

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

RECEIVED

JUN 22 2007

DEPARTMENT OF
WATER RESOURCES

In Re SRBA) A. Subcase 63-20953
(Insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise-Kuna Irrigation District
Address: 129 North School Avenue
Kuna, ID 83634
Daytime Phone: 208-922-5608

Name & Address of Attorney, if any:

Shelley M. Davis
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Craig and Sheilla Whitted
Address: 7144 Warren Spur Rd.
Melba, ID 83641

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Boise-Kuna Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Boise-Kuna Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District. The place of use is covered by an existing Boise-Kuna Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

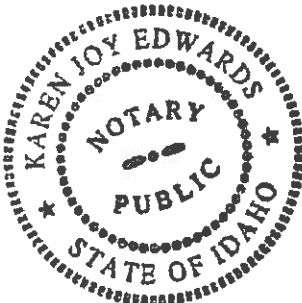
Shelly M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Bowser, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Craig and Sheilla Whitted
Address: 7144 Warren Spur Rd.
Melba, ID 83641

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-20953
NAME AND ADDRESS: SHEILLA WHITTED
7144 WARREN SPUR RD
MELBA ID 83641

CRAIG WHITTED
7144 WARREN SPUR RD
MELBA ID 83641

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 04/15/1944
POINT OF
DIVERSION: T01S R02W S14 SWSE Within CANYON County
T01S R02W S14 SESESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.500 CFS

PLACE OF USE: IRRIGATION in CANYON County

T01S R02W S14	SWSE	21.00	T01S R02W S14	SESE	4.00
---------------	------	-------	---------------	------	------

25 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



Idaho Department of Water Resources

SRBA Recommendation:

63-20953

(Irrigation)

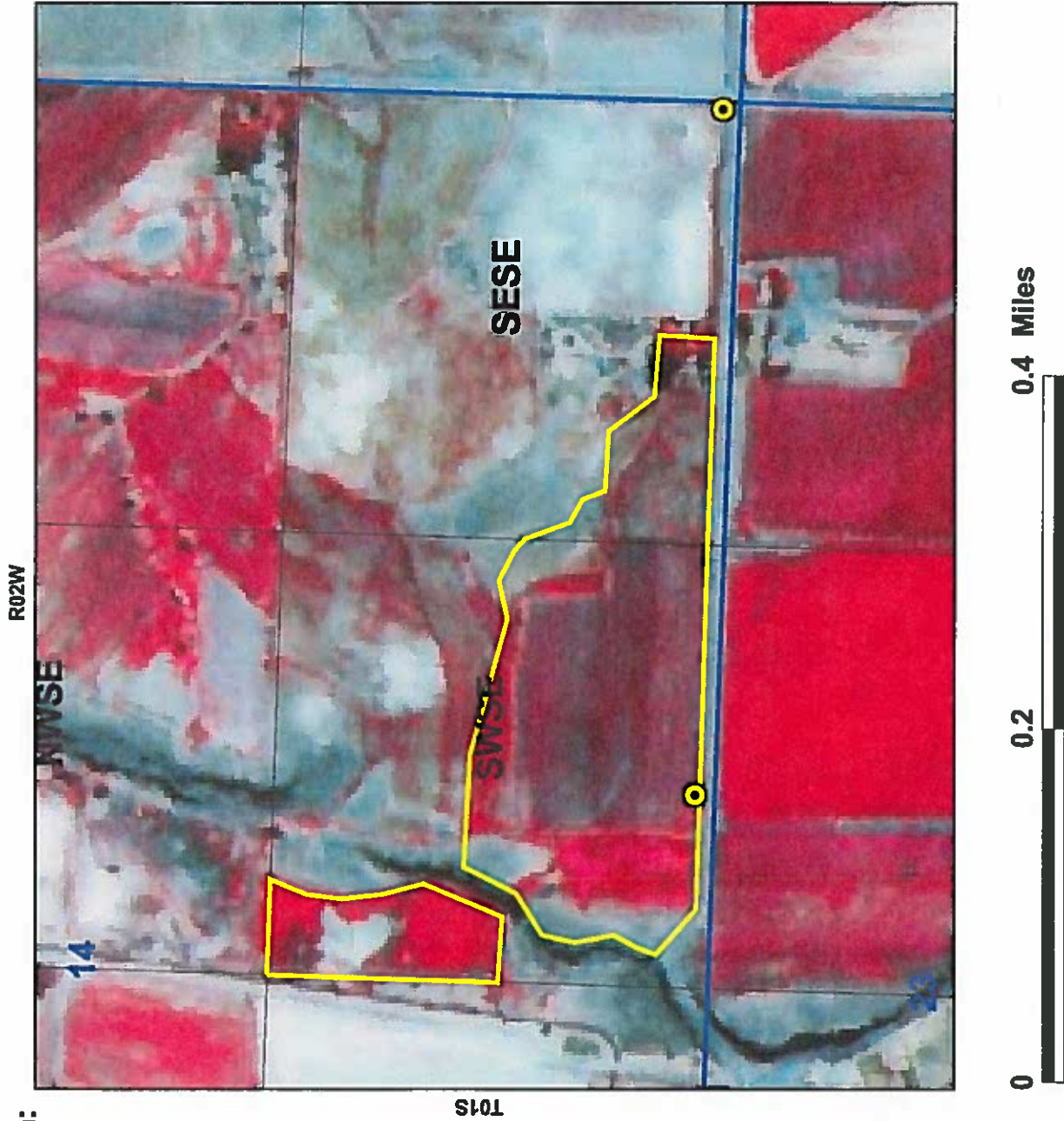
Legend

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



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



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: A63-20953
Date Received: 2/14/1990
Receipt No: Mr 5876
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRAIG WHITTED 208-495-2820
Address: 7144 WARREN SPUR ROAD
MELBA, ID 83641

AND/OR

Name: SHEILLA WHITTED
Address: MELBA, ID 83641

2. Date of Priority: APR 15, 1944

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	14	SE	SW	SE		CANYON
			SE	SE	SE		CANYON

5. Description of diverting works:
DITCHES FOR GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	02W	14	SW	SE	IRR	15.0
			SE	SE	IRR	10.0
Section Acres						25.0
Total Acres						25.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-20951 & 20952, BOISE-KUNA IRRIGATION DISTRICT

14. Remarks:

OTHER CLAIMS ARE 2 WELLS, OTHER USES. USE MAPS IN THIS CLAIM FOR A63-20951 & 20952. WASTE WATER USE MAY DATE TO EARLIEST DATE THAT IRRIGATION WATER WAS DELIVERED TO THE AREA, 1920'S OR EARLIER.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Craig Whitted Date: 14 FEBRUARY 1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of February 19 90

Anna Bounhoff
Notary Public

Seal

Residing at Anna Bounhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



all mine

A63-20951 152 10-11
A63-20952 167 11-11
A63-20953 1005 10-11

Waterway may be
fair via this
channel

area

well
fence and tank

White
mud

tant

operation
p115

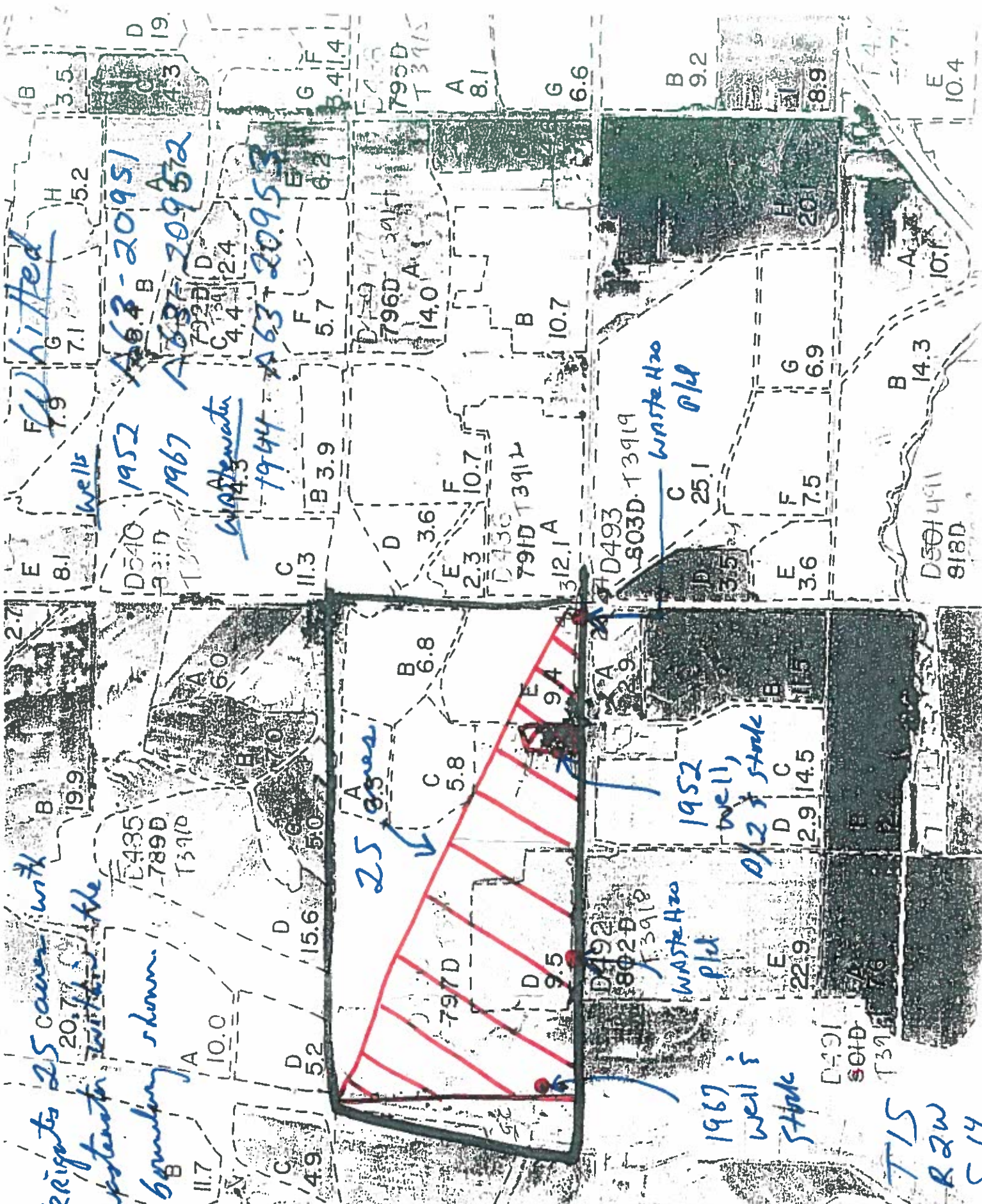
This will may
50-100
50-100
50-100

MICROFILMED
SEP 63 1982

T15 R2W 5.14

Whitted

1 Rrigates 25 acres with
wastewater within the
boundary shown



PROFILMED
SEP 03 1992

T15
R2W
S.14

FIELD EXAM PHOTO INDEX NOTES

AGENT: RON HOWERTON

PHOTO DATE: OCT. 4, 1995

CLAIM/RIGHT NO(S): A63-20953



PHOTO #

SUBJECT

ENTIRE WASTE-WATER

1 POW LOOKING AT FIELD 3, VIEW IS SOUTH * POW ALL CO-MINGLED WITH BOISE-KUNA IRR.

2 POW LOOKING AT FIELD 2, VIEW IS NW,

3 DITCHES TO FIELD 2 AT POINT SHOWN ON MAP,

4 DITCHES FROM WASTE WATER & BOISE-KUNA FLOW THIS POINT MEETS SOUTH DITCH. (uphill) SEE MAP - THE DITCH NORTH OF

5 VIEW OF WHERE CO-MINGLED WASTE WATER & BOISE-KUNA FLOW

6 P/D #1 - WASTE WATER FLOWS INTO OWNERS DITCH FROM BOISE-KUNA WATER (FROM FIELD TO EAST THROUGH CULVERT UNDER ROAD, CANYON ROAD)

7 THIS IS MAXIMUM DISTANCE THAT WASTE WATER CAN FLOW BY GRAVITY - DITCH FROM DITCH

8 P/D #2 WASTE WATER FROM NEIGHBORS WASTE DITCH BRANCH UNDER ROAD BY CULVERT.

9 X-SECTION PHOTO - SEE MAP & OPEN DISCHARGE NOTES ATTACHMENT

10

11

12

13

14

NOTES:

15 * WASTE WATER AT P/D 1 CO-MINGLES IN OWNERS DITCH WITH BOISE-KUNA IRR

16 * WASTE WATER AT P/D 2 CO-MINGLES WITH WASTE WATER FROM P/D 1
17 AND BOISE-KUNA IRRIG.

18 * ALL LAND IS UNDER BOISE-KUNA, THE MAP SHOWS ONLY WHERE
19 GRAVITY FLOW OF WASTE WATER CAN FLOW.

20 * UNABLE TO MEASURE THEORETICAL OR LIVE FLOW AT P/D #1

21 BECAUSE NO-WASTE WATER WAS AVAILABLE AT TIME OF FX.

22 * LIVE FLOW OF P/D #2 SATISFIES OVERALL BENEFICIAL NEED.

23

24

OPEN CHANNEL DISCHARGE MEASUREMENT NOTES A63-20953

1. Name of stream or ditch: WASTE WATER
 2. Location: NWNWNE, SEC 23, T1S, R2W
 3. Person conducting measure: RON HOWERTON
 4. Date and time of measure: 09-04-95 15:45
 5. Accompanied by: CRAIG WHITTED
 6. Measuring device size and ID: PYGMY # 090181
 7. Spin test OK? Before: Yes After: Yes
 8. Purpose of measure: IRRIGATION FLOW

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	OBS DEPTH	REVS A	TIME (secs)	VELOCITY (ft/sec)	DISCHARGE (cfs)
1.0							
1.5	0.9	0.9	0.6	45	40	1.13	0.86
2.2	0.7	0.6	0.6	41	40	1.03	0.40
2.8	0.5	0.8	0.6	29	40	0.73	0.29
3.2	0.7	0.7	0.6	38	40	0.95	0.47
3.7							

TOT WIDTH 2.7

TOTAL DISCHARGE: 2.02



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:08:25
09/20/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A63-20953

LAST: WHITTED FIRST: CRAIG
ADDRESS: 7144 WARREN SPUR ROAD
CITY: MELBA STATE: ID ZIP: 83641
PHONE NUMBER: 208-495-2820

OWNER CODE: C

LAST: WHITTED FIRST: SHEILLA
ADDRESS: STATE: ID ZIP: 83641
CITY: MELBA
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y(☒) N(☐)

CLAIM REMARKS: OTHER CLAIMS ARE 2 WELLS, OTHER USES. USE MAPS IN THIS CLAIM FOR A63-20951 & 20952. WASTE WATER USE MAY DATE TO EARLIEST DATE THAT IRRIGATION WATER WAS DELIVERED TO THE AREA, 1920'S OR EARLIER.

CONTACT PERSON: CRAIG WHITTED

PHONE NUMBER: () 495-2820

DATE OF FIELD EXAM: 9/4/95

APPOINTMENT MADE: Y(X) N()

TIME: 13:00 A() P(X)

But called changed to 14:30

ACCOMPANIED BY: ABOVE

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

SEE FX CONV, DTD 9-28-95

A. AJ CLAIM: # A63-20953 PRIORITY DATE: 04-15-1944 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: AFFIDAVIT OF Prior Owner

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-20953	01S 02W	14		SW	SE			CANYON		
A63-20953	01S 02W	14		SE	SE			CANYON		
OTHER AJ CLAIMS WITH SAME AJ POD										
A PREFIX										
R PREFIX										
A63-20951										
A63-20952										
A63-28281										
NONE										
NONE										
WR RECORDS IN SAME 40 ACRE TRACT										

SOURCE: WASTE WATER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

NAME OF EXAMINER

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: P/D'S ARE CLAIMED CORRECTLY

[illegible]

REVIEWED BY: _____ DATE: _____
 SYSTEM DESCRIPTION: DESCRIBED BELOW (X), OR SEE ATTACHMENT (X) SEE MAP FOR FLOW DIAGRAM.

- WASTE WATER FLOWS INTO CLAIMANTS DITCH AT TWO POINTS OF DIVERSION. IT IS CO-MINGLED WITH BOISE-KUNA WATER. (CLAIMANT IS DITCH RIDER FOR B-K)
- ALL GRAVITY FLOWS, CLAIMANT HAS SMALL HOLDING POND AND PUMPS WATER INTO DITCH NEAR PHOTO #5'S LOCATION. (CO-MINGLED WATER)
- CURRENTLY NO-SPRINKLERS ARE USED. HE PLANS TO SPRINKLE SOME IN FUTURE.

A. ROOT WATER RIGHT NUMBERS: A63-20953

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	02W	14	SW	SE		WHITTED, CRAIG	A63-20953	/ 15.0	-	/	32.0
			SW	SE		WHITTED, CRAIG	A63-20952	/	-	/	
01S	02W	14	SE	SE		WHITTED, CRAIG	A63-20953	/ 10.0	-	/	28.0
			SE	SE		WHITTED, CRAIG	A63-20951	/	-	/	

ADDITIONAL POU FOUND

TOTAL ACRES A63-20953 25.00 60.00
POU COUNTY: CANYON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-20952	STOCKWATER	WHITTED, CRAIG	FROM 01-01 TO 12-31		0.090 CFS
A63-20951	DOMESTIC	WHITTED, CRAIG	FROM 01-01 TO 12-31		0.080 CFS
A63-20951	STOCKWATER	WHITTED, CRAIG	FROM 01-01 TO 12-31		0.070 CFS

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A63-20951 & 20952, BOISE-KUNA IRRIGATION DISTRICT

Y() N()

E. IS THE CLAIMED POJ THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POJ, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POJ BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POJ BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

() NAPP, IDWR NO.

ACRES CALC BY PLANIMETER

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-20953 IRRIGATION	FROM 03-15 TO 11-15	0.500 CFS	
TOTAL DIVERSION RATE/VOLUME		0.500 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.500 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD CURRENT METER, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

- 1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)
- IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
- IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 87.5 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 0.500	DATABASE EXAMINER	DATABASE EXAMINER 87.5
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-20953

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DATABASE	EXAMINER	CFS	"R" DIV. RATE	"R" CLAIM NUM.	WR RIGHT NUMBERS	DIVERSION RATE
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TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE M
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Haveron DATE: 9-5-95
NAME OF FIELD EXAMINER: Ron Haveron TITLE: SR WR AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

NOTES

	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	_____	DATE OF FIELD EXAM _____
() WATER RIGHT LICENSE	_____	DATE LICENSE SIGNED _____
() IDWR APPROVED TRANSFER	_____	DATE TRANSFER APPROVED _____
() SYSTEM DESCRIPTION	_____	DATE DRAWN _____
() PHOTOGRAPHS	_____	DATE(S) PHOTOS TAKEN _____
() SPLIT RIGHT REVIEW	_____	DATE REVIEW COMPLETED _____
() HUBBLE ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() CONVEYANCE LOSS ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() FLOW MEASUREMENT CALCULATIONS	_____	DATE SYSTEM MEASURED _____
() OTHER _____	_____	DATE _____
() OTHER _____	_____	DATE _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:08:25
09/20/95

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A63-20953

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

FIELD EXAM CONVERSATION MEMO

DATE OF MEMO: September 28, 1995

ADJ. NO(S): A63-20953

NAME OF CONTACT: CRAIG WHITTED; ADDRESS IS 7144 WARREN SPUR RD.

PHONE NO: 495-2820

AGENT: RON HOWERTON

DATE SET FOR FIELD EXAM: OCTOBER 4, 1995 AT 13:00

LOCATION: GOWEN ROAD TO PLEASANT VALLEY ROAD, TURN RIGHT ON KUNA MORRA, THEN TURN LEFT ON CLOVERDALE, THEN TURN RIGHT POEN, THEN TURN LEFT ON SWAN FALLS RD, TURN RIGHT ON VICTORY LANE CONTINUE TO FOLLOW PAVEMENT, TURN TO SECOND RIGHT, THEN TURN LEFT ON WARRENS SPUR RD. THEN DRIVE TO CAN-ADA ROAD, GO ACROSS, 1-1/8 MILE WEST OF CANADA RD. HIS HOME IS ON THE RIGHT HAND SIDE IN A GOLD & WHITE TRAILER SINGLE WIDE.

COMMENTS: COULD DRIVE TO NAMPA TURN ON FRANKLIN OFF RAMP, GET 11TH AVE, THEN ON 12TH AVE, THEN ON HWY 45, FOLLOW IT TO WALTERS FERRY, TURN EAST ON WALTERS FERRY ROAD JUST BEFORE THE SNAKE RIVER, FOLLOW IT ABOUT 2 MILES, THEN TURN SOUTH ON WARREN SPUR ROAD ABOUT 2.6 MILES TO HIS HOME.

BRING LEVEL, ROD, & TOPSETTER.

TYPE OF SYSTEM: GRAVITY FLOW, 2 DITCHES. ONE DITCH IS FLOWING PRETTY GOOD, THE OTHER ISN'T.

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

Al63-21953)
)
)
)

State of Idaho)
County of Canyon)

AFFIDAVIT

RECEIVED

SEP 15 1995

WATER RESOURCES
WESTERN REGION

I Doris Basic being first duly sworn,
deposes and says: We purchased 80 acres in February
1944 in the lower Mulba area. The waste water
from the farms above us, their waste water
drained on us in 2 locations, the upper corner at
Canyon and Warren Spry Rd. and a little more than
a 1/4 mile West from previously mentioned location
on Warren Spry Rd. which we irrigated with.

We were told at the time by some of the farmers
in the area that the waste water has always
come through here since the water was first
introduced into this area.

Doris Basic

(Signature)

Subscribed and sworn to before me this
day 13th of Sept, 1995.

SEAL

Marcia L. Caldwell
(Notary Public)

Residing at Dampa.

My Commission Expires Feb 28, 1998.

FIELD EXAM CONVERSATION MEMO

DATE OF MEMO: August 31, 1995

ADJ. NO(S): A63-20953

NAME OF CONTACT: CRAIG WHITTED

PHONE NO: (208) 495-2820

AGENT: RON HOWERTON

DATE SET FOR FIELD EXAM: SOON AFTER WE RECEIVE EVIDENCE OF PRIORITY

LOCATION:

COMMENTS: HE WANTED AN EXTENSION OF TIME, I ASKED IF HE COULD SUBMIT IT BY SEPTEMBER 15, 1995? HE SAID YES. I THEN CAN SCHEDULE A FIELD EXAM WHEN I RECEIVE THE EVIDENCE IF THAT IS OK WITH YOU. HE SAID IT WOULD BE FINE.

TYPE OF SYSTEM: SUPPLEMENTS BOISE-IRR IRRIGATION DISTRICT WATER. DITCHES DO NOT HAVE FULL FLOW NOW. I WILL NEED TO DO A THEORETICAL MEASUREMENT.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-20953
CRAIG WHITTED
7144 WARREN SPUR ROAD

MELBA

ID 83641

Re: Claim No(s). A63-20953

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures