

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

In Re SRBA) A. Subcase 63-27051
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

RECEIVED
JUN 22 2007
DEPARTMENT OF
WATER RESOURCES

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: Donald and Cindy Roberts
Address: 1555 S. Southside Blvd.
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)
)ss.
County of Ada)

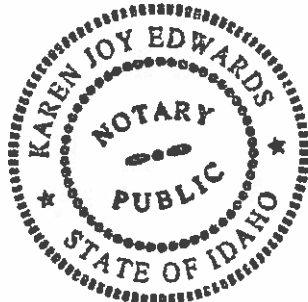
Gretchen M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: Boise, Idaho
My Commission Expires: 8/3/2012

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 18, 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:

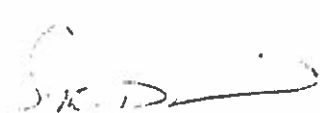
Name: Donald and Cindy Roberts
Address: 1555 S. Southside Blvd.
Melba, ID 83641

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

09/29/2006

**NOTICE OF ERROR
REPLY**

RECEIVED

OCT 18 2006

**DEPARTMENT OF
WATER RESOURCES**

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: 63-27051

CINDY ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641
Telephone Number: (208) 495-2311

DONALD J. ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641
Telephone Number: (208) 495-2311

RECEIVED

OCT 16 2006

**WATER RESOURCES
WESTERN REGION**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10/12/06 SIGNATURE: Donald J. Roberts

Please print your name: Donald J. Roberts

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

SCANNED

OCT - 19 - 2006

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:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WASTE PUMP	US MOTORS	7.5	UNKNOWN	PARMA PUMP	10" DISCHARGE

2.) Lift (distance from pump to water) 7 FT

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) 18 PSI (10 PSI DISCHARGE + 8 PSI HEAD DIFFERENCE
20 FT ELEVATION DIFFERENCE / 2.31 = 8.7 PSI)

5.) Was a measurement made? NO If no can a measurement be made at a latter time? NO
BOISE KUNA WATER CREATING BACK PRESSURE AGAINST PUMP. COULDN'T GET READING WHEN ONLY WASTE WATER USED.

6.) What type of measurement device was used? THEORETICAL CALCULATION

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) _____

MOSTLY GATED PIPE, SOME SPRINKLERS ARE USED, BUT A SEPARATE PUMP PRESSURIZED ALL WATER FOR SPRINKLERS.

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III 25 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.)

see ATT ached memo

DATE EXAM CONDUCTED 6-12-2006

FIELD EXAMINER

Daniel A. Yelke

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||| 2 5 2006

MEMORANDUM

TO: ADJUDICATION FILE 63-27051

FROM: DANIEL A. NELSON

DATE: 6/29/06

SUBJECT: FIELD EXAM NARRATIVE/NOTES

This claim is used with Boise Kuna water and ground water (permit 63-11752). The wastewater is diverted from the waste ditch through 2 ponds to remove silt (these ponds are too small to require a storage component, and fit within the 24 hour rule). A 7.5 Hp pump diverts the wastewater from the bottom pond into a mainline. The mainline travels in a westerly direction between the wastewater pond to the point where the Boise Kuna water enters the property through a bubbler. The ground water is also diverted into this same mainline. The mainline has several regulation points where water can be sent to a series of gated pipe and ditches. All three sources can be used on all of the lands. The only source that doesn't need to be pumped is the Boise Kuna water, because it can gravity feed to all of the regulation boxes and the wastewater and ground water need to be pumped up to the bubble where the Boise Kuna water comes in to irrigate the upper fields.

There is one field that is currently using sprinklers, but it has it's own re-lit pump that pumps directly out of the ditch.

The pump on the wastewater system was installed sometime in the early 1990's. The current owner stated it was in place the first time he saw the property in 1992. However, the original system was all gravity fed. When the adjudication claim was filed in 1992 it stated that the system was totally gravity fed, so I am assuming that the wastewater pump was installed late in the irrigation season of 1992. The only fields that can be gravity fed by the wastewater are west of the pond diversion and in-between the waste ditch. I found 21 acres that could be irrigated in the NWSW and 2 acres that could be irrigated in the NESW solely from the wastewater. Since the pump was installed sometime in 1992, the current owner is going to need to file a transfer to use the wastewater on his entire farm.

The diversion rate of the pump was calculated at 0.92 cfs. The most that can be allowed on this claim is 0.02 cfs per acre for the 23 acres or 0.46 cfs. Therefore, this claim can be recommended for the full amount of 0.46 cfs and 103.5 afa for the 23 acres irrigated.

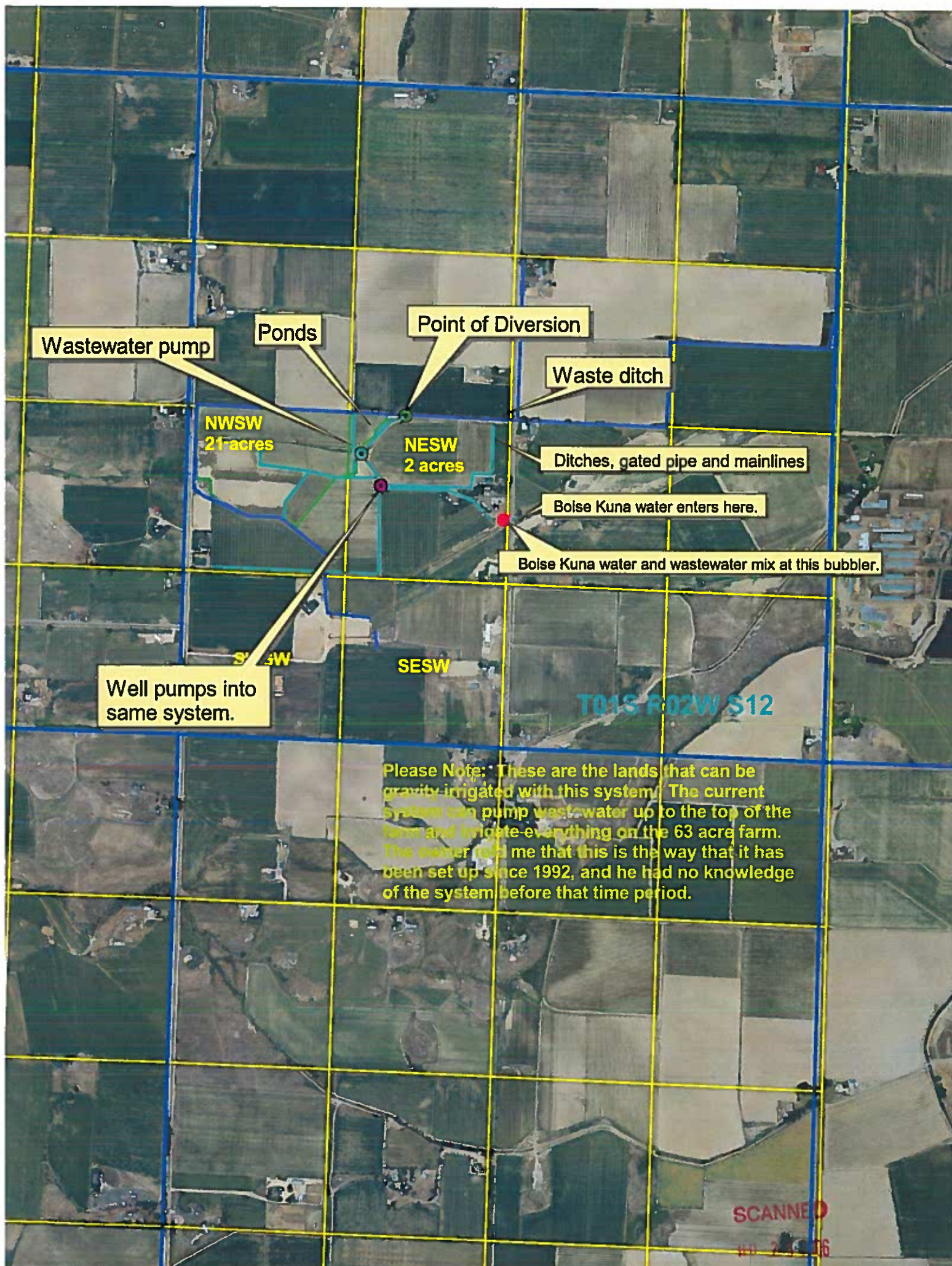
PLEASE NOTE:

All shape files are located in the AWOOCOMMON on AWOOC in folder "odell roberts 27051".

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"" 7 5 2006





Wastewater pump

Ponds

Point of Diversion

Waste ditch

NWSW
21 acres

NESW
2 acres

Ditches, gated pipe and mainlines

Boise Kuna water enters here.

Boise Kuna water and wastewater mix at this bubbl[er].

Well pumps into
same system.

S12W

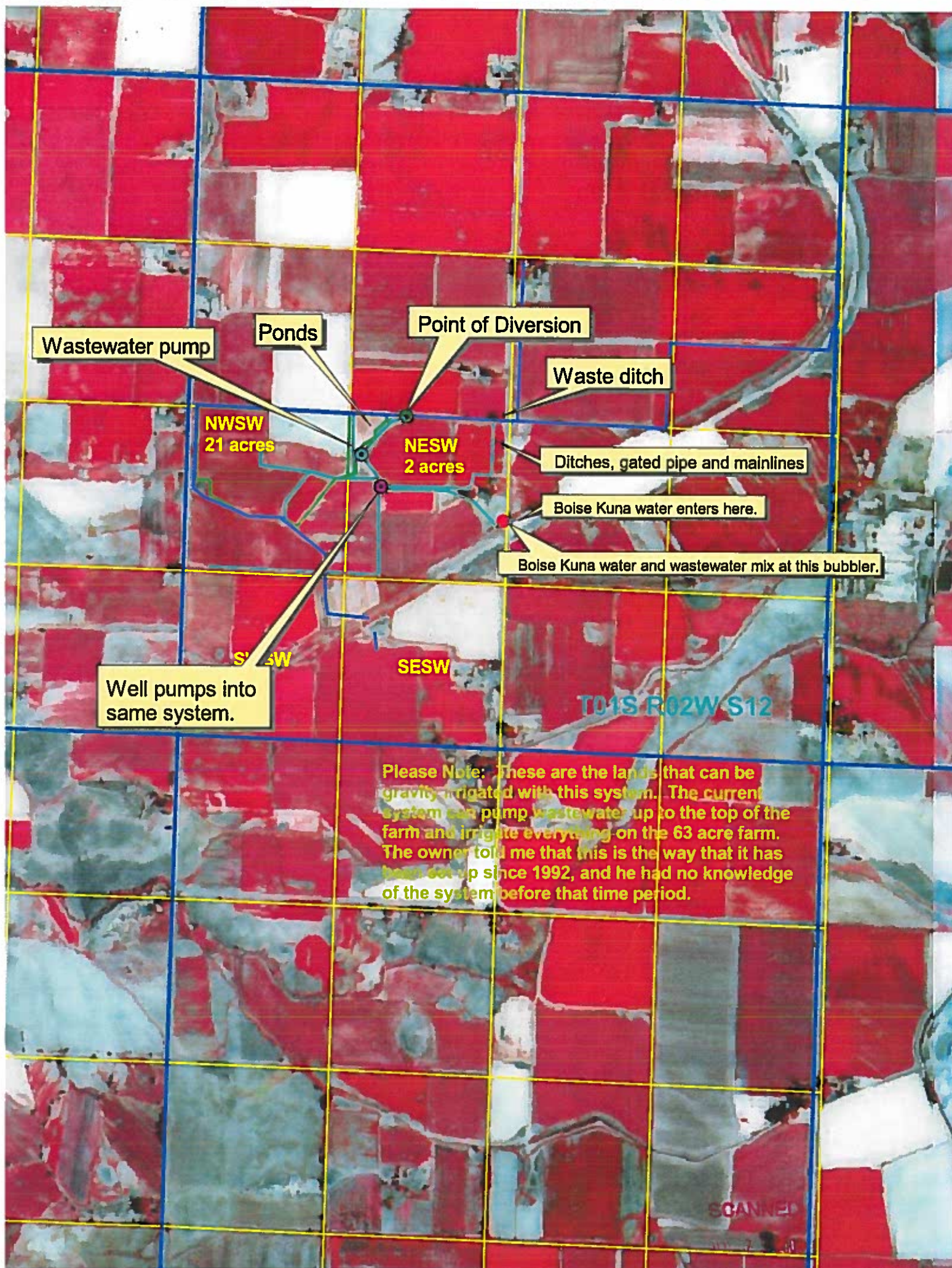
SESW

T01S R02W S12

Please Note: These are the lands that can be gravity irrigated with this system. The current system can pump wastewater up to the top of the farm and irrigate everything on the 63 acre farm. The owner told me that this is the way that it has been set up since 1992, and he had no knowledge of the system before that time period.

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11/24/06



PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/29/2006

FILE NUMBER 63-27051



The picture above is of the waste pump and the bottom pond. You can see the blue mainline coming out of the pump.

The middle picture is of the point of diversion. The waste ditch goes on the other side of the fence and the diversion to the ponds come on this side of the fence.



The bottom picture is of the ditch leading to the ponds.

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7 5 2006

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/29/2006

FILE NUMBER 63-27051



This photo shows the fields being irrigated the fires waste pond and the pump.

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7 5 2006

GROUNDWATER THEORETICAL ANALYSIS

FILE: 103-27051

DATE: 6-12-2006

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])

$$Q = \frac{(8.8) \times (7.5) \times (0.70)}{[(7 \text{ Ft.}) + (18.7 \text{ psi} \times 2.31)]} = \frac{46.2}{50.197} = 0.92 \text{ CFS}$$

413 gpm
46 inches.

LIFT FROM:

Measurement (X)

Owner ()

Area estimate ()

Well Logs ()

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate (X)

Owner Gage ()

NOTES ON PUMP:

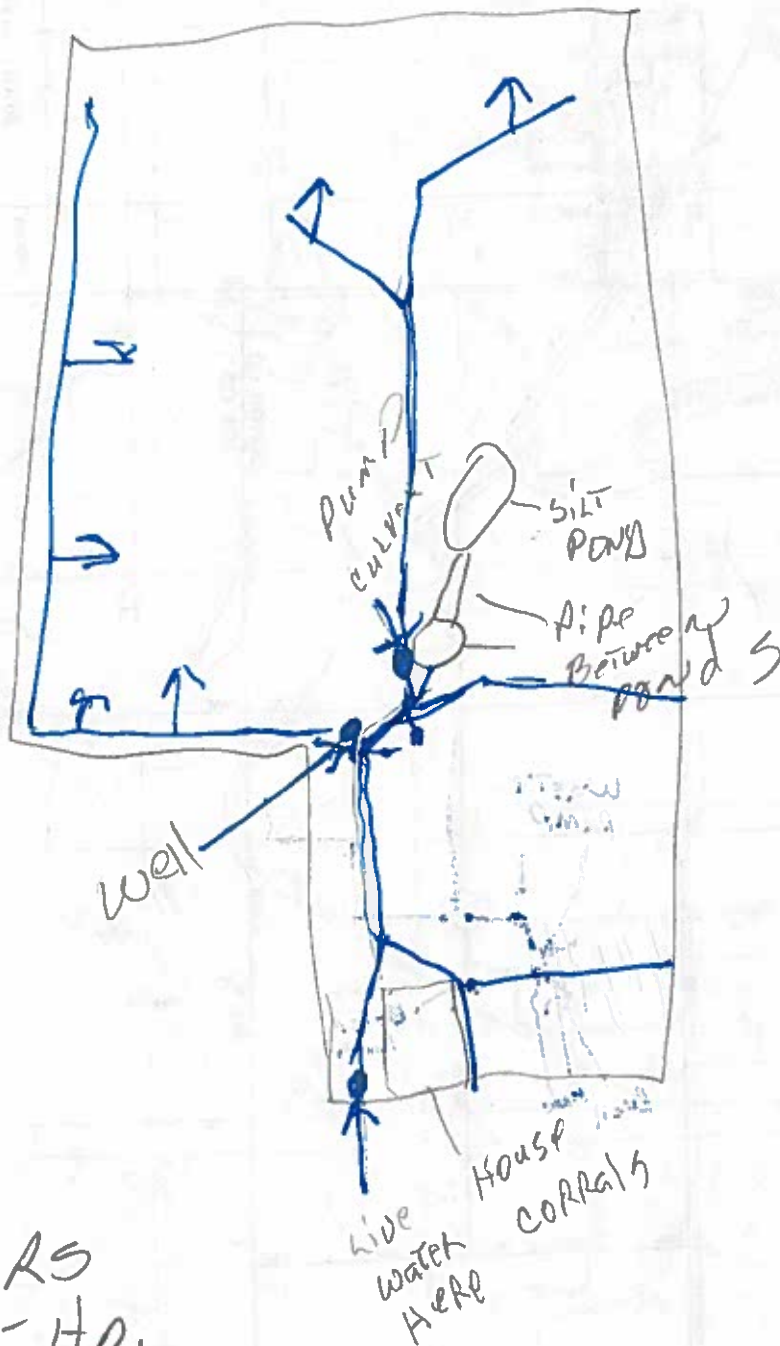
Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: LIFT was measured. Pressure was estimated with 10 psi for open discharge and an additional 8.7 psi to account for the 20 ft elevation difference from the waste pump to top of the farm (20 ft / 2.31 = 8.7 psi)

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7 5 2006



US
MOTORS
7.5 HP.

PARMA
LIFT Pump
7 FT
LIFT

.95 CFS

0.87 CFS

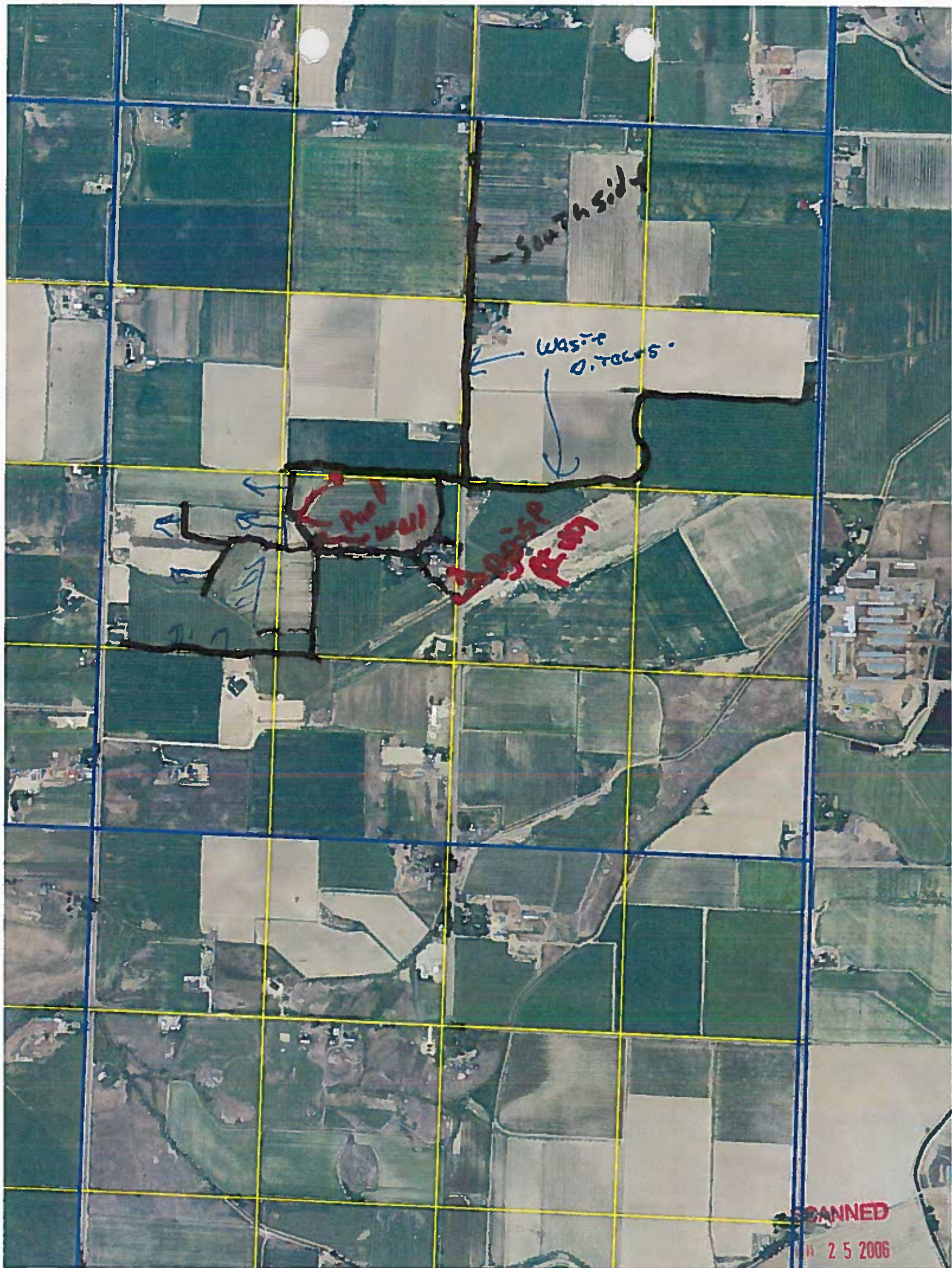
$$(0.8)(7.5)(1.70)$$

7. 2.31 x 100 PSI

46.2 53.2
41.65 58
48.0

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2 5 2006



South Side

Waste
O. T. C. S.

Waste
O. T. C. S.

Waste
O. T. C. S.

System User- IDWRR Date 06/22/2006 Time 15:06

REAL PROPERTY INQUIRY

+++++

01 6R28274-010-B-0 093-00 SCH136+ 01 61,700

+++++

ROBERTS DONALD JAMES \$ +

+

+

+

+

1555 SOUTHSIDE BLVD +

MELBA ID 83641 +

+++++

12-1S-2W SW + TOTAL 61,700 63.06

TX 02158 IN N 1/2 SW ++++++

+ SURVEY INST 200214851

+ DRAIN DR VALUE APPR RET

+ CLASS REAP 03 MAN UNIT 0

0 SOUTHSIDE BLVD, ME + PARCEL 6R01S02W125262 H/O N C/B N

+ PRIOR ACCOUNT 5R28274-010-B-0

SEE R28274-010-A + 02 MH on Property NO

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7 5 2006

01 ACCOUNT: 6R28274-010-B-0 AREA 093-00 DRAIN VALUE CLASS H/O N
 SEC 12 TWN 1S RNG 2W QTR SW CITY/SUB BLK LOT 5262
 OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
 OWNERSHIP C OWNERSHIP P
 SHAMROCK FARMS INC SHAMROCK FARMS INC
 % ROBERTS, DONALD JAMES &
 % ROBERTS, CYNTHIA ANN

MAILING ADDRESS

1555 SOUTHSIDE BLVD
 MELBA ID 83641

SITE ADDRESS

0 SOUTHSIDE BLVD ME

COMMENTS

SEE R28274-010-A
 PRIOR ACCOUNT 5R28274010B0
 PARCEL 01S02W12S262 SRVY
 INSTR 200214851 ACRES 63.06
 SPLIT YR 2005 DOCUMENT CO
 DATE DONE 10/28/2004 INITIALS PG

LEGALS

12-1S-2W SW
 TX 02158 IN N 1/2 SW

REMARKS

200214851
 63.40AC FROM R28274-010- -0
 ADJ 63.4 TO 63.06AC(MAPPING)

MODE:F ACTION: OWNERSHIP TRACT RECORD INQUIRY 02 Ownership Tract Record TRQK366

Account Number: 28274-010-B-0

Instrument Grantor Grantee Remarks

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7 5 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27051

WATER RIGHT NUMBER: 63-27051

Owner Type Name and Address
 Current Owner GLENN L O DELL
 1555 SOUTHSIDE BLVD S
 MELBA, ID 83641
 (208)495-2802
 Current Owner SANDRA J O DELL
 1555 SOUTHSIDE BLVD S
 MELBA, ID 83641
 (208)495-2802

*New owner
 Roberts, Donald James
 495-2311*

Same Address -

Priority Date: 03/15/1952
 Basis: Beneficial Use
 Status: Active

Source Tributary
 WASTE WATER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.460 CFS	
<u>Total Diversion:</u>		0.460 CFS	

Location of Point(s) of Diversion

WASTE WATER NW1/4NE1/4SW1/4 Sec. 12, Twp 01S, Rge 02W, B.M.
 CANYON County

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	
01S	02W	12									3.0	20.0							23.0

Total Acres: 23

Conditions of Approval:Remarks:Comments:Dates and Other Information:

SCANNED

JUN 25 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27051

Claim Received Date: 7/7/1992

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

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:

Water Supply Bank:

SCANNED

JUN 25 2006

May 15, 2006

To whom it may concern:

My family and I moved into the home where Mr. Roberts, Jr. now lives in 1955. For the four years we lived there we incorporated the waste water from the neighboring farms into our irrigating system. The waste water from the place where we now live is used by two of our neighbors to the south.. This is common practice in this area.

Sincerely,



Vernon L. Kramer



Christy Leigh Molloy
March 9th 2012

SCANNED

2 5 2006

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

RECEIVED

MAY 24 2006

DEPARTMENT OF
WATER RESOURCES

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
	63-27051				

RECEIVE

JUN 13 2006

DEPARTMENT OF
WATER RESOURCE

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) GLENN ODELL, SANDA J. ODELL
1555 SOUTHSIDE BLVD. S, DONAHUE, IDAHO 83401
4. New Owner/Claimant(s) Donald J. Roberts, Cindy Roberts
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 1555 S. Southside Blvd.
- City, State and ZIP Code Melba ID 83641
- New Telephone Number 208-495-2311
5. Date you acquired the property Mar. 2002

SCANNED
JUN 13 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Danah Robert
Cindy Roberts

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 830098

RECEIVED
APR 24 2006
DEPARTMENT OF
WATER RESOURCES

Re: Water Right 63-27051 (Claim Report 63-27051)

Dear Mr. Ciscell:

In regards to water right identified above, please be advised that we utilized all of this waste water for the production of crops from the time that we purchased this property from Mrs. Elva Webb, now deceased, in March of 1992.

We have since; working with NRCS reduced the number of fields from 13 to 7 and installed a NRCS pump back system in 1994 with assistance and design by the staff of NRCS, aka SCS in 1994.

1780
S. C. Webb
We sold 63 +/- acres to Donald and Cindy Roberts along with the original farm dwelling in 2002 due to becoming totally disabled in 2001 thru a back injury. We have since gifted 4.87 acres to the Glendale Valley Buddist-Viking Temple and our Children, Stephanie Brisbin, 1.19 Acres; Allison Wilson, 1.19 Acres; Shawn O'Dell 1.43 Acres and; Justin O'Dell 1.44 Acres. 1553 N. S. Webb 1553

With the assistance of the USDA Farm Service Agency, NRCS, we installed an additional waste water pump back system to recover and use the remaining waste water in conjunction with the USBR, Boise Project Board of Control, Boise Kuna Irrigation District, Call Lateral, headgate 4.80, to irrigate the property identified above.

Please note that Donald and Cindy Roberts, live at 1555 Southside Blvd., South, Melba, Idaho. Our mailing address is 1553 Southside Blvd., S., Melba, Idaho 83641-5151.

We are available at 495-2580 to answer any questions.

Thank you,

Glenn O'Dell

Glenn O'Dell, Presiding Bishop
Glendale Valley Buddist-Viking Temple
1553 Southside Blvd., South
Melba, Idaho 83641
~~208-495-2580~~

C. Don and Cindy Roberts
File



Glendale Valley Buddist
Viking Temple, Inc.

Glenn O'Dell
Bishop/G.T.

CE 11-250-5229

Phone:
(208) 495-2580

1553 Southside Blvd So
Melba, ID 83641

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APR 24 2006

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Id. 830098

RECEIVED

APR 27 2006

DEPARTMENT OF
WATER RESOURCES

Re. Water Right 63-27051

Dear Mr. Ciscell

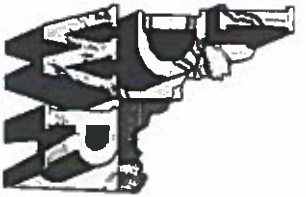
My wife Cynthia and I bought this farm from Mr. and Mrs. O'Dell in March 2002.
We also currently utilize this waste water for irrigation and would like to keep the water right.
If you would forward to us a Change of Ownership form, we would greatly appreciate it. If you require any more information from us please let me know.

Donald J. Roberts
1555 S. Southside Blvd.
Melba, Id 83641
208-495-2311

SCANNED

APR 27 2006

Idaho Department of Water Resources



Adjudication Claim:

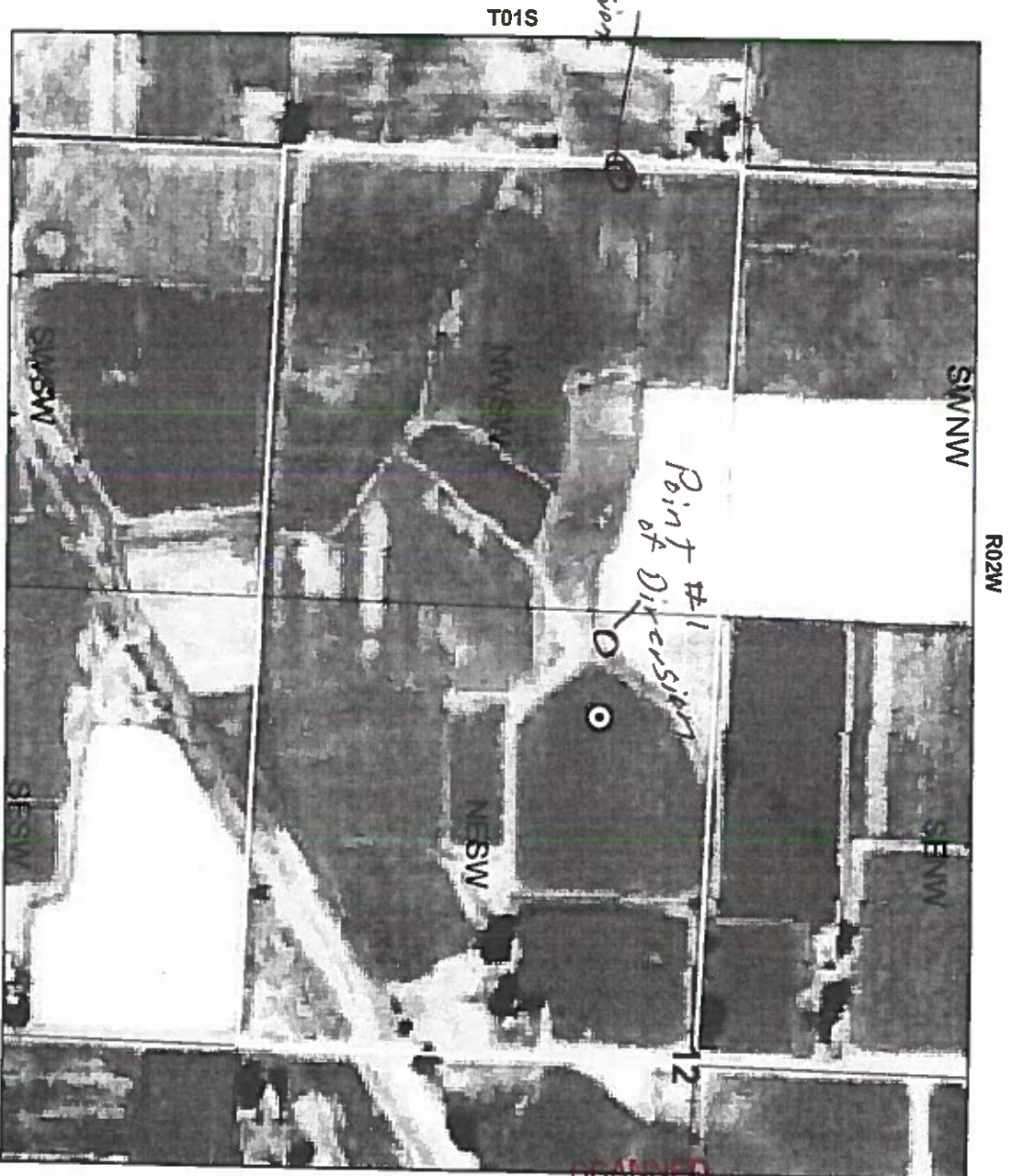
63-27051

Legend

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



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Saturday, April 15, 2006
1987/88 Aerial Photography

SCANNED

APR 17 2006

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 830098

Re: Water Right 63-27051 (Claim Report 63-27051)

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In regards to water right identified above, please be advised that we utilized all of this waste water for the production of crops from the time that we purchased this property from Mrs. Elva Webb, now deceased, in March of 1992.

We have since; working with NRCS reduced the number of fields from 13 to 7 and installed a NRCS pump back system in 1994 with assistance and design by the staff of NRCS, aka SCS in 1994.

We sold 63 +/- acres to Donald and Cindy Roberts along with the original farm dwelling in 2002 due to becoming totally disabled in 2001 thru a back injury. We have since gifted 4.87 acres to the Glendale Valley Buddist-Viking Temple and our Children, Stephanie Brisbin, 1.19 Acres; Allison Wilson, 1.19 Acres; Shawn O'Dell 1.43 Acres and; Justin O'Dell 1.44 Acres.

With the assistance of the USDA Farm Service Agency, NRCS, we installed an additional waste water pump back system to recover and use the remaining waste water in conjunction with the USBR, Boise Project Board of Control, Boise Kuna Irrigation District, Call Lateral, headgate 4.80, to irrigate the property identified above.

Please note that Donald and Cindy Roberts, live at 1555 Southside Blvd., South, Melba, Idaho. Our mailing address is 1553 Southside Blvd., S., Melba, Idaho 83641-5151.

We are available at 495-2580 to answer any questions.

Thank you,



Glenn O'Dell, Presiding Bishop
Glendale Valley Buddist-Viking Temple
1553 Southside Blvd., South
Melba, Idaho 83641
208-495-2580

C. Don and Cindy Roberts
File

ATTACHMENTS:

SCANNED

APR 27 2006

Don - Cindy
I would write a
letter also to main
water right to
waste water.
JR

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-27051

WATER RIGHT NUMBER: 63-27051

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLENN L O DELL 1555 SOUTHSIDE BLVD S MELBA, ID 83641 (208)495-2802
Current Owner	SANDRA J O DELL 1555 SOUTHSIDE BLVD S MELBA, ID 83641 (208)495-2802

Priority Date: 03/15/1952
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.460 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

WASTE WATER	NW1/4NE1/4SW1/4	Sec. 12, Twp 01S, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T01S R02W S12	NESW 3.0	T01S R02W S12	NWSW 20.0
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Total Acres: 23

12/10/2006

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

RIGHT NUMBER: 63-27051
NAME AND ADDRESS: CINDY ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641

DONALD J. ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641

RECEIVE
DEC 12 2006
DEPARTMENT OF
WATER RESOURCES

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.430 CFS
PRIORITY DATE: 03/15/1952
POINT OF
DIVERSION: T01S R02W S12 NWNESE 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	0.460 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T01S R02W S12	NESW 1.60	T01S R02W S12 NWSW 21.00

22.6 ACRES TOTAL

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

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

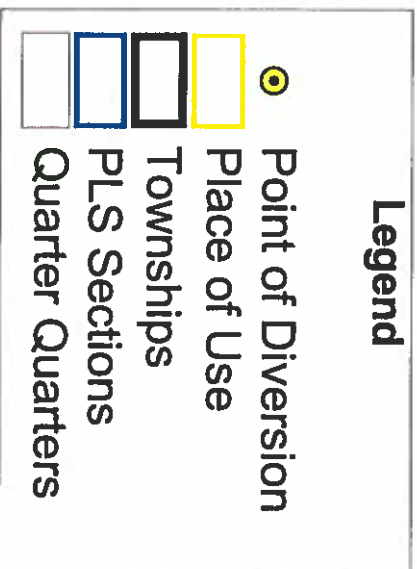
This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:
63-27051
(Irrigation)



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

Idaho Department of Water Resources



SRBA Claim:
63-27051
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Thursday, June 8, 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: A63-27051
Date Received: 7/ 7/1992
Receipt No: W015022
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN L O DELL 208-495-2802
Address: 1555 SOUTHSIDE BLVD S
MELBA ID 83641

AND/OR

Name: SANDRA J O DELL 208-495-2802
Address: 1555 SOUTHSIDE BLVD S
MELBA ID 83641

2. Date of Priority: MAR 15, 1952

3. Source: WASTEWATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	12	NW	NE	SW		CANYON

5. Description of diverting works:
GRAVITY IRRIGATION FROM WASTE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.460		

7. Total Quantity Appropriated is:
0.460 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
01S	02W	12	NE	SW		IRR	3.0

MICROFILMED

SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	12	NW	SW		IRR	20.0
Section Acres							23.0
Total Acres							23.0

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, A63-26756

14. Remarks:

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): John O'Dell Date: 7-7-92

Date: _____

MICROFILMED

SEP 15 1992

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of July 19 92

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission ~~Expires~~ Expires December 8, 1994

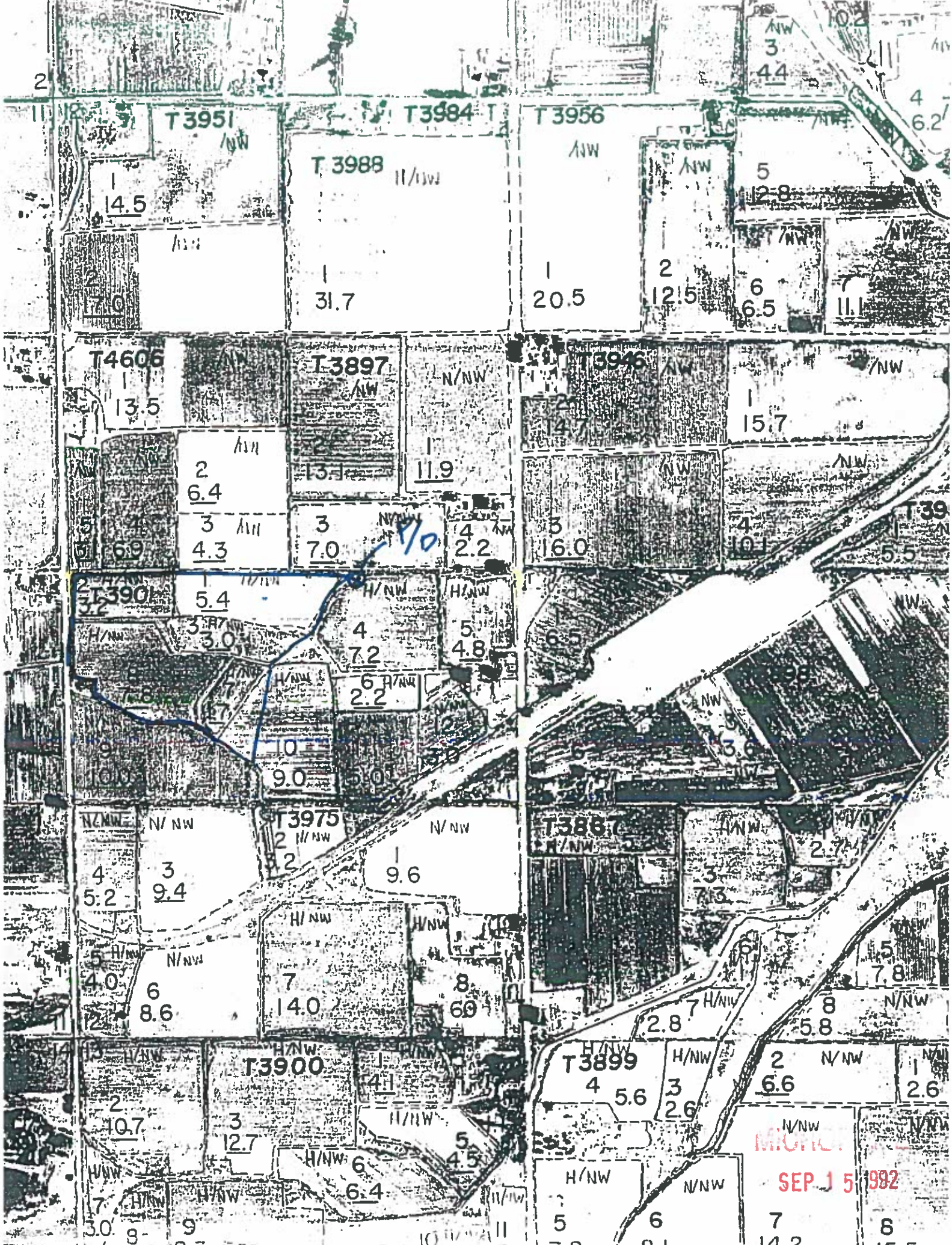
MICROFILMED

SEP 15 1992

152W S12

WALTERS BUTTE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHO PHOTOQUAD)





MOBILE

SEP 15 1992