

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 63-7327
Date Received: 2/21/01
Receipt No: W027389
Received By:

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

1. Name of Claimant(s): CITY OF KUNA
PO BOX 13
KUNA ID USA 83634

Phone: (208) 922-5546

2. Date of Priority: 04/15/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	01W	2	SW SE NE	ADA	

5. Description of diverting works:

20 inch well, 455 feet deep. Factory perforated casing from 245 ft to 346 ft. Equipped with Verti-Line Model 14 RMH, 2600 gpm, at 280 ft, 1800 rpm, oil lubricated vertical turbine pump. See attached well log.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	10/01	5.79	1440

7. Total Quantity Appropriated is:
5.79 C.F.S. and/or 1440 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	01W	2	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
Section Acres						320
Total Acres						320

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

The City of Kuna purchased the above property from John Noble on October 7, 1999. A copy of the warranty deed is attached. The City of Kuna purchased the well with the property and is claiming water right No. 63-07327.

15. Basis of Claim: License

RECEIVED

FEB 21 2001

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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W027389KGNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Kuna Phone (208) 922-5546
 Mailing Address P.O. Box 13, Kuna, ID Zip 83634

2. Date of Priority (Only one (1) per claim) April 15, 1970

3. Source of water supply (a) Groundwater
 which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1N Range 1W Section 2,
SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Ada

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. 20-inch well 455 feet deep. Factory
perforated casing from 245 feet to 346 feet. Equipped with a Verti-Line model 14RMH,
2600 gpm, at 280', 1800 rpm, oil lubricated vertical turbine pump. see attached
well log.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/01 to 11/15 amount 5.790 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.790 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1440 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
1N	1W	2		40	40	40	40			40					40	40		40	320

Total number of acres irrigated 320

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

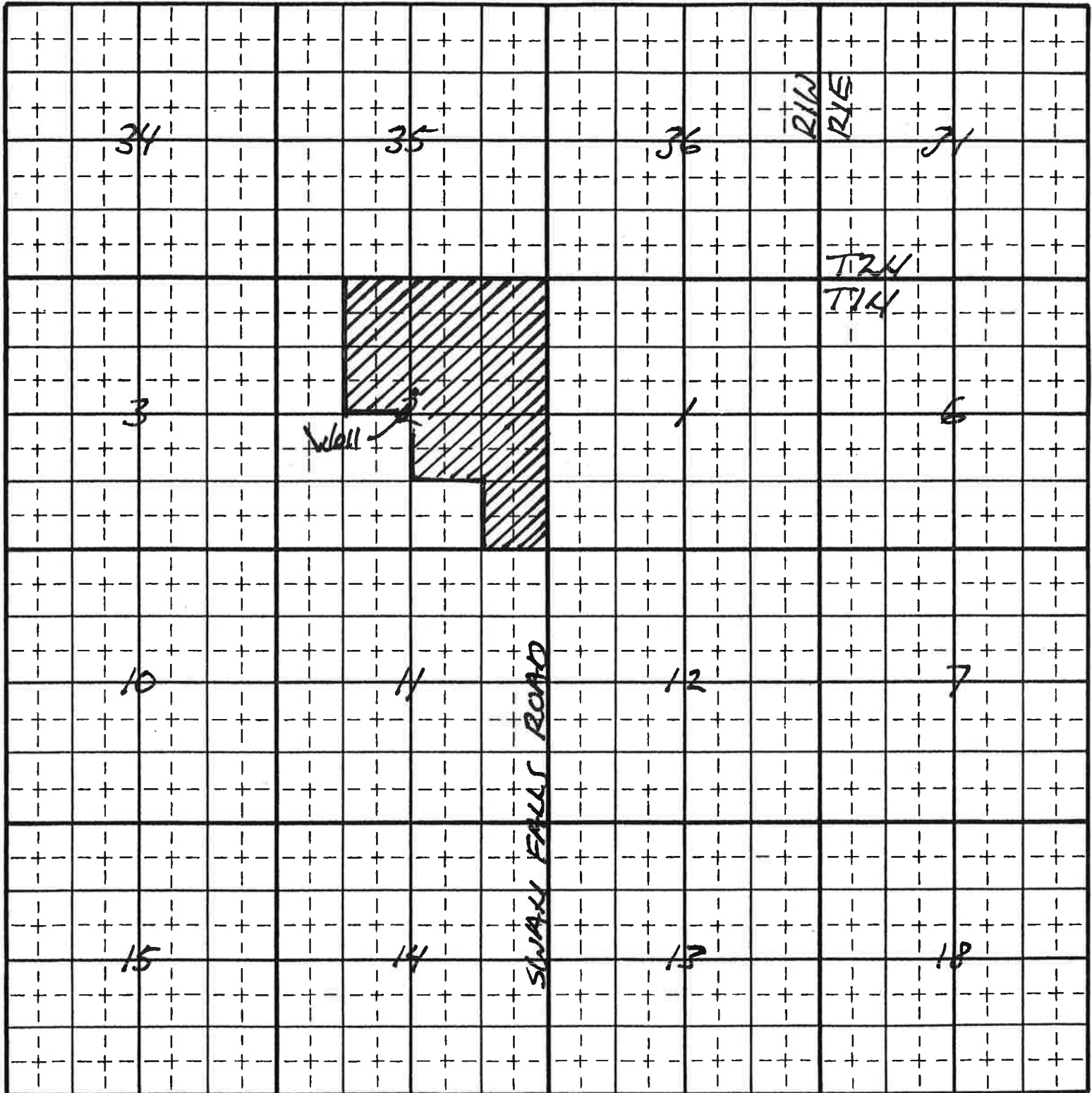
The City of Kuna purchased the above property from John Noble on October 7, 1999. A copy of the warranty deed is attached. The City of Kuna purchased the well with the property and is claiming water right No. 63-07327.

Last Name City of Kuna Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name City of Kuna Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-07327

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of the City of Kuna _____, that I have signed the foregoing

Organization

document in the space below as Mayor _____ of the City of Kuna _____

Title

Organization

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

Signature of Authorized Agent William J. Nelson _____

Title and Organization Mayor, City of Kuna _____ Date 2/12/01

State of Idaho/or _____)

) SS.

County of Ada _____)

Subscribed and sworn (or affirmed) before me this 12th day of February 192001



Notary Public Colleen Nixon _____

Residing at Kuna, Idaho _____

My Commission Expires 7-22-2004 _____

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ATTACHMENT A

1 OF 4

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
ALLIANCE TITLE
FEE 12.00 DEPUTY J. Harper

1999 OCT -8 PM 1:14

99099858

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

{1000}

Order No.: 99084109 JS

WARRANTY DEED

FOR VALUE RECEIVED JOHN DAVID NOBLE and TRACEY L. NOBLE, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CITY OF KUNA, an Idaho corporation

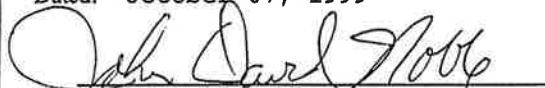
GRANTEE(S), whose current address is: 329 W. 3RD STREET, KUNA, ID 83634

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 07, 1999


John David Noble


Tracey L. Noble

2064

STATE OF IDAHO, County of Ada, ss.

On this 27th day of October in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared John David Noble and Tracey L. Noble known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

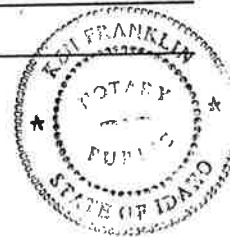
Signature: *[Signature]*

Name: _____

(Type or Print)

Residing At: Morse

My Commission expires: 10/5/04



7044

EXHIBIT "A"
BOUNDARY DESCRIPTION
FOR THE
CITY OF KUNA, IDAHO

PARCEL 1

A parcel being Government Lots 2 and 3; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; S $\frac{1}{2}$ of the NE $\frac{1}{4}$; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southeasterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (section corner), from which a brass cap monument marking the southwesterly corner of the SE $\frac{1}{4}$ (one-quarter corner) bears N 89°34'28" W a distance of 2640.82 feet;

Thence N 89°34'28" W along the southerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.41 feet to a 5/8 inch diameter iron marking the southwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 0°28'10" E along the westerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.53 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 89°34'20" W along the southerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.39 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 0°28'14" E along the westerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.58 feet to a brass cap monument marking the northwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 89°34'15" W along the southerly boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 1318.96 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$;

Thence N 0°26'39" E along the westerly boundary of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 2738.95 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 3 a distance of 1320.34 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 2 a distance of 62.83 feet to a 5/8 inch diameter iron pin marking the S $\frac{1}{4}$ corner of Section 35, Township 2 North, Range 1 West, Boise Meridian;

Parcel 1

Page 2

Thence S 89°21'18" E along the northerly boundary of said Government Lot 2 a distance of 1257.60 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 2;

Thence S 0°28'18" W along the easterly boundary of said Government Lot 2 a distance of 1431.48 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said Government Lot 2;

Thence S 89°35'09" E along the northerly boundary of said S ½ of the NE ¼ a distance of 1320.38 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'22" W along the easterly boundary of said S ½ of the NE ¼ a distance of 1320.51 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'06" W along the easterly boundary of the SE ¼ of said Section 2 a distance of 2640.96 feet to the POINT OF BEGINNING.

This parcel contains 326.81 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
September 22, 1999

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

ATTACHMENT
RECEIVED

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Joe Holladay</u> Address <u>Hampa, Idaho</u> Owner's Permit No. _____	7. WATER LEVEL Department of Water Administration (2) Static water level <u>240</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																																								
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td>2,700</td> <td>35 ft.</td> <td>8 hrs.</td> </tr> </tbody> </table>	Discharge G.P.M.	Draw Down	Hours Pumped	2,700	35 ft.	8 hrs.																																																																																																																																																																																		
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5. WELL CONSTRUCTION Diameter of hole <u>20</u> inches Total depth <u>455</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>.250</u> inches</td> <td><u>20</u> inches</td> <td><u>+ 1</u> feet</td> <td><u>44</u> feet</td> </tr> <tr> <td><u>.250</u> inches</td> <td><u>16</u> inches</td> <td><u>0</u> feet</td> <td><u>35</u> feet</td> </tr> <tr> <td><u>.281</u> inches</td> <td><u>12</u> inches</td> <td><u>330</u> feet</td> <td><u>446</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>1/8</u> inches by <u>3</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>(160) 1200 perforations</td> <td><u>245</u> feet</td> <td><u>345</u> feet</td> </tr> <tr> <td>(124) 1200 perforations</td> <td><u>330</u> feet</td> <td><u>346</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>44</u> feet Material used in seal ☒ Cement grout ☐ Puddling clay	Thickness	Diameter	From	To	<u>.250</u> inches	<u>20</u> inches	<u>+ 1</u> feet	<u>44</u> feet	<u>.250</u> inches	<u>16</u> inches	<u>0</u> feet	<u>35</u> feet	<u>.281</u> inches	<u>12</u> inches	<u>330</u> feet	<u>446</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	(160) 1200 perforations	<u>245</u> feet	<u>345</u> feet	(124) 1200 perforations	<u>330</u> feet	<u>346</u> feet	_____ perforations	_____ feet	_____ feet																																																																																																																																																					
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6. LOCATION OF WELL Sketch map location must agree with written location. County <u>Ada</u> SE <u>6</u> NE <u>2</u> Sec. <u>2</u> T. <u>1</u> N. R. <u>1</u> E/W	10. Work started <u>6/8/72</u> finished <u>9/13/72</u> 11. DRILLER'S CERTIFICATION WR This well was drilled under my supervision and this report is true to the best of my knowledge. <u>C. L. Hiddleston & Son</u> 35 Driller's or Firm's Name Number <u>Mountain Home, Idaho</u> Address 11/10/72 Signed By <u>C. L. Hiddleston</u> Date 11/10/72																																																																																																																																																																																								

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

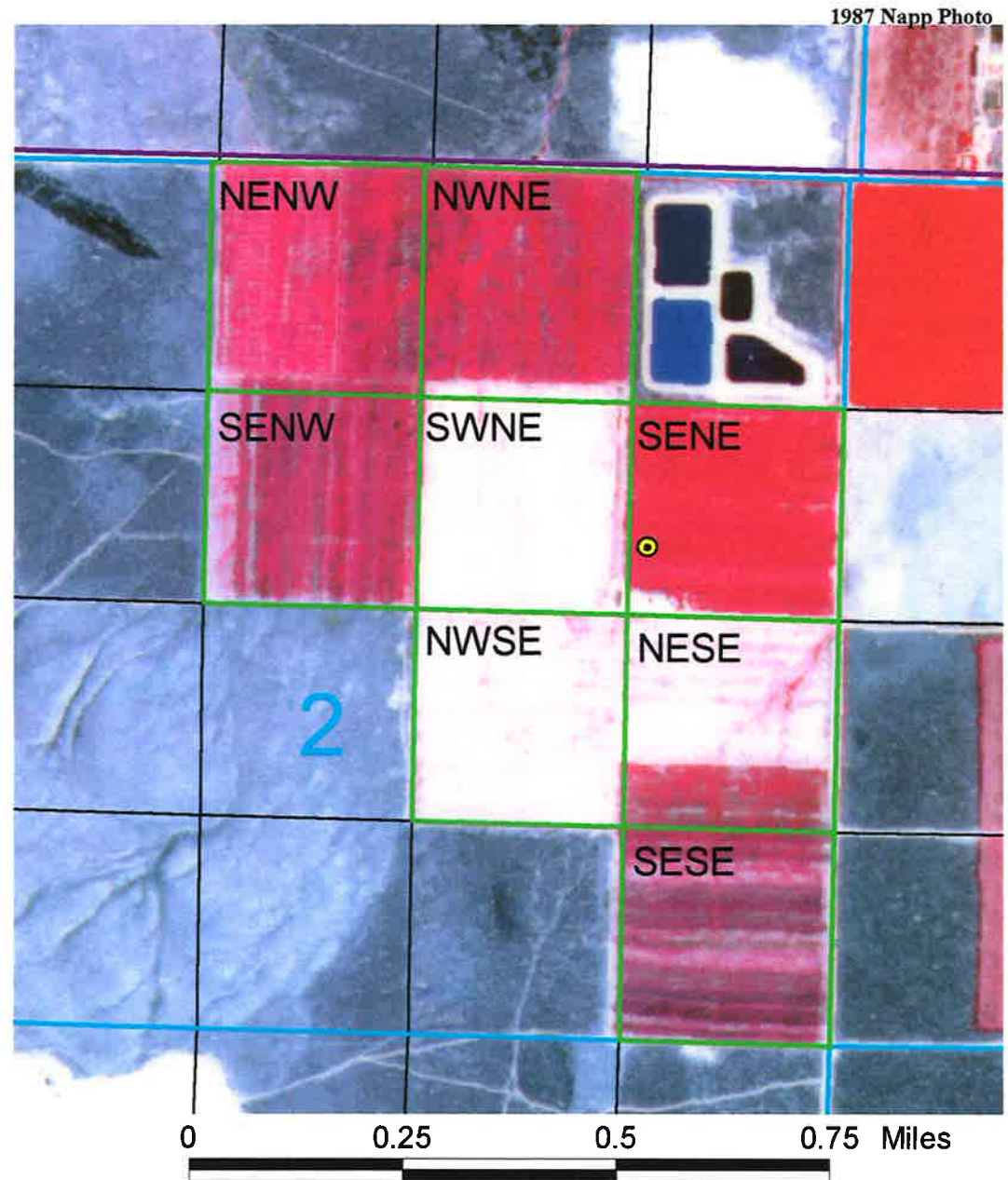
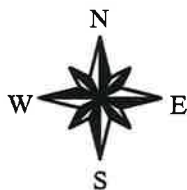
Idaho Department of Water Resources

Claim Number: 63-07327

Legal: T01N, R01W, S02

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



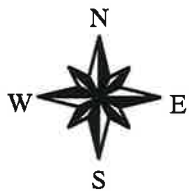
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Legal: T01N, R01W, S02

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



11/01/2005

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

RIGHT NUMBER: 63-7327

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.790 CFS
1,440.000 AFY

PRIORITY DATE: 04/15/1970

POINT OF DIVERSION:

T01N R01W S2 SWSENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 10/01

5.790 CFS
1,440.00 AFY

X
X
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 1 AND~~ AFTER OCTOBER 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 ADA County

T01N R01W S02	NWNE	40.0	T01N R01W S02	SWNE	40.0
T01N R01W S02	SENE	40.0	T01N R01W S02	NENW	40.0
T01N R01W S02	SENW	40.0	T01N R01W S02	NESE	40.0
T01N R01W S02	NWSE	40.0	T01N R01W S02	SESE	40.0

320 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

Orig H ✓ D10
10/20/05

Page 1

12/06/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7327 V1

WATER RIGHT NUMBER: 63-7327 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOSEPH HOLLADAY
	, ZZ
Original Owner	JOHN E NOBLE PROPERTIES
	, ZZ
Original Owner	JOHN NOBLE 7297 S MC DERMOTT KUNA, ID 83634 (208)922-5909
Original Owner	PEARL LARAE NOBLE KUNA, ID 83634
Current Owner	CITY OF KUNA PO BOX 13 KUNA, ID 83634-0013 (208)922-5546

Priority Date: 04/15/1970

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 10/01	5.790 CFS	1,440.00 AF
	<u>Total Diversion:</u>	5.790 CFS	1,440.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 2, Twp 01N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	2	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0

Total Acres: 320

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7327 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Purpose of Use 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 1 AND AFTER OCTOBER 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.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/6/2004 2:22:53 PM	awarntje			Active
Priority Date	12/6/2004 2:23:33 PM	awarntje			Active
Source	12/6/2004 2:23:56 PM	awarntje			Active
POU	12/6/2004 2:26:45 PM	awarntje			Active
Use	12/6/2004 2:28:21 PM	awarntje			Active
Season	12/6/2004 2:30:37 PM	awarntje			Active
Quantity	12/6/2004 2:31:33 PM	awarntje			Active
Summary			12/06/2004	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/6/2004 2:27:40 PM	awarntje	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7327 V1

Contacts	12/6/2004 2:22:53 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
Source	12/6/2004 2:23:56 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Priority Date	12/6/2004 2:23:34 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	12/6/2004 2:26:10 PM	awarntje	Edited shape boundary
Use	12/6/2004 2:28:21 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	12/6/2004 2:30:38 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	12/6/2004 2:31:34 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition

required?

Description for Question 10 - Shown on license

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7327 V1

Summary	12/6/2004 2:32:07 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	12/6/2004 2:26:45 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-07327

Date: 9-25-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	1N	1W	2		40	40	40	40			40					40	40		40	320
GIS					43	40	40	43			40					40	40		39	325
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 320

Overlapping FOU Claim #'s:

Total GIS Acres: 325

COMMENTS:

No ownership data in county data. Per claim map.

POD - Claim map placed pod in the SWNE. I placed it per legal descr. in the SWSENE.

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that John & Pearl Larae Noble & John E. Noble Properties
of Kuna, Idaho, has complied with the terms and conditions of Permit
No. 63-7327 issued pursuant to Application for Permit dated April 15, 1970,
and has submitted proof to the Department of Water Resources on February 25, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.79 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

[illegible]

Deputy Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

✓
FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

DATE: 12/12/01

TO: Tim Burgess

FROM: Steve Legler

trp 888-0323

DOCUMENT DESCRIPTION/NOTES: _____

Adjudication claim for license # 63-7327.

Probable schedule for adjudication review in
Ada County is 2002.

TOTAL PAGES SENT: 11 + COVER SHEET

CONTACT: _____

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 5/1/2001

RE: **CITY OF KUNA TRANSFER, RIGHTS 63-3266, 63-8215, & 63-11970 AND
AMENDMENT OF PERMIT FOR RIGHT 63-12394**

T. 69087
↓

} both
Approved
JL 12/12/01

The City of Kuna proposes to add lands to be used for land application of their waste treatment plant water to the 3 existing municipal rights and permit. The lands will be located in the NE ¼, E ½ NW, and SE ¼ S2 and SW ¼ S1 T1N R1W for a total of 160 acres.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 9 pages and 2 attachment for the transfer. Note the location of the following application items:

Attach. A – Proof of Ownership (A1-A7)

Attach B – Ada County Conditional Use application (B1-B8)

The applicant prepared both applications.

Other information used in this review includes Adjudication recommendation profile reports for 63-3266 & 63-8215, Place of Use Comparison Sheet, Point of Diversion overlap, of Adjudication claims for water rights 02-10150, 61-11924, and 61-11919, and Beneficial Use Exam for 63-9668 all attached to this memo.

NARRATIVE

Water rights 63-3266 and 63-8215 have been recommended as licensed in the Snake River Basin Adjudication (SRBA), so the transfer should cause a problem with data entry. Water right 63-11970 does not require an adjudication claim and was not claimed in SRBA. Lori Graves completed a Beneficial Use Exam Report for the City of Kuna in 2/3/2001, which shows that the water rights have been used within the last 5 years. The only significant overlap is water right 63-7327. 63-7327 is groundwater irrigation right used to irrigate this land. The City of Kuna plans to land apply the City's sewage water to these acres and use 63-7327 to provide the remaining irrigation needed to grow crops on this property.

RECOMENDATIONS

This transfer should be approved as filed, with the land list showing the land application use so a search of the database will show that these lands are irrigated by the City's wastewater.

Lester, Steve

From: Lester, Steve
Sent: Wednesday, December 12, 2001 8:28 AM
To: Keen, Shelley
Subject: Records

Shelley:

I had a call about city of Kuna filings and research led me to T.69087 and amended permit 63-12394. Transfer and amendment were approved not too long ago.

Region file has copy of approved amendment. Query for 63-12394 gives odd results ... only shows *wrAppl* as *active* record and the proof report has a faulty format. If then check *permit* at the print window in Query, result is apparently a draft permit (see the word *draft* to right of heading in proof report). This record needs to be corrected to show the active record as the amended permit ... unless I am misinterpreting the database results.

Also, we do not appear to have a copy of approved T.69087. Please have someone forward a copy to Western. The transfer includes 63-3266 & 8215 & 11970.

Thanks for your help.

Steve

Civil Survey Consultants, Inc.

Glenn K. Bennett, P.L.S.
President

Timothy A. Burgess, P.E.
Vice President

100 South Adkins Way
Suite 101
Meridian, Idaho 83642

(208)888-4312
Fax 888-0323

February 16, 2001

Steve Lester, Water Rights Supervisor
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

FEB 21 2001

WATER RESOURCES
WESTERN REGION

Re: City of Kuna – Water Rights Modifications

Dear Mr. Lester:

On behalf of the City of Kuna, I am submitting the following in response to your 12/19/00 letter.

1. Notice of Claim to Water Right with Check No. 1697 for \$370.00
2. Application For Transfer of Water Right with Check No. 1714 for \$610.00
3. Application For Amendment Of A Permit with Check No. 1713 for \$50.00

Please give this application your earliest possible consideration.

Sincerely,
CIVIL SURVEY CONSULTANTS, INC.



Tim Burgess, P.E.

Cc City of Kuna
Ada County Development Services

Enc.

Cc City of Kuna

WR5809NP

No. 63-07327

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT PROFILE REPORT

DATE: 12/08/00

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN NOBLE	04/15/1970	IRRIGATION	03/01 10/01	5.790 CFS	1440.00 AFA
C	PEARL LARAE NOBLE					
C	JOHN E. NOBLE PROPERTIES					
TOTAL DIVERSION:					5.790 CFS	1440.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R01W S02

SENE

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
01N	01W	2	:		40		40		40	:		40		40	:		40		40	:		40		40	:		40		40	:	320.0	
TOTAL ACRES																														320.0		

Pou County: ADA

Dates:	App. Received:	Priority Date:	04/15/1970
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT

LICENSE NOT FILED ON IN ADJUDICATION