

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 63-32438
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)

SCOTT KOONCE Phone: (208)459-2951
1300 CREST RD
CALDWELL 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	0.28	

7. Total Quantity Appropriated is:
0.28 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	19
					Section Acres	19
					Total Acres	19

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: 63-32438

NAME AND ADDRESS: SCOTT KOONCE
1300 CREST RD
CALDWELL ID 83607

SOURCE: SAND HOLLOW WASTEWAY

TRIBUTARY: SAND HOLLOW CREEK

QUANTITY: 0.280 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	0.280 CFS

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R03W S31 NENW 19.00

19 ACRES TOTAL

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

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.

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.

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

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: 63-32438

SCOTT KOONCE
1300 CREST RD
CALDWELL ID 83607
Telephone Number: (208)459-2951

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: Oct 26-06 SIGNATURE: Scott Koonce

Please print your name: SCOTT KOONCE

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: 63-32438

NAME AND ADDRESS: SCOTT KOONCE
1300 CREST RD
CALDWELL ID 83607

SOURCE: SAND HOLLOW WASTEWAY TRIBUTARY: SAND HOLLOW CREEK

QUANTITY: 0.280 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	0.280 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R03W S31 NENW 19.00

19 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

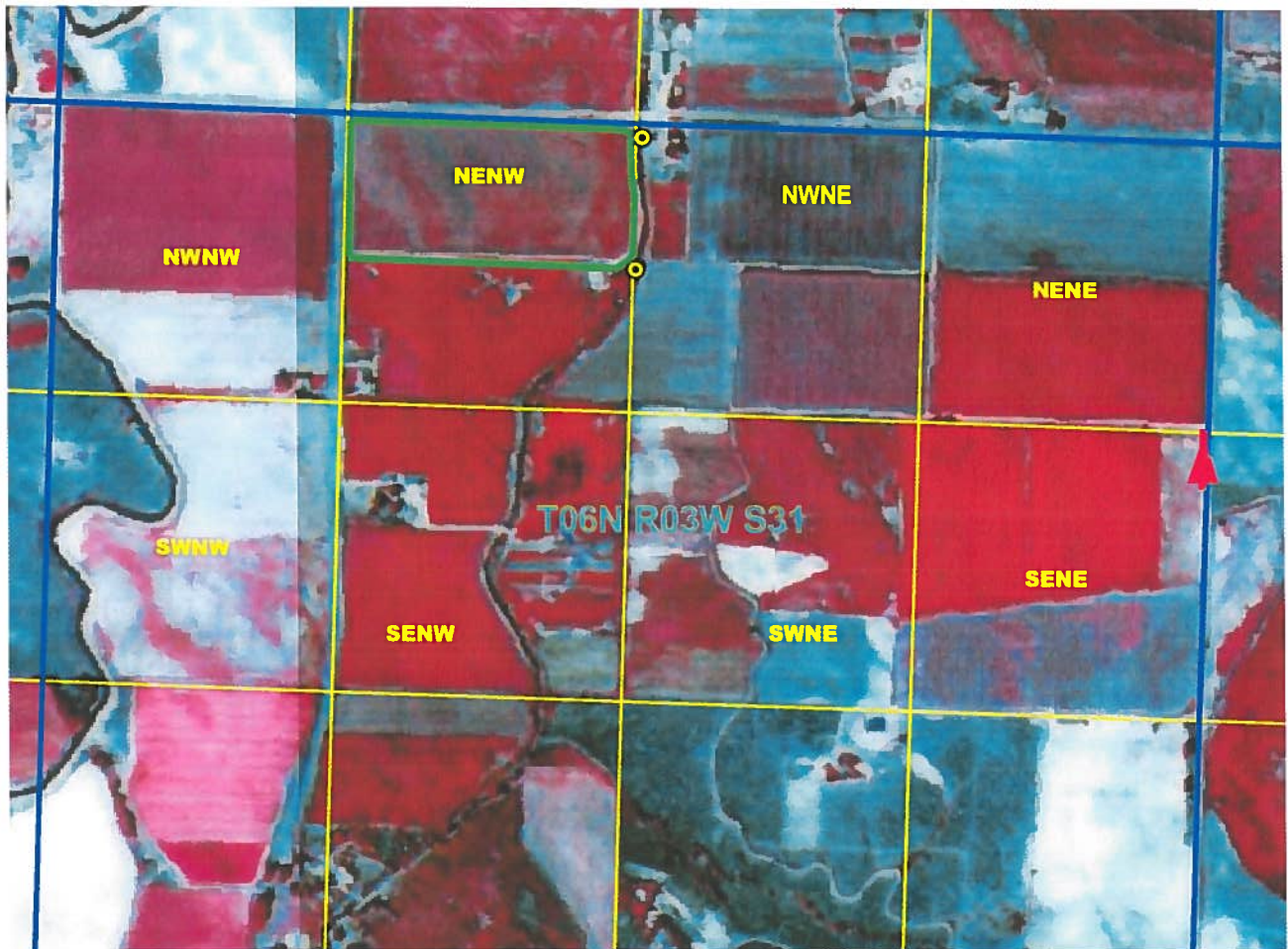
This right is a split from former right 63-5191.

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) : 63-32438



0.5 0 0.5 1 Miles

Total Irrigated Acres = 19 acre(s)

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

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



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32438 V1

WATER RIGHT NUMBER: 63-32438 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT KOONCE 1300 CREST RD CALDWELL, ID 83607 (208)459-2951

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	0.280 CFS	
	<u>Total Diversion:</u>	0.280 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				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	03W	31					19.0												19.0

Total Acres: 19

Conditions of Approval:

1. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.
2. W14 Use of this right is combined with water from Black Canyon Irrigation District.
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. Change of Ownership Recieved 6/9/2006. Split from water right 63-5191. DAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32438 V1

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 9:02:59 AM	dnelson			Active
Priority Date	9/14/2006 9:05:33 AM	dnelson			Active
POD	9/14/2006 9:09:14 AM	dnelson			Active
Source	9/14/2006 9:09:46 AM	dnelson			Active
POU	9/14/2006 9:10:41 AM	dnelson			Active
Use	9/14/2006 9:11:09 AM	dnelson			Active
Season	9/14/2006 9:11:46 AM	dnelson			Active
Quantity	9/14/2006 9:12:28 AM	dnelson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32438 V1

Summary	09/14/2006	dnelson	Active
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/14/2006 9:07:09 AM	dnelson	Updated shape
POU	9/14/2006 9:10:34 AM	dnelson	Updated shape for Active POU
General	9/14/2006 9:05:33 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 for previous owners son.
POD	9/14/2006 9:06:29 AM	dnelson	Updated shape
POD	9/14/2006 9:09:14 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?
POD	9/14/2006 9:06:51 AM	dnelson	Updated shape
Contacts	9/14/2006 9:02:59 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: Jim Shippy Contact Phone Number: 495-8965 Date of Field Exam: 6/13/2006 Directions to Property:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32438 V1

Source	9/14/2006 9:09:46 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
POU	9/14/2006 9:10:41 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 9:11:10 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.
Season	9/14/2006 9:11:46 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32438 V1

Quantity	9/14/2006 9:12:29 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.
Summary	9/14/2006 9:13:32 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?

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	SER-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
DOUGS — 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 P10'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 P10's
instead of 2 P10's. 2 of the P10's were right
next to each other, so they were Filed as one.

DATE EXAM CONDUCTED Daniel A. Nelson

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

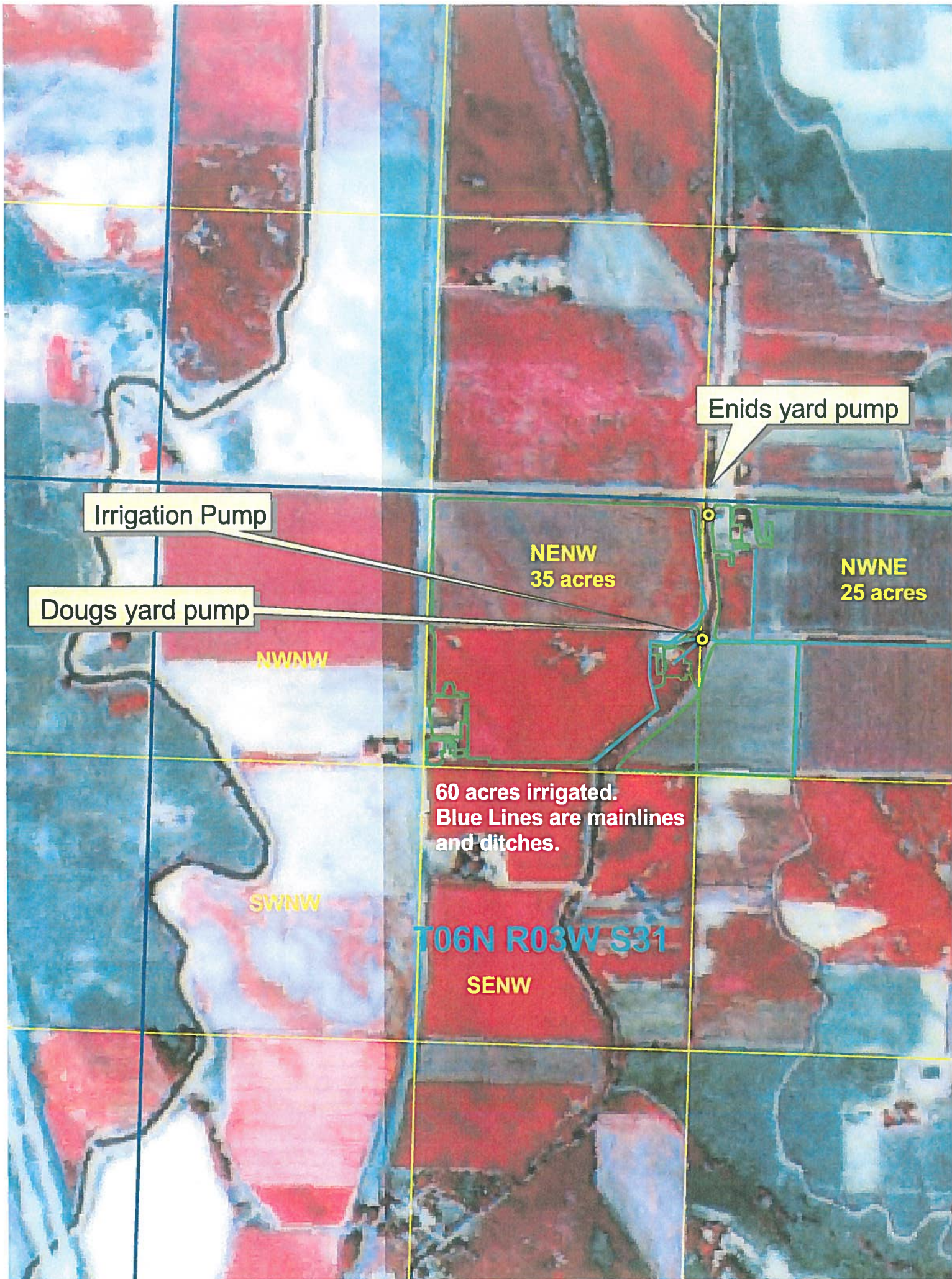
60 acres irrigated.
Blue Lines are mainlines
and ditches.

SWNW

T06N R03W S31

SENW





GROUNDWATER THEORETICAL ANALYSIS

IRRIGATION
Pump

FILE: 103-5191

DATE: 6-13-06

BY: DAN NELSON

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

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])

$Q = \frac{(8.8 \times (5 \text{ HP.}) \times (0.70))}{39.65} = 0.77 \text{ CFS.}$
349 gpm.

$[(5) + (15 \times 2.31)] = 39.65$

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. This is an open discharge system, so the open flow would be approximately 5-10 psi. The ~~pump~~ 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

TOTAL

0.94 CFS.

GROUNDWATER THEORETICAL ANALYSIS

FILE: 63-5191

Doug's
YARD
PUMP

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])

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

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
yard sprinkler system is 45psi, so this
was the pressure used.

GROUNDWATER THEORETICAL ANALYSIS

Enids
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])

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

25 gpm.

LIFT FROM:

PSI FROM:

NOTES ON PUMP:

Measurement (☒)

Measurement ()

Motor Make, Serial or ID

Owner ()

Owner ()

Pump Make, Serial or ID, rating

Area estimate ()

Estimate (☒)

Well Logs ()

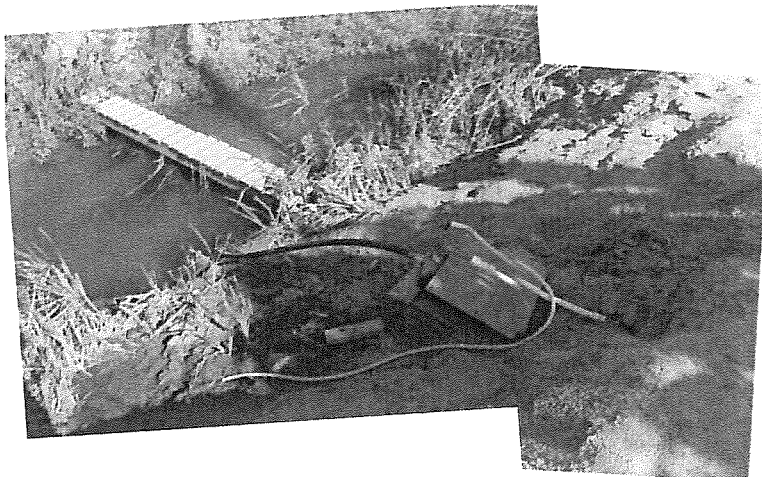
Owner Gage ()

Booster (Y) (N)

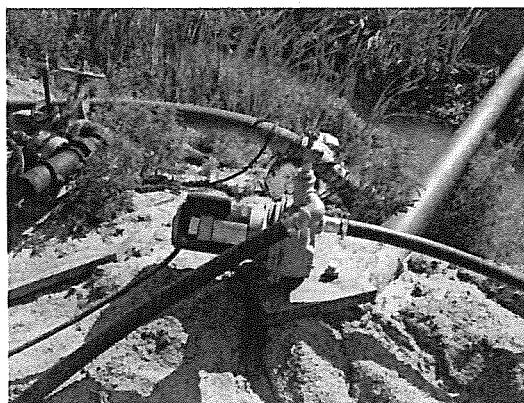
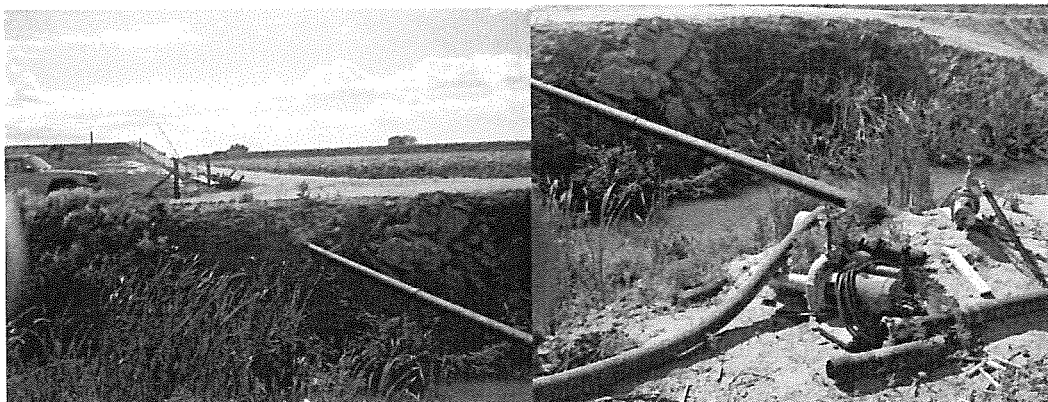
REMARKS: The LIFT was measured, BUT the
pump wasn't operating, so a pressure
couldn't be determined. However most yard
sprinklers operate at 45 psi. Therefore
this pressure was used.

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

FILE NUMBER 63-5191



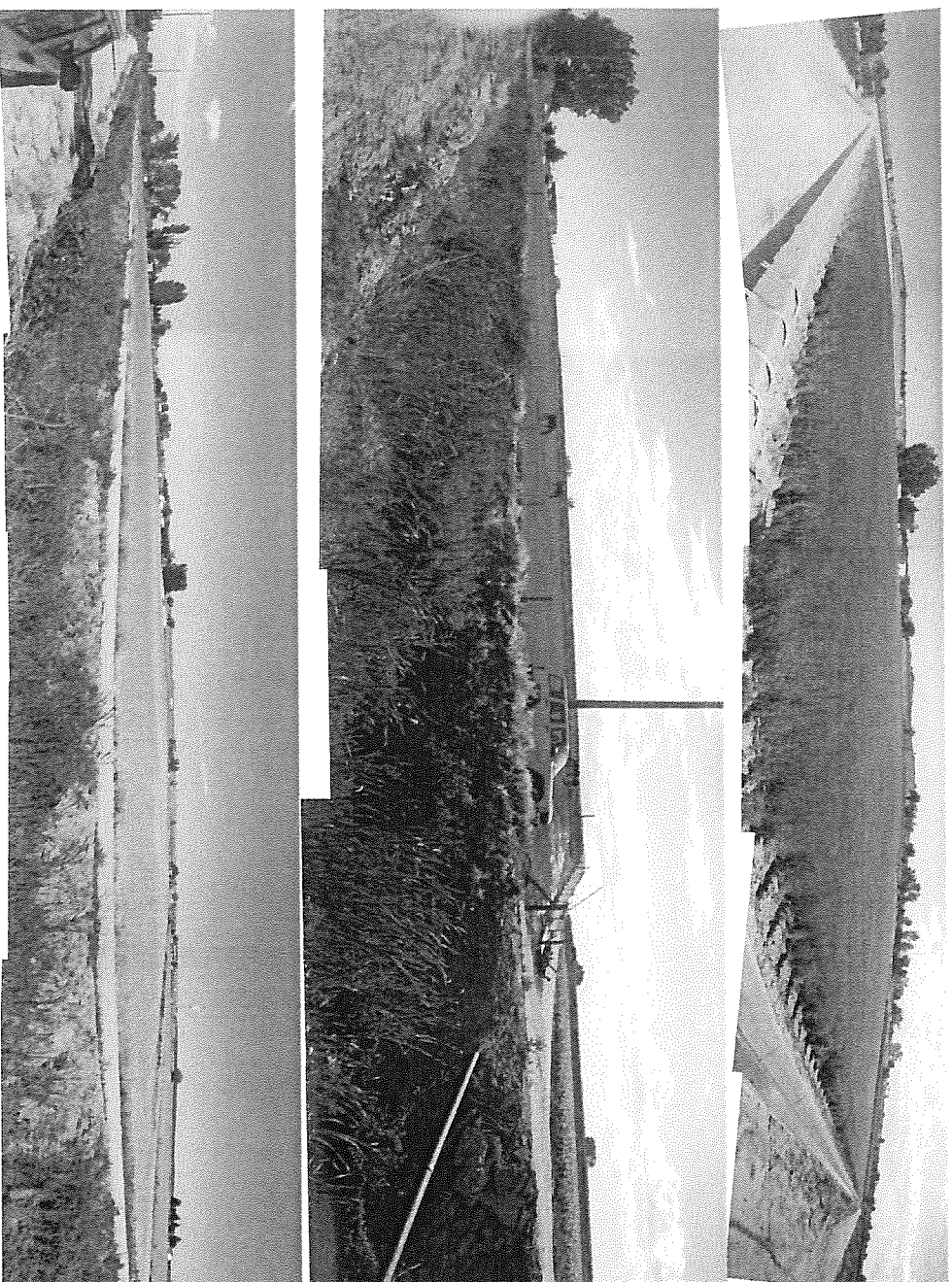
These are photos of the three pumps. The top photo is of Enid's pump, and the two below are of the irrigation pump on the left and Doug's pump on the right. You can see the mainline going across the canal in the photo below as well.



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 PS.

4 FT LIFT

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

BERKELEY PUMP

1800 RPM

7" imp

OPEN DISCHARGE
10 PS.

6-332987-03

mod
B32PM

30-8
28.1

Same as ship.

OF

Change as

own or ship

SELL

6240 Cardwell
83602

Check

SECTION 32

SUNBECK ??

SE



NENW

NENE

NWNE

SWNE

SENE

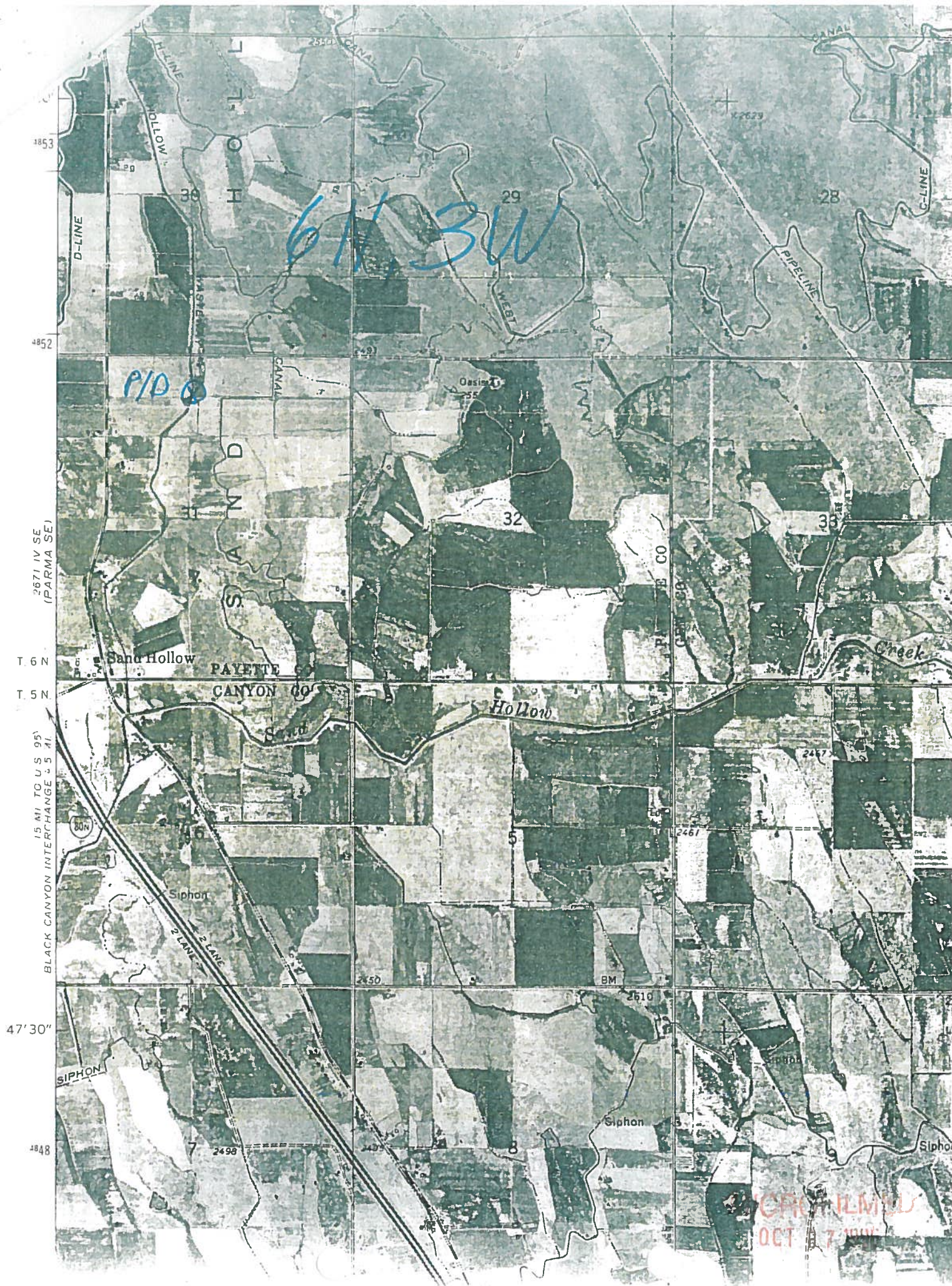
SENW

T06N R03W S31

Doug's pond
Head pond

2008

Black Canyon



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

} RIGHT SPRING

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~~
~~SAND HOLLOW CREEK~~

REMOVE SPRING

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 10/31 0.900 CFS

Total Diversion: 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

← SPRING
Same
LegalPlace of Use

IRRIGATION

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

25

35

← OK

Total Acres: 60

Conditions of Approval:Remarks:

W 14 - Black Canyon

Comments:

E 65 - .05

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.

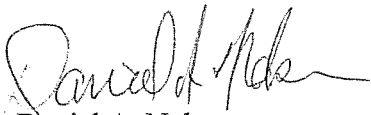
Page 2
Shippy

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,

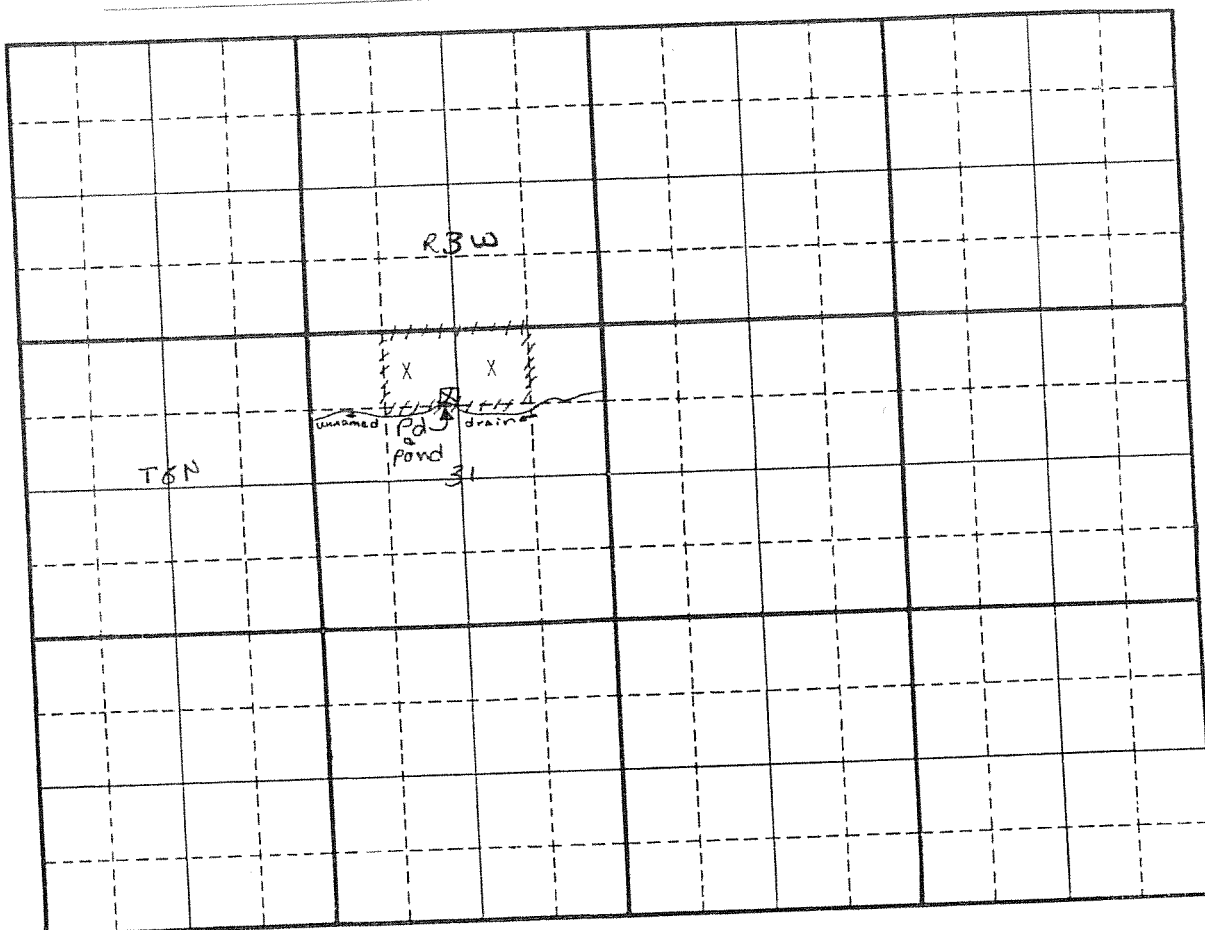


Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

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 Shippey
(Claimant)
Nancy M. Hathway
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
claimant by: _____

Date _____

Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESSW	NWSW	SWSW	SESW	NESSW	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 2322	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	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)

SAMUEL A. SHIPPY ERIC M. SHIPPY
 ROUTE 5 Caldwell

4. New Owner/Claimant(s)

SCOTT KOONCE

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1300 CREST Road

City, State and ZIP Code

Caldwell Idaho 83607

New Telephone Number

208 459-2951

5. Date you acquired the property

Jan 12 - 1986

WARRANTY DEED

For Value Received SAMUEL A. SHIPPY and ENID N. SHIPPY,
husband and wife, Route 5, Caldwell, Idaho,

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

SCOTT DENNIS KOONCE and BRUCE KEVIN KOONCE, both unmarried men,
Route 5, Caldwell, Idaho,

the grantee s, the following described premises, situated in Payette
State of Idaho, to-wit:

County,

The North 1/2 of the Northeast 1/4 of the Northwest 1/4
of Section 31, Township 6 North, Range 3 West of the
Boise Meridian, in Payette County, Idaho;

EXCEPTING THEREFROM all minerals, mineral interest,
oil and natural gas;

RESERVING to the Grantors, their successors and assigns,
a 16-foot right of way for ingress and egress along the
East side of the above described property;

Together with all water, water rights, ditches and rights
of way for ditches appurtenant thereto or in anywise
appertaining;

Together with the water right for 18 inches of water
from Black Canyon Irrigation District;

State of Idaho, County of Payette

225424

certify that this instrument was filed for record at the request of

Jan 12, 1989 @ 11:18 AM, in Book

Laura L. Stigile, Ex-Officio Recorder by

Debra Pepple, Deputy

Gaylen Koonce

48 of Records @ Pg. 225424.

Fee: \$3.00

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

and thatt hey will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 1986.

Samuel A. Shippy
Enid N. Shippy

STATE OF IDAHO, COUNTY OF CANYON) ss.

On this 4th day of November, 1986, before me, a notary public
in and for said State, personally appeared

SAMUEL A. SHIPPY and ENID N. SHIPPY, husband and wife,

known to me to be the persons whose name s are subscribed to the within instrument, and ac-
knowledgeed to me that they executed the same.

Robert R. Alexander

Notary Public.

Residing at Caldwell, Idaho

61-4
272623

WARRANTY DEED

FOR VALUE RECEIVED, BRUCE KEVIN KOONCE, a married person dealing in his sole and separate property, the grantor, does hereby grant, bargain, sell and convey unto SCOTT DENNIS KOONCE, the Grantee, whose current address is 1301 Crest Road, Caldwell, Idaho, all the following described real estate situated in the County of Payette, State of Idaho, more particularly described as follows, to-wit:

The North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 6 North, Range 3 West of the Boise Meridian, in Payette County, Idaho;

EXCEPTING THEREFROM all minerals, mineral interest, oil and natural gas;

Together with all water, water right, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining.

Together with the water right for 18 inches of water from Black Canyon Irrigation District.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that he is free from all encumbrances excepting those existing of record and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 27th day of January, 1998.

WARRANTY DEED - 1

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Scott Dennis Koonce
Time 12:46 P M Date Feb 24 1998 Instrument # 272623-Needs
Laura L. Stigile, Ex-Officio Recorder by Judy B. Samuels Deputy Fee \$6.00

272623

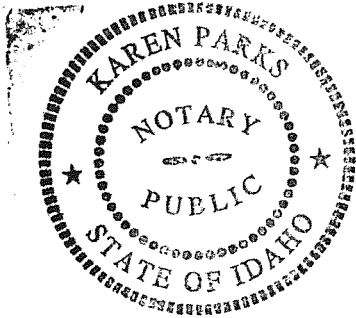
Bruce Kevin Koonce
BRUCE KEVIN KOONCE

Teresa Koonce
TERESA KOONCE

STATE OF IDAHO)
 : SS:
County of Payette)

On this 27 day of January, 1998, before me, a Notary Public in and for the State of Idaho, personally appeared BRUCE KEVIN KOONCE and TERESA KOONCE, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above-written.



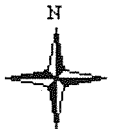
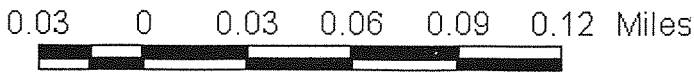
Karen Parks
Notary Public for said State
Residing at: Payette
Commission Expires: 3/24/99



Tract # 8511
Farm # 2139
N HEL

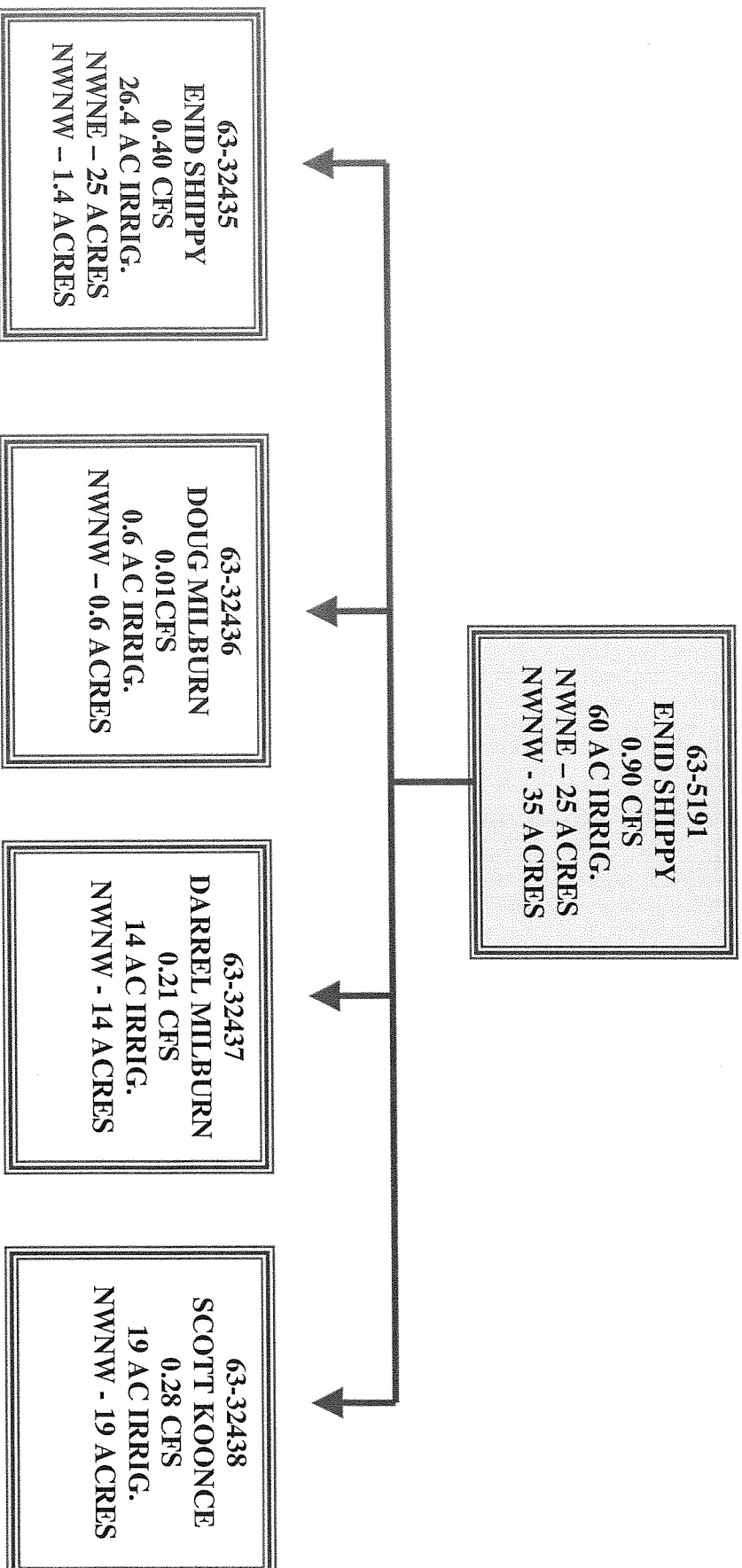
1
19.2 ac

Map of T8511



Map Printed: Apr 21, 2004

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)
County of _____) SS.

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 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06N | 03W | 31 | NE | 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 of	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 Emil 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 Isaacson
Notary Public

Seal

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

