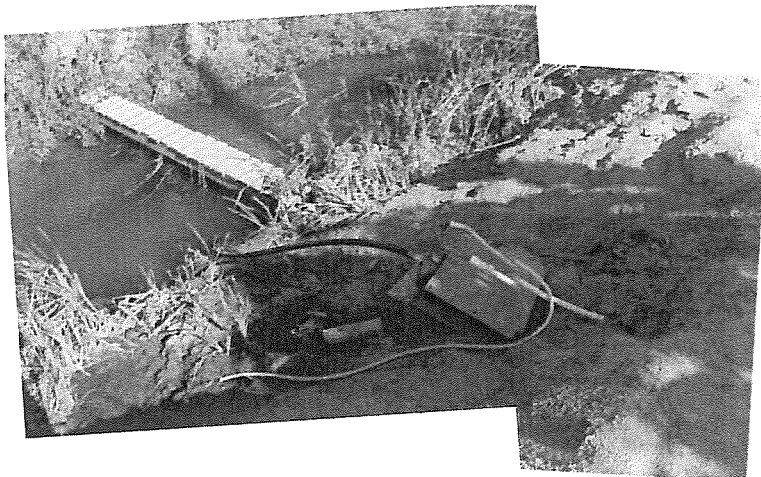
Owner Gage ()

Booster (Y) (N)

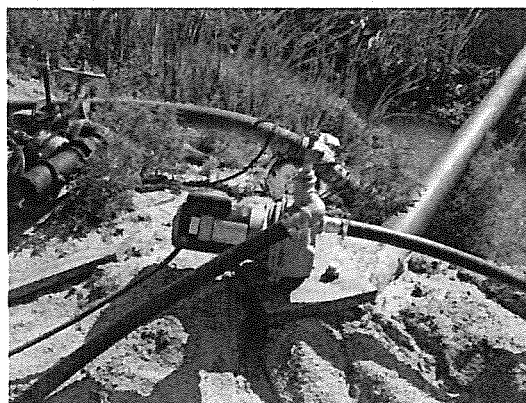
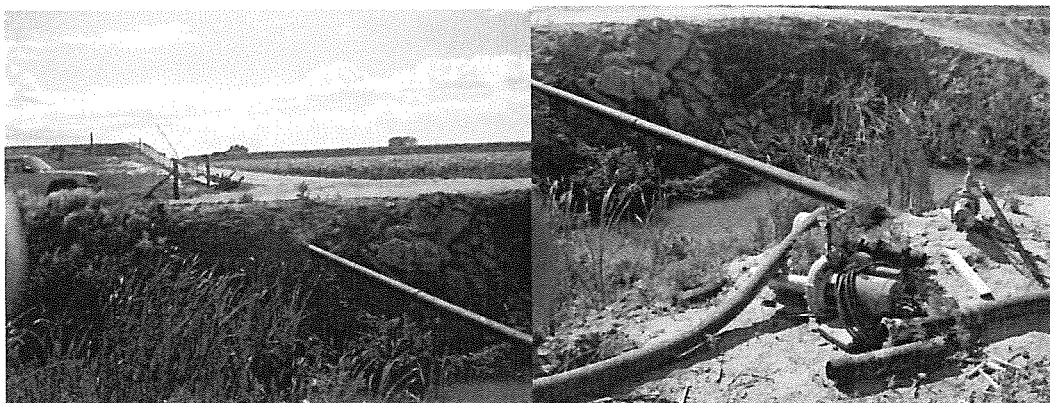
REMARKS: The LIFT was measured, BUT the pump wasn't operating, so a pressure couldn't be determined. However most yard sprinklers operate at 45 psi. Therefore this pressure was used.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/21/2006

FILE NUMBER 63-5191



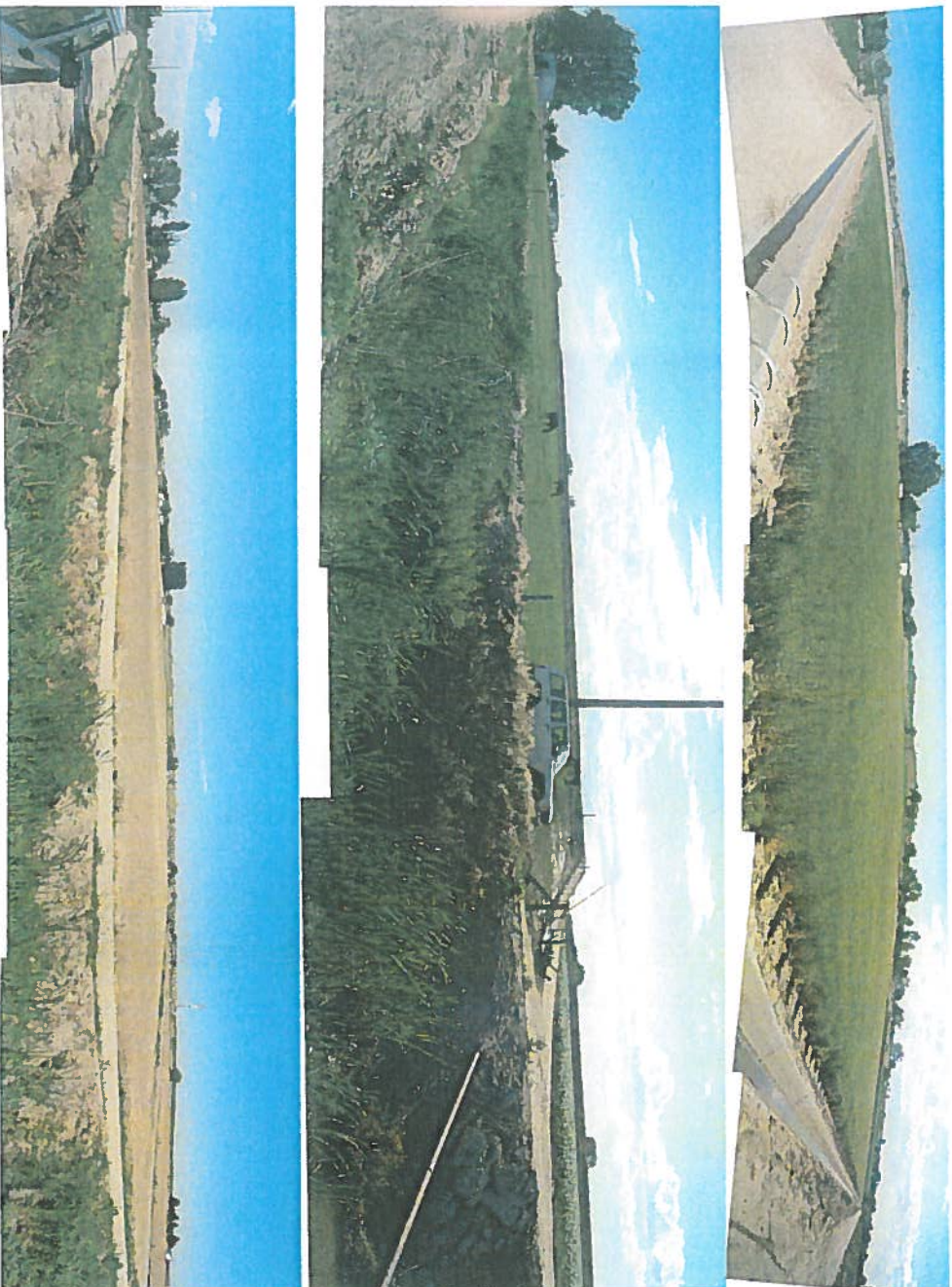
These are photos of the three pumps. The top photo is of Enid's pump, and the two below are of the irrigation pump on the left and Doug's pump on the right. You can see the mainline going across the canal in the photo below as well.



The two bottom photos are up close photos of the Irrigation pump and Doug's pump. The irrigation pump on the left uses a flexible discharge line to divert into the mainline going across the drain or directly into the ditches on the west side of the drain. Doug's pump goes mainly to his home.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/21/2006

FILE NUMBER 63-5191



These are photos of the fields being irrigated out of the drain. The top photo is of the north field in the NWNE. The middle picture is of the pasture and south field in the NWNE. The bottom picture is of the field in the NENW.

Black Canyon

55 ACRES WORTH

Yard Pump (LADAM)
45 PSI

4 FT LIFT

~~to Ben~~
F. Enid's

1 HP Red LION

SER 2K05

TYPE C

MOD C48C45B67

A O SMITH CORP

Doug's Pump

2 HP

Wen Elect

5 FT LIFT

45

7785ETP4

IRrig pump

5 FT LIFT

Century Pump

5 HP

Berkelley Pump

1800 RPM

2" imp

Open discharge
10 PSI

6-332981-03

mod
B32PM

30-8
28.1

Saved Swipay.

OF

Change as IP

OWN OWNERSHIP

SELL

4240 Caldwell
83602

Check

SECTION 32

SW SE

sun back ??





IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5191

WATER RIGHT NUMBER: 63-5191

Owner Type Name and Address
 Current Owner ENID N SHIPPY
 6245 SE 11TH AVE
 CALDWELL, ID 83605
 (208)459-4872

Priority Date: 04/01/1969 — OK
 Basis: Statutory Claim — Beneficial use.
 Status: Active

Source Tributary
~~SPRING~~ — Remove
 UNNAMED DRAIN — Sand Hollow wastewater
~~SAND HOLLOW CREEK~~ — REMOVE SPRING
~~SAND HOLLOW CREEK~~

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	10/31	0.900 CFS	
<u>Total Diversion:</u>			0.900 CFS — OK	

Location of Point(s) of Diversion

~~SPRING~~ —	NE1/4NW1/4 —	Sec. 31, Twp 06N, Rge 03W, B.M. —
PAYETTE County —		
UNNAMED DRAIN	NE1/4NW1/4	Sec. 31, Twp 06N, Rge 03W, B.M.
PAYETTE County		

← 3rd Sam. Leg 2

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	03W	31	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	60.0
			26.0	34.0			
			25	35			

← OK

Total Acres: 60

Conditions of Approval:Remarks:

W 14 - Black Canyon

Comments:

E 65 - .02

Dates and Other Information:

RECEIVED

MAY 25 2006

WATER RESOURCES
WESTERN REGION

May 23, 2006

Department of Water Resources
Daniel Nelson

In regards to Claim No A63-5191
for Enid N Shippy. My Dad Sam
Shippy installed the pump on this
project in 1969.

Floyd Shippy



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 9, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ENID N SHIPPY
6245 SE 11TH AVE
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-5191

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 printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, 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.

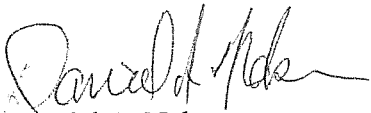
Page 2
Shippy

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.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by June 2, 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.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

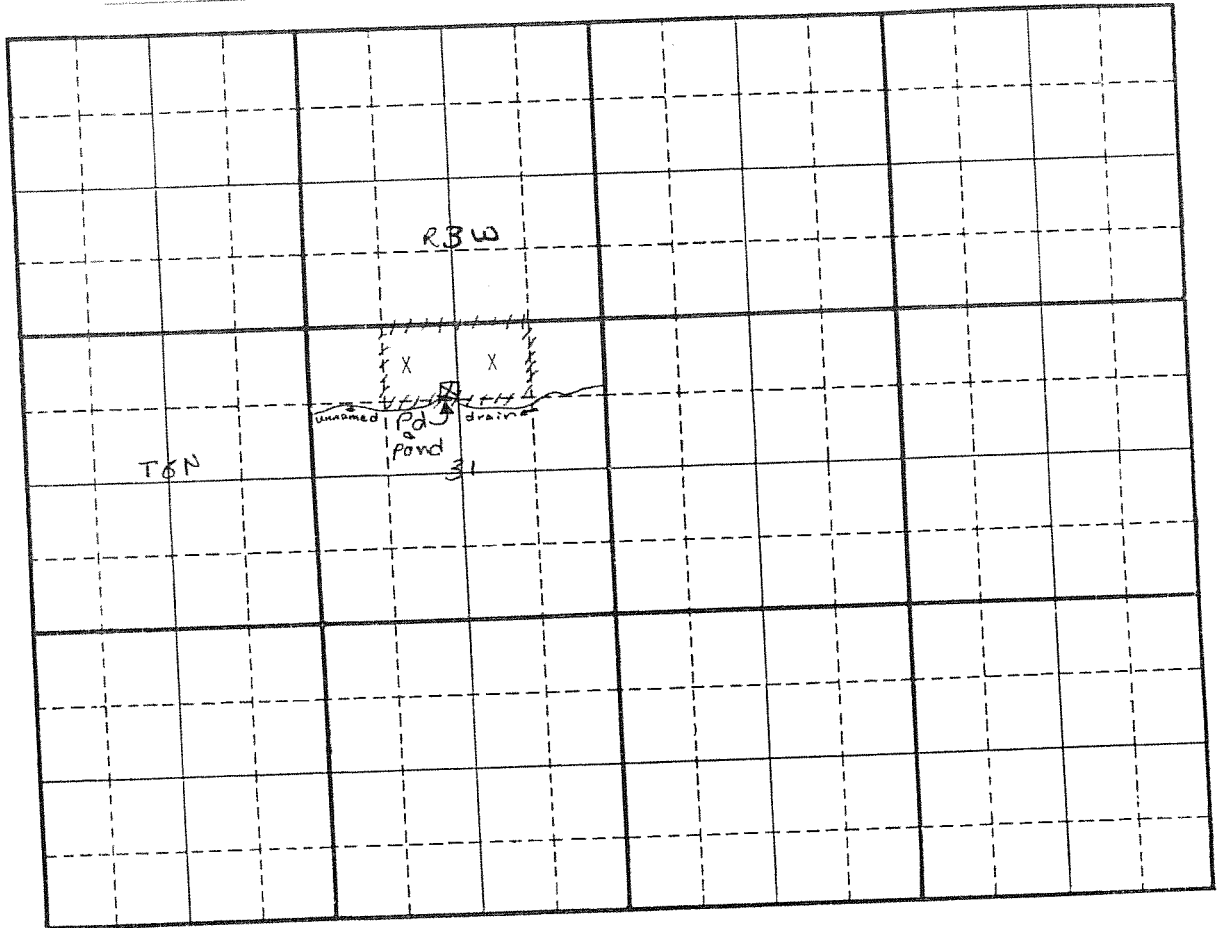


Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5191

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.

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29 day of June, 1983.

Samuel a Shippy
(Claimant)
Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CEB Date 29 June 83 Exception filed by: _____
Prelim. check by CLS Date 11/8/83
\$30.00 fee received by CEB Date 29 June 83 # 26868
Published in Independent Enterprise
Dates 11/23 + 12/1/83

Forwarded to _____ Date _____
claimant by: _____

Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Rec	63 2878	BLACK CANYON IRRIGATION DIST.	ELIJAH DRAIN, WILSON DRAIN	06N03W31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Rec	63 2922	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	06N03W31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Right	63 26537	JERRY COLLINGHAM, LINDA COLLINGHAM,	GROUND WATER	06N03W31													X	X			0
Right	63 26537	JERRY COLLINGHAM, LINDA COLLINGHAM,	GROUND WATER	06N03W31														X			0
Right	63 27140	DAN HARROLD, CINDY HARROLD,	GROUND WATER	06N03W31												X					0
Right	63 27140	DAN HARROLD, CINDY HARROLD,	GROUND WATER	06N03W31												X					0
Right	63 27141	ELDON F HARROLD,	GROUND WATER	06N03W31												X					0
Right	63 27141	ELDON F HARROLD,	GROUND WATER	06N03W31												X					0
Right	63 29961	LOUISA A CONE, RANDALL L CONE,	GROUND WATER	06N03W31												X					0
Right	63 29964	PEARL L BREWER, EARL F BREWER,	GROUND WATER	06N03W31													X				0
Right	63 29964	PEARL L BREWER, EARL F BREWER,	GROUND WATER	06N03W31													X				0
Right	63 30036	JEANNE KOONCE, GAYLEN KOONCE,	GROUND WATER	06N03W31						X											0
Right	63 30036	JEANNE KOONCE, GAYLEN KOONCE,	GROUND WATER	06N03W31						X											0
Right	63 30038	RANDY HARROLD, CONNIE F HARROLD,	GROUND WATER	06N03W31							X										0
Right	63 30038	RANDY HARROLD, CONNIE F HARROLD,	GROUND WATER	06N03W31							X										0
Right	63 30320	SAND HOLLOW COMMUNITY HALL,	GROUND WATER	06N03W31								X									0
Right	63 30433	KATHLEEN J CORN, KRISTINE SUNDBECK PONCIA,	GROUND WATER	06N03W31												X					0
Right	63 30433	KATHLEEN J CORN, KRISTINE SUNDBECK PONCIA,	GROUND WATER	06N03W31												X					0

4/24/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

Page2

[illegible]

Receipt Details for ID W020472

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/26/1996 11:39:40 AM	2/26/1996	Western	\$100.00	Check
Payer	SHIPPY, ENID N			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1402			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	ADJUDICATION CLAIM	41503	337	0	0	1155

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	5191		\$100.00	Claim

Print Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUN 29 2006

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-5191		X			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) ENID W SHIPPY
4. New Owner/Claimant(s) Doug L MILBURN Christy D. Milburn
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 6233 SE 11th AVE
- City, State and ZIP Code CALDWELL Idaho 83607
- New Telephone Number (208) 459-9273
5. Date you acquired the property 10/29/96

✓
RECEIVED

264476

Seq. of
169-6

655

2251

NOV 4 1996

WARRANTY DEED

PAYETTE COUNTY
ASSESSOR'S OFFICE

For Value Received

ENID N. SHIPPY, A WIDOW

DEC 26 1996
gm

the grantor, do hereby grant, bargain, sell and convey unto

DOUG L. MILBURN AND CHRISTY D. MILBURN, HUSBAND & WIFE

the grantee, whose current address is 6233 SE 11th Ave CRAWFORD

the following described premises, in PAYETTE

County Idaho, to-wit:

THAT PORTION OF PROPERTY LOCATED NORTHWEST OF THE SAND HOLLOW DRAIN IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 3, WEST OF THE BOISE MERIDIAN. LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

THE WEST 1100 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION, 31, TOWNSHIP 6, NORTH, RANGE 3 WEST, BOISE MERIDIAN, PAYETTE COUNTY, IDAHO.

★
SAID DESCRIBED PARCEL BEING CONVEYED TO MILBURN IS TO INCLUDE A 16-FOOT RIGHT OF WAY FOR INGRESS AND EGRESS ALONG THE EAST SIDE OF THE FOLLOWING DESCRIBED PROPERTY:
THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 6, NORTH, RANGE 3, WEST, BOISE MERIDIAN, PAYETTE COUNTY, IDAHO

(*OF THE NORTHWEST QUARTER)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HER heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/29/96

Enid N. Shippy

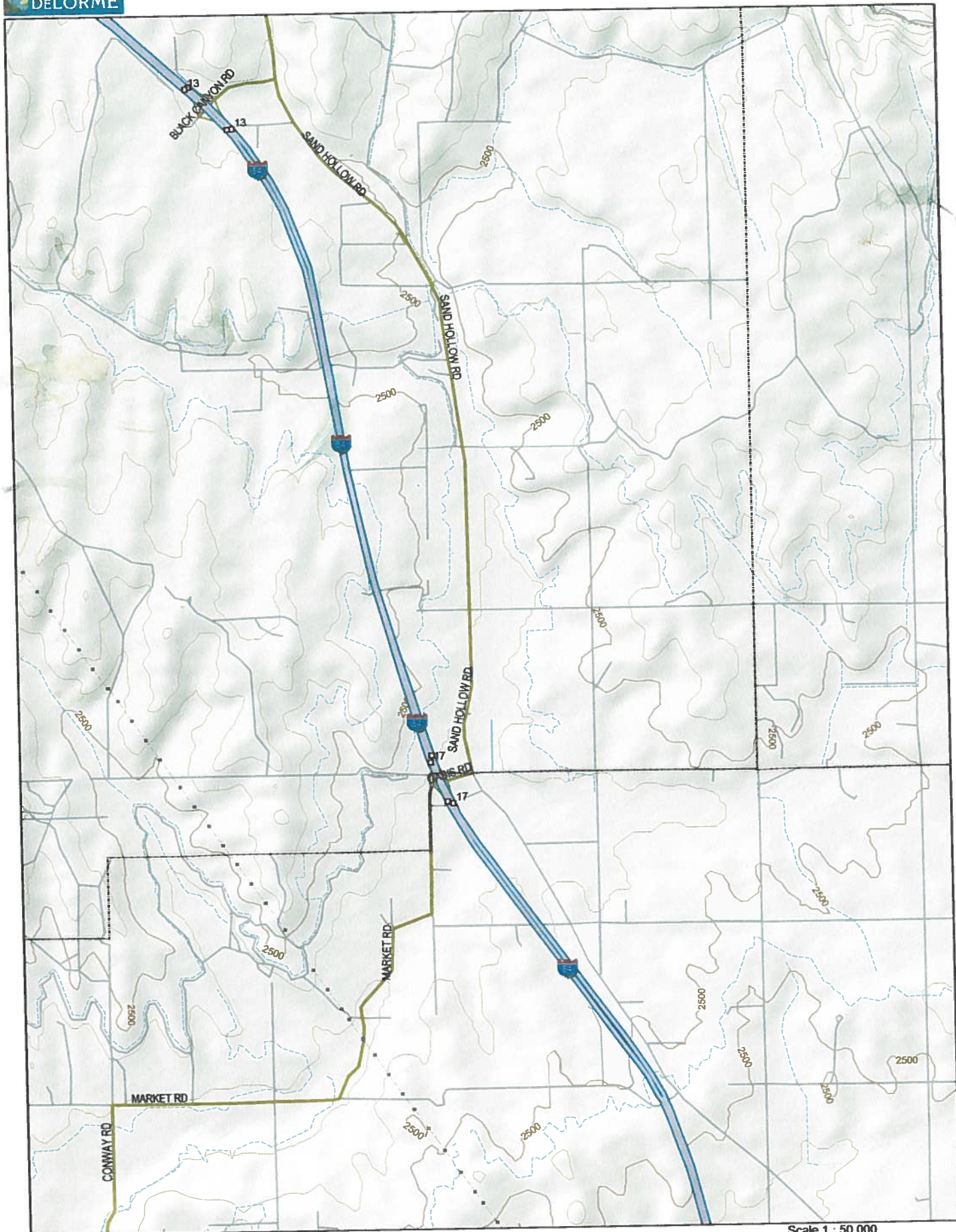
ENID N. SHIPPY

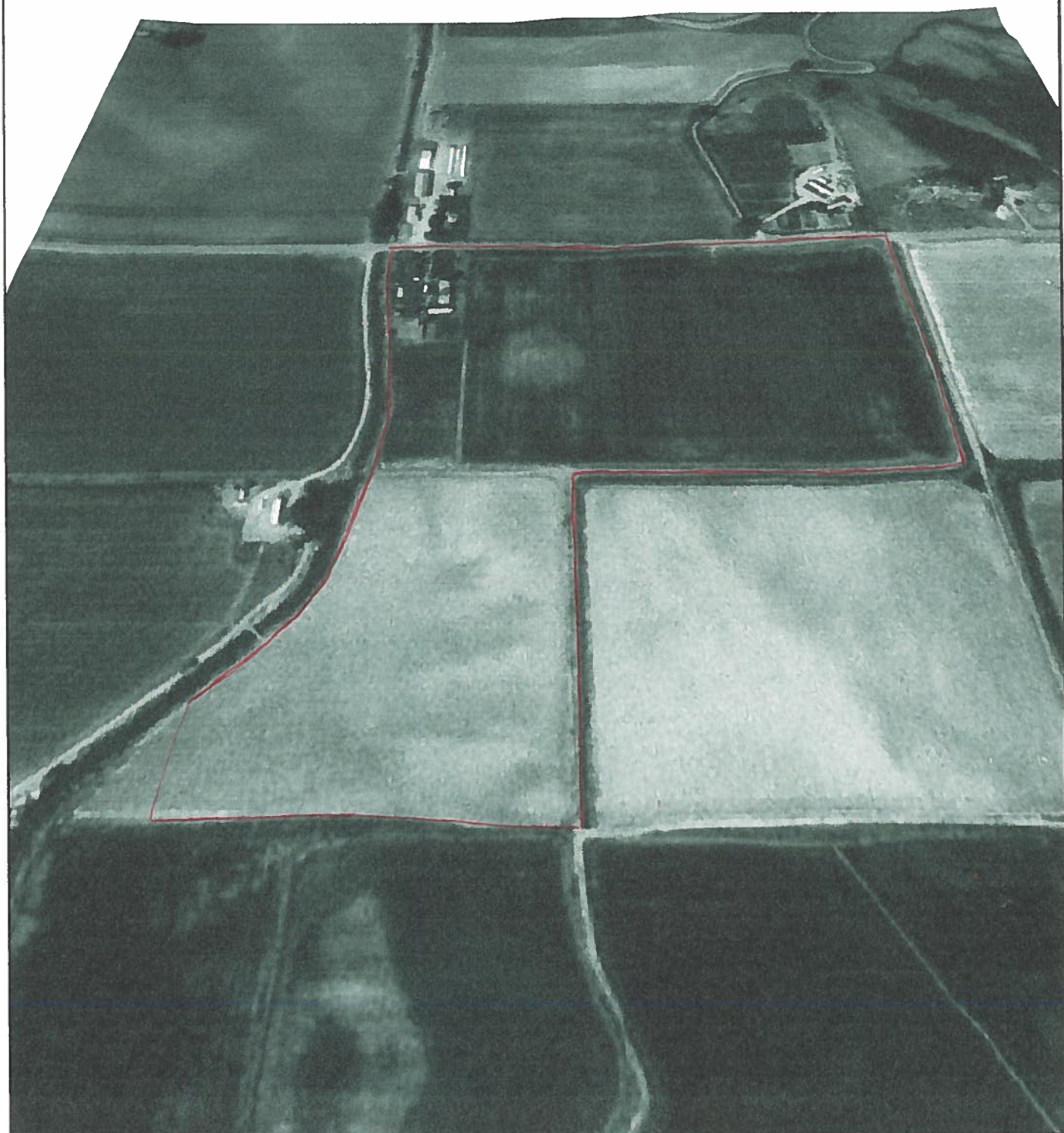
STATE OF IDAHO, COUNTY OF Payette

STATE OF IDAHO, COUNTY OF Payette

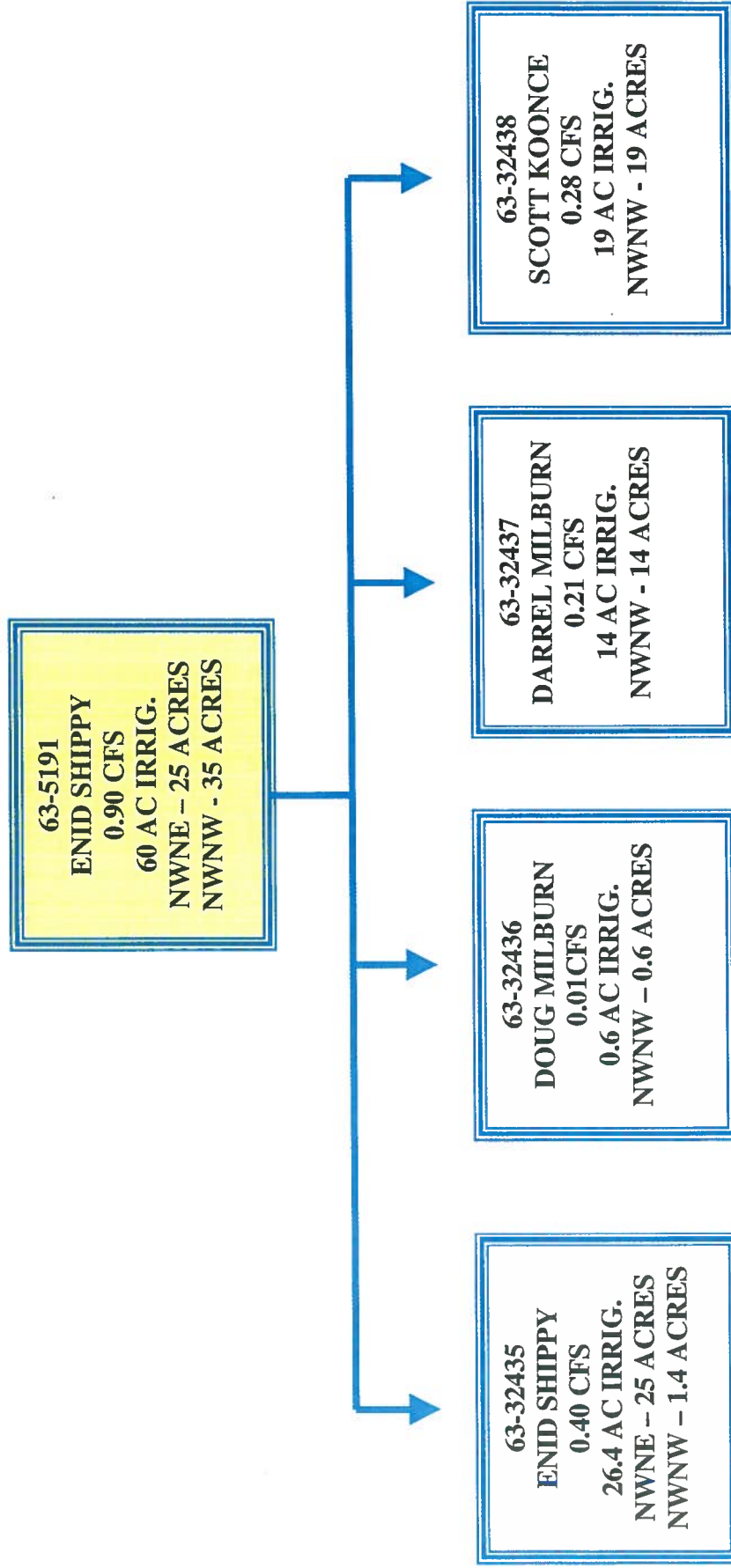
$$\frac{31}{6}$$







SPLIT TREE FOR 63-5191



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: **A63-05191**

Date Received: 2/26/1996

Receipt No: W020472

Received By: _____

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

1. Name: ENID N SHIPPY 208-459-4872
Address: 6245 SE 11TH AVE
CALDWELL ID 83605
2. Date of Priority: APR 1, 1969
3. Source: UNNAMED DRAIN Trib. to: SAND HOLLOW CREEK
SPRING SAND HOLLOW CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06N | 03W | 31 | NE | NW | | | PAYETTE |
5. Description of diverting works:
DUG POND FOR SPRINGS & DRAIN DIVERSION, PUMP FROM POND TO GRAVITY
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.900 | | |
7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	03W	31	NW	NE		IRR	26.0
			NE	NW		IRR	34.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

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:
BLACK CANYON SHARES

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

FEB 26 1996

WATER RESOURCES
WESTERN REGION

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: A63-05191
Date Received: 2/25/1996
Receipt No: W020472
Received By: FW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ENID ~~W~~ SHIPPY 208-459-4872
Address: 6245 SE 11TH AVE
CALDWELL ID 83605
2. Date of Priority: APR 1, 1969
3. Source: UNNAMED DRAIN Trib. to: SAND HOLLOW CREEK
SPRING SAND HOLLOW CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06N | 03W | 31 | NE | NW | | | PAYETTE |
5. Description of diverting works:
DUG POND FOR SPRINGS & DRAIN DIVERSION, PUMP FROM POND TO GRAVITY
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.900 | | |
7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	03W	31	NW	NE		IRR	26.0
			NE	NW		IRR	34.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

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:
BLACK CANYON SHARES

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): X Enid N. Shippy Date: 2/22/96

Date: _____

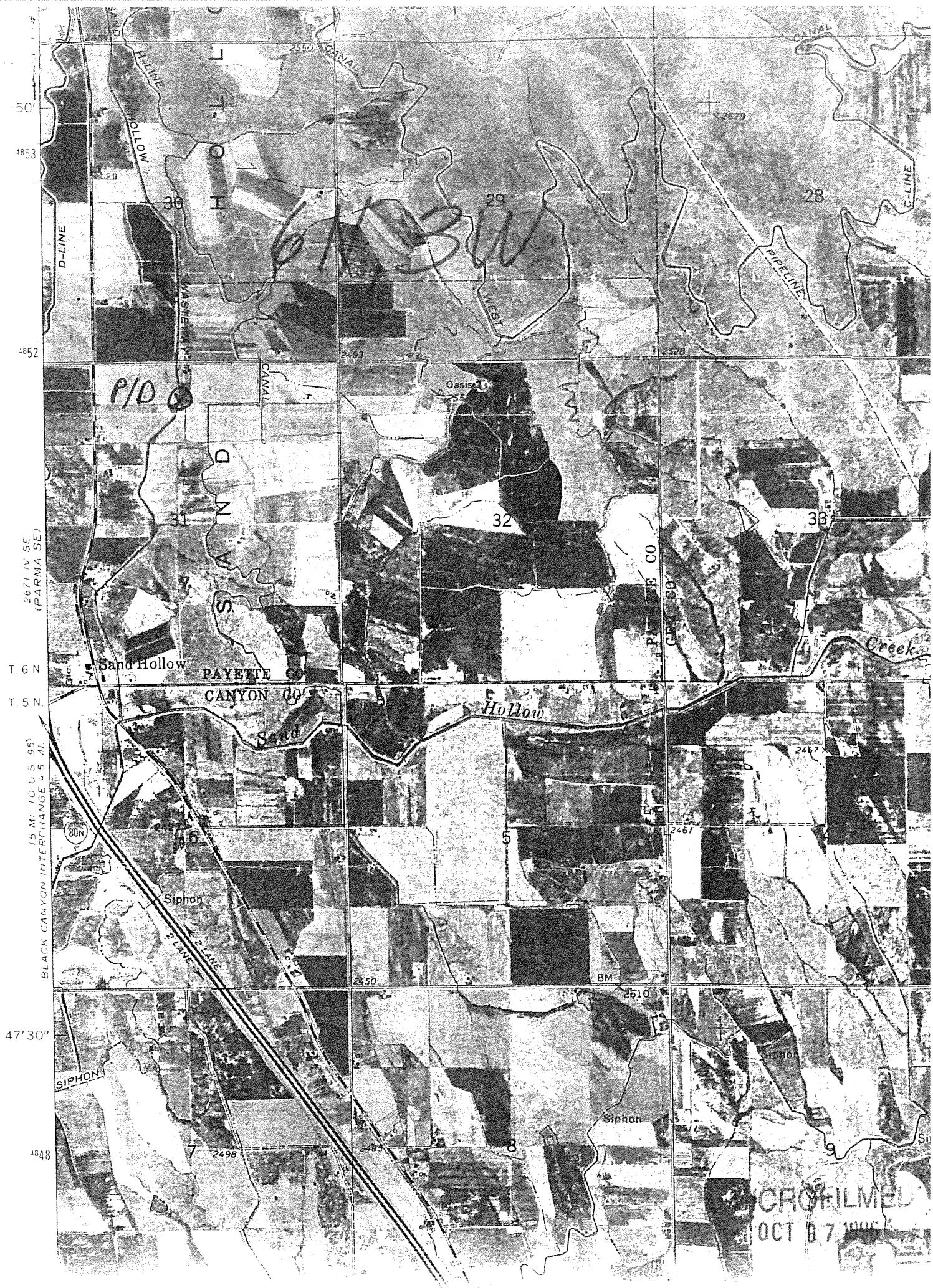
State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Feb. 19 96

Sharon Rae Larson
Notary Public

Seal

Residing at Nampa Id.
My Commission Expires 10/23/97



MICROFILMED
OCT 17 1966