

10/09/2006

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: 10/31/2006

Water right number: 63-26655

ROBERT M PROESCH
2283 CANYON RD
MELBA ID 83641
Telephone Number: (208)495-2080

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:

RECEIVED

OCT 23 2006

WATER RESOURCES
WESTERN REGION

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

DATE: Oct 14-06 SIGNATURE: Robert Proesch
Please print your name: Robert PROesch

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
OCT 30 2006

9

OCT - 4 2006

DEPARTMENT OF
WATER RESOURCES

The Pump was a Rented
Propane Motor which
was
230 Cu in approx 140 h.P.

Jump 3RB. approx 700
gal per min.

Robert Deseal
2283 Canyon Rd
Melita, Idaho 83641

This was in regard to the
80acre farm well at
2283 Canyon Rd. Mello's etc

Sept 9 Male Rat

The Pump Was a 3 RB Pump
Approx 700 GPa mi with a
230 GPa Propane Meter on a
3 RB pump in regard
to the Property at
2283 Canyon Rd.

John P. Need
495-2080

SCANNED

63-26655

MEMORANDUM

TO: ADJUDICATION FILES 63-26655

FROM: DANIEL A. NELSON

DATE: 10/2/06

SUBJECT: CLAIM REVIEW

On 9/29/2006 I performed a field exam on the above file. I found the well, and the acres irrigated, but I also found some discrepancies that prevent me from making a final determination of the diversion rate and the source of water being used.

First I will speak to the source of water being used. The source of water on the file is listed as ground water. The well is located within 2 to 3 feet from a drain. I measured the water level in the well at 3.5 feet. I also measured the water level in the drain to the top of the well casing at 3.5 feet. This suggests that these two sources are hydraulically connected.

I ran my well probe down the well and found that the well is at least 37 feet deep. It could be deeper, but I did not have the equipment to properly determine actual depth. I am not aware of the well depths on the east side of Walters Butte, but I have some experience with well depths on the west side of the butte. Most of the wells are drilled at least 100 feet or more. There are several artesian wells on the west side of the butte, but they are in this 100-foot or deeper range. The owner told me that his well was artesian at one time, but I have no knowledge of any artesian wells on the east side of Walters Butte. Taking all of this information into account, I am concerned that this well was actually drilled to capture wastewater. Unfortunately, unless a study is done to determine the production of the well without the wastewater present, it is impossible to tell if the well is actually diverting ground water or wastewater.

The second issue is that the owner of the property does not own a pump for this well. He told me that he rents a pump from Rain for Rent each time he needs to use the ground water. The owner also told me that the last time he used the well was in the 1980's. This is a common practice for supplemental wells. He told me that he used a portable pump with a 6-cylinder propane Chevy engine. He did not know the horsepower of this engine, but he did say it pumped approximately 70 to 72 inches of water or approximately 650 gpm. I called Rain for Rent and spoke with Casey. Casey told me that they rotate out their pumps every 6 years, so there was no way he could get any information on a pump used in the 1980's. Without a pump or pump curve of former pumps that have been used, I cannot make a recommendation for the diversion rate. Therefore, I have no choice, but to recommend that this claim be disallowed. If the owner can supply some type of pump information that can allow the diversion rate to be verified, then we could determine the diversion rates and volumes for this right.

SCANNED

OCT 02 2006

I did find a system in place that could be connected to the well by portable gated pipe. The entire farm is connected together by the gated pipe. The wastewater from these fields is re-used to properly irrigate the property. The water from the well is pumped up to the top or the east side of the farm to a control box. Boise Kuna Irrigation District water flows into this control box and is distributed through out the farm. There is piping in place to run the well water up to this control box. I found 61 acres currently being irrigated from canal water on this system.

If a rate of flow can be determined, this supplemental irrigation right can be recommended for the 61 acres of irrigation. The rate and volume will need to be determined once the flow rate is verified.

SWSV

T1S R2W S14

SWNE
28 acres

SENE
33 acres

SCANNED
OCT 02 2006

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/29/2006

FILE NUMBER 63-26655



The top picture shows the well. The well is listed as 35 feet deep. However, as you can see from the location of the well to this waste ditch, it appears as though this well is actually influenced by the waste ditch. The water level in the well and the waste ditch were identical, so I am assuming that they are hydraulically connected. The owner stated that the reason that this well was placed so close to the drain was that it used to be a artesian well. There are other artesian wells in the area, but they are mainly located on the west side of Walters Butte. This well is located on the east side of Walters Butte, and I have not hear of any artesian wells on this side.



This photo is a closer in shot of the well.



This photo shows the headgate for the canal water. The well water is pumped up to this point to irrigated the lands east of the drain. A gated pipe is taken directly out of the well for the lands to the west of the drain.

SCANNED

OCT 02 2006

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/29/2006

FILE NUMBER 63-26655



The photo above is of the filed west of the drain ditch running through the property. The well is located in the trees on the left and the gated pipe used to move the water to this field is to the right.

The photo below is of the upper fields. The water is delivered through the gated pipe to the left of the photo to the cement structure. There are two gated pipes shown in the photo. One irrigates the field and the other delivers wastewater and well water back to the top of the field.



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.

1.) Pump information:

OWNER ESTIMATED
75 inches.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	UNKNOWN		NO pump @ site		

- Rented Pump
Rain For Rent.
Nampa.

2.) Lift (distance from pump to water) 3.5 FT

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

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) NO pump

5.) Was a measurement made? NO If no can a measurement be made at a latter time? NO

6.) What type of measurement device was used? None

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) _____

Cated Pipe.

Ran well
Probe TO
BOTTOM
OF well
@ APPROX.
37 Feet.

NOT
SURE
if Probe
made it
TO BOTTOM
OF well.

SCANNED

OCT 02 2006

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.)

Called RAIN FOR REALT
FRIDAY 9-29-06 LEFT
MESSAGE WITH CASEY

called casey 10-2-06 -

He said they did have a couple
propane motors, BUT HE WAS
NOT SURE WHICH ONE WAS
USED. THE ROTATE OUT THE
PUMPS EVERY 6 YEARS, SO
HE NO LONGER HAS ANY
INFORMATION ON THESE
PUMPS.
NO HELP?

DATE EXAM CONDUCTED 9-29-06

FIELD EXAMINER Jan Mike

SCANNED

OCT 12 2006



Camp Water

2 P: 05
on a
pump
on a
2000

NOTED

67 6 2 1000

This way
TO west Field.

Well

Water
Pumped both ways

This way TO
Control Box

SCA 1000
OCT 11 1968

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26655

WATER RIGHT NUMBER: 63-26655

Owner Type Name and Address
 Current Owner ROBERT M PROESCH
 2283 CANYON RD
 MELBA, ID 83641
 (208)495-2080

Priority Date: 12/31/1945 *Early*
 Basis: Beneficial Use
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.340 CFS	
<u>Total Diversion:</u>		1.340 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4NE1/4 Sec. 14, Twp 01S, Rge 02W, B.M.
 CANYON County

Place of UseIRRIGATION Within CANYON County

T01S R02W S14 SWNE 27.0 T01S R02W S14 SENE 40.0
 Total Acres: 67

Conditions of Approval:

1. CORNER OF SOUTH CANYON AND GLENDALE RD

as near as I can come is by the old timers the wells were dug in the late 30s or as late as 1943 they were to irrigate the property above and the neighborhood hauled the water also for livestock and home use in the winter time and he also traded well water for Canal water to save the cost of pumping up on the other 55 acres above the wells' again he used it for hog & cattle all winter. ~~so to sample~~ this is as near as I can find out and what my brother and I can remember as we lived next door in our young life

Evidence of Priority Claim Report

SCANNED

SEP 18 2006

Robert Proesch

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCES

10/17/2006

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

RIGHT NUMBER: 63-26655

NAME AND ADDRESS: ROBERT M PROESCH
2283 CANYON RD
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS
274.50 AFY

PRIORITY DATE: 12/31/1945

POINT OF DIVERSION:
T01S R02W S14 NESWNE 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	1.340 CFS 274.50 AFY
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T01S R02W S14	SWNE 29.00	T01S R02W S14 SENE 37.00
	66 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

Use of this right is combined with water from Boise-Kuna Irrigation District.



Idaho Department of Water Resources

SRBA Recommendation:

63-26655

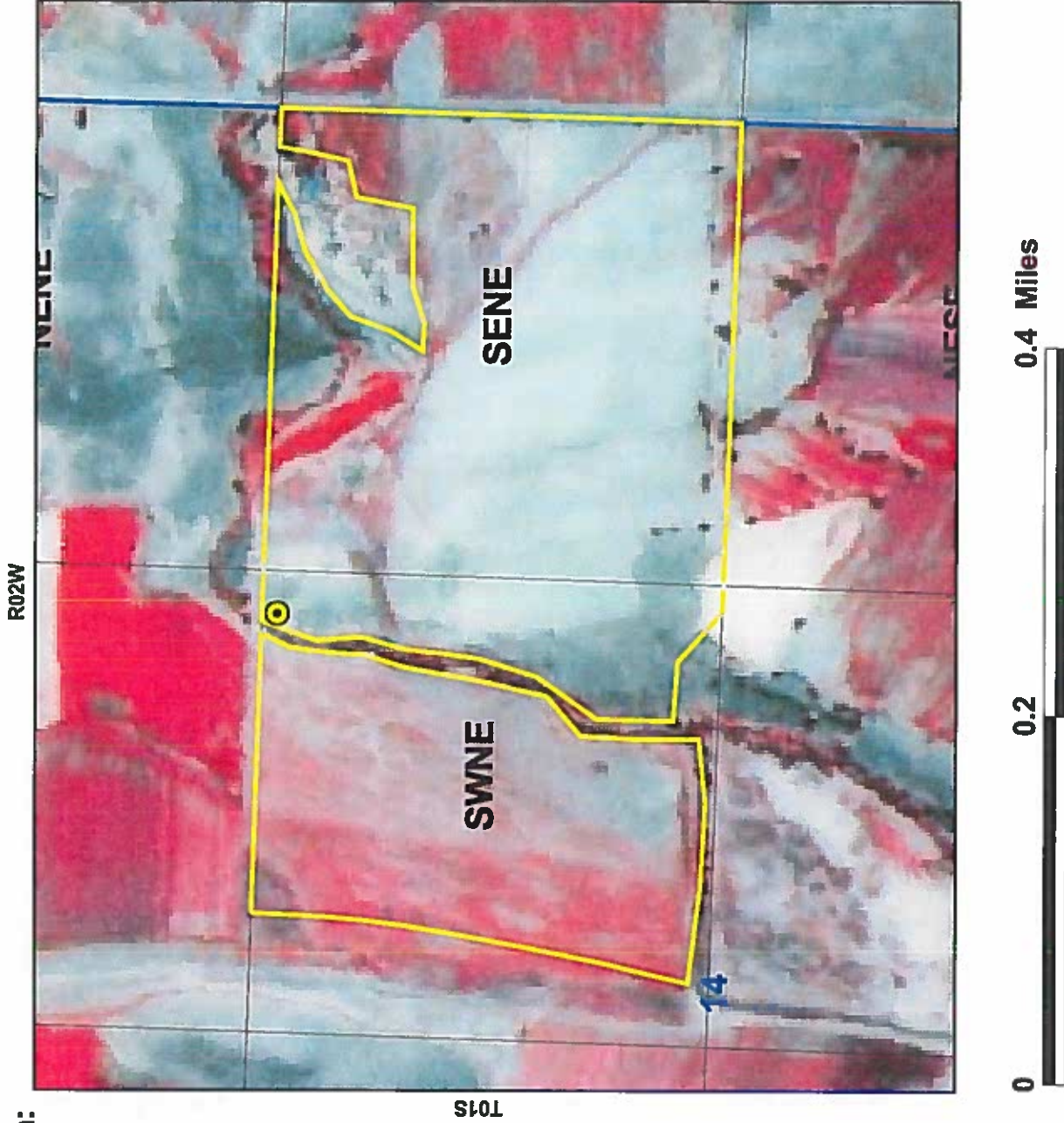
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



0.4 Miles

0.2

0

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: A63-26655
Date Received: 4/16/1992
Receipt No: C023828
Received By: S.W. Keen

RECEIVED
APR 16 1992

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Rec'd from So
on 4-28-92*

1. Name: ROBERT M PROESCH 208-495-2080
Address: 2283 CANYON RD
MELBA ID 83641

2. Date of Priority: DEC 31, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL -- 50' DEEP, 14" CASING, DIESEL MOTOR AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		

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

8. Total consumptive use is 234.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	02W	14	SW	NE		IRR	27.0
			SE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	67.0
					Total Acres	67.0

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:
BOISE-KUNA IRRIGATION DISTRICT

14. Remarks:
CORNER OF SOUTH CANYON AND GLENDALE RD

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Robert M. Proesch Date: 4-16-92

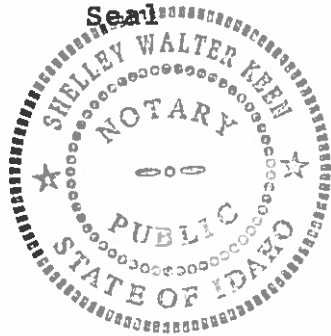
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of April, 19 92

Shelley Walter Keen
Notary Public



Residing at Boise, Idaho

My Commission Expires 7-31-97



T01S
R02W
S.14

MICROFILMED
SEP 15 1992

Date Received 4-16-92 swKeen

RECEIVED
APR 18 1992

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant

Robert M. Proesch

(208)

Phone Number

495-2080

Mailing Address

2283 CANYON Road

City

Merida

State

Ida

Zip

83641

County(s) where place of use is located

CANYON

Date claim originally due

12-89

Identify water right(s) for which extension is requested

A 63-26655

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

When I attended the meeting at The Fair Station the
fellows from the Water Resource Board said it was a waste
of money to file on the well because they water was already
filed on for everyone by the Boise River Irrigation District
and I failed to check to see if they had registered when I purchased

Claimant requests an extension to

19

Signature

Robert M Proesch

Date of request

4-1619 92

Title

Owner -

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☒ denied] for the following reasons:

and if granted the filing deadline is extended to

19

Signed this

20

day of

April

19

92

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

SEP 15 1992

GROUNDWATER THEORETICAL ANNALYSIS

FILE: 63-26655

DATE: 10/04/2006

BY: M. Ciscell/D. 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])

$$Q = \frac{(8.8) \times (140) \times (0.70)}{[(3.5) + (30 \times 2.31)]} = 11.8 \text{ cfs}$$

$$Q = \frac{(8.8) \times (18.5) \times (0.70)}{[(3.5) + (30 \times 2.31)]} = 1.32 \text{ cfs}$$

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
Measurement (X)	Measurement ()	Motor Make, Serial or ID
Owner ()	Owner ()	<u>Chevy 230 cu in, 170 hp, propane</u>
Area estimate ()	Estimate (X)	Pump Make, Serial or ID, rating
Well Logs ()	Owner Gage ()	<u>3RB</u>
	Booster (Y) (N)	

REMARKS: ___ 60' elevation difference from pump to top of field. $60/2.31 = 25$ psi. + 5 psi for discharge = 30 psi against pump. Had to have geared down pump. Had to have about 18 hp (input) going to pump.

to whom it may concern

The Pump was a rented
propane Motor which
has
230cc in approx 140 h.p.

pump 3R.B. approx 700
gal per min.

Robert Preece
2283 Canyon Rd
Melba, Idaho 83641
495-2080

this was in regards to the
sovereign farm well at
2283 Canyon Rd. Melba Id

30 psi

18.5 input HP

Date Received 4-16-92 swKeenRECEIVED
APR 16 1992

APR 23 1992

State of Idaho

Department of Water Resources

Department of
Western ResourcesREQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant

Robert M. ProeschPhone Number 495-2080

Mailing Address

2283 CANYON Road

City

Merida

State

Ida

Zip

83641

County(s) where place of use is located

CANYON

Date claim originally due

12-89

Identify water right(s) for which extension is requested

A 63-26655

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

When I attended the meeting at The Fair Station the fellow from the Water Resource Board said it was a waste of money to file on the well because they water was already filed on for everyone by The Boise River Irrigation District and I failed to check to see if they had registered when I purchased

Claimant requests an extension to

19

Signature

Robert M. Proesch

Date of request

4-1619 92

Title

Owner

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☒ denied] for the following reasons:

and if granted the filing deadline is extended to

19

Signed this

20 day of April

19

92

Director or his designated agent

DAVID B. SHAW MICROFILMED

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

SEP 15 1992