

RECEIVED

11/20/2006

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-2216

ESTATE OF NATHAN SHEPHERD
1040 STATE ST
WEISER ID 83672

HELEN I SHEPHERD
1040 STATE ST
WEISER ID 83672
Telephone Number: (208) 549-2225

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: 12/01/06

SIGNATURE:

Betty Miller

Please print your name:

Betty Miller

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

SCANNED

DEC - 6 2006

10/26/2006

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

RIGHT NUMBER: 67-2216

NAME AND ADDRESS: ESTATE OF NATHAN SHEPHERD
1040 STATE ST
WEISER ID 83672

HELEN I SHEPHERD
1040 STATE ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.440 CFS
122.000 AFY

Right Nos. 67-2216 and 67-14742 are limited to a total combined diversion rate of 0.54 cfs and to a total combined annual diversion volume of 122 AF.

PRIORITY DATE: 03/25/1952

POINT OF DIVERSION:

T10N R06W S3 SWSNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.440 CFS 122.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R06W S03	SWNW	13.00	T10N R06W S03	SENW	2.00
T10N R06W S03	NWSW	12.00			

27 ACRES TOTAL

Right Nos. 67-2216 and 67-14742 are limited to the irrigation of a combined total of 27 acres in a single irrigation season.

T10N, R06W S3 SENW, SWNW, & NWSW is unsurveyed, nonfederal land.

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

Right No. 67-14742 is also diverted through point of diversion described above.

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

Idaho Department of Water Resources

Claim Number:

67-2216

-  Point of Diversion
-  Place of Use
-  Sections
-  Extended Quarter Quarters

Legal: T10N, R06W, S03



Reviewed by: J. Dean
10/26/06

2004 NAIP Photo



0.06 0 0.06 0.12 0.18 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

WATER RIGHT NUMBER: 67-2216 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NATHAN J SHEPHERD RT 1 WEISER, ID 83672
Current Owner	ESTATE OF NATHAN SHEPHERD 1040 STATE ST WEISER, ID 83672
Current Owner	HELEN I SHEPHERD 1040 STATE ST WEISER, ID 83672 (208)549-2225

Priority Date: 03/25/1952

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.440 CFS	122.00 AF
<u>Total Diversion:</u>		0.440 CFS	122.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NW1/4	Sec. 3,	Twp 10N,	Rge 06W, B.M.
WASHINGTON 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	
10N	06W	3							13.0	2.0				12.0					27.0

Total Acres: 27

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. E60 Right Nos. 67-2216 and 67-14742 are limited to a total combined diversion rate of 0.54 cfs and to a total combined annual diversion volume of 122 AF.
3. F05 Right No. 67-14742 is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

4. E55 Right Nos. 67-2216 and 67-14742 are limited to the irrigation of a combined total of 27 acres in a single irrigation season.
5. T10N, R06W S3 SENW, SWNW, & NWSW is unsurveyed, nonfederal land.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. awamtje 1/14/2004 POU

Comment: There is no aerialphoto for the legal description of the POU.

2. mcase 4/22/2004 POD

Comment: Irregular sections in area - PLS description of POD does not exist. I digitized point, but did not update PLS since the point is within the area of the Snake River.

3. mcase 4/22/2004 POU

Comment: The PLS description does not exist, because the POU area is in an irregular section. The POU is located in the area corresponding to the Snake River (therefore no PLS).

4. mcase 4/22/2004 Period of Use

Comment: No licensed Period of Use. I recommended standard Season of Use.

5. mcase 4/22/2004 POD

Comment: Please note beneficial use field report which suggests adding another POD to the right with Snake River water as a source.

6. mcase 4/22/2004 Quantity

Comment: No licensed annual diversion. Could not determine recommended annual diversion.

7. jdean 10/26/2006 Extended QQ

Comment: This claim falls outside of the official GCDB lines. The legal description is given based on an extension of the existing GCDB lines in this area.

8. jdean 10/26/2006 POU

Comment: 2004 aerial photography was used to determine the POU.

9. jdean 10/26/2006 Quantity

Comment: The diversion volume for this claim was recommended as $4.5 \text{ afy/acre} \times 27 \text{ acres} = 122 \text{ afy}$.

10. jdean 10/26/2006 Source

Comment: This claim shares a POD with 67-14742, formerly 3-7035. There was concern about the hydraulic nature of this POD... should it be ground water or should it be Snake River water. The adjudication section decided that it should be ground water tributary to Snake River.

11. jdean 10/26/2006 Accomplished change

Comment: The POU and POD for this claim have changes somewhat since licensing. The changes are reflected in the recommendation and approved with an accomplished transfer. Accomplish transfer verified as per 67-14742 field exam and aerial photography.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

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: 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.54	122	27

Combined Water Rights: 67-2216 , 67-14742

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/22/2004 3:58:18 PM	mcase			Active
POD	4/22/2004 4:05:34 PM	mcase			Active
Source	4/22/2004 4:05:44 PM	mcase			Active
POU	4/22/2004 4:08:21 PM	mcase			Active
Use	4/22/2004 4:08:46 PM	mcase			Active
Season	4/22/2004 4:10:19 PM	mcase			Active
Quantity	4/22/2004 4:11:56 PM	mcase			Active
Season	6/1/2004 2:26:22 PM	mcase			Active
Contacts	10/26/2006 10:32:43 AM	jdean			Active
Quantity	10/26/2006 11:19:59 AM	jdean			Active
Summary			10/26/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	10/26/2006 10:32:43 AM	jdean	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desk Review
POD	10/26/2006 10:33:33 AM	jdean	Updated shape
POU	10/26/2006 10:34:31 AM	jdean	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

Quantity	10/26/2006 11:20:00 AM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 afy * 27 acres = 122 afy
Summary	10/26/2006 11:41:25 AM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	10/26/2006 12:44:41 PM	jdean	Updated shape
POU	1/14/2004 12:38:04 PM	awarntje	Edited shape boundary
Season	6/1/2004 2:26:22 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Priority Date	4/22/2004 3:58:18 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

POD	4/22/2004 4:05:35 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 4:05:44 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	4/22/2004 4:04:58 PM	mcase	Edited point location
POU	4/22/2004 4:08:22 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 4:08:47 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 4:10:19 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/22/2004 4:11:57 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?

Water Supply Bank:

State of Idaho License and Certificate of Water Right

Water License No. G-22672

Amount 0.44 second foot

Water District No. _____

Priority March 25, 1952

THIS IS TO CERTIFY that **NATHAN J. SHEPHERD**
of Route 1, Weiser, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 25, 1952; that Permit No. G-22672
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.44 second foot, was issued thereunder on December 12, 1952, showing that said works
were completed on the 16th day of June, 1952; and that on the 16th
day of June, 1952,

NATHAN J. SHEPHERD
of Weiser, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~underground~~ (subterranean flow) for the purpose of sprinkler irrigation
under Use Permit No. G-22672 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5033, on the 12th day of December, 1952;

The right hereby confirmed dates from March 25, 1952;

The Point of Diversion is located
in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Tp. 10 N., R. 6 W., B. M. Washington County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	6 W.	3	SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	20 ?	20 ?
Number of Acres Actually Irrigated - -					27

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12th day of December, 1952.

MARK R. KULP
State Reclamation Engineer

(SEAL)

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: A67-02216
Date Received: 6/06/1989
Receipt No: C007263
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN I. SHEPHERD 208-549-2225
Address: 1040 STATE
WEISER, ID 83672

AND/OR

Name: NATHAN SHEPHERD 208-549-2225
Address: 1040 STATE
WEISER, ID 83672

2. Date of Priority: MAR 25, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	06W	3	NW	NW	SW		WASHINGTON

5. Description of diverting works:
25 HP PUMP IN EXCAVATED SUMP, REPLACED SHALLOW WELL IN 1986

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.440		

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

8. Total consumptive use is 94.5 Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED
MAY 10 2004

A67-02216

Page 1

Date: 06/06/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	06W	3	SW	NW	IRR	20.0
			NW	SW	IRR	7.0
					Section Acres	27.0
					Total Acres	27.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
03-07035

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22672

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 X 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): Helen D. Shepherd Date: 6/6/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of June 19 89 Carter Fritschle
Notary Public



Residing at _____

My Commission Expires _____

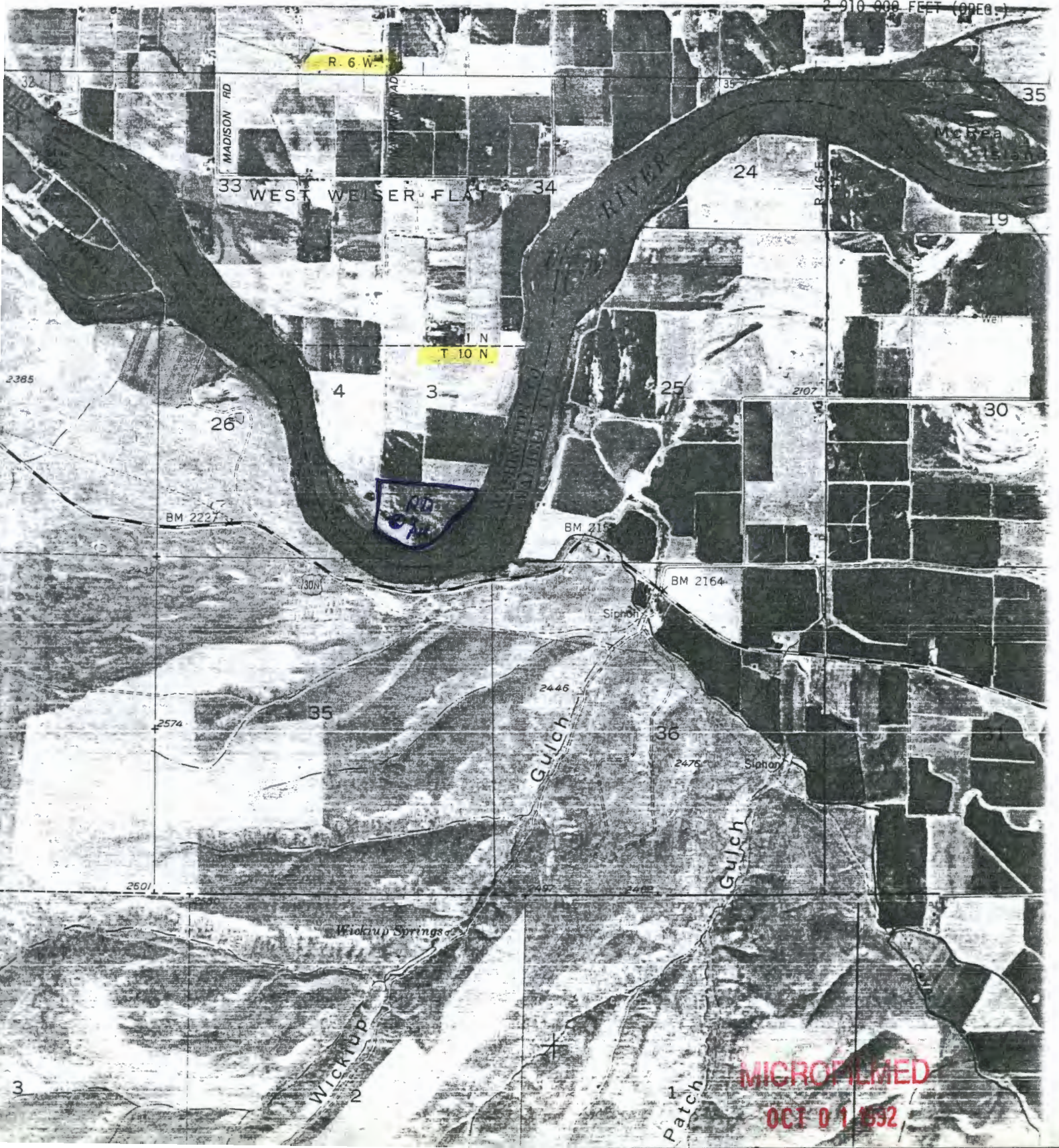
Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

A67-02216

R6W

MOORES HO
OF

2 910 000 FEET (000000)



Idaho Department of Water Resources

67-2216



0.6 0 0.6 1.2 1.8 Miles

T10N, R 06W, S3



Prepared by Anita L. Warntjes
January 14, 2004
1993/94 True Color Photo

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2216 V1

WATER RIGHT NUMBER: 67-2216 V1

Owner Type Name and Address
Original Owner NATHAN J SHEPHERD
RT 1
WEISER, ID 83672
Current Owner ESTATE OF NATHAN SHEPHERD
1040 STATE ST
WEISER, ID 83672
Current Owner HELEN I SHEPHERD
1040 STATE ST
WEISER, ID 83672
(208)549-2225

Priority Date: 03/25/1952

Basis:
Status:

Source Tributary
GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	0.440 CFS	
	Total Diversion:	0.440 CFS	

Location of Point(s) of Diversion
GROUND WATER NW1/4NW1/4SW1/4 Sec. 3, Twp 10N, Rge 06W, B.M.
WASHINGTON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	06W	3													27.0

Total Acres: 27

Conditions of Approval:

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2216 V1

Comments:

1. awamtje 1/14/2004 POU
Comment: There is no aerialphoto for the legal description of the POU.
2. mcase 4/22/2004 POD
Comment: Irregular sections in area - PLS description of POD does not exist. I digitized point, but did not update PLS since the point is within the area of the Snake River.
3. mcase 4/22/2004 POU
Comment: The PLS description does not exist, because the POU area is in an irregular section. The POU is located in the area corresponding to the Snake River (therefore no PLS).
4. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended standard Season of Use.
5. mcase 4/22/2004 POD
Comment: Please note beneficial use field report which suggests adding another POD to the right with Snake River water as a source.
6. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended annual diversion.

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: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/22/2004 3:58:18 PM	mcase			
POD	4/22/2004 4:05:34 PM	mcase			
Source	4/22/2004 4:05:44 PM	mcase			
POU	4/22/2004 4:08:21 PM	mcase			
Use	4/22/2004 4:08:46 PM	mcase			
Season	4/22/2004 4:10:19 PM	mcase			
Quantity	4/22/2004 4:11:56 PM	mcase			

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2216 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/14/2004 12:38:04 PM	awamlje	Edited shape boundary
Priority Date	4/22/2004 3:58:18 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/22/2004 4:05:35 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/22/2004 4:05:44 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	4/22/2004 4:04:58 PM	mcase	Edited point location
POU	4/22/2004 4:08:22 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/22/2004 4:08:47 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/22/2004 4:10:19 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (Yes) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/22/2004 4:11:57 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 03-07035

1. Owner: Nathan and Helen Shepherd Phone No. 549-2225

Current Address: 1040 State Weiser ID 83672

2. Accompanied by: Helen EXAM DATE : 7/24/98

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 67-02216, 03-02031

2. Other water rights with the same point of diversion: 67-02216

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
	1		SW	NW	3	10N	6W	Wash	USGS Quad, Napp Photo
	1		SE	NE	4				

2. Place(s) of Use: N/A

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

SCANNED
MAY 10 2004

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

SEE ATTACHED PHOTOS AND MAP

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

N/A Aerial Photo Attached (required for irrigation of 10+ acres).

Y 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

*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

2. Measurements: Pond: 150' x 100' x 10', Century Electric Boosters: 10hp and 25hp, 6" mainline

E. NARRATIVE/REMARKSCOMMENTS

Water right license 03-02031 covers 55 acres north of this permit's 27 acres. Water right license 67-02216 covers this permit's same 27 acres. This permit is for supplemental Snake River water. According to the owner and Al Cito, the farm manager, Snake River water has never been intentionally diverted for the 27 acres. License 67-02216 was for a 36" well. The field exam noted that the height of the water in the well was determined by the height of the Snake River. The well has since been replaced with a pond and booster pumps. The pond is ~3 to 5 af. Per a 9/24/86 memo from Brad Dingee, the owners visited the office and stated that the point of diversion for permit 03-07035 was actually a gravel pit that filled with Snake River water. Per my 7/24/98 field exam, the owner and farm manager stated that the gravel pit replaced the well and that they have not had to use their supplemental Snake River water on the 27 acres yet because the ground water pit has been sufficient. The owner said that if they ever did have to use this permit, they would just use

a portable pump (tractor driven). I feel this permit is from the same source as license 67-02216. The question is whether the pond water is defined as Snake River water or ground water. Either way, the source and the 27 acres have been licensed. Maybe both sources could be listed on license 67-02216 per the SRBA. If the pond ever failed to provide the licensed amount for the 27 acres, then applicant could use the portable pump and file a transfer to add a point of diversion if necessary. Based on the above information, I recommend this permit be disallowed.

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>DISALLOW</u>	_____	_____	_____	_____
Totals:			_____	_____

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

I. AUTHENTICATIONField Examiner's Name Lon G. Gaudin Date 12/31/98

Reviewer _____ Date _____

SEAL