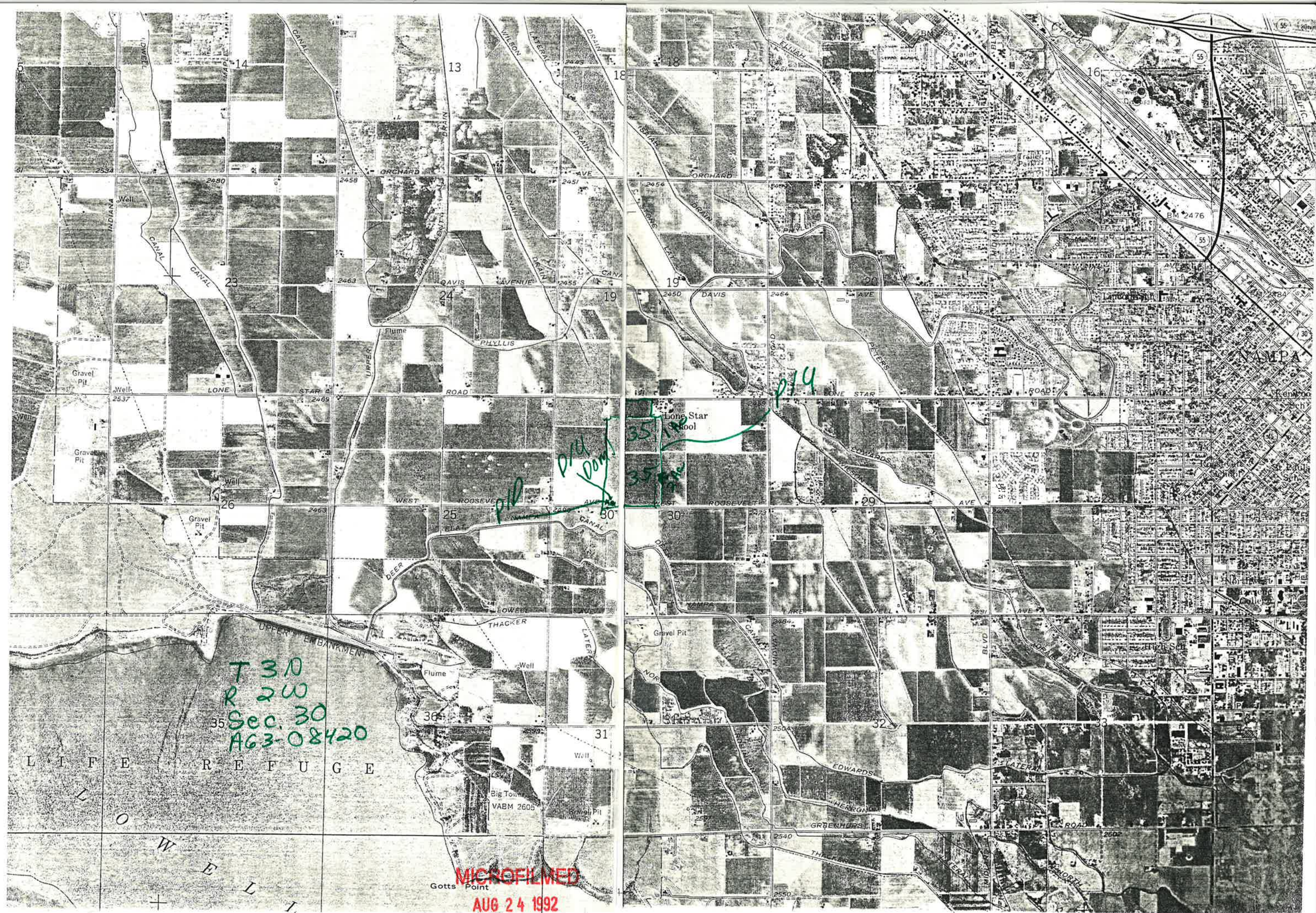




MICROFILMED

AUG 24 1992

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: A63-08420
Date Received: 12/11/1989
Receipt No: W007042
Received By: isw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT K. MIYAKE 208-466-1917
Address: 1435 W. ROOSEVELT
NAMPA, ID 83651

OR
Name: TOSHIKO Y. MIYAKE 208-466-1917
Address: 1435 W. ROOSEVELT
NAMPA, ID 83651

2. Date of Priority: FEB 08, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	30	SE	NW			CANYON

5. Description of diverting works:
WELL, PUMP & PIPE, 210' DEEP, 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		328.50
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 329.70 A.F.A.

8. Total consumptive use is 255.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-08420

Page 1

Date: 12/11/89

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	02W	30	NW		NE		IRR	1.0
			SW		NE		IRR	2.0
			NE		NW		IRR	35.0
			SE		NW		IRR	35.0
			SE		NW		DOMEST	
							Section Acres	73.0
							Total Acres	73.0

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:
NAMPA-MERIDIAN.

14. Remarks:
2 P/D IN SENW, S30, T3N, R2W.
INDICATED THE LOCATION OF THE DOMESTIC USE WHICH WAS NOT
PREVIOUSLY SPECIFIED.

15. Basis of Claim: LICENSE

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: 1

For Individuals:

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

Signature of Claimant(s): Robert H. Fugate Date: 12-11-89
_____ Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 11 day
of Dec. 19 89

Linda A. Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

Receipt Details for ID W007042

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/11/1989 9:25:49 AM	12/11/1989	Western	\$123.00	Check
Payer		MIYAKE, ROBERT K.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
135			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$123.00	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	8420		\$123.00	Claim

Print Report

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-08420

Date: 2-19-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2W	30		1	2		35			35									73
GIS					0	0		36	.9	.3	36									73.2
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 73

Overlapping POU Claim #'s:

Total GIS Acres: 73.2

COMMENTS:

POU - Per county data and image interpretation, I believe the legal description is incorrect. I believe there is no acreage in the NE, but in the NW1/4 + SW1/4 instead.

POD's per claim map.

03/22/2006

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

RIGHT NUMBER: 63-8420

NAME AND ADDRESS: ROBERT K MIYAKE
1435 W ROOSEVELT
NAMPA ID 83651

TOSHIKO Y MIYAKE
1435 W ROOSEVELT
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.500 CFS
329.700 AFY

PRIORITY DATE: 02/08/1977

POINT OF DIVERSION:

T03N R02W S30 SENW Within CANYON County
T03N R02W S30 SENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	03/15 11/15	1.460 CFS 328.50 AFY

Domestic use is for 1 home.

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S30 NENW 36.00 T03N R02W S30 SENW 37.00

DOMESTIC Within CANYON County

T03N R02W S30 SENW

73 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. R3206000000.

Use of this right is combined with water from Nampa Meridian Irrigation District.

Idaho Department of Water Resources

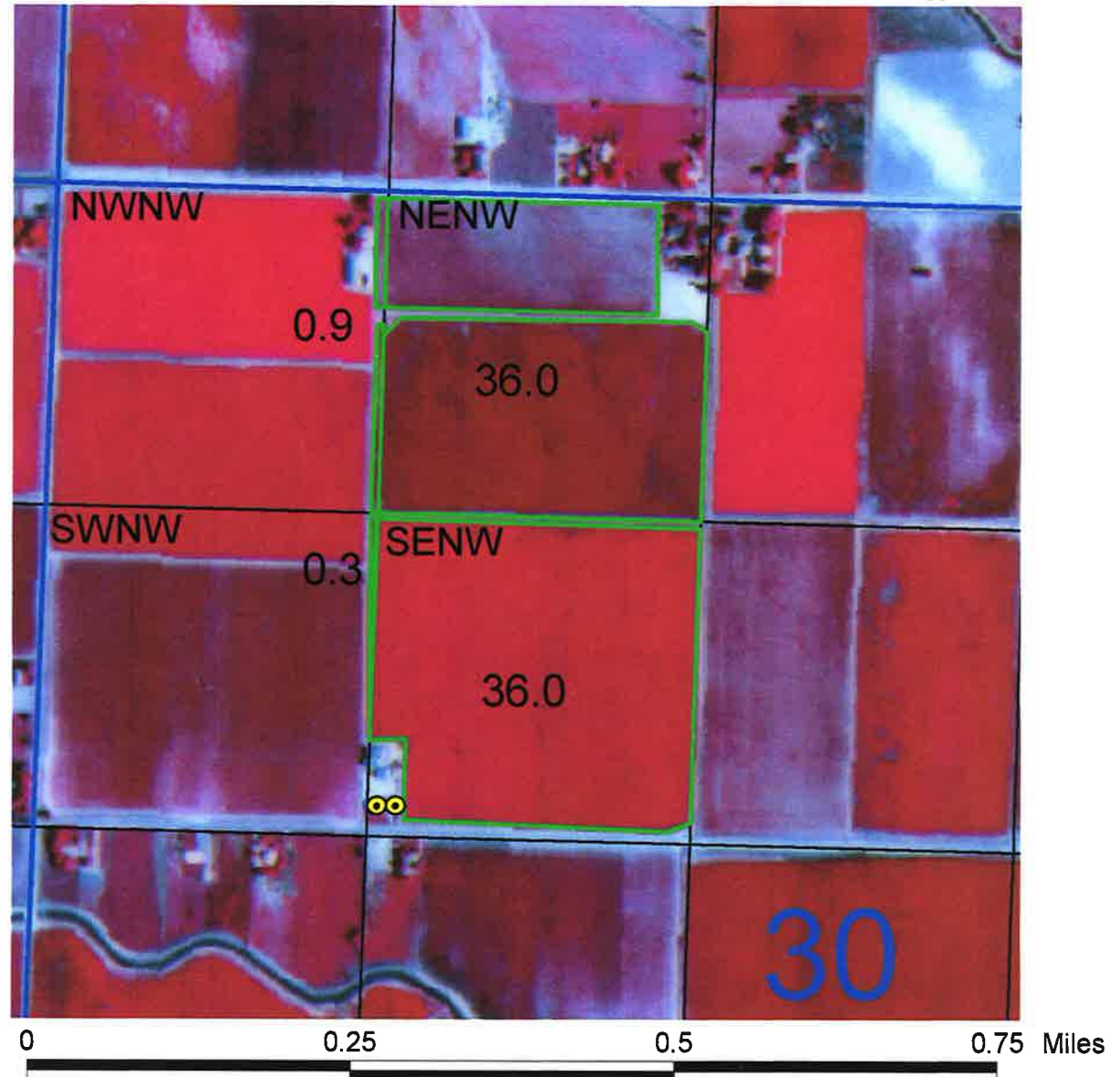
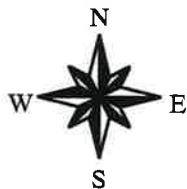
Claim Number: 63-08420

Legal: T03N, R02W, S30

Reviewed By: *Vicky Music*

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



vim note: I recommended 36 inches in NENW & 37 in SENW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-11736

Exam Date: 10/01/2004

1. Current Owner: NOBU TERADA
11753 LONE STAR RD
NAMPA ID 83651
(208)466-3878
2. Accompanied by: Nobu Terada
Phone No:
Address:
Relationship to Permit Holder:

COPY

3. SOURCE**TRIBUTARY**

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Nampa Meridian Irrigation District, 63-8420 (see Narrative) pg 2
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER

SW1/4NE1/4

Sec. 30, Twp 03N, Rge 02W, B.M.

CANYON County

Method of Determination:

2.

PLACE OF USE:

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	02W	30		16.1	17.9														34.0

Total Acres: 34.0

Method of Determination: Arc View Photos, Field Exam

3. ☐ Y Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Y Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☐ Y Aerial Photo Attached (required for irrigation of 10+ acres).
- ☐ Y Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
		10	Submersible		

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

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
Theoretical						

2. Measurements: Theoretical based on well log information. Mike Knie, the well driller and pump installer, did not save any information on this well and could not remember the specifics.

E. FLOW CALCULATIONS

 Y Additional Computation Sheets Attached
Pumping Rate Flow Analysis

Measured Method:

Per Well Log:

Static = 20'

Depth = 140'

$140 - 20 = 120/2 = 60'$ dynamic pumping level estimate

add 10' for friction loss (open discharge)

Estimated TDH = 70'

Based on attached analysis using the above information, **pumping capacity = .96 cfs**

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 34 \times 4.5 = 153$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = .68 \times 246 \times 1.9835 = 331.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 153$$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

A 10 inch well equipped with a 10 hp submersible pump provides ground water to 34 acres via open discharge, ditch, and siphon tubes. Shares from Nampa Meridian Irrigation District are the primary source of water used for irrigation and enter the farm near the well in the SWSWNE corner. Please refer to the attached system diagram for further detail. 1994 and 2000 arc view photos along with county tax lot boundaries were used to determine acreage. License 63-8420 appears to overlap 3 of the 34 recommended acres, however, it appears that a mapping error was made. County tax records show that the owner of right 63-8420 owns 80.62 acres in the NW quarter and nothing in the NE quarter. A preliminary review of SRBA claim 63-8420 was made in 2002, where the contractor noted the discrepancy and did not include the 3 acres in the W1/2NE for claim 63-8420. Craig Saxton, with the SRBA stated that the three acres in the W1/2NE would not be recommended for decree for claim 63-8420 based on the county records and contractor findings, therefore eliminating the overlap. SRBA claim file 63-8420 has been flagged with this narrative. No other rights are used.

Have conditions of permit approval been met? Yes X No (The license will need condition 01M. Currently measurement and reporting are not required by IDWR for basin 63 irrigation wells.)

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	3/15 to 11/15	0.68 CFS	153.0
<u>Totals:</u>		0.68 CFS	153.0

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. AUTHENTICATION

Field Examiner's Name Loi Granger Date 10/19/04

Reviewer _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8420

WATER RIGHT NUMBER: 63-8420

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIYAKE BROTHERS INC RT 1 BOX 1149 NAMPA, ID 83651

Priority Date: 02/08/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	3/15 to 11/15	1.460 CFS	328.50 AF
	<u>Total Diversion:</u>	1.500 CFS	329.70 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 30, Twp 03N, 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	
03N	02W	30	1.0	2.0			35.0				35.0								73.0

Total Acres: 73

DOMESTIC same as IRRIGATIONConditions of Approval:

- 2 P/D IN SENW, S30, T3N, R2W.
- 01B The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Remarks:Comments:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8420 Priority February 8, 1977 Amount 1.5 cfs

THIS IS TO CERTIFY, that MIYAKE BROTHERS, INC.
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-8420 issued pursuant to Application for Permit dated February 8, 1977,
and has submitted proof to the Department of Water Resources on July 1, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.50 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from March 15 to November 15</u>	<u>at 1.46 cfs and</u>	<u>328.5 acre feet</u>
<u>Domestic</u>	<u>from January 1 to December 31</u>	<u>at .04 cfs and</u>	<u>1.2 acre feet</u>
<u>(1 unit)</u>	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	

(both dates inclusive)

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
329.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2 pts.), Sec. 30,
Twp. 3N, Rge. 2W, B.M. in the County of _____ Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	2W	30		1	2		35			35									73

Total number of acres irrigated 73

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
July, 19 81.

Director

Identification No. _____

Application No. 63-8420

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Miyake Brothers, Inc. Phone: _____
post office address Route 1, Box 1149 Nampa, ID 83651
2. Source of water supply groundwater 2 points which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 3N
Range 2W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.6 for irrigation purpose from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.64 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled well, pump motor & pipe

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to 50 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.
(Mo. Day) (Mo. Day)
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: E $\frac{1}{2}$ $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 3N
Range 2W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2W	30		5	5		35			35									80

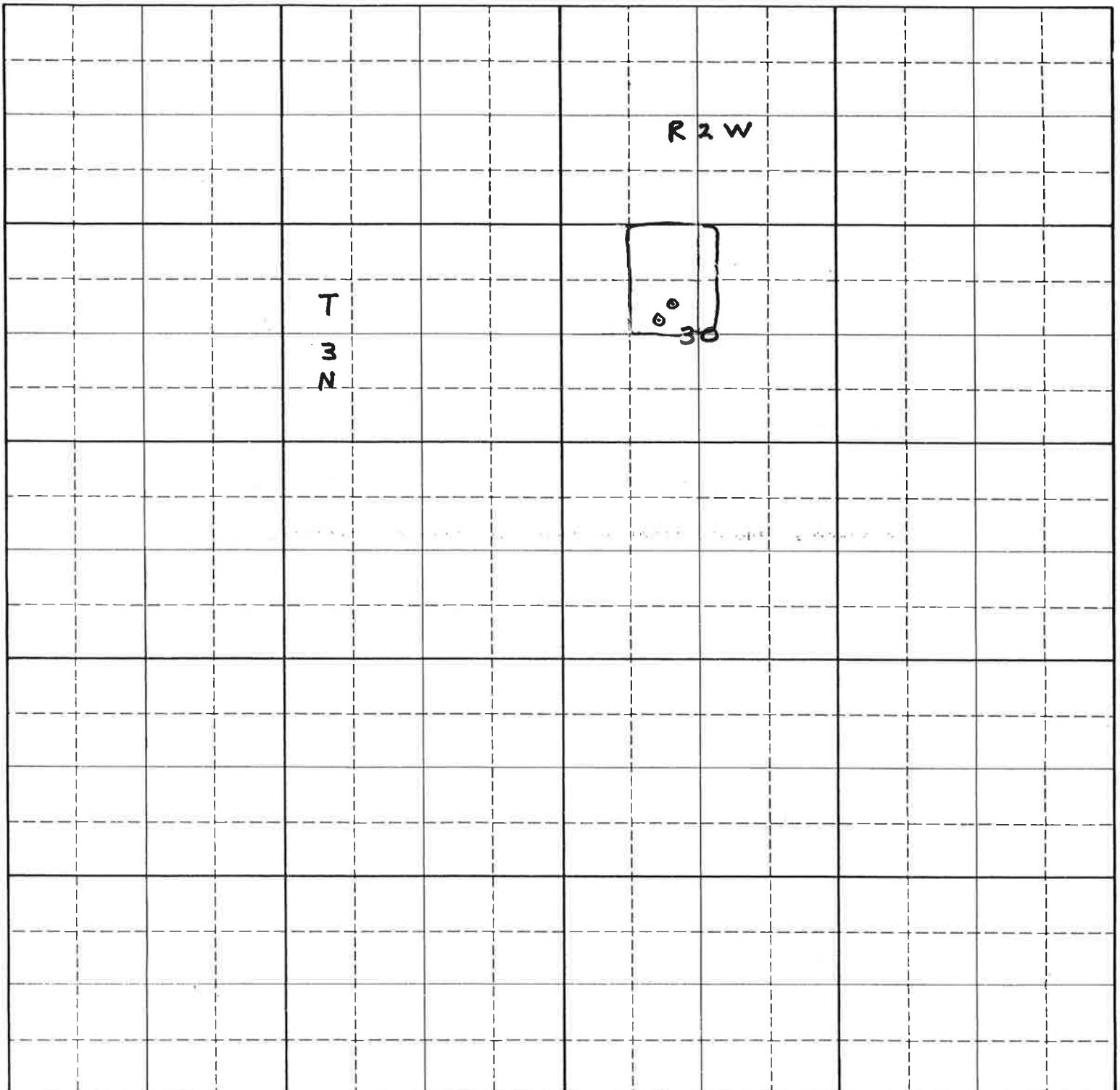
Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above.
Nampa Meridian

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks This application is filed in place of lapsed permit # 63-7255

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MIYAKE BROTHERS, INC.

by

(Applicant)

Ed Miyake
President

Proposed Priority 2/ 8/77

Received by WHM Date 2-8-77 Time 11:40 am

Preliminary check by WJH Fee \$ 35.00

Received by WJH Date 2-8-77 # 6627

Publication prepared by WJH Date 2-10-77

Published in Idaho Free Press

Publication dates February 17+24

Publication approved by WJH Date 2-1-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8420, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 82.
- c. Other: Measuring devices of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 14 day of March, 19 77.

R. Paul Higinbotham
Director

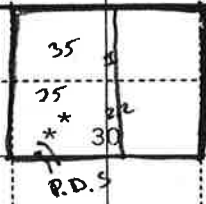


Diagram of System

DATE OF EXAM 27 Aug 1980

ACREAGE

Found 73.2
Recommended 73.2

round to 73 Acres

Irrigation Requirement 4.5 Ac Ft/Ac

USE

two wells

Irrigation Q = 1.46 c.f.s.
Domestic Q = 94 c.f.s.
Livestock Q = c.f.s.

328.5
V = 329.4
V = 2.2
V =

AF/Ann. from 3/25 to 2/25
AF/Ann. from 3/1 to 12/31
AF/Ann. from to

1.5

329.7

Is water co-mingled? yes no X

Name source:

twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with:

twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:

twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:

twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured 2.50 cfs

Method of measurement GRIFFE, Piezometer Tube

Total Q recommended 1.50 Meter No. Type Condition good

Total V recommended 330.6

Recommended Amendments:

P.D.

Place of Use

Other

None X

MEASUREMENT CALCULATION:

8x6 53" = 1120 gpm = 2.50 cfs capacity Allow .02 cfs/ac
4.5 x 73.2 = 329.4 AF/Ann 73 AC x .02 = 1.46 cfs
V = 4.5 x 73 = 328.5 1.46 x 1.9835 x 245 = 709.5

SYSTEM DESCRIPTION:

GE 25 hp 115K6747XC1A
well 110' deep 2 hp 30-90' down
218' deep into 8" line into DITCH w/ siphon tubes

REMARKS:

NAMP A median canal work

Domestic 110' deep 2 hp 30-90' down

Examiner's Signature Cal E. Moring

Date 27 Aug 1980

Checked by DBS

Date 10/6/80

Approved by Rolyn

Date 6/16/81

