

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 63-5358
Date Received: 1/19/1990
Receipt No: W007775
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEWELL BLACK Phone: (208)455-2233

15133 LON LN
CALDWELL ID USA 83605

2. Date of Priority: 06/01/1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	16	NW SW 1	CANYON	

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.03	
COMMERCIAL	5/01	10/01	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
APR 22 2008

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	16	SW	SW	2	COMMERCIAL
			NW	SW	1	IRRIGATION
						1
					Section Acres	1
					Total Acres	1

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:

OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

Removed Dale K. Black as current owner since he passed away in September of 1999 per ownership change form submitted by Mrs. Black. kw 4/19/2006

15. Basis of Claim: Statutory Claim

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.

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: **A63-05358**
Date Received: 1/19/1990
Receipt No: W007775
Received By: 

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

1. Name: DALE K BLACK 208-455-2233
Address: 15133 LON LANE
CALDWELL ID 83605
OR
Name: JEWELL BLACK 208-455-2233
Address: 15133 LON LANE
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	04W	16	NW	SW		1	CANYON

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
COMMERCIAL	05/01	10/01	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL, FEEDLOT DUST ABATEMENT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	16	NW	SW	1	IRR	1.0
			SW	SW	2	COMMER	

Section Acres 1.0

Total Acres 1.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

15. Basis of Claim: STATUTORY CLAIM

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: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

HTT

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: **A63-05358**
Date Received: 1/19/1990
Receipt No: W007775
Received By: _____

Rec'd from
So on 6-16-92

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

1. Name: VETA BOWER 208-459-6206
Address: 15133 LON LANE
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1970

3. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	16	NW	SW		1	CANYON

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
COMMERCIAL	05/01	10/01	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL, FEEDLOT DUST ABATEMENT

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AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	16	NW	SW	1	IRR	1.0
			SW	SW	2	COMMER	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

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State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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 63-5358Date Received 1-19-90Receipt Number 0007775

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Veta Bower Phone (208) 459-0206Mailing Address 15133 Jon Ln Caldwell, Ida Zip 836052. Date of Priority (Only one (1) per claim) 6/1/19703. Source of water supply (a) unnamed drain
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 4W Section 16,
NOT 1
1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

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. Pump out drain ditchTo irrigate 1 acre + sprinkler system for
feed lot for dust abatement.

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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 .03 or _____

For commercial purposes from 5/1 to 10/1 amount .50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .53 (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.) see item #5

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	
3N	4W	16										L1	L2						
												X	X						

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes ☒ 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:

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AUG 21 1992

Last Name Power Ident No. 63-5358

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

AUG 21 1992

Bower

Ident No.

63-5358

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-5358
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) Veto Bower Date 1/15/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of canyon) SS.

Subscribed and sworn (or affirmed) before me this 15 day of January 19 90

SEAL

Notary Public John K. Meyer

Residing at 15470 Homedale Rd
Estherville, Ida 83605

My Commission Expires Sept 21, 1994

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 _____

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AUG 21 1992

Last Name Bower Ident. Number 63-5358

Copies White-State, Yellow-Claimant

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
_____	63-5358	_____	_____	_____	_____
_____	63-5357	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Dale K. & Jewell Black
15133 Lon Lane, Caldwell, ID 83607

4. New Owner/Claimant(s)

Jewell Black

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

15133 Lon Lane,

City, State and ZIP Code

Caldwell, ID 83607

New Telephone Number

(208) 455-2233

5. Date you acquired the property

Sept. 1995

(Mr. Black is deceased)
Sept. 1999

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

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

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

7. Signature of New Owner(s) or Claimant(s) X Daniel Block
(include title if applicable) _____

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

For Office Use Only

Received by KW Date 4/14/2006 Fee N/A
 Received by N/A Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 4W
Section 16, 1/4 of 1/4 of 1/4, Govt. Lot 1 & 2, BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-05357 & A63-05358
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): VETA BOWER
15133 LON LANE
CARLOWELL, ID 83605
- ☐ New Owner/Claimant (Purchaser): DALE K. OR TEWELL BLACK
- ☐ New Mailing Address: 15133 LON LANE
CARLOWELL, ID
83605
- ☐ New Telephone Number: (208) 455-2233
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: COPY OF WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Dale K. Black Date 12-27-95
Jewel E. Black Date " " "

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-27-95 By: J

Further Action Needed: N/A

Further Action Taken

Date: N/A By: J

Final Review and Data-Entry

Date: same By: J

Claim Numbers of Split, if any:

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Copy of claim given to new claimants at time of completion of form.

12-27-95

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PA 33789

DKB
a.B.

9526973

WARRANTY DEED

FOR VALUE RECEIVED JAMES H. BOWER, WHO AQUIRED TITLE AS JAME S HARRY BOWER, AN UNMARRIED MAN AND BETTY ANN WHITE, AN UNMARRIED WOMAN

the Grantors, do hereby grant, bargain, sell and convey unto DALE K. BLACK AND JEWELL BLACK, husband and wife

the Grantees, whose address is , 3401 Theap Hwy 30
Ellensburg Wash - 98926

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1995 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 22, 1995

James H. Bower
JAMES H. BOWER

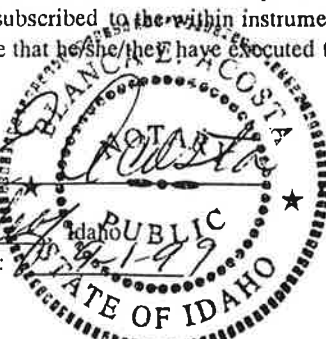
Betty Ann White
BETTY ANN WHITE

Betty Ann White
BETTY ANN WHITE, HIS ATTORNEY IN FACT

STATE OF IDAHO
COUNTY OF CANYON

On this 22 day of September, 1995, before me a Notary Public, personally appeared BETTY ANN WHITE, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they have executed the same.

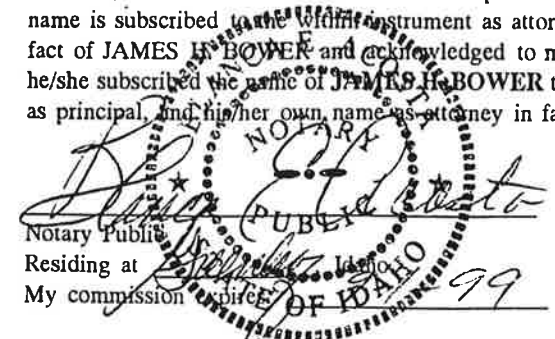
Blanca E. Costa
Notary Public
Residing at Blanca E. Costa
My commission expires: 9-1-99



STATE OF IDAHO
COUNTY OF CANYON

On this 22 day of September, 1995, before me a Notary Public, personally appeared BETTY ANN WHITE, known or identified to me to be the person whose name is subscribed to the within instrument as attorney in fact of JAMES H. BOWER and acknowledged to me that he/she subscribed the name of JAMES H. BOWER thereto as principal, and his/her own name as attorney in fact.

Blanca E. Costa
Notary Public
Residing at Blanca E. Costa
My commission expires: 9-1-99



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

3526973

RECORDED

95 SEP 25 PM 2 51

CANYON CH. RECORDER
M. C. Gray Ref

REQUEST PIONEER - NAMP
TYPE Lead - PER 10 20

EXHIBIT

PARCEL I:

Government Lots 1 and 2 in Section 16, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

PARCEL II:

This parcel consists of a portion of the North One-Half of the Southwest Quarter of the Northwest Quarter of Section 16, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Northwest corner of said North One-Half; thence
South $0^{\circ} 22' 39''$ West along the West boundary of said North
One-Half, a distance of 659.50 feet to the Southwest corner of said North One-Half; thence
South $89^{\circ} 09' 56''$ East along the South boundary of said North
One-Half a distance of 1336.81 feet to the Southeast corner of said North One-Half; thence
North $0^{\circ} 34' 07''$ East along the East boundary of said North
One-Half a distance of 661.20 feet to the Northeast corner of said North One-Half; thence
North $89^{\circ} 14' 19''$ West along the North boundary of the North
One-Half a distance of 1339.00 to the POINT OF BEGINNING

PARCEL III:

A portion of the South One-Half of Southwest Quarter of the Northwest Quarter of Section 16, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho particularly described as follows:

BEGINNING at the Southeast corner of South One-Half of Southwest Quarter of Northwest Quarter; thence
North $89^{\circ} 05' 32''$ West along the South boundary of said South One-Half of Southwest Quarter of Northwest Quarter distance of 20 feet; thence
North $0^{\circ} 34' 07''$ East parallel to the East parallel to the East boundary of said South One-Half of the Southwest Quarter of the Northwest distance of 661.17 feet to the North boundary of said South One-Half of the Southwest Quarter of the Northwest Quarter; thence
South $89^{\circ} 09' 56''$ East along the North boundary of said South One-Half Southwest Quarter of Northwest Quarter of a distance of 20 feet to the Northeast corner of said South One-Half Southwest Quarter of Northwest Quarter; thence
South $0^{\circ} 34' 07''$ West along the east boundary of said South One-Half of Southwest Quarter of Northwest Quarter a distance of 661.20 feet to the POINT OF BEGINNING.

Water Right Number - 63-05358 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BOWER WAYNE K. 1 - RT. 4 BOX 556
2 -
3 -
City- CALDWELL State- ID Zip- 83605
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/15/1970 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED DRAIN SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	04W	16	NW SW	1	(27)	CANYON	
			SW SW	2	(27)	CANYON	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	11/15	0.900	
10 -	COMMERCIAL	05/01	10/01	0.900	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.900

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	04W	16	NW SW	1	1.0	01	IRRIGATION	(27) CANYON
03N	04W	16	SW SW	2		10	COMMERCIAL	(27) CANYON

Total Acres: 1.0

+ - - Diversion Means - PUMP & PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

AUG 21 1992
MICROFILMED

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
AUG 21 1992

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME Bower

CLAIM IDENT. NO. Alt 3-05358

DATE RECEIVED 1-19-90

RECEIPT # W007775

AMOUNT \$ 101⁰⁰ applied

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

MICROFILMED

AUG 21 1992

23. Should this claim be data entered?

YES
X

NO

Claim reviewed by: HHT

Date 6-8-92

Claim data entered by: _____

Date _____

Claim is being returned to claimant: _____

(Yes) _____ (No) _____

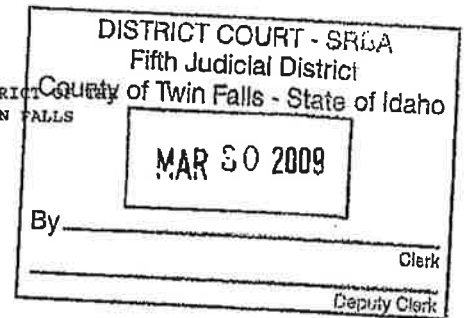
Claimant is being notified of modifications: _____

(Yes) X (No) _____

Comments: #10 - Item 5 states 1 acre irrigated - shown on 243 claim - use that &

~~and modify letter~~ Item 5 identified acres.

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



In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-05358

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL, ID 83607

SOURCE: UNNAMED DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

This right when combined with all other rights, shall not exceed
.02 cfs at the field headgate.

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION: T03N R04W S16 LOT 2 (SWSW) Within Canyon County
LOT 2 (SWSW)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	0.03 CFS
Commercial	05-01 TO 10-01	0.16 CFS

Commercial use is for a feedlot operation.

PLACE OF USE: Irrigation Within Canyon County
T03N R04W S16 LOT 2 (SWSW) 0.7 SESW 0.3
1.0 Acres Total

Commercial Within Canyon County
T03N R04W S16 LOT 2 (SWSW) SESW

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

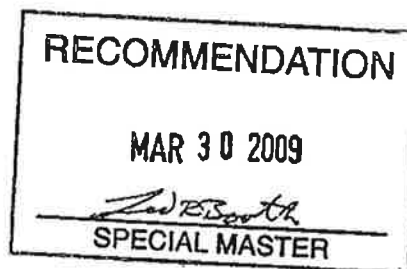
The source of this water right includes waste water. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or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

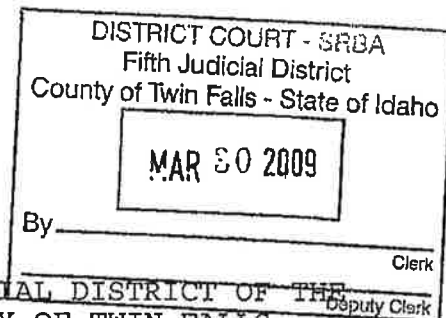
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication





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

In Re SRBA)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

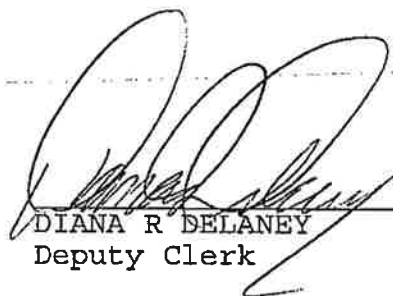
Water Right(s): 63-05358

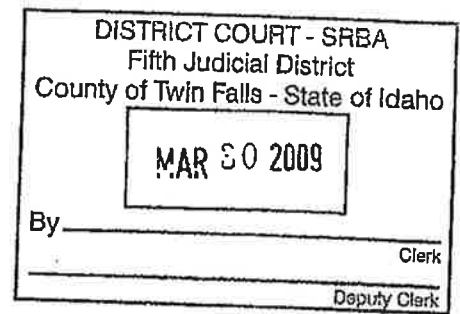
On March 30, 2009, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 30, 2009.


DIANA R DELANEY
Deputy Clerk



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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-05358

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 30, 2009, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WILDER IRRIGATION DISTRICT

Represented by:

ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

JEWELL BLACK

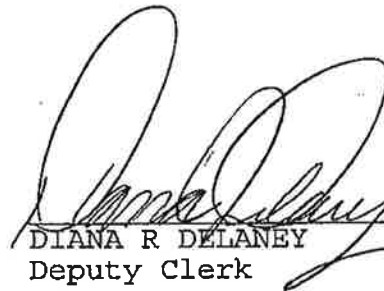
Represented by:

DAVID L WHITNEY
PO BOX 26
CALDWELL, ID 83606-0026
Phone: 208-459-3659

CERTIFICATE OF MAILING

PAGE 1
03/30/09

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



DIANA R DELANEY
Deputy Clerk

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

In Re SRBA

Case No. 39576

Subcase No. 63-05358

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

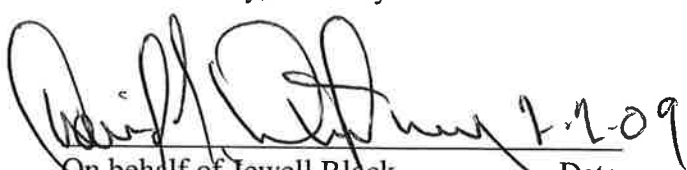
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/RESPONDENT

David Whitney, Attorney

OBJECTOR

Wilder Irrigation District


On behalf of Jewell Black

Date


Albert P. Barker, Attorney

Date


STANDARD FORM 5 - 63-05358

RESPONDENT

United States on behalf of
Bureau of Reclamation

David Gehlert Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

IDWR Concurrence:

Jan Thute 2/12/09 Nicholas Spencer 2-10-09
IDWR Agent Date Deputy Attorney General Date

CERTIFICATE OF MAILING

I certify that on 2-3-, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT

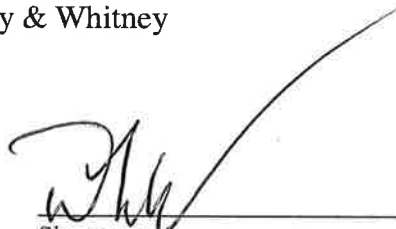
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Jewell Black
c/o David Whitney, Attorney
Alexanderson Davis Rainey & Whitney
P.O. Box 26
Caldwell, ID 83605



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-5358

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

This right when combined with all other rights, shall not exceed .02 cfs at the field headgate.

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T03N R04W S16 SWSW Lot 2 Within CANYON County

T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	05/01 10/01	0.160 CFS
IRRIGATION	03/01 11/15	0.030 CFS

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S16 Lot 2 SWSW 0.70 T03N R04W S16 SESW 0.30

COMMERCIAL in CANYON County

T03N R04W S16 Lot 2 SWSW T03N R04W S16 SESW

1 ACRES TOTAL

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

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

NBS
J

SF5 Right No. 63-5358

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

J NBS

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDERSent to
SO 1-15-09

RIGHT NUMBER: 63-5358

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

This right when combined with all other rights, shall not exceed .02 cfs at the field headgate.

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T03N R04W S16 SWSW Lot 2 Within CANYON County

T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	05/01 10/01	0.160 CFS
IRRIGATION	03/01 11/15	0.030 CFS

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S16 Lot 2 SWSW 0.70 T03N R04W S16 SESW 0.30

COMMERCIAL in CANYON County

T03N R04W S16 Lot 2 SWSW T03N R04W S16 SESW

1 ACRES TOTAL

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RECEIVED

MAY 26 2008
DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 04:31
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	ORDER SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
_____	)	SUBCASE NO: 63-05358

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 26, 2008 at 03:45 PM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 23, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008,
with sufficient first-class postage to the following:

WILDER IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

JEWELL BLACK

15133 LON LN
CALDWELL, ID 83607
Phone: 208-455-2233

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

In Re SRBA)

Case No. 39576)

A: Subcase 63-5358

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name:

Jewel Black.

Address:

15133 Lon Lane.

Caldwell Idaho 83607.

Daytime Phone:

208-455-2233.

Name & Address of Attorney, if any:

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name:

Wilder Irrigation District.

Address:

709. Cheekand. Blvd.

Caldwell. Id. 83605

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho

County of Twin Falls ss.

Jewel Black, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Jewel Black
(Signature of person filing response)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on:

August 20, 2007

Notary Public for Idaho

Residing at: Twin Falls, ID

My Commission Expires: 1-20-2011

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on Aug 30, ²⁰⁰⁷~~199~~, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Jewel Black.
Address: 15135 Lon Ln. Caldwell Id. 83607.

3. One copy to the party who filed the objection at the following address:

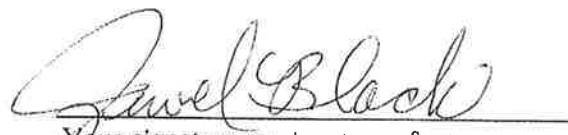
Name: Wilder Irrigation District.
Address: 709 Cleveland Blvd. Caldwell Id. 83605

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf

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

In Re SRBA)

A. Subcase 63-5358

(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

RECEIVED
JUN 19 2007
DEPARTMENT OF
WATER RESOURCES

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District

Address: 709 Cleveland Blvd

Caldwell, ID 83605

Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker

Barker Rosholt & Simpson, LLP

1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Jewell Black

Address: 15133 Lon Ln.

Caldwell, ID 83607

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters. and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Wilder Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. The place of use is covered by an existing Wilder Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)

County of Ada)ss.

Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Jewell Black
Address: 15133 Lon Ln.
Caldwell, ID 83607

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-5358
NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1970

POINT OF

DIVERSION: T03N R04W S16 SWSW Lot 2 Within CANYON County
T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	05/01 10/01	0.160 CFS
IRRIGATION	03/01 11/15	0.030 CFS

Commercial use is for a feedlot operation.

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S16 Lot 2 SWSW	0.70	T03N R04W S16	SESW	0.30
--------------------------	------	---------------	------	------

COMMERCIAL in CANYON County

T03N R04W S16 Lot 2 SWSW	T03N R04W S16	SESW
--------------------------	---------------	------

1 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/15/2006

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

RIGHT NUMBER: 63-5358

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION:

T03N R04W S16 SWSW Lot 2 Within CANYON County

T03N R04W S16 SWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	05/01 10/01	0.160 CFS
IRRIGATION	03/01 11/15	0.030 CFS
Commercial use is for a feedlot operation.		

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S16 Lot 2 SWSW 0.70 T03N R04W S16 SESW 0.30

COMMERCIAL Within CANYON County

T03N R04W S16 Lot 2 SWSW T03N R04W S16 SESW

1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

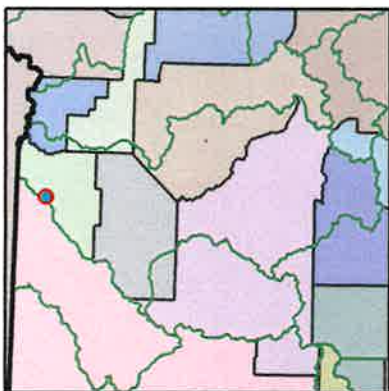
63-5358

(Irrigation)

Acres = 1

Legend

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



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles



Prepared by K. Walker
On Friday, September 15, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5358

WATER RIGHT NUMBER: 63-5358

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VETA BOWER 15133 LON LN CALDWELL, ID 83605 (208)453-6206
Original Owner	WAYNE K BOWER RT 4 BOX 556 CALDWELL, ID 83605
Current Owner	JEWELL BLACK ✓ 15133 LON LN CALDWELL, ID 83607 (208)455-2233
<u>Original Owner</u>	DALE K BLACK 15133 LON LN CALDWELL, ID 83605 (208)455-2233

- deceased - change in ownership removed him as claimant

Priority Date: 06/01/1970

Basis: ~~Statutory Claim~~ *B/U*

Status: Active

Source

UNNAMED DRAIN

Tributary

SNAKE RIVER

Beneficial Use

COMMERCIAL

IRRIGATION

From To

5/01 to 10/01

3/15 to 11/15

Diversion Rate

0.500 CFS

0.030 CFS

0.500 CFS

Annual Volume

N/A

N/A

surface water

Location of Point(s) of Diversion

UNNAMED DRAIN

CANYON County

L1 (NW1/4SW1/4)

Sec. 16, Twp 03N, Rge 04W, B.M.

2 points SWSW (Lot 2) per exam

Place of Use

COMMERCIAL

= feed lot operation - 800 hd cows & horses

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	04W	16	NE	NW	SW	SE	
					X	X	
					L 2		

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	

Also has Stockwater use from springs under Rt. 63-5357

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5358

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 04W 16										~~1.0~~ 0.7		0.3					1.0 ✓
										42							

Total Acres: 1

Conditions of Approval:

1. Removed Dale K. Black as current owner since he passed away in September of 1999 per ownership change form submitted by Mrs. Black. kw 4/19/2006
2. OWNERSHIP CHANGE PER CHANGE OF OWNERSHIP SUBMITTED 12-27-95. JS

Remarks:

Comments:

Water Supply Bank:

copy

04/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-5357

NAME AND ADDRESS: JEWELL BLACK
15133 LON LN
CALDWELL ID 83607

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.230 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1968

POINT OF DIVERSION:

T03N R04W S16 SWNWSW Lot 1 Within CANYON County

T03N R04W S16 NWSWSW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.230 CFS

PLACE OF USE: STOCKWATER Within CANYON County

T03N R04W S16 Lot 1 NWSW

T03N R04W S16 Lot 2 SWSW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 7R03N04W16S400

Stockwater use is for 1000 range cattle.

wa
RECEIVED

SEP 07 2006

Field Exam Date 8/16/2006

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED

AUG 29 2006

WATER RESOURCES
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) ALB-5358

Owner: Jewell Black Phone No. (208) 455-2233

Current Address: 15133 Lon Ln. Caldwell, Id 83605

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☒ How long owned property? 1996

Accompanied by: Jewell Black

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6/1/1970

(If priority date, based on your exam, seems questionable, explain below.)

Source: unnamed drain Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

* 2 points of diversion

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
(#1) A0002137								Canyon	N 43° 35.798' W 116° 47.669'
(#2) A0002138								Canyon	N 43° 35.453' W 116° 49.810'

Description of diverting works

Unnamed drain, (2) POD, (1) on southside of drain, Red Lion 1/2 HP, 1" discharge, 62 PSI to 3/4" hoses to tanks & 2" steel line to irrigated pasture, yard & garden, 2" buried steel + PVC to lower stock tanks.

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

+ dust abatement rainbirds (2) on northside of drain, 3 HP Magna-Tech, 2 1/2" discharge to 2 1/2" buried PVC line

WATER USES

☐ No change

☒ Different Uses Stockwater added

Use Irrigation From 3/15 To 11/15 Amount 0.03 CFS 4.5 AFA

Use Commercial From 5/01 To 10/01 Amount CFS AFA

Use Stockwater From 01/01 To 12/31 Amount CFS AFA
Stockwater 10/1 3/31

TOTAL VOLUME - Groundwater only NA

☐ Incomplete on claim, the total is, Amount CFS AFA

☐ Changes found, the new total is, Amount CFS AFA

☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes 100 average total < raise 60 horses board 50 horses year-round Stock # 600-800 cattle 10/1-3/31 (700 average)

Types Additional comments: possibly selling corals on south side of the unnamed drain; the livestock has always drank water from the drain. Jewell Black assumed that it was a "given" & was included in "Commercial" use in order to take care of the Livestock.

PLACE OF USE:

☐ No Change

☐ Changes shown below:

Irr.
Stock
Comm.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	24W	16																	
3N	24W	16																	
3N	24W	16																	

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: From POD #1 1" discharge to 3/4" hoses that fill some of the tanks, 2" buried PVC goes east to west then south to stockwater tanks + (5) 2 1/2" Rainbirds (for dust abatement). The rainbirds are located at the top of 9' risers average 3 nozzles per corner, (4 corners including those located on north side of drain). A 2" buried line crossed the drain + travels north, on the east border to the southeast + southwest corners behind the house. 3/16" Rainbirds run 3 at 1 time to irrigate the pasture, then steel pipes are laid out in the yard to flood irrigate the yard. From POD #2: 2 1/2" discharge converts to 2 1/2" PVC buried main running south to north with 3 branches running east + west. (7) dust abatement 2 1/2" Rainbirds + 6 stockwater tanks, then cross the dirt road for 4 more 20'7" x 3' x 16" tanks.

off of
2" aluminum

#1 :
#2 :

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002137	Red Lion	1/2	S48D53A67	-	1"
A0002138	MagnaTech	3	BT12-145	-	2 1/2"

3' lift
10' lift

* #1 pump is a temporary/back-up pump, since they had another pump in the drain but it broke down + they removed it, but plan to replace it. They were not sure what they previously had, or what size pump they were going to purchase.

NARRATIVE/REMARKS/COMMENTS

Commercial use on application was for sprinkling large cattle feed lots for dust abatement. Stockwater Facility is open 7 days per week year-round. There are no employees since the family runs the business (Jewell + his daughter Sandy). They raise 60 horses, board 50 horses year-round, + board 600-800 cattle 10/1-3/31. Their electric bill ranges from \$125-150/mo. to run the pumps for pumping water. The water runs 365 days per year for the stock tanks + 1x/month during the summer for dust abatement. Jewell said they average a total of 100 horses + 700 cattle per year (8/28/06).

- Type of facility: boarding horses + cattle; raising + selling horses

- Name of business: Sundowner Quarter Horse Ranch

Supplemental water: None. Bourse Project used as supplemental water on hay fields to the north of the conals (this is not property that is included on this water right application though).

Directions: 184, then 55 towards Marsing (Sunnyslope St. Chippell Winery area), Rt. Pear to the end, Lt. Lon Lane
POU: conals west of house + barn (on north side of drain) + south + southwest of house (on south side of drain, all the way to Apricot Ln + Lon Lane, the west on private dirt road). POD: (#1) 608' south of house on Lon Lane then 275' west
AFTER EXAM THE FILE SHOULD CONTAIN: (#2) 0.3 miles south from Lon Lane +
☐ Completed claim checklist
☐ Photographs of POD's and POU Pear Ln intersection (between barn + outbuilding
☐ GPS readings turn west + go 698' down a dirt road), turn
☐ Completed map and or GIS layout showing POD's and POU 273' south through conal to pump in drain.

DATE EXAM CONDUCTED: 8/23/2006

FIELD EXAMINER: Gandy Hemenway

Field Inspection: A63-5358 Black
Date: 8/16/2006
Field Inspector: Sandy Hemenway

Measurements/Calculations:

Pipe Flow Chart:

2" diameter pipe = **0.11 cfs capacity (off of POD/pump #1)**
2 1/2" diameter pipe = **0.17 cfs capacity (off of POD/pump #2)**

Pumpback Calculations (see attachments):

POD/pump #1 = 0.029 cfs = **0.03 cfs**
POD/pump #2 = 0.129 cfs = **0.13 cfs**
pump #1: Red Lion 1/2 HP, 1" discharge, 62 psi, 3' lift, to 3/4-1/2" hoses and 2" PVC/Steel (buried)
pump #2: Magna Tech 3Hp, 62psi, 2 1/2" discharge to 2 1/2" PVC main, 10' lift

Stockwater:

Table 1 Recommended Diversion Rates for Stockwater:

boarding 50 horses year-round; raising and selling 60 horses;
8/28/06 per Jewell, 100 average horses year-round = 51-100 = **0.03cfs**
600-800 cattle boarded 10/1-3/31;
8/28/06 per Jewell, 700 average cattle boarded per yr = 601-700 = **0.16 cfs**
Season: 01/01 - 12/31 for horses (365 days); 10/1 - 3/31 for cattle (182 days)
Required V.i.r. = (#head x gallons/day/head x days of use per year) / 325,850 =
for horses: $[(100 \times 12 \times 365) / 325,850] = 438,000 / 325,850 = \mathbf{1.3 \text{ afa}}$
for cattle: $(700 \times 12 \times 246) / 325,850 = 2,066,400 / 325,850 = 6.34 = \mathbf{6.3 \text{ afa}}$
Potential V.d.r. = Max. allowable cfs x permit season number of days x 1.9835 =
for horses: $0.02 \text{ cfs} \times 365 \times 1.9835 = 14.479 = \mathbf{14.5 \text{ afa}}$
for cattle: $0.16 \text{ cfs} \times 246 \times 1.9835 = 78.07 = \mathbf{78.1 \text{ afa}}$

Storage not to be added (see note below):

Small Tanks: $(2) 5' \times 3' \times 16' = (5' \times 3' / 43,560) \times 1.3' = 0.000447658 =$
 $(2) \times 0.000447658 = \mathbf{0.000895317 \text{ af capacity}}$
Large Tanks: $(17) 21' 7'' \times 3' \times 16' = (21.58 \times 3 / 43,560) \times 1.3 = 0.001932094$
 $(7 \text{ tanks on south side of drain}) \times 0.001932094 = \mathbf{0.013524656 \text{ af}}$
 $(10 \text{ tanks on the north side}) \times 0.001932094 = \mathbf{0.01932094 \text{ af}}$

*****6/21/1990 memo from Steve Lester (B.U. Report Memo pg 4):**

"Can only recommend at least 0.1 af storage. Any amount less than that should be considered as a detail of live flow and shown in remarks. This may occur in stockwater or other minor use rights, especially with BLM permits."

Irrigation:

Confirmed acres irrigated: 1 acre x 0.03cfs = **0.03 cfs**
Season 3/15 - 11/15 = 246 days
Required V.i.r. = allowable acres under permit x requirement IDWR chart (figure 2)=
1 acre x 4.5 = **4.5 afa**
Potential V.d.r. = max. allowable cfs x permit season x 1.9835 =
 $0.03 \times 246 \times 1.9835 = \mathbf{14.6 \text{ afa}}$
Sprinkler Nozzles: (3) 3/16" Rainbird 85E run at one time; 27psi average
 $Q(\text{gpm}) = 30 \times (3/16)^2 \times (27) \times 5 = (3) 5.480317009 / 448.8 = 0.36 = \mathbf{0.04 \text{ cfs}}$

A63-5358 Black, pg 2.

Background Information:

facility open 7 days per week, 365 days per year; no employees (family run), \$125-150/mo elect. bill; water runs constantly 365 days/year; dust abatement only used 1 day/mo 5/1-10/1

Commercial/Dust Abatement:

Season: 5/1 - 10/01 = 155 days

Days of Use: 1 day per month = 6 days

Hours per day used: 24 hours

Device used for dust abatement: 9' risers, with 2 1/2" Rainbird ND55 nozzles; 3 nozzles per corral; 3 Rainbirds run at one time; 62psi at pump, estimate 20psi at nozzle at the minimum
 $Q(\text{gpm}) = 30 \times (6/2)^2 \times (20) \times 0.5 = 1207.476708 / 448.8 = (3) 2.69 = 8.07 = 8.1 \text{ cfs}$

***At the time of inspection, no dust abatement was observed, and the corrals were excessively dry. With the pump that is installed, this system is not capable of producing the amount required to run 3 sprinkler heads at one time. If they put in a larger pump it might be feasible.

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-5358 Black POD/pump #1

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot ((\text{cfs} \cdot 448.8)^{1.852} / \text{ID}^4 \cdot 8655 \cdot \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 3.00 feet

Pressure Req'd: 62.00 psi

Required Head: 146.22 feet

Pump Horsepower: 0.50 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
1.50	100.00	1.59		1.59
1.00	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!

1.59

Initial Estimate of Rate of Flow:

0.029 CFS

Computation of Rate of Flow:

0.02

MSMTS

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-5358 Black POD/pump #2

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot ((\text{cfs} \cdot 448.8)^{1.852} / \text{ID}^{4.8655} \cdot \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 10.00 feet

Pressure Req'd: 62.00 psi

Required Head: 153.22 feet

Pump Horsepower: 3.00 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

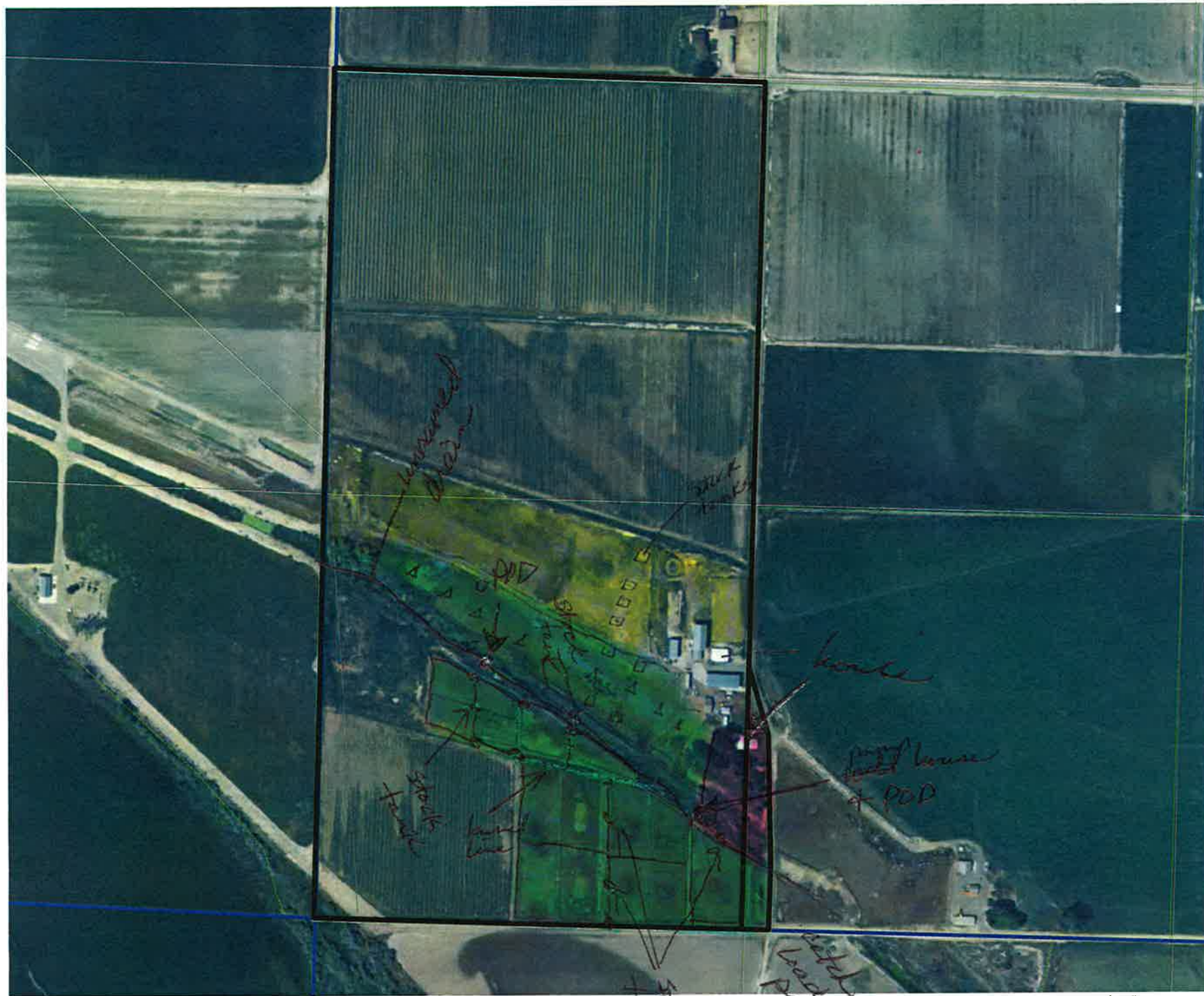
Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
2.00	100.00	6.20		6.20
1.00	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			6.20	

Initial Estimate of Rate of Flow: 0.129 CFS *

Computation of Rate of Flow: 0.12



2004



A63-5358 Black 8/16/2006 SH

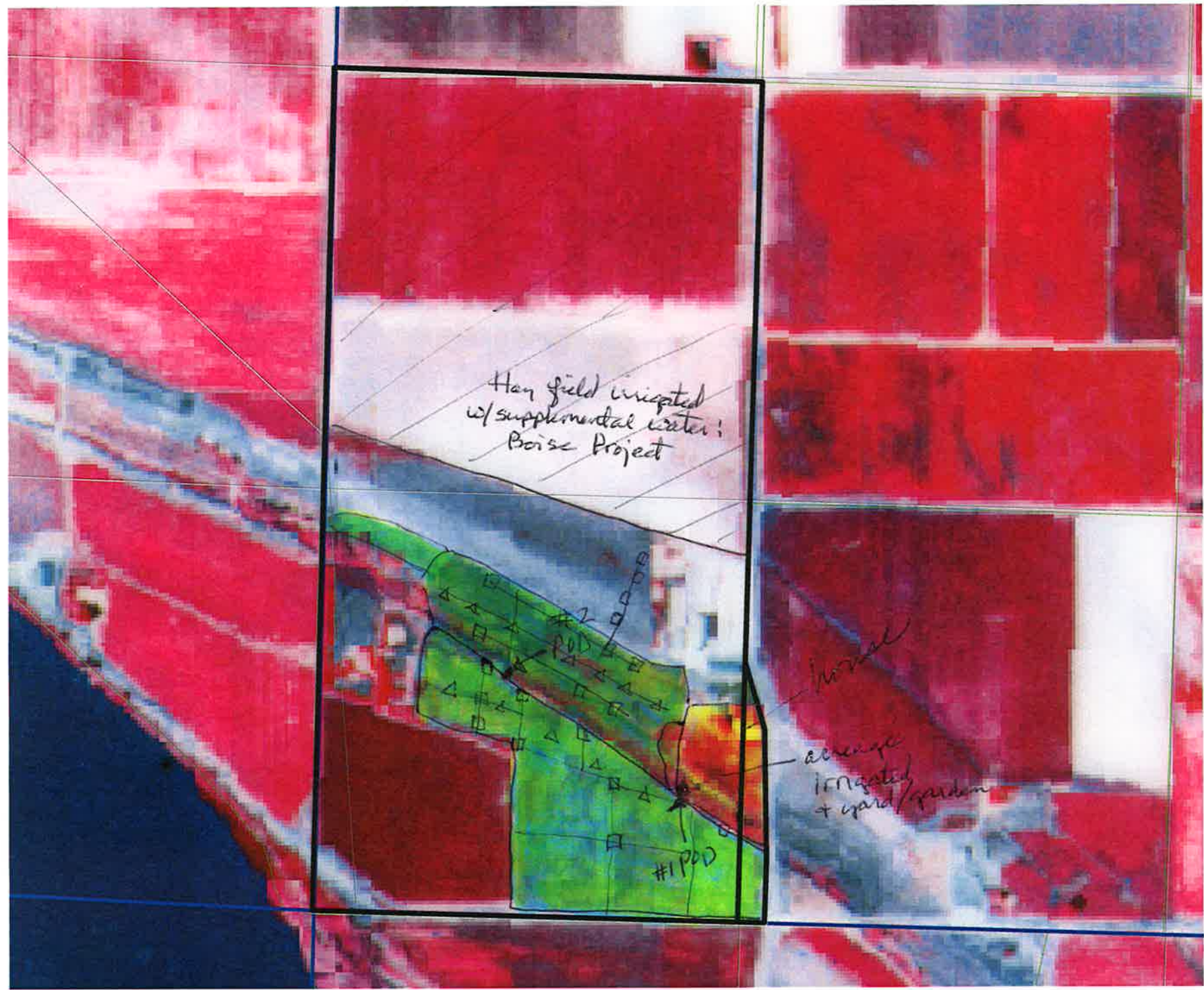
stock tanks

stock tanks

■ = irrigated (pasture, yard, garden)
■ = Pou (stock water/commercial)



1987



- = commercial
- = irrigated
- = POD
- = stock tank
- △ = 2 1/2" Rainbird ND55 nozzles on 9' risers
- 2 1/2" buried PVC north of unnamed drain
- 2" PVC buried south of unnamed drain

Black's Property per Canyon Co. Tax Lot info - 81+ acres

#1
pumphouse



unnamed
drain

08/16/2006

SH



POD #1
intake

08/16/2006

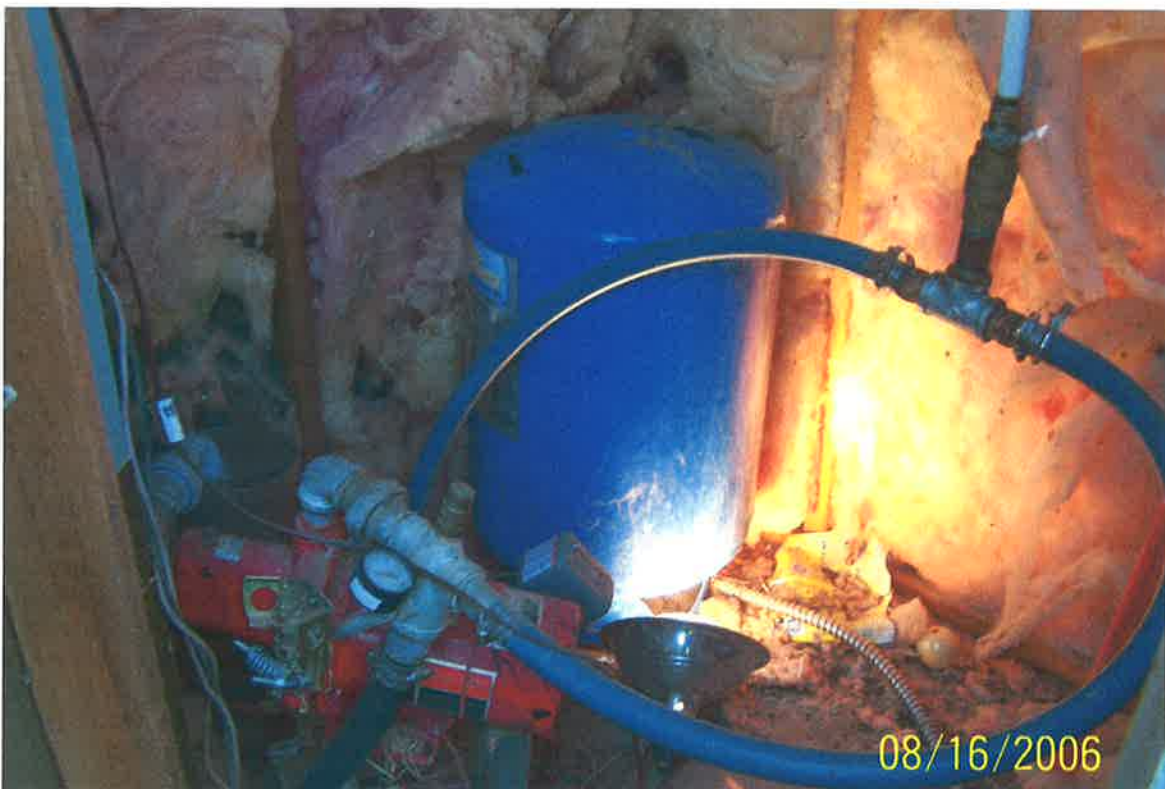
63-5358 Black

SH



PDD: #1
pumphouse
3' left

SH



Red Lion
1/2 HP
62 psi
1" discharge
to 3/4" hoses
+
2" buried PVC
for lower
corrals &
across drain
+ up hill
to pasture &
yard

SH

63-53578 Black

POU:
Pasture
irrigated
south
of the
house



63-5358 Black

SH



2" aluminum at top of hill
behind house

SH

3 rainbirds
at 1 time
3/16"
Rainbird 85E



63-5358 Black

SH



POU:
yard
around
house, at
top of hill

SA



2"
aluminum
pipe
w/ 2"
steel pipes
laid out
on yard to
flood
irrigated
(south to
north grants
flow)

63-5358 Black

SA



Stockwater:

(2)
5'x3'x16"
tanks

SH



Stockwater:

(17)
21'7"x3'x16"

SH

63-5358 Black



POD: #2

Magna Tech
3 Hp
2 1/2" discharge
10" lift
62 psi

SH



lower
corrals
(south of
drain)

upper
corrals
(north of
drain)

08/16/2006

63-5358 Black

SH



4' riser
with
2 1/2" Rainbird
ND55
3 nozzles
per corral
(4 corrals)

08/16/2006

SH



08/16/2006

63-5358 Black

SH



63-5358 Black

Name of their Business: *SA*
Sundowner Quarter Horse Ranch

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report**.

Type of Establishment: (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

livestock, pasture, + boarding
(hay)

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

horse + cow ^{stall/cattle} boarding + raise horses
50 year-round 1/2 (60)
600-800 head winter 10/01 - 3/31

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

12 stock tanks * (17 large + 2 small ones found during inspection)
3 nozzles/corral (4 corrals)

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

no employees (Jewell + Sandy Black), family only

How many hours per day is the facility open for this specific use?

water runs constantly (\$125-150⁰⁰/mo. power bill)

How many days per week is the facility open for this use?

7 days per week

Is this facility open year round? ☒ Yes ☐ No

If not, please indicate the length of time the facility is open during the year.

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Unknown

Additional information you feel may be pertinent:

dust abatement as needed (1 X/mo. in summer)

Opriel Black
Name

208-455-2233
Business telephone number

Please return to:

KAY WALKER (Phone: 287-4953)
Sr. Water Resource Agent
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Sandy
45

A63-5358 Field Exam Request:
JEWELL BLACK

Contact:

08/02/2006

Contact **Jewell Black** at 455-2233 to set up a field exam.

Property Address:

15133 Lon Lane, Caldwell - Get directions from claimant when setting up appointment.

Requests:

- ✓ *Please verify **all the elements** of this right.

In addition, please verify:

- ✓ • GPS the location of the diversion point.
- ✓ • **1987 Aerial Photo:** Please locate the irrigated acreage (1 acre claimed), and use of water for commercial purposes described on claim. Have attached a 1987 aerial and a copy of 2004 photo for your use.
- ✓ • **Capacity of System:** Verify that the claimed **0.5 cfs** is possible/applicable. *Not possible* We need to have the commercial worksheet (attached) completed so we can determine a volume of the commercial use (commercial use for sprinkling feed lot for dust abatement).
- ✓ • Is the water also being used to water cattle in the feedlot? *Yes* In my discussion with Mrs. Black, I understood the cattle drank the drain water but the statutory claim appears to only claim dust abatement under the commercial use.

Kay Walker
287-4953
Sr. Water Resource Agent
IDWR – State Office via Western Region

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5358

03/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5358	Claim	03N	04W	16	NW	SW	1	IRRIGATION	1/1	DALE K BLACK
5358	Water Right	03N	04W	16	NW	SW	1	IRRIGATION	1/1	WAYNE K BOWER
5357	Claim	03N	04W	16	NW	SW	1	STOCKWATER		JEWELL BLACK
5357	Water Right	03N	04W	16	NW	SW	1	STOCKWATER		WAYNE K BOWER
26965	Water Right	03N	04W	16	SW	SW		~~DOMESTIC~~		VETA BOWER
5357	Claim	03N	04W	16	SW	SW	2	STOCKWATER		JEWELL BLACK
5357	Water Right	03N	04W	16	SW	SW	2	STOCKWATER		WAYNE K BOWER
5358	Claim	03N	04W	16	SW	SW	2	COMMERCIAL		DALE K BLACK
5358	Water Right	03N	04W	16	SW	SW	2	COMMERCIAL		WAYNE K BOWER

REAL PROPERTY INQUIRY

```

+++++
01 7R33419-000- -0 184-00 SCH139+ 01 41,200 48.00
+++++
BLACK, DALE K + 10 20,000 1.00
& BLACK, JEWELL H/W + 18 8,100 23.00
+ 19 5.25
+ 31 65,600
+ 32 50,000

15133 LON LN +
CALDWELL ID 83605 +
+++++
16-3N-4W SW + TOTAL 185,000 80.00
LTS 1&2 ++++++
+ SURVEY INST 9526973
+ DRAIN DR VALUE APPR KGE
+ CLASS +2 REAP 97 MAN 96 UNIT 1
15133 LON LN, CA + PARCEL 7R03N04W165400 H/O Y C/B N
+ PRIOR ACCOUNT 6R33419-000- -0
SEE R33421-010 + 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R33419000 0 UNIT 001 TOTAL UNITS 1

SITE 15133 LON LN CA SEC/TWN/RNG 16-3N-4W
ASSESSED VALUE 197,400 ACREAGE 80.00
SUB/PARK NAME YEAR/MAKE
CLASS +2 OWNER / OCCUPIED HOUSE CLASS '+2' SPACE LOT BLOCK
+++++
YR BUILT 1930 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 2069 EXTERIOR STONE DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE D2 NEIGHBORHOOD 0
GARAGE SQ FT 400
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5358

WATER RIGHT NUMBER: 63-5358

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE K BOWER RT 4 BOX 556 CALDWELL, ID 83605

Priority Date: 03/15/1970
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	to 11/15	0.900 CFS	
COMMERCIAL	5/01	to 10/01	0.900 CFS	
<u>Total Diversion:</u>			0.900 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	L2 (SW1/4SW1/4)	Sec. 16, Twp 03N, Rge 04W, B.M.
CANYON County		
UNNAMED DRAIN	L1 (NW1/4SW1/4)	Sec. 16, Twp 03N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	04W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
													1.0						1.0
													L 1						

Total Acres: 1

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	04W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X						
													L 2						

Conditions of Approval:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wayne K. Bower

(Name of Claimant)

Rt. 4 Box 556 Caldwell, ID 83605

(Mailing Address)

Telephone No. 459-6206

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1970

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Drain tributary to Snake River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.90 cfs</u>		Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>	
Quantity <u>.90 cfs</u>		Use <u>Commercial</u>	Period of Use From <u>5/1</u>	To <u>10/1</u>	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity <u>.90</u>		TOTAL QUANTITY USED.			

- (4) _____
- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 1 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16 Twp. 3N Rge. 4W B.M., County of Canyon

Additional points of diversion: Lot 2 (SWSW) Sec 16 T3N R4W

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pump & pipeline

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

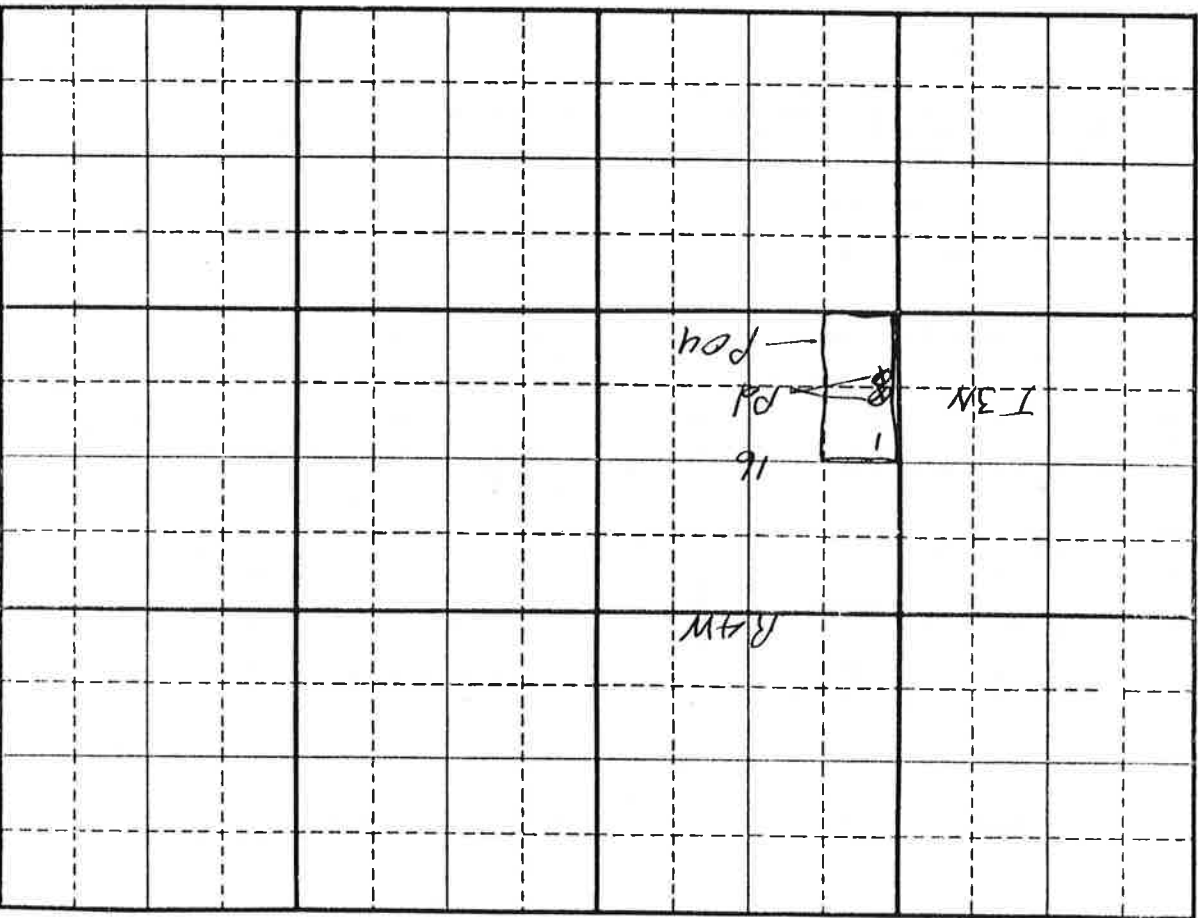
T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	16									1	1							1
											1	X							
																			1

No. of acres 1

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Commercial
use is for sprinkling large cattle feed lot for dust abatement

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Ada

) ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27 day of June

(Claimant)
X *McLain B. Brown*

Notary Public
Mary M. Montoya
Residing at *Bor*

My commission expires *Aug*

FOR DEPARTMENT USE ONLY

Received by *ALS* Date *6/22/84* Exception filed by: *6/22/84* Forwarded to claimant by: *6/22/84* Date *6/22/84* *JP* *6/22/84* *# 34497*
Published in *Press-Tribune* *7/20/84* *8/2/84*
Dates

Receipt Details for ID W007775

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/19/1990 3:18:43 PM	1/19/1990	Western	\$253.00	Check
Payer		BOWER, VETA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
154			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$253.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	5357		\$77.00	Claim
63	5358		\$101.00	Claim
63	26964		\$25.00	Claim
63	26965		\$25.00	Claim
63	26966		\$25.00	Claim

Print Report

uA
RECEIVED
AUG 07 2006
DEPARTMENT OF
WATER RESOURCES

July 27, 2006

Ms. Kay Walker, Sr. Water Resource Agent
State of Idaho Department of Water
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Notice of Claim to a Water Right No. 63-5358

Dear Ms. Walker,

I am writing on behalf of Mrs. Jewel Black at 15133 Lon Lane, Caldwell, Idaho 83607 concerning the above water right.

The evidence of priority of that water right use was extent when Mrs. Black purchased the property around 1995. When they moved their horse ranch operation there at that time the primary stock watering system was water taken from the unnamed drain on the southern portion of the 100-acre parcel. Water was and continues to be pumped from the drain into large rectangular concrete water tanks that might be 50+ years old. There are approximately seven to nine of those tanks that are fed from a central pumping system that resides on the bank of the unnamed lateral. The pumping system seemed quite old when the Blacks took possession of the property. I was there in 1995 to help them move in and get the ranch in operation. I helped to repair some parts of the pump and water system. Due to its age, it needed a thorough overhaul in 1995.

The water use from the drain has continued since 1995 to water livestock and provide some irrigation around the main house. I have visited weekly since 1995, as I live next door to the north, and have seen this system in operation for ten-plus years.

There are several sources of evidence available to substantiate this claim such as aerial photos, repair receipts for the pumping system, testimony of neighbors and perhaps inspections from the U.S. Department of Agriculture. I don't have access to these materials, but I know they exist.

I'd be glad to provide further help with this matter, and I can be contacted at 384-3839 during the day or at home at 455-3241.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Eggleston". The signature is fluid and elegant, with a long horizontal flourish extending from the end of the name.

Bruce Eggleston

21750 Pear Lane

Caldwell, Idaho 83607

Walker, Kay

From: Bruce Eggleston [brucejuli@homeinternet.net]
Sent: Wednesday, August 02, 2006 5:31 AM
To: Walker, Kay
Subject: Notice of Claim to a water right No. 63-5358



Dept-water-resourc
es7-27-06.do...

Dear Ms. Walker,

Attached is a letter of supporting evidence for the above water right for Mrs. Jewel Black at 15133 Lon Lane, Caldwell, Idaho. A signed paper copy will be in the mail today.

Thanks,

Bruce Eggleston
21750 Pear Lane
Caldwell, ID 83607

July 27, 2006

Ms. Kay Walker, Sr. Water Resource Agent
State of Idaho Department of Water
322 East Front Street
P.O. Box 83720
Boise, Idaho 883720-0098

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I'd be glad to provide further help with this matter, and I can be contacted at 384-3839 during the day or at home at 455-3241.

Sincerely,

Bruce Eggleston
21750 Pear Lane
Caldwell, Idaho 83607

Idaho Department of Water Resources

feed lot = 12 ac
feedlot -
up to 1000 hd in
winter -

(per office visit
4-14-2006) kw

Evidence will be
coming in the
mail -

7-21-06 Jewell Black
will submit
evidence - coming
from neighbors (per
phone con) kw



1987 Napp Photo



per office visit 4/14/06
verify w/ exam



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

April 11, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DALE K OR JEWELL BLACK
15133 LON LANE
CALDWELL ID 83605

RE: Notice of Claim to a Water Right No. 63-5358

Dear Claimants:

In December of 1995, you submitted a notice of change in water right ownership for the above referenced claim in the Snake River Basin Adjudication (SRBA). Enclosed is a computer generated print-out of the claim for your convenience. When this claim was filed, the previous owner, Veta Bower, claimed that the water right was based on a "Statutory Claim" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel.

The required evidence supporting the priority date must be submitted by **May 1, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

Enclosures

COMMUNICATION DOCUMENTATION

Claim No. AL63-05357 & AL63-05358

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN THURTE Date 12-27-95Contact Person(s) DALE & JEWELL BLACKNature of Contact CHANGE OF OWNERSHIP & EVIDENCE OF PRIORITY.

Substance of Communication THE BLACK'S WERE IN TO CHANGE THE OWNERSHIP ON THE ABOVE CLAIMS - BROUGHT THEIR WARRANTY DEED & I CHANGED THE OWNERSHIP & GAVE THEM THEIR COPIES. WE DISCUSSED THE EVIDENCE OF PRIORITY REQUIREMENT ON BOTH CLAIMS. MR. BLACK STATED HE COULDN'T GET THE EVIDENCE ON THE STOCKWATER FROM SPRINGS - HE WANTS TO REDUCE IT TO .23 CFS & 1000 HEAD (AL63-05357) WHICH WON'T REQUIRE EVIDENCE. HE CAN GET THE EVIDENCE ON AL63-05358 IN THE FORM OF AN AFFIDAVIT FROM THE PREVIOUS OWNER'S DAUGHTER. THEY TOOK AN AFFIDAVIT FORM & WILL SUBMIT IT ASAP. I TOLD THEM MARIA MINICUCCI WOULD BE COMMUNICATING WITH THEM ABOUT THE REDUCTION OF AL63-05357.

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-05358

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>Y</u>						
PT. OF DIV.							
SOURCE							DATA ENTRY COMPLETED BY _____ DATE _____
PL. OF USE							
DIV. AMOUNT CFS/AF							FINAL RECOMMENDATION BY _____ DATE _____
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: Stat priority is 03/15/1970. Spring(s) in Lot 2 unclaimed (also unclaimed on A63-05357).
Comm. use is dust abatement in feed lot

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-05357, -05358

SUBJECT: Evidence of priority

EMPLOYEE: TJ Minicucci

DATE: 08/24/1995

The new owner of a portion of Res. Bower's property came into the office w/ questions about the evidence of priority request letter. He indicated that the water is used as claimed, but there seems to be some question as to the source of the water (springs located in drain?). He will work on obtaining evidence. He would also like to develop wastewater to irrigate new ground. We discussed the IRR District's objections to permits from drains versus diverting the water before it reached the drain. He took an Application for Permit with him since he has not finalized his plans yet.

WR5809NP
No. 63-05358

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/21/95
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE K. BOWER RT. 4 BOX 556 CALDWELL ID 83605	03/15/1970	IRRIGATION COMMERCIAL	03-15 11-15 05-01 10-01	0.900 CFS 0.900 CFS	
TOTAL DIVERSION:					0.900 CFS	

Water Source: UNNAMED DRAIN ✓

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T03N R04W S16 Lot 01(NWSW) Lot 02(SWSW) *unclaimed*

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
03N	04W	16	:					:					:					:					:	1.0
TOTAL ACRES																							1.0	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
03N	04W	16	:					:					:					:					:	
													02-C ✓											

Pou County: CANYON

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date:

Priority Date: 03/15/1970
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number:

Field Exam Fee:

Audit: 07/31/84 05/01/88 CONVERT



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-05357 & A63-05358
VETA BOWER
15133 LON LANE

CALDWELL

ID 83605

Re: Claim No(s). A63-05357

& A63-05358

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures