

09/29/2006 RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-11275

NIMAN RANCH INC
16821 PURPLE SAGE RD
CALDWELL ID 83607
Telephone Number: (208)459-1113

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

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

DATE: 10-31-06

SIGNATURE: Robert Stokes

Please print your name: Robert Stokes

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

07/07/2006

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

RIGHT NUMBER: 63-11275

NAME AND ADDRESS: NIMAN RANCH INC
16821 PURPLE SAGE RD
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.750 CFS
230.200 AFY

Rights 63-08702A, 63-8702B and 63-11275 when combined shall not exceed a total diversion rate of 1.48 cfs, a total annual maximum diversion volume of 760.7 af at the field headgate, and the irrigation of 143 acres.

Rights 63-08702A, 63-8702B and 63-11275 when combined shall not exceed a total maximum diversion volume of 643.5 af for irrigation purposes.

The rights listed below are limited to a total combined diversion rate of .75 cfs and to a total combined annual diversion volume of 60.5 AF for stockwater purposes. Combined Right Nos.: 63-11275 and 63-20388

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 113.0 af at the field headgate for the irrigation of the lands above.

Rights 63-22368 and 63-11275 when combined shall not exceed a total diversion rate of 0.75 cfs.

The rights listed below are limited to a total combined diversion rate of .75 cfs and to a total combined annual diversion volume of 56.7 AF for commercial purposes. Combined Right Nos.: 63-11275 and 63-8702A

PRIORITY DATE: 03/15/1990

POINT OF DIVERSION:

T05N R03W S32 NENW Within CANYON County

T05N R03W S32 NWNW 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	0.250 CFS 113.00 AFY
STOCKWATER	01/01 12/31	0.750 CFS 60.50 AFY
COMMERCIAL	01/01 12/31	0.750 CFS 56.70 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T05N R03W S32 NENW 25.00

STOCKWATER Within CANYON County

T05N R03W S32 NENW T05N R03W S32 NWNW

COMMERCIAL Within CANYON County

T05N R03W S32 NENW T05N R03W S32 NWNW

25 ACRES TOTAL

07/07/2006

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

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 - License

Stockwater use is for 4500 range cattle.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Rights 63-08702A, 63-8702B, 63-20388 and 63-22368 are also diverted through the points of diversion described above.

Commercial use is for dust abatement, feed mill, office and equipment washing.

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

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

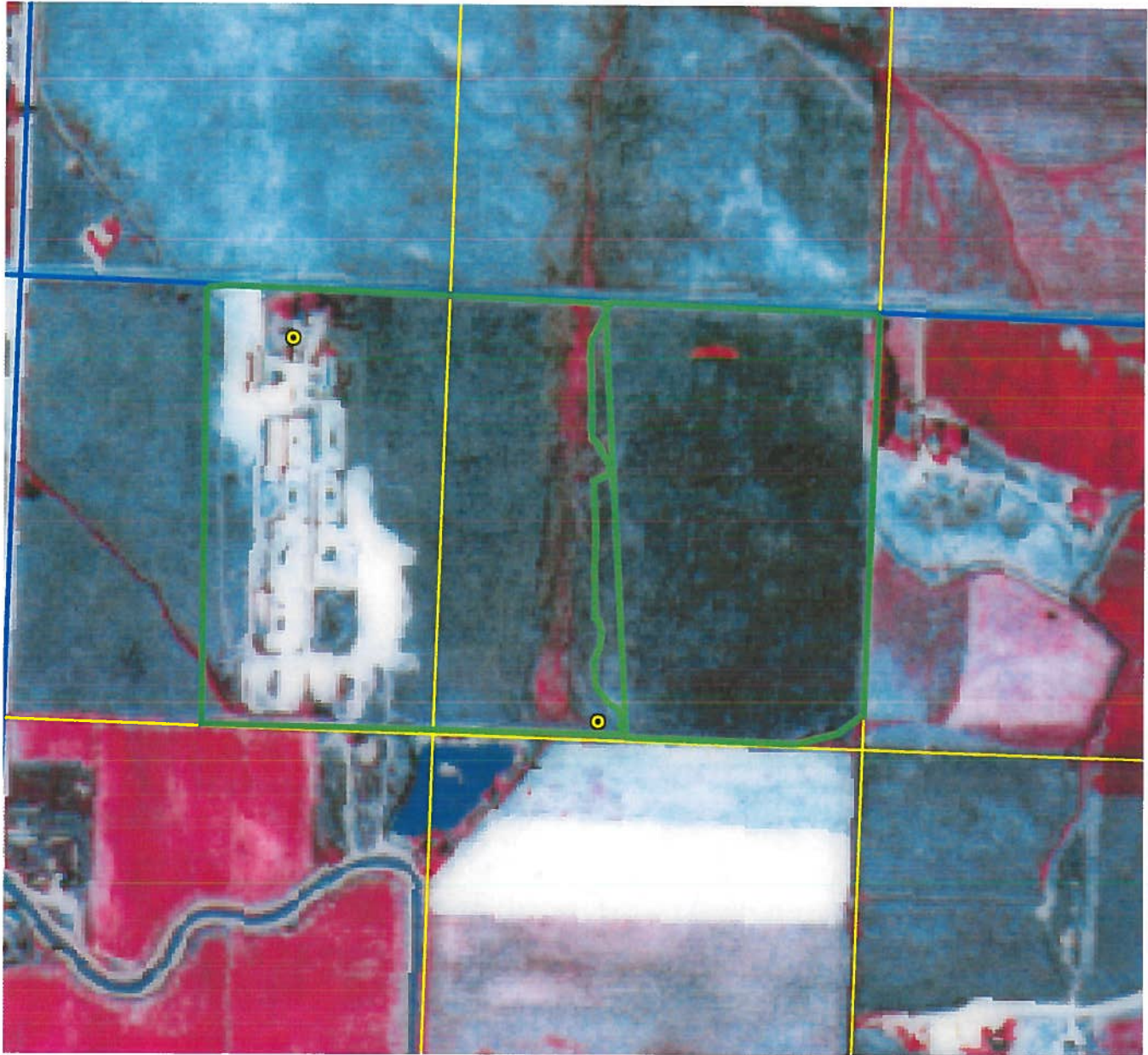
If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.



Idaho Department of Water Resources

63-11275

05N 03W Section 32



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 25

60 06020 Feet




IDWR
Prepared by: Lori Graves
Date: 07-07-06
1986-87 Photography

Adjudication Recommendation Report 63-11275 V1

WATER RIGHT NUMBER: 63-11275 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NIMAN RANCH INC 16821 PURPLE SAGE RD CALDWELL, ID 83607 (208)459-1113
Original Owner	SSI LAND & CATTLE CO INC 2615 E CLEVELAND BLVD CALDWELL, ID 83605 (208)459-0734

Priority Date: 03/15/1990

Basis:	License
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Status: Active

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.250 CFS	113.00 AF
STOCKWATER	01/01 to 12/31	0.750 CFS	60.50 AF
COMMERCIAL	01/01 to 12/31	0.750 CFS	56.70 AF
	Total Diversion:	0.750 CFS	230.20 AF

Location of Point(s) of Diversion

GROUND WATER CANYON County	NW1/4NW1/4	Sec. 32, Twp 05N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 32, Twp 05N, Rge 03W, B.M.

Place of Use

IRRIGATION

[illegible]

Total Acres: 25

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-11275 V1

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 03W 32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					X	X											

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X02 Stockwater use is for 4500 range cattle.
3. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. X35 Rights 63-08702A, 63-8702B and 63-11275 when combined shall not exceed a total diversion rate of 1.48 cfs, a total annual maximum diversion volume of 760.7 af at the field headgate, and the irrigation of 143 acres.
5. Rights 63-08702A, 63-8702B and 63-11275 when combined shall not exceed a total maximum diversion volume of 643.5 af for irrigation purposes.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. X36 Rights 63-08702A, 63-8702B, 63-20388 and 63-22368 are also diverted through the points of diversion described above.
8. Commercial use is for dust abatement, feed mill, office and equipment washing.
9. The rights listed below are limited to a total combined diversion rate of .75 cfs and to a total combined annual diversion volume of 60.5 AF for stockwater purposes. Combined Right Nos.: 63-11275 and 63-20388
10. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 113.0 af at the field headgate for the irrigation of the lands above.
11. Rights 63-22368 and 63-11275 when combined shall not exceed a total diversion rate of 0.75 cfs.
12. W14 Use of this right is combined with water from Black Canyon Irrigation District.
13. E61 The rights listed below are limited to a total combined diversion rate of .75 cfs and to a total combined annual diversion volume of 56.7 AF for commercial purposes. Combined Right Nos.: 63-11275 and 63-8702A
14. R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
15. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-11275 V1

Comments:

1. Igraves 7/6/2006 Irrigation Use

Comment: 25 acres were found irrigated at the time of the licensing exam. Those acres have been previously licensed at full volume under right 63-8702 now represented by 63-8702A. Full volume for the 25 acres has been listed on this recommendation with a combined quantity condition.

2. Igraves 7/6/2006 Stockwater Use

Comment: Total stockwater volume found during the licensing exam was 60.5 afa for 4500 cattle at 12 gpd/cow (feedlot capacity). Of that amount, 40.3 afa for 3000 cattle has been recommended under right 63-20388. Total stockwater volume for 4500 cattle has been listed on this recommendation with a combined quantity condition.

3. Igraves 7/6/2006 Industrial Use

Comment: Industrial use was clarified to commercial use as recommended on the licensing exam. Total commercial volume found during the licensing exam was 56.7 afa. Of that amount, 27.3 afa has been previously licensed for dust abatement under right 63-8702A. Total commercial volume has been listed on this recommendation with a combined quantity condition.

4. Igraves 7/7/2006 System Capacity

Comment: Licensing field exam calculated system capacity at .75 cfs.
 $.75 \text{ cfs} \times 1.9835 \times 365 = 543 \text{ af}$ potential diversion volume.

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: S

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:Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 10 2003
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 63-11275

1. Owner: NIMAN MC CONNELL LLC Phone No. (208) 459-1113

Current Address: 16821 PURPLE SAGE ROAD, CALDWELL, ID 83607

2. Accompanied by: ROB STOKES EXAM DATE : 1/3/2002

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: FEEDLOT MANAGER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-22368, 63-20388, 63-8702A & BLACK CANYON IRRIGATION DISTRICT RIGHTS

2. Other water rights with the same point of diversion: 63-22368, 63-20388, & 63-8702A

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
DOMESTIC WELL			NW	NW	32	5N	3W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTOS
STOCK WELL			NE	NW	32	5N	3W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTOS
RELIFT PUMP			NE	NW	32	5N	3W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTOS

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2. Place(s) of Use:

Indicate Method of Determination SAME AS POINT OF DIVERSION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	32					25.4 S/C	S/C											25.4

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
DOMESTIC WELL	FRANKLIN ELECTRIC	2 Hp	2823018110	FRANKLIN ELECTRIC	2823018110
STOCK WELL	GUNDERFOS	15 Hp	1353150	GUNDERFOS	1353150
RELIFT PUMP	CENTURY	50 Hp	6-331269-01	BERKLEY	6967274

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements:

Measurements at the time of the exam were not possible since the system was not operating continually. Therefore, a theoretical calculation was performed to determine the maximum capacity of the wells and the re-lift pump.

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E. NARRATIVE/REMARKS/COMMENTS:

The water for this permit comes from 2 wells referred to the Domestic Well (2Hp pump) and the Stock Well (15 Hp pump). The Domestic Well is located in a pump house in-between the house/office and the feed mill in the NWNW and the Stock Well is located in a pump house at the southeastern corner of the sewage lagoon in the NENW. The entire place of use and the wells are located in the N½ of the NW ¼ of S32 T5N R3W.

The water from the Domestic Well travels through 3 water lines from the well. The first line travels northeast to the house/office and continues under the driveway to a single spigot. The office is located under the house or the basement area of the house. The office is basically separate from the house even though they are contained in the same building. The second water line from the Domestic Well travels northwest to a single residence, which is basically a hired hands home. The third line from the Domestic Well or the main water line, travels due south to the feed mill and then turns east to supply water to the shop. From the shop the main water line travels due south and supplies water the stock pens on the west ½ of the feedlot. Once the line has gone through all of the pens on the west ½ of the feedlot it turns east to the middle of the set of pens on the east ½ of the feedlot. At this point a spur takes off from the main water line and travels due north through the middle of the pens on the east ½ of the feedlot to supply water troughs in these pens. The main water line continues on east and connects to the Stock Well's piping. At the Stock Well a spur from the main water line empties directly into the waste lagoon for the feedlot.

The water in the main waste lagoon is used to irrigate the 25.4-acre field in the NENW and to supply dust abatement for the corrals. A water line from Black Canyon Irrigation District empties into the waste pond with the ground water and any wastewater from corrals. The well water and the canal water are used to dilute the lagoon water to allow it to be pumped through the sprinkling system. A 50 Hp pump pulls water from the lagoon and delivers it to a mainline that runs due north along the western edge of the irrigated field. At approximately the midway point of the northern most corral a line takes off from the mainline to deliver the water to 30 dust abatement sprinklers. These sprinklers are rated at 104 gpm and only 3 sprinklers are operated at any one time. Therefore, the dust abatement system only runs 312 gpm or 0.70 cfs. The main irrigation line continues north until it reaches Purple Sage Road and then turns east and runs parallel to the road to supply water to the wheel line and hand line used to irrigate the field. The wheel line and the hand line each have 32 sprinklers with 1/8" nozzles that are rated at 3.62 gpm for a total of 115.8 gpm or .26 cfs. The maximum diversion rate used from the relief pump is 0.96 cfs. The groundwater used for irrigation is supplemental to the canal water. So the main use of the groundwater would be used for dust abatement since the maximum diversion rate available from the wells is 0.75 cfs. This would only leave 0.05 cfs for irrigation. The only way that the groundwater could be used for irrigation is if the dust abatement was not in operation.

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The pond associated with this right is an existing drainage pond historically used to collect wastewater from the surrounding fields. This pond is shown on all the maps I have found. The main use of the pond has always been to collect wastewater and to serve as a waste lagoon for the feedlot. The wastewater is no longer available, so the only water supplying the pond comes from the canal, corrals, and groundwater. Therefore, no storage right should be needed for this existing pond. The industrial uses listed on this permit should actually be described as commercial use. The commercial use includes water used in the office (not including the home use), feed mill, shop, and equipment washing. The stockwater use is for 4,500 range cattle. The owner supplied affidavits from the former manager of the feedlot stating that 4500 head were in the lot prior to proof of beneficial use being filed. The irrigation and dust abatement use is listed above.

OVERLAP

Snake River Basin Adjudication (SRBA) decree 63-22368, SRBA claim 63-20388, and license 63-8702A overlap the place of use for this permit. Water right 63-22368 is diverted from the domestic well and is used for the home above the office, but does not include the water used by the feedlot office. Claim 63-20388 supplies water to the hired hand's home and supplies a commercial stockwater right for 3,000 head of livestock. An SRBA agent has not yet reviewed this claim, so it is impossible to tell if it is a valid claim or not. This permit has applied for 5,000 head of cattle, and the owner has supplied affidavits showing that at the time proof of beneficial use was filed that 4,500 cattle were held in the facility. Therefore, when this permit and claim 63-22368 are combined, stockwater should be limited to the consumption of water that 4,500 cattle would use. This combined amount would be needed to prevent expanding the use to more than the 4,500 animals capacity, if 63-22368 is recommended as claimed or if 63-22368 was disallowed this permit would still be able to cover the full amount of stockwater used in the facility.

63-8702A is a license for dust abatement and irrigation. The dust abatement has increased since 63-8702A was licensed, therefore, this application will cover only the amount of water used above what was licensed under 63-8702A. The irrigation component of 63-8702A allowed irrigation of 66 acres at approximately ½ of an inch per acre. However, only 25.4 acres of 63-8702A's place of use are still being irrigated by the wells. Therefore, we can allow the remaining diversion rate as long as the irrigation does not exceed 0.02 cfs per acre. There is also Black Canyon Irrigation District water used on these acres. Therefore, this permit is a supplemental right and all surface water should be used first before any groundwater is used.

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RECOMMENDATIONS:

IRRIGATION:

I recommend that this permit be licensed for 0.25 cfs and 114.3 afa for irrigation. When the irrigation component of this right is combined with 63-8702A, Black Canyon Irrigation District water, and all other rights the owner should be limited a maximum diversion rate of 0.02 cfs/acre and annual volume of 4.5 afa/afa. This is a supplemental right, so the full allocation of surface water should be used prior to using these wells for irrigation. .

COMMERCIAL:

I recommend that this permit be licensed for 0.75 cfs and 29.4 afa for commercial use. When combined with water right 63-8702A and all other rights, the commercial use should be limited to a combined volume of 56.7 afa and a diversion rate of 0.75 cfs (the system capacity).

STOCKWATER:

I recommend that this permit be licensed for 0.75 cfs and 60.5 afa for stockwater. When combined with water right 63-20388 and all other rights should be limited to a maximum diversion rate of 0.75 cfs and 60.5 afa for stockwater.

GENERAL:

When combined with all the uses for all the overlapping rights these wells should be limited to the maximum capacity of 0.75 cfs diversion rate. The total annual volume for the feedlot and the current irrigation use for the 25.4 acres being irrigated should be limited to a total combined annual volume of 231.5 afa.

Groundwater should not be allowed to be diverted into the sewage lagoon unless an equal amount of the water is being diverted from the lagoon for irrigation or dust abatement. If the owner wishes to store water they will need to file another application for permit.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONSYES Additional Computation Sheets Attached

Measured Method:

IRRIGATION $\Rightarrow$ 0.25 CFSCOMMERCIAL $\Rightarrow$ 0.75 CFSSTOCKWATER $\Rightarrow$ 0.75 CFSTOTAL $\Rightarrow$ 0.75 CFS

SEE ATTACHED SHEETS FOR CALCULATIONS.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 25.4 \times 4.5 = 114.3 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.25 \times 260 \times 1.9835 = 128.9 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 114.3 \text{ AFA}$$

B

2. Volume Calculations for Other Uses:

COMMERCIAL $\Rightarrow$ 29.4 AFASTOCKWATER $\Rightarrow$ 60.5 AFA**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial use	Period Of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/1	11/15	0.25 CFS	114.3 AFA
COMMERCIAL	1/1	12/31	0.75 CFS	29.4 AFA
STOCKWATER	1/1	12/31	0.75 CFS	60.5 AFA
TOTAL			0.75 CFS	204.2 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other (Change use from
industrial to commercial)

I. AUTHENTICATION

DANIEL A. NELSON – SENIOR AGENT

Field Examiner's Name

Daniel A. Nelson

Date

12-31-02

Reviewer

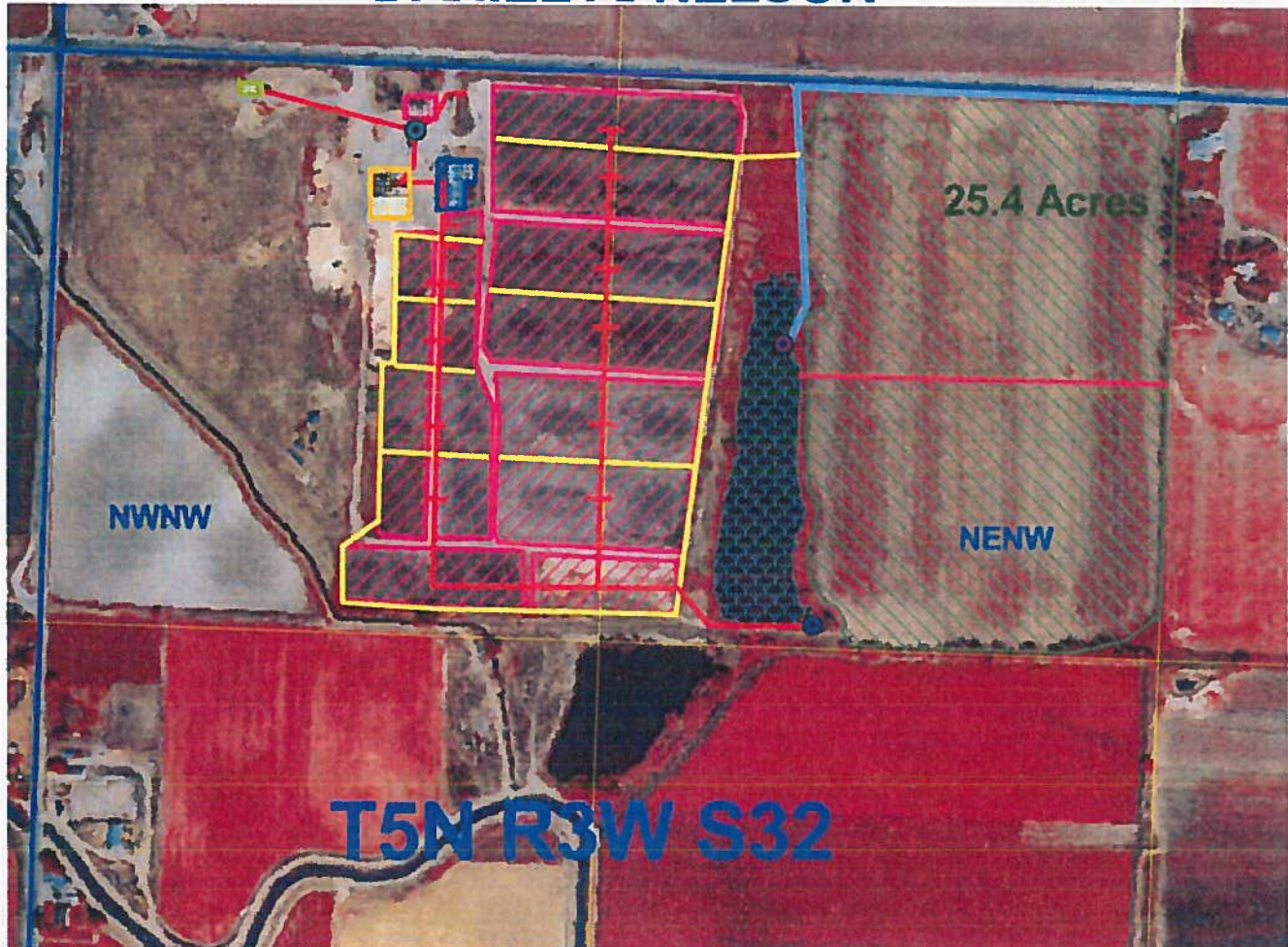
Date

SEAL

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63-11275
SYSTEM DIAGRAM
2000 AERIAL PHOTO
PREPARED BY
DANIEL A. NELSON



0.1 0 0.1 0.2 Miles

- DOMESTIC WELL
- STOCK WELL
- RE-LIFT PUMP
- HOUSE
- FEED MILL
- OFFICE/HOME
- SHOP
- WELL'S MAINLINE
- DUST ABATEMENT LINES
- PIPELINE FROM CANAL
- IRRIGATION MAINLINE
- SETTLING POND
- IRRIGATED FIELD
- CORRALS
- SECTION LINES
- 1/4 1/4 LINES



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63-11275
SYSTEM DIAGRAM
PREPARED BY
DANIEL A. NELSON



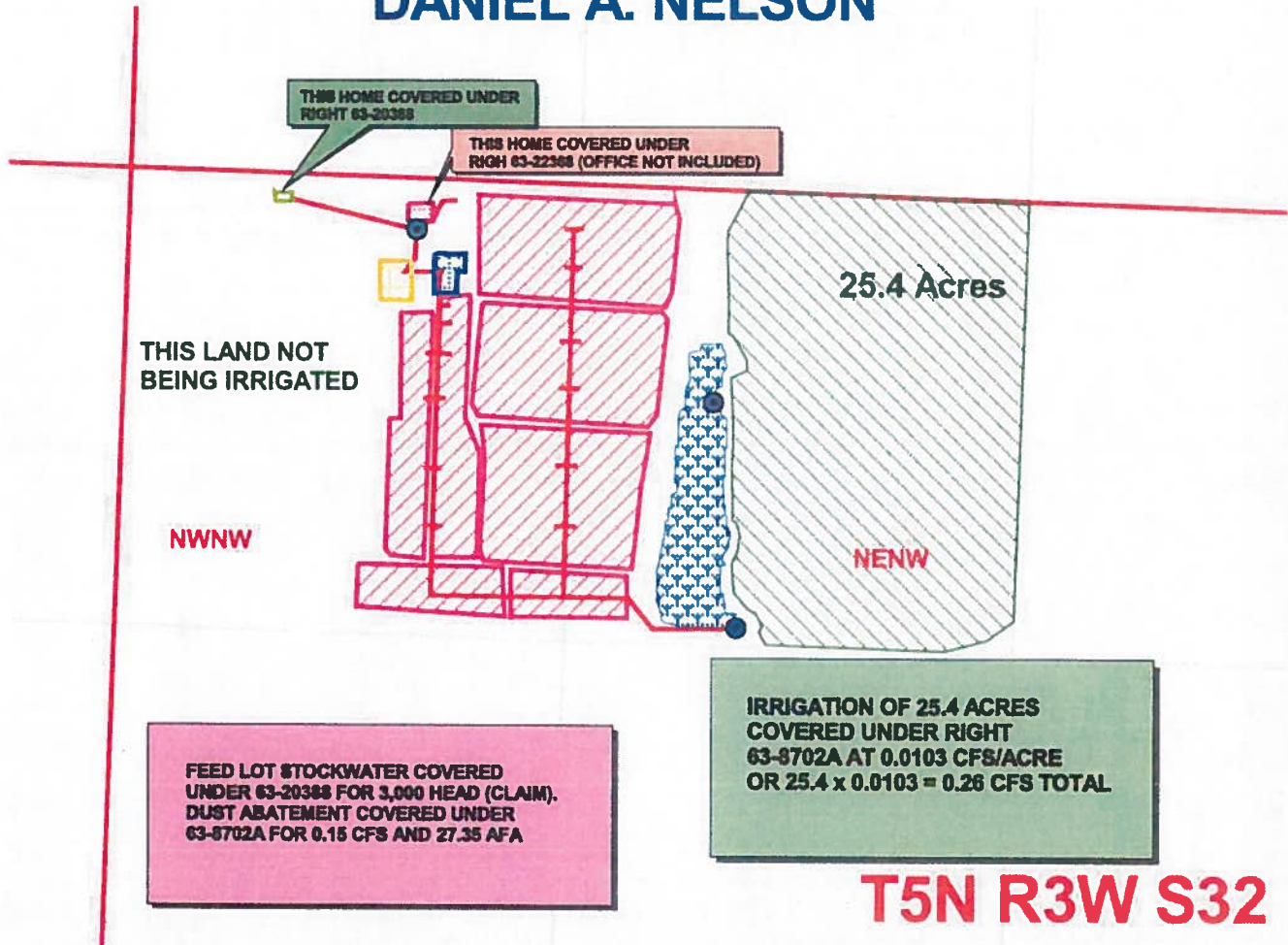
0.1 0 0.1 0.2 Miles

- DOMESTIC WELL
- STOCK WELL
- RE-LIFT PUMP
- HOUSE
- FEED MILL
- OFFICE/HOME
- SHOP
- WELL'S MAINLINE
- DUST ABATEMENT LINES
- PIPELINE FROM CANAL
- IRRIGATION MAINLINE
- SETTLING POND
- IRRIGATED FIELD
- CORRALS
- SECTION LINES
- 1/4 1/4 LINES



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63-11275
OVERLAPPING RIGHTS
PREPARED BY
DANIEL A. NELSON



0.1 0 0.1 0.2 Miles

- DOMESTIC WELL
- STOCK WELL
- RE-LIFT PUMP
- HOUSE
- FEED MILL
- OFFICE/HOME
- SHOP
- SETTLING POND
- IRRIGATED FIELD
- CORRALS
- SECTION LINES
- 1/4 1/4 LINES

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OVERLAPPING RIGHTS FOR 63-11275 BY USE

DOMESTIC:

- 63-22368 – SRBA DECREE - FOR ONE HOME IN NWNW S32
- 63-20388 – SRBA CLAIM – FOR ONE HOME IN NWNW S32
- 63-11275 – PERMIT – NO DOMESTIC USE REQUESTED

NO DOMESTIC USE IS REQUESTED AND NONE SHOULD BE ALLOWED.

COMMERCIAL:

- 63-20388 – SRBA CLAIM – FOR 3,000 HEAD FEEDLOT
- 63-8702A – SRBA CLAIM AND LICENSE – FOR DUST ABATEMENT OF FEEDLOT FOR 0.15 CFS AND 27.3 AFA. NO STOCKWATER INCLUDED WITH THIS RIGHT.
- 63-11275 - PERMIT- COMMERCIAL USE FOR DUST ABATEMENT, OFFICE AND TRUCK WASHING (LISTED AS INDUSTRIAL).

WE CAN ALLOW COMMERCIAL USE FOR ANYTHING ABOVE THE ALREADY LICENSED COMMERCIAL USE OF 0.15 CFS AND 27.35 AFA CURRENTLY LICENSED UNDER 63-8702A. THE COMMERCIAL STOCKWATER USE UNDER 63-20388 WILL BE ADDRESSED UNDER STOCKWATER.

IRRIGATION:

- 63-8702A - SRBA CLAIM AND LICENSE – 66 ACRES AT ½ INCH PER ACRE (.68 CFS TOTAL), VOLUME IS AT FULL VOLUME PER ACRE
- 63-11275 - PERMIT – FOR SAME 66 ACRES AT 0.015 CFS PER ACRE (1.00 CFS TOTAL)

WE CAN ALLOW 0.68 CFS FOR 63-11275 WITH THE CONDITION THAT WHEN COMBINED WITH 63-8702A THAT THE DIVERSION RATE IS 1.32 CFS AND AN ANNUAL VOLUME OF 4.5 AFA PER ACRE OR 287 AFA WHEN BOTH RIGHTS A COMBINED. THE ACTUAL DIVERSION RATE WILL BE LIMITED TO THE CAPACITY OF THE PUMPS.

MICHAEL J. JAMES

MAR 17 2003

STOCKWATER:

63- 20388 - SRBA CLAIM - 3,000 HEAD RECORDED AS A COMMERCIAL USE. THIS SHOULD BE CORRECTED TO BE STOCKWATER IN ADJUDICATION.

63-11275 - PERMIT - STOCKWATER FOR 5,000 HEAD OF LIVESTOCK.

AFFIDAVITS SUPPLIED BY APPLICANT SHOW TOTAL ANIMALS IN FEEDLOT AT TIME PROOF OF BENEFICIAL USE WAS FILED TO BE 4,500 HEAD.

WE CAN ALLOW UP TO 4,500 HEAD OF LIVESTOCK FOR THIS PERMIT SINCE 63-20388 IS ONLY A CLAIM. HOWEVER, THIS PERMIT SHOULD BE CONDITIONED THAT WHEN 63-11275 AND 63-20388 ARE COMBINED THEY ARE LIMITED TO THE 4,500 HEAD OF LIVESTOCK RECOMMENDED UNDER THIS PERMIT, WHICH WILL BE THE MAXIMUM NUMBER OF ANIMALS THAT HAVE BEEN HOUSED IN THE FEEDLOT.

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GROUNDWATER THEORETICAL ANNALYSIS

STOCK WATER
Well

FILE: 63-11275

DATE: 1-11-2002

BY: Daniel A. 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 puijing water level

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

$$Q = \frac{(8.8) \times (15 \text{ Hp}) \times (0.70)}{139.95} = 0.66 \text{ CFS}$$

$$[(36) + (45 \times 2.31)] = 139.95$$

LIFT FROM:

Measurement ()

Owner ()

Area estimate ()

Well Logs (X)

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate ()

Owner Gage (X)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: LIFT was calculated by adding
10 FT onto the static water level
of 26 FT. This is such a small
well and should not cause much
drawdown.

System Capacity for both wells
is 0.75 CFS.

MICRO

MAR 17 2003

GROUNDWATER THEORETICAL ANNALYSIS

FILE: 63-11275

Domestic
well

DATE: 1-11-2002

BY: Daniel A. 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 puijping water level

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

$Q = \frac{(8.8 \times (2) \times (0.70))}{139.95} = 0.09 \text{ CFS}$

$[(26) + (45 \times 2.31)] = 139.95$

LIFT FROM:

Measurement ()

Owner ()

Area estimate ()

Well Logs (X)

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate ()

Owner Gage (X)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: LIFT was calculated by adding
10 FT onto the static water level of
26 FT. This is a small well and
should not cause much draw down.
The well log for the Harry Stockwell
since no log was available for this
well.

System capacity from both wells
is 0.75 CFS.

MICRO

MAR 17 2003

GROUNDWATER THEORETICAL ANNALYSIS

Relift
Pump

FILE: 63-11275

DATE: 1-11-2002

BY: Daniel A. 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])

$$Q = \frac{(8.8 \times (50 HP) \times (0.70))}{147.6} = 2.09 CFS$$

$$[(9 FT) + (60 \times 2.31)] = 147.6$$

LIFT FROM:

Measurement (X)

Owner (X)

Area estimate ()

Well Logs ()

PSI FROM:

Measurement ()

Owner (X)

Estimate ()

Owner Gage ()

Booster (Y) (N)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: The BOOSTER DELIVERS THE WATER FOR THE DUST ADJUTMENT and IRRIGATION. The OWNER told me there was 9 FT LIFT FROM THE POND. I looked at the pump and agreed that 9 FT would be the maximum lift.

The previous field exams describes the irrigation system at 1 wheel line with 1/8" NOZZLES and 32 SPRINKLERS and an identical hand line. 1/8" NOZZLES @ 60 PSI = 3.62 gpm / nozzle. There fore 3.62 gpm X 64 nozzles = 233.6 gpm = 0.52 CFS.

0.02 CFS X 26 acres = 0.52 CFS. These match.

The dust adjutment NOZZLES used are 0.7" NOZZLES that run 103-104 gpm. These applicator runs 3 at a time or 312 gpm or .70 CFS. There fore, The ENTIRE SYSTEM is in runs 1.22 CFS capacity from the BOOSTER PUMP.

FLOW RATE ESTIMATIONS FOR IRRIGATION AND DUST ABATEMENT BASED ON SPRINKLERS

SPRINKLER SYSTEM	NUMBER OF SPRINKLERS	ESTIMATED RATE PER SPINKLER	TOTAL FLOW IN GPM	TOTAL FLOW IN CFS
WHEEL LINES	32.00	3.62	115.84	0.26
HAND LINES	32.00	3.62	115.84	0.26
DUST ABATEMENT (30 SPRINKLERS TOTAL ONLY 3 SPRINKLERS RUN AT ANY ONE TIME	3.00	104.00	312.00	0.70
TOTAL	67.00		543.68	1.21

The owner informed me that the average pressure used on the irrigation and dust abatement system was 60 psi. The sprinklers were rated using the field examiners handbook for 1/8" nozzles for the hand lines and wheel lines and .70" nozzle faxed to me by an irrigation company for the dust abatement sprinklers.

The theoretical calculation for the re-lift pump for the irrigation system was 2.09 cfs. However, it does not seem that this calculation is reasonable and that the sprinkler calculations should be used, since the sprinkler calculations equal 1" per acre or .52 cfs for 25.4 acres.

THEORETICAL CALCULATION

$$\frac{(8.8) \times (50 \text{ Hp}) \times (0.70)}{[9\text{FT} + (60 \text{ PSI} \times 2.31)]} \Rightarrow 308 = 2.09 \text{ CFS OR } 938 \text{ GPM}$$

The controlling factor for this permit is the capacity of the 2 groundwater wells. The domestic well produces 0.09 cfs and the stockwater well produces 0.66 for a total 0.75 cfs. The 0.75 cfs can be used for any of the uses at any time. Therefore, each use should be granted up to the limiting factor for each use.

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MAR 17 2003

DIVERSION RATE AND VOLUME CALCULATIONS

DIVERSION RATE CALCUALTION SHEET

IRRIGATION:

Permit allows	=> 1.00 cfs
System capacity (see theoretical calculation sheets)	=> 0.75 cfs
Amount available above currently licensed rate from 63-8702A rate	=> 0.25 cfs
[(25.4 acres X 0.02 cfs/acre) –	
(25.4 acres X 0.0103 cfs/acre from 8702A) = 0.25 cfs]	

PLEASE NOTE: Maximum allowable rate is 0.02 cfs per acre and 63-8702A has already licensed 0.0103 cfs per acre, therefore, I can only recommend the difference between the maximum allowable and what has already been licensed per acre.

Maximum allowable irrigation rate is 0.25 cfs

COMMERCIAL USE:

Permit allows	=> 1.00 cfs
System capacity (see theoretical calculation sheets)	=> 0.75 cfs
Amount currently in use	=> 0.80 cfs
(0.55 cfs + 0.04 cfs + 0.11 cfs + 0.04 cfs + 0.06 cfs = 0.80 cfs)	

Maximum allowable commercial use is 0.75 cfs

Please Note: Dust abatement was calculated at 3-104 gpm sprinklers / 448.8 = 0.70 cfs – 0.15 cfs from 63-8702A = 0.55 cfs. Office use was calculated as standard domestic use of 0.04 cfs. Equipment washing was calculated using 50 gpm/ 448.8 = 0.11 cfs. Shop was calculated at standard domestic use of 0.04 cfs. Feed mill was calculated at 25 gpm or 0.06 cfs.

MICRO

MAR 17 2003

STOCKWATER USE:

Permit allows $\Rightarrow 1.00$ cfs
System capacity (see theoretical calculation sheets) $\Rightarrow 0.75$ cfs
Amount currently in use $\Rightarrow 0.99$ cfs
(4,500 cattle X 0.00022 = 0.99 cfs (per table 1 field examiners handbook))

Maximum allowable stockwater is 0.75 cfs

PLEASE NOTE: Full capacity of the well can be recommended for stockwater since 63-20388 is only an adjudication claim and has not been verified, and any overlapping use can be handled with conditions. Therefore, when this right is combined with 63-20388 it should be limited to a total diversion rate of 0.75 cfs.

VOLUME CALCUALTION SHEET

IRRIGATION: $\Rightarrow 114.3$ afa

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 25.4 \times 4.5 = 114.3$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.25 \text{ cfs} \times 260 \times 1.9835 = 128.9 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 114.3 \text{ afa}$$

PLEASE NOTE: Maximum allowable volume is 4.5 afa per acre, and 63-8702A has already licensed the full volume per acre. Therefore, I am recommending the full volume amount with the condition "When combined with all other rights including 63-8702A the maximum volume per acre should not exceed 4.5 afa per acre."

COMMERCIAL:

DUST ABATEMENT $\Rightarrow 25.3$ afa

$$[(104 \text{ gpm/sprinkler} \times 3 \text{ sprinklers/set} \times 10 \text{ sets} \\ \times 30 \text{ min sets} \times 183 \text{ days}) / 325850 = 52.6 \text{ afa} \\ 52.6 \text{ afa} - 27.3 \text{ afa from 63-8702A} = 25.3 \text{ afa}]$$

PLEASE NOTE: There are 30 sprinklers total, but only 3 sprinklers are used per set. Each sprinkler delivers 104 gpm. Each set is run for approximately 30 minutes. The dust abatement is only used from May 1 to Oct. 31 or 183 days. 63-8702A has already licensed 27.3 afa for dust abatement, therefore, 27.3 afa needs to be subtracted from the total amount of water used for dust abatement to determine the amount used under this permit.

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MAR 17 2003

FEED MILL**=> 1.1 afa**

[(200 tons of feed/wk X 30 gallons per ton X 52 wks) +
 (25 gpm cleanup X 30 min/wk X 52 wks) / 325850 = 1.1 afa]

PLEASE NOTE: Owner stated that they use approximately 30 gallons of water per ton of feed run through the mill and they process approximately 200 tons of feed per week. The owner also cleans the mill each day, which equals approximately 30 minutes per week at about 25 gpm.

OFFICE**=> 0.5 afa**

[(9 people X 50 gal/worker/day X 365 days)/325850 = 0.5 afa]

PLEASE NOTE: 50 gallons per day per worker was taken from the field examiners handbook for construction workers. Showers and wash basins are available to the workers in the office, so this amount seems reasonable.

SHOP/EQUIPMENT WASHING**=> 2.5 afa**

[(10 pieces of equipment X 50 gpm X 30 min/wash X 52 wks) +
 (9 workers X 10 gallons/day cleanup X 365 days) / 325850 = 2.5 afa]

PLEASE NOTE: Each of the 9 workers use water to clean their work area and hands if needed. 10 gallons should be a reasonable volume of use per worker per day.

TOTAL COMMERCIAL VOLUME IS 29.4 AFA**STOCKWATER:**

4,500 Head of range cattle X 12 gpd X 365 days / 325850 = 60.5 afa for stockwater (per table 1 field examiners handbook)

MAXIMUM ALLOWABLE FOR STOCKWATER IS 60.5 AFA

PLEASE NOTE: Full capacity of the well can be recommended for stockwater since 63-20388 is only an adjudication claim and has not been verified. Therefore, when this right is combined with 63-20388 it should be limited to a total volume of 65 afa.

FINAL RESULTS

Beneficial use	Period Of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/1	11/15	0.25 CFS	114.3 AFA
COMMERCIAL	1/1	12/31	0.75 CFS	29.4 AFA
STOCKWATER	1/1	12/31	0.75 CFS	60.5 AFA
TOTAL			0.75 CFS	204.2 AFA

MICRO...

MAY 17 2003

Idaho Dept. of Water Resources Place of Use Comparison Report

[illegible]

4/3/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

Page3

Right	63 30160	STEVEN E RAYNE, BEVERLY L RAYNE,	GROUND WATER	05N03W32				X	X												0	
Right	63 30160	STEVEN E RAYNE, BEVERLY L RAYNE,	GROUND WATER	05N03W32					X	X											0	
Right	63 7553	VERNON M BATT,	GROUND WATER	05N03W32										29	38	35	40		2	33	10	167
Right	63 8702	HARRIETT A CROSBY, HAROLD G CROSBY,	GROUND WATER	05N03W32							X										0	
Right	63 8702	HARRIETT A CROSBY, HAROLD G CROSBY,	GROUND WATER	05N03W32						37	33										70	
Right	63 8725	VERNON M BATT, NORMA E BATT,	GROUND WATER	05N03W32										37	38	35	38				148	
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	05N03W32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	
Claim	65 2900		TUNNEL NO 2 DRAIN	05N03W32	X	X	X	X	X	X	X	X	X				X	X	X	X	0	
Rec	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	05N03W32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	
Claim	63 4491	THOMAS EDWARD BLOCH, ANNETTE M KNIGHT BLOCH,	WASTE WATER	05N03W32														15	6		21	
Rec	63 4491	THOMAS EDWARD BLOCH, ANNETTE M KNIGHT BLOCH,	WASTE WATER	05N03W32														15	6		21	
Right	63 4491	THOMAS S KNIGHT,	WASTE WATER	05N03W32														15	6		21	

Receipt Details for ID C019876

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/8/1991 2:24:34 PM	3/8/1991	State	\$316.00	Check
Payer		SSI LAND & CATTLE CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
15317			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$316.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	11275		\$316.00	Claim

[Print Report](#)

REAL PROPERTY INQUIRY

+++++

01 6R38126-010- -0 082-00 SCH135+ 01 39,900 72.15

+++++ 05 150 3.85

NIMAN-MC CONNELL LLC + 10 31,000 1.00

+ 19 3.00

+ 31 81,100

+ 32 199,200

+

1025 E 12TH ST +

OAKLAND CA 94606 +

+++++

32-5N-3W NW + TOTAL 351,350 80.00

N 1/2 NW ++++++

+ SURVEY INST 200026767

+ DRAIN DR VALUE APPR DYW

+ CLASS R2 REAP 04 MAN 03 UNIT 2

16821 PURPLE SAGE RD, CA + PARCEL 6R05N03W322400 H/O N C/B N

+ PRIOR ACCOUNT 5R38126-010- -0

+ 02 MH on Property NO

+ 03 Traits 04 Companion Sheet

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 63-11275
Date Received: 3/8/1991
Receipt No: C019876
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NIMAN RANCH INC Phone: (208) 459-1113
16821 PURPLE SAGE RD
CALDWELL ID USA 83607

2. Date of Priority: 03/15/1990

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	03W	32	NW NW	CANYON	
05N	03W	32	NE NW	CANYON	

5. Description of diverting works:

20 HP PUMP, PIPE TO CATTLE PENS, BARNS & OFFICE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.25	
STOCKWATER	01/01	12/31	0.75	
INDUSTRIAL	01/01	12/31	0.75	

7. Total Quantity Appropriated is:
0.75 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
05N	03W	32	NE	NW		IRRIGATION	25
			NE	NW		INDUSTRIAL	
			NW	NW		INDUSTRIAL	
			NW	NW		STOCKWATER	
			NE	NW		STOCKWATER	
						Section Acres	25
						Total Acres	25

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:

14. Remarks:

Claim amended per license issued 1/31/03.

Right 63-08702 is also diverted through the point of diversion located in NENW, S32, T05N, R03W.

Rights 63-08702 and 63-11275 when combined shall not exceed a total diversion rate of 1.48 cfs, a total annual maximum diversion volume of 760.7 af at the field headgate, and the irrigation of 143 acres.

Rights 63-08702 and 63-11275 when combined shall not exceed a total maximum diversion volume of 643.5 af for irrigation purposes.

Right 63-22368 is also diverted through the point of diversion located in NWNW, S32, T05N, R03W.

Rights 63-22368 and 63-11275 when combined shall not exceed a total diversion rate of 0.75 cfs.

Industrial use is for dust abatement, feed mill, office and equipment washing.

The total annual diversion volume for industrial purposes under this right is 29.4 af.

The total annual diversion volume for stockwater purposes under this right is 60.5 af.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 113.0 af at the field headgate for the irrigation of the lands above.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Stockwater use is for 5000 head.

Commercial use is for an office, dust abatement and truck washing.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

15. Basis of Claim: License

W

WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 63-11275

Maximum Diversion Rate: 0.75 CFS

[illegible]

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-11275

CONDITIONS OF APPROVAL

1. Right 63-08702 is also diverted through the point of diversion located in NENW, S32, T05N, R03W.
2. Rights 63-08702 and 63-11275 when combined shall not exceed a total diversion rate of 1.48 cfs, a total annual maximum diversion volume of 760.7 af at the field headgate, and the irrigation of 143 acres.
3. Rights 63-08702 and 63-11275 when combined shall not exceed a total maximum diversion volume of 643.5 af for irrigation purposes.
4. Right 63-22368 is also diverted through the point of diversion located in NWNW, S32, T05N, R03W.
5. Rights 63-22368 and 63-11275 when combined shall not exceed a total diversion rate of 0.75 cfs.
6. Industrial use is for dust abatement, feed mill, office and equipment washing.
7. The total annual diversion volume for industrial purposes under this right is 29.4 af.
8. The total annual diversion volume for stockwater purposes under this right is 60.5 af.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 113.0 af at the field headgate for the irrigation of the lands above.
10. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 31ST day of JANUARY, 2003.


Acting for **KARL J. DREHER**
Director

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: **A63-11275**
Date Received: 9/29/1997
Receipt No: C019876
Received By: _____

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

1. Name: SSI LAND & CATTLE CO INC 208-459-0734
Address: 2615 E CLEVELAND
CALDWELL ID 83605

2. Date of Priority: MAR 15, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	32	SW	NE	NW		CANYON
			NE	NW	NW		CANYON

5. Description of diverting works:
20 HP PUMP, PIPE TO CATTLE PENS, BARNs & OFFICE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		
STOCKWATER	01/01	12/31	1.000		
INDUSTRIAL	01/01	12/31	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 5000 HD; INDUSTRIAL, OFFICE, DST ABTMENT, TRUCK WASH.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	32	NE	NW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	32	NE	NW		INDUST	
			NW	NW		IRR	29.0
						Section Acres	66.0
						Total Acres	66.0

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:
A63-08702

14. Remarks:
Stockwater use is for 5000 head.
Commercial use is for an office, dust abatement and truck washing.

15. Basis of Claim: PERMIT

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: _____

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: 39576Ident. Number 463-11275Date Received 3/8/91Receipt Number CO19876

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 08 1991
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SSI Land & Cattle Co Phone (208) 459-0734Mailing Address 2615 E Cleveland Caldwell, ID Zip 836052. Date of Priority (Only one (1) per claim) March 15, 19903. Source of water supply (a) Ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5N Range 3W Section 32,SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CanyonAdditional points of diversion if any: T5N, R3W, S32, NE 1/4 NW 1/4 NW 1/4 Canyon Co.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.20 HP Pump, underground
pipe to cattle pens, barns & office

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1.00 or _____
 For Stockwater purposes from 01/01 to 12/31 amount 1.00 or _____
 For Industrial purposes from 01/01 to 12/31 amount 1.00 or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater for 5000 hd beef cattle, Industrial is for office, dust abatement & truck washing

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>5N</u>	<u>3W</u>	<u>32</u>					<u>37</u>	<u>29</u>											<u>66</u>

Total number of acres irrigated 66

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None ()

14. Remarks: see attached map

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Sec 32 5N3W

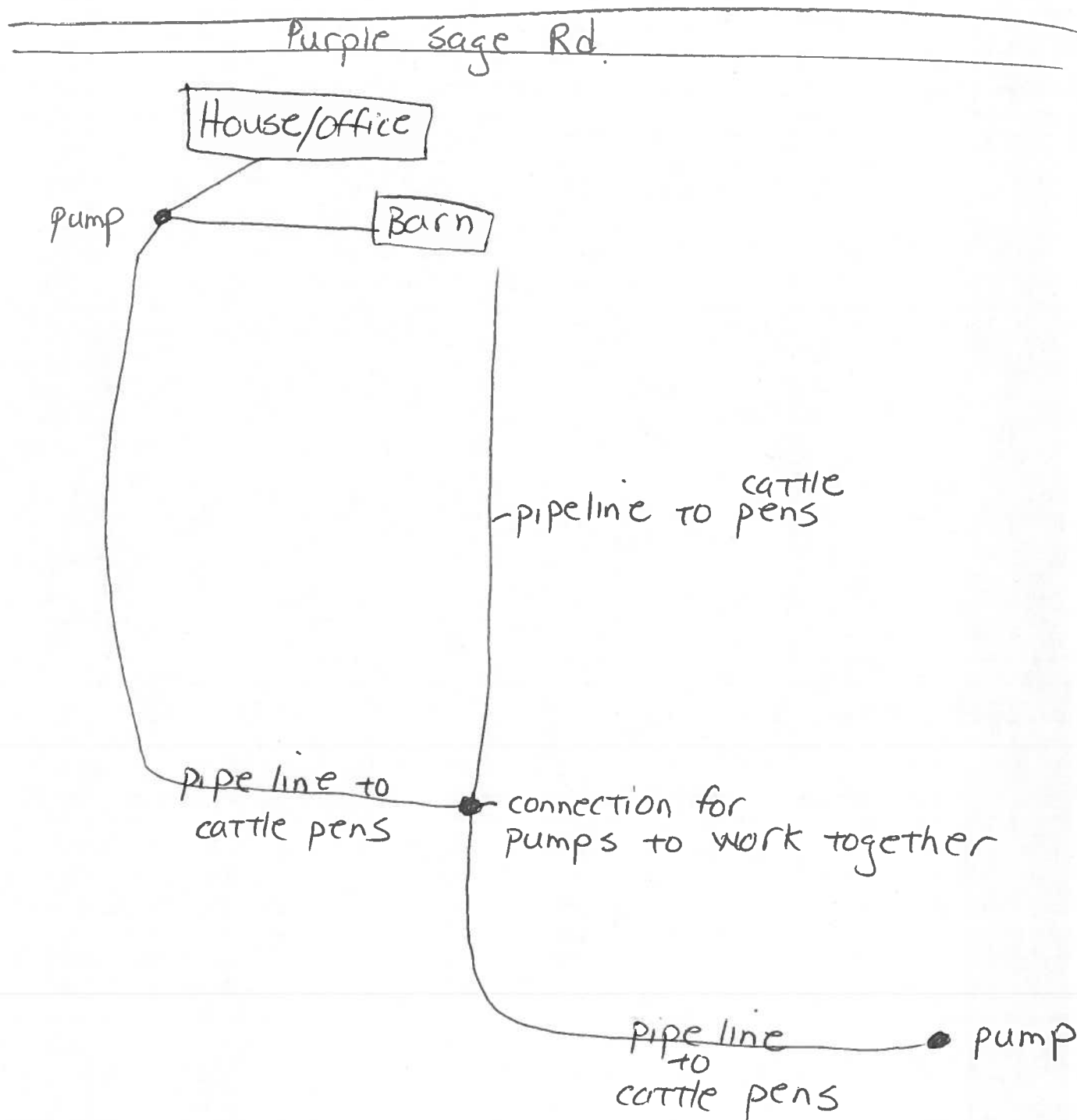
POINT
OF
DIVERSION

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

SSI Land + Cattle
Water Right 63-11275
N →

Canyon County
Sec 32, 5N, 3W



15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-11275
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President _____

of SSI Land + Cattle Co _____, that I have signed the foregoing
Organization

document in the space below as President _____ of SSI Land + Cattle Co _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] _____

Title and Organization President, SSI Land + Cattle Co Date 2/18/91

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 18 day of February 19 91

SEAL

Notary Public Kathryn A Jennings

Residing at Nampa Idaho

My Commission Expires 8/26/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

 SSI LAND & CATTLE, INC.

P. O. BOX 700
2615 E. CLEVELAND BLVD.
CALDWELL, IDAHO 83606-0700

April 2, 1991

John D. Carlson
Adjudication Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
APR 04 1991
Department of Water Resources

RE: Permits 63-11275 and 63-11390 on Snake River Adjudication

Dear John:

I am writing in response to your letter dated March 27, 1991. In your letter, you stated that SSI Land & Cattle was not required to file on the Snake River Adjudication. I understand that SSI does not have to file on the adjudication because of the priority dates of the water rights in question. However, I would like you to please proceed and include water rights 63-11275 and 63-11390 in the adjudication.

If you have any questions or need any additional information, please call me at 459-0734.

Sincerely,

Pam Wissenbach

Pam Wissenbach
Business Manager



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 27, 1991

Karl Smith, President
SSI Land and Cattle Co.
2615 E. Cleveland
Caldwell, ID 83605

Re: Snake River Basin Adjudication (SRBA)
Canyon County - Receipt Nos. C019876 and C019877
Permit Nos. 63-11275 and 63-11390

Dear Mr. Smith,

We are suspending the processing of your Notice of Claim to a Water Right filed for your property in Canyon County. We are also enclosing Receipt Nos. C019876 and C019877, for a total amount of \$520.00, for the filing fees.

All portions of the claim have been filled in properly and the fee and the form are correct. However, we wish to be sure that you are aware that you are under no statutory or court-ordered obligation to file a Notice of Claim on this water right. Only those water rights which were in existence as of, or prior to, November 19, 1987, are required to file such a notice. Because your priority dates are March 15 and June 6, 1990, you are under no obligation to file a claim.

If you do not wish to file your Notice of Claim, please complete the enclosed Request For Withdrawal Of Claim and return it to the address shown. Your request for refund will be processed as quickly as possible. Do not hesitate to contact this office if you have any questions or concerns. After April 9, 1991, we will continue processing your claim assuming you intend to have your claim included in the director's report of water right claims.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:RM:state:tf

Enclosures:

Receipt Nos. C019876 and C019877
Request For Withdrawal Of Claim

*5/3/91: no response, continue processing.
JME*