

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: A63-07095
Date Received: 12/13/1989
Receipt No: W7098
Received By: La

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOB S. MIYAKE 208-467-2321
Address: 11941 KARCHER RD.
NAMPA, ID 83651

2. Date of Priority: APR 25, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	18	NE	NW			CANYON

5. Description of diverting works:
20 HP MOTOR, 14" CS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	11/01	0.720		162.00

7. Total Quantity Appropriated is:
0.720 C.F.S. (and/or) 162.00 A.F.A.

8. Total consumptive use is 126.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	18	NE	NW		IRR	36.0

Section Acres 36.0

Total Acres 36.0

A63-07095

Page 1

Date: 12/13/89

MICROFILMED
AUG 21 1992

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:
PIONEER IRR.

14. Remarks:
PARTNERSHIP OF MIYAKE BROTHERS DISSOLVED IN 1979.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *John S. Miyake* Date: 12-15-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day

of Dec. 19 89

Linda Werner
Notary Public

Seal

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

T 3N
R 2W
Sec. 18

T310
R2W
Sec 18

MICROFILMED
WEST ROOSEVELT
AUG 21 1992

Receipt Details for ID W007098

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/13/1989 11:04:52 AM	12/13/1989	Western	\$389.00	Check
Payer		MIYAKE, BOB S.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1103			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$344.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$45.00	APPLICATION FOR PERMIT	620199	1238	0	0	6390

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	10413		\$70.00	Claim
63	7095		\$86.00	Claim
63	7248		\$88.00	Claim
63	19835		\$25.00	Claim
63	19836		\$25.00	Claim
63	19837		\$25.00	Claim
63	19838		\$25.00	Claim

03/20/2006

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

RIGHT NUMBER: 63-7095

NAME AND ADDRESS: BOB S MIYAKE
11941 KARCHER RD
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.720 CFS
162.000 AFY

PRIORITY DATE: 04/25/1968

POINT OF DIVERSION:

T03N R02W S18 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/20 11/01

0.720 CFS
162.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 20 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S18 NENW 36.00

36 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

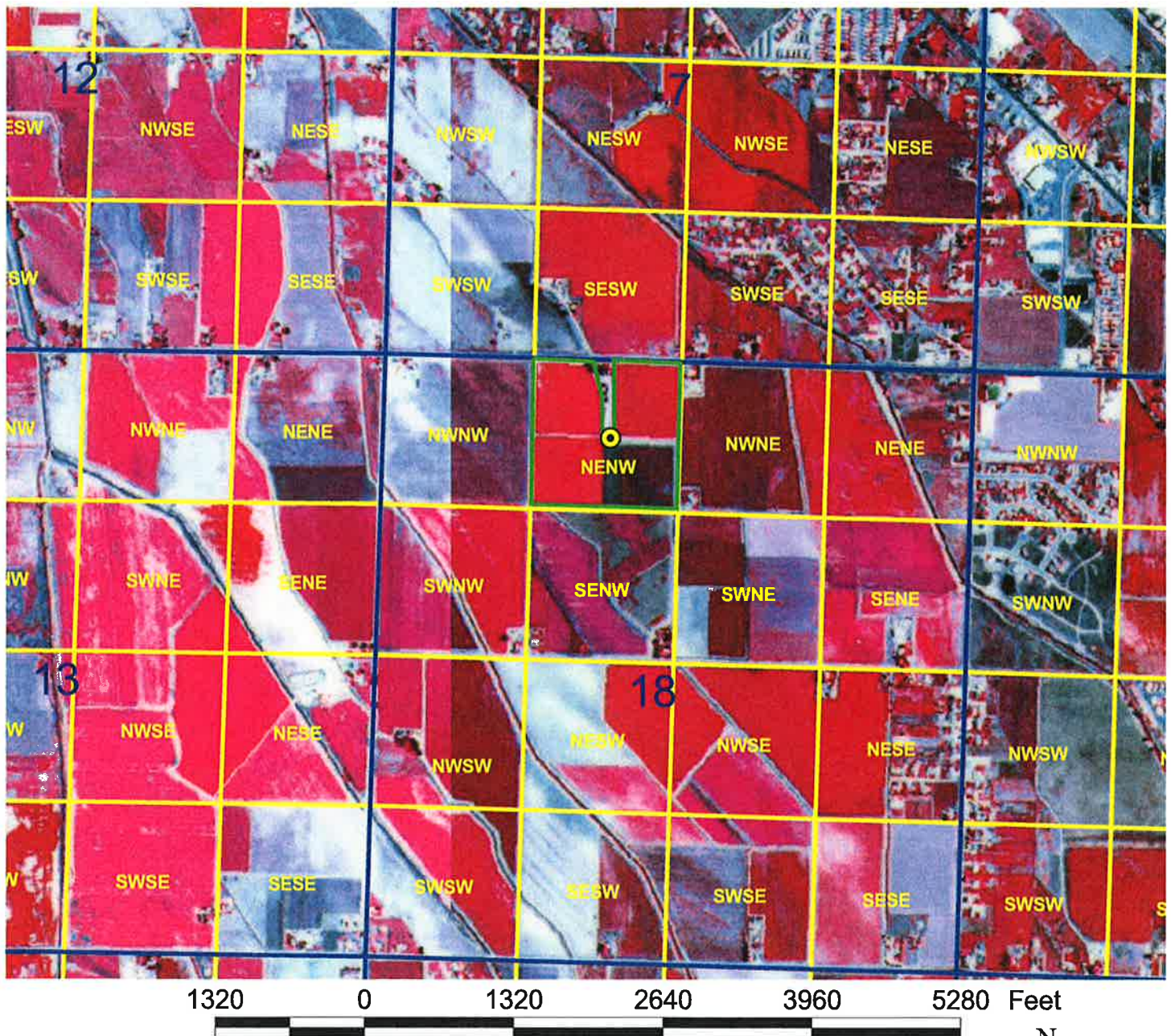
Parcel No. R3145300000.

Right No. 63-7248 is also diverted through point of diversion described above.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 18
Water Right (s): 63-7095



TOTAL IRRIGATED ACRES = 36

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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2006

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 63-7095 _____

1. No Change NAME IS SAME
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change — SAME SOURCE
Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

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

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

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: (1) REC as licensed (2) no bond map of well location

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

r12 Range #

439 son shoulder for 3/1 & 1/15

W40 Pioneer Trv D

F05 63-7248 also diverted thru POB

SYSTEM DIAGRAM INCLUDED NA

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____
Print Name

Signature

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-7095

WATER RIGHT NUMBER: 63-7095

Owner Type Name and Address
Original Owner MIYAKE BROTHERS

Nampa, ID 83651
Current Owner BOB S MIYAKE
11941 KARCHER RD
Nampa, ID 83651
(208)467-2321

Priority Date: 04/25/1968

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
3/20 to 11/01

Diversion Rate

0.720 CFS

Annual Volume

162.00 AF

Total Diversion:

0.720 CFS

162.00 AF

Location of Point(s) of Diversion

GROUND WATER
CANYON County

NE1/4NW1/4

Sec. 18, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	18					36.0												36.0

Total Acres: 36

Conditions of Approval:

1. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2. PARTNERSHIP OF MIYAKE BROTHERS DISSOLVED IN 1979.

Remarks:

W40 ✓ Pioneer Irr
S39 ✓ GOU shoulder
R1C ✓ Purcell # R3145300000.
#05 ✓ 63-7248 also diverted thru POD

claimed 3/1/15 as
licensed.

shoulder remark for 3/1/15

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7095

WATER RIGHT NUMBER: 63-7095

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIYAKE BROTHERS INC RT 1 BOX 181 NAMPA, ID 83651

Priority Date: 04/25/1968

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/20 to 11/01	0.720 CFS	162.00 AF
	<u>Total Diversion:</u>	0.720 CFS	162.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 18, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	02W	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	36.0

Total Acres: 36

Conditions of Approval:

- 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7095

03/20/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-7095	Claim	03N	02W	18	NE	NW		GROUND WATER	BOB S MIYAKE
63-7248	Claim	03N	02W	18	NE	NW		GROUND WATER	BOB S MIYAKE
63-19836	Claim	03N	02W	18	NE	NW		GROUND WATER	BOB S MIYAKE
63-7095	Water Right	03N	02W	18	NE	NW		GROUND WATER	MIYAKE BROTHERS INC
63-7248	Water Right	03N	02W	18	NE	NW		GROUND WATER	MIYAKE BROTHERS INC
63-19836	Water Right	03N	02W	18	NE	NW		GROUND WATER	BOB S MIYAKE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7095

02/09/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7095	Claim	03N	02W	18	NE	NW		IRRIGATION	36/36	BOB S MIYAKE
7095	Water Right	03N	02W	18	NE	NW		IRRIGATION	36/36	MIYAKE BROTHERS INC
19836	Water Right	03N	02W	18	NE	NW		DOMESTIC		BOB S MIYAKE

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 63-7095 Priority April 25, 1968 Amount 0.72 cfs

THIS IS TO CERTIFY, that MIYAKE BROTHERS, INC.
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-7095 issued pursuant to Application for Permit dated April 25, 1968,
and has submitted proof to the Department of Water Administration on May 11, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.79 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.72 cfs for Irrigation from March 20 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.72 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, Twp. 3 N, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 162 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>3 N</u>	<u>2 W</u>	<u>18</u>					<u>36</u>												<u>36</u>

Total number of acres irrigated 36

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
June, 19 73.


Director

Identification No. 63-7095
Application No. 42467

LICENSE ISSUED FOR 0.72 SEC. F.L.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

- 1./Name of applicant MIYAKE BROTHERS, INC.
post office address Route #1, Box 181, Nampa, Idaho
- 2./Source of water supply subterranean which is a tributary of _____
- 3./a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 3 N
Range 2 W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
- 4./Quantity to be appropriated:
a. .80 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
- 5./Water will be used for the following purposes:
irrigation purpose from March 20 to November 1 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled well, pump, motor, and
ditch irrigation

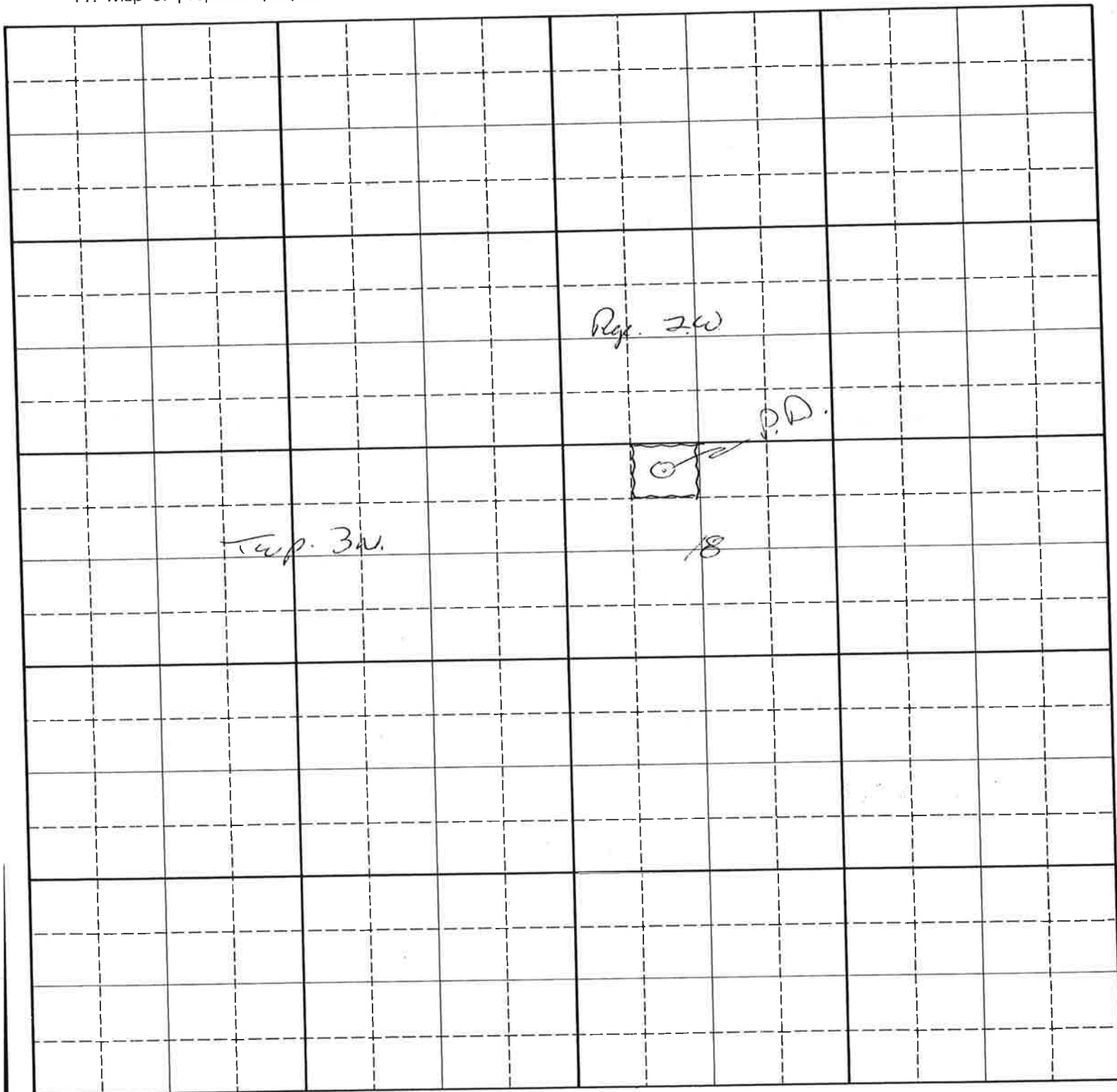
b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is 12 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

63-7095

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

[Signature]
(Applicant)
[Signature]

63-7095

Received by DM Date 4-25-68 Time 10:30 AM
Preliminary check by DM Fee \$ 20.00 feet #809 giner
Receipted by if Date 4-25-68
Publication prepared by ES Date 5-2-68
Published in Idaho Free Press
Publication dates 5-9-68 to 6-6-68
Publication approved ES Date 7-11
Priority reduced to _____ Reason _____
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for ☒ approval ☐ denial by ES

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7095, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.
This permit is supplemental to all prior rights.

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

Witness my hand this 10 day of June, 19 68.

R. Keith Higgins
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

Check other permit

1. Name of permit holder Miyake Brothers, Inc.
 Post office address Route #1, Box 181, Nampa, Idaho 83651 Phone _____
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount .80 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from March 20 to November 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 68-7095
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion .80 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 2W E/W, B.M., Section 18, Subdivision NE 1/4 NW 1/4, Canyon County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: pump capacity 650 G. P. M., Motor size 20hp, well size 14" by 100', diversion structure concrete and steel, ditches are dirt.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2W	18					40												40

R. - 2W

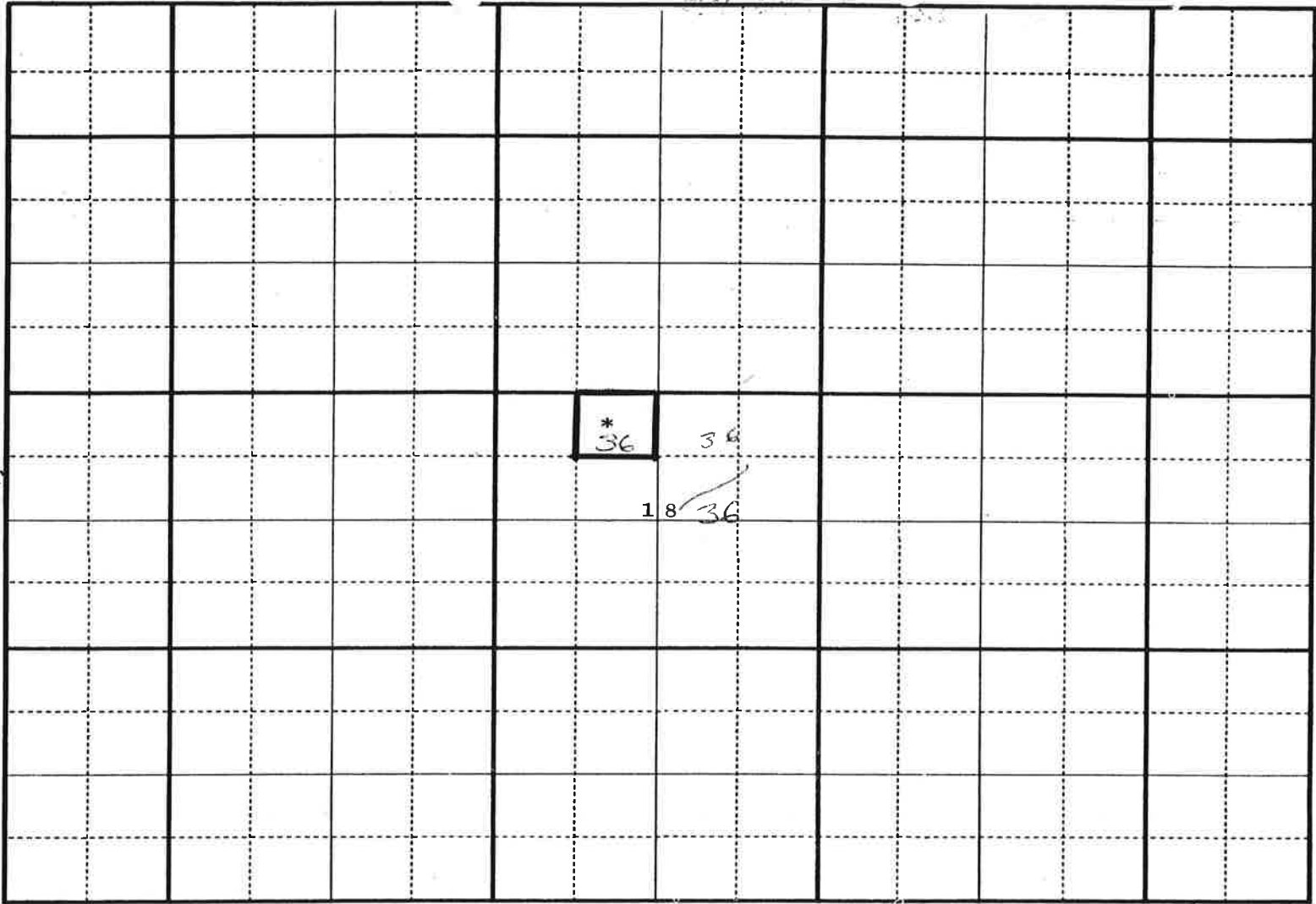
T
3
N

Diagram of System

DATE OF EXAM 29 May 73

ACREAGE
Found 36
Recommended 36

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = .72 c.f.s. V = 162.0 AF/Ann. from Mar 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: Groundwater
twp. 3 N/S, Rge 2 E/W, B.M., Sec. 18, Sub. NE 1/4 NW 1/4 Canyon County

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 1.79 cfs Method of measurement Cippolletti Weir

Total Q recommended .72 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 162.0 Ac Ft/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other None

MEASUREMENT CALCULATION:

1.5' Cippolletti Weir Reading Approx .54' = 1.79 cfs
Q = .72 cfs (allow)
Q = (4.5)(36) = 162.0 Ac Ft/Ann

SYSTEM DESCRIPTION:

General Electric 20 HP Motor 230/460 Volts 1755 RPM
Ser No DDJ424381 Logans Boulder Pump #H545 1"
Discharge to concrete box with Cippolletti Weir (See Photo)
6" gate valve installed

REMARKS:

Very neat installation & form

Examiner's Signature James Booher Date 31 May 73

Checked by _____ Date _____

Approved by _____ Date _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 103-07095

Date: 2-18-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2W	18					36												36
GIS								36												36
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 36

Overlapping POU Claim #'s:

Total GIS Acres: 36

COMMENTS:

Per county data, image interpretation.

POD per claim map.