

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 63-4443
Date Received: 10/2/2006
Receipt No: W034744
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MATTHEW C PAXTON Phone: (208)337-3214
17460 GARNET RD
WILDER ID USA 83676

2. Date of Priority: 04/01/1934

3. Source: UNNAMED DRAIN Trib. to: FARGO WASTEWAY

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	05W	2	SW NW	CANYON	
03N	05W	2	NW SW	CANYON	

5. Description of diverting works:

From drain ditch along Garnet Rd., the water is piped east along section line to my property then by ditch to pond, then excess to Fargo Wasteway.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.34	
STOCKWATER	1/01	12/31	0.02	

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

8. Total consumptive use:

SCANNED
APR 22 2008

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	05W	2	NW	SW	IRRIGATION	17
					Section Acres	17
					Total Acres	17

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:

15. Basis of Claim: Beneficial Use

IN 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
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 163-4443Date Received 10-2-06Receipt Number W034744NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 02 2006

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) MATTHEW C. PAXTON Phone (208) 337-3214Mailing Address 17460 GARNET RD Zip 836762. Date of Priority (Only one (1) per claim) 4/1/19343. Source of water supply (a) UNNAMED DRAIN
which is tributary to (b) FARGO WASTEWAY4. a. Location of existing point of diversion is: Township 03N Range 05W Section 2SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CANYONAdditional points of diversion if any: SW 1/4 NW 1/4 SEC 2 T3N R5W B.M.
NW 1/4 SW 1/4 SEC 2 T3N R5W B.M.

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 03N Range 05W Section 2, _____ 1/4 of _____ 1/4 of _____ 1/4,_____ 1/4, Govt. Lot _____ B.M., County of CANYON5. 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.FROM DRAIN DITCH ALONG GARNET RD THE WATER IS
PIPED EAST ALONG SECTION LINE TO MY PROPERTY
THEN BY DITCH TO POND THEN EXCESS TO FARGO
WASTEWAY.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAR 15 to NOV 15 amount 0.34 or _____

For STOCKWATER purposes from JAN 1 to DEC 31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.36 (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.) _____

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	5W	2									17								17

Total number of acres irrigated 17

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

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.

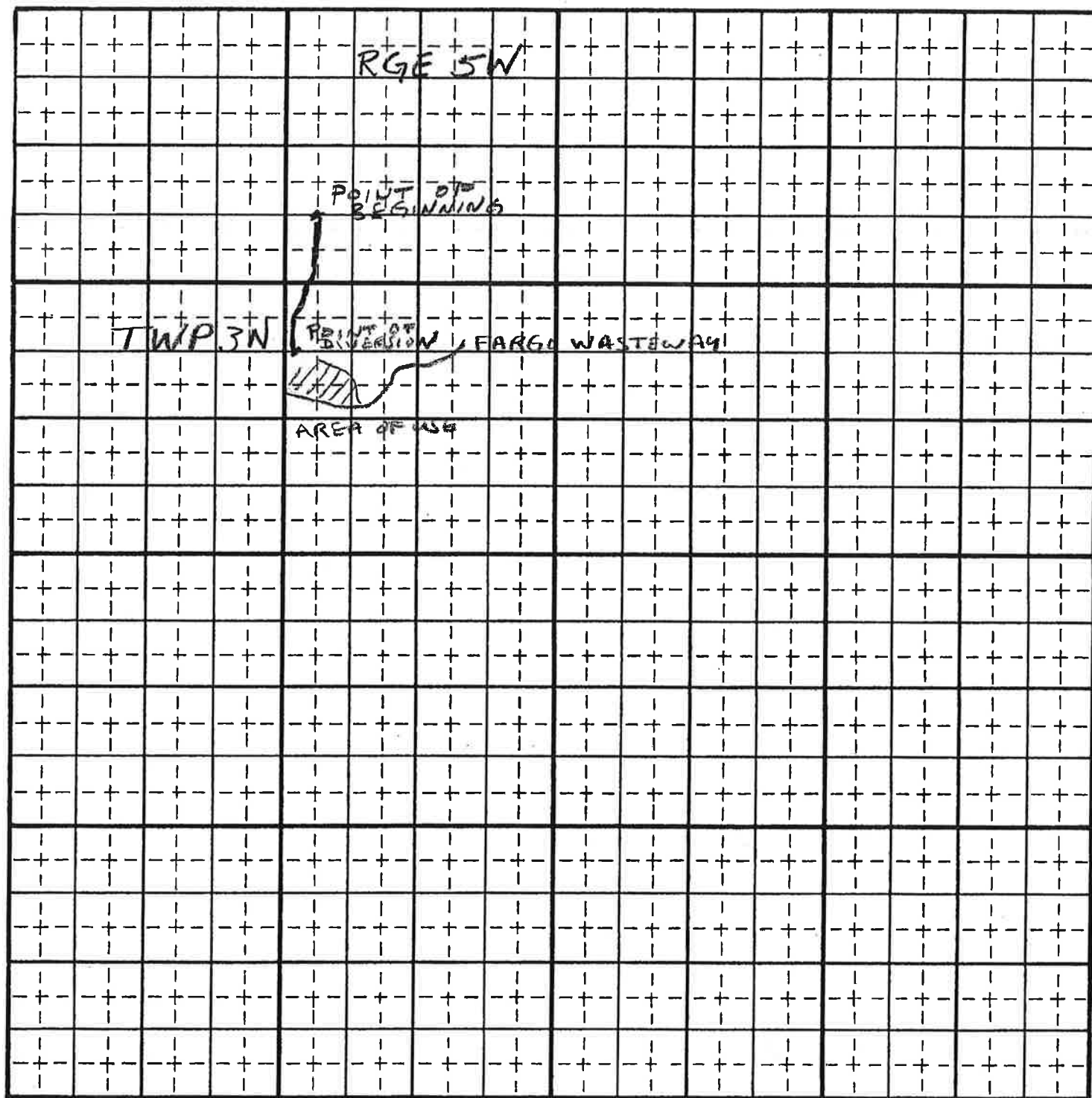
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

Last Name PAXTON Ident No. _____

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

PAXTON

Ident No.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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) Matthew C. Capton Date September 29, '06

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 _____)
County of Ada) SS.

Subscribed and sworn to (affirmed) before me this 2nd day of October 2006



Notary Public Susan T. Crew

Residing at Kuna, Idaho Ada County

My Commission Expires October 20, 2011

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 PAXTON Ident. Number _____

September 29, 2006

Evidence

To Whom I May Concern:

I, H. Duane Root, hereby attest, that I have used water from the unnamed drain, a tributary to the Fargo Wasteway, from the points of diversion, SW ¼ NW1/4 Sec 2, Twp 03, Rge 05, B.M. Canyon County and NW ¼ SW ¼ Sec 2, Twp 03N, Rge 05WB.M. Canyon County on property at Twp 03N, Rge 05W Sec 2 on 17 acres for irrigation and stockwater use since 1969

I can further attest that same water was used by Ray Danforth, Bill Danforth, and Albert Edimiller (who rented property from the Danforths prior to my usage of this water.. I have owned this property since the late 1960's and have resided at 17481 Garnet Road, Wilder Idaho since 1972.



H. Duane Root
17481 Garnet Road
Wilder, Idaho 83676

September 29, 2006

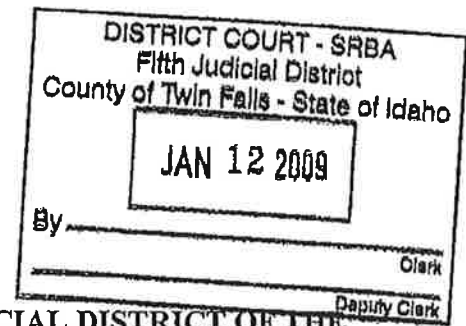
To Whom I May Concern:

I, ~~ME~~^{MP} Matthew C. Paxton, hereby attest, that I have used water from the unnamed drain, a tributary to the Fargo Wasteway, from the points of diversion, SW ¼ NW1/4 Sec 2, Twp 03, Rge 05, B.M. Canyon County and NW ¼ SW ¼ Sec 2, Twp 03N, Rge 05WB.M. Canyon County on property at Twp 03N, Rge 05W Sec 2 on 17 acres for irrigation and stockwater use since 2003.

A handwritten signature in cursive script that reads "Matthew C. Paxton".

Matthew C. Paxton
17460 Garnet Road
Wilder, Idaho 83676

DEPARTMENT OF
WATER RESOURCES



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) **SPECIAL MASTER'S REPORT**
)
Case No. 39576) **FINDINGS OF FACT AND**
) **CONCLUSIONS OF LAW**
)
) **FOR WATER RIGHT 63-04443**

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 18, 2007, the Wilder Irrigation District, through its attorney Albert P. Barker, filed an objection to the *Director's Report*, asserting that the source of the water right should be described as wastewater. On January 7, 2009, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-04443 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated: Jun 12, 2009

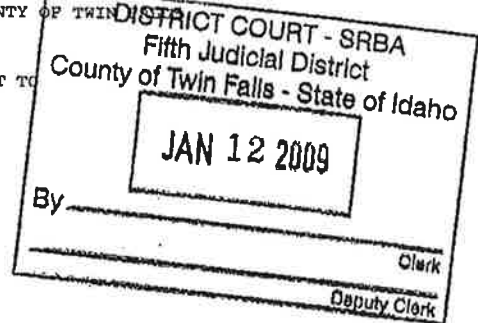
Revised

Theodore R. Booth
Special Master
Snake River Basin Adjudication

In Re SRBA)
)
 Case No. 39576)

PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR

Water Right 63-04443



NAME AND ADDRESS: MATTHEW C PAXTON
 17460 GARNET RD
 WILDER, ID 83676

SOURCE: UNNAMED DRAIN TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.20 CFS

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

PRIORITY DATE: 03/01/1969

POINT OF DIVERSION: T03N R05W S02 NWSW Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.18 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Canyon County
 T03N R05W S02 NESW 0.5 NWSW 8.7
 9.2 Acres Total

Stockwater Within Canyon County
 T03N R05W S02 NESW NWSW

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

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

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.

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).

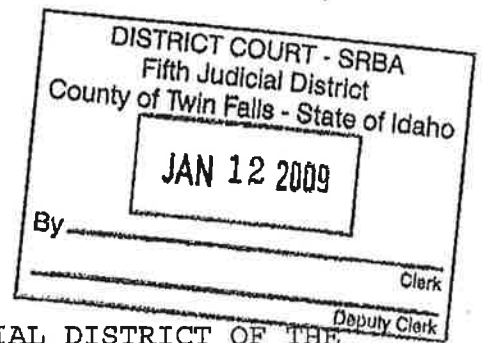
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

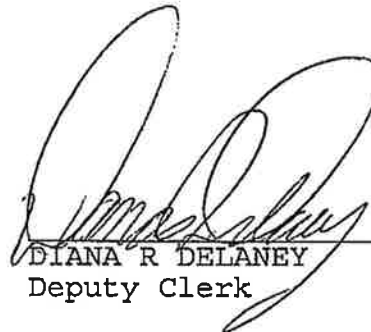
Water Right(s): 63-04443

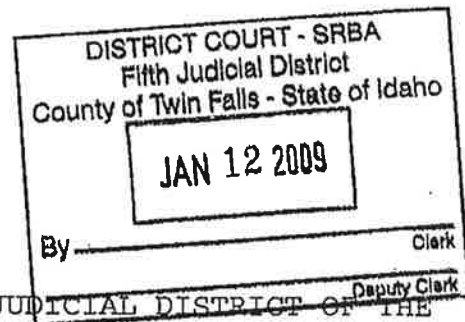
On January 12, 2009, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 January 12, 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): 63-04443

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 January 12, 2009, with sufficient first-class postage prepaid to the following:

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

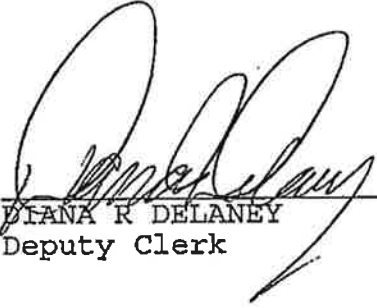
WILDER IRRIGATION DISTRICT
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

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

CERTIFICATE OF MAILING

PAGE 1
01/12/09

MATTHEW C PAXTON
17460 GARNET RD
WILDER, ID 83676
Phone: 208-337-3214



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
01/12/09

Orig. to S.O.
02/12-12-08

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. 63-04443

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

Matthew C. Paxton

OBJECTOR

Wilder Irrigation District


12/10/08 Date

Albert P. Barker, Attorney

Date

STANDARD FORM 5 – 63-04443

United States on behalf of
Bureau of Reclamation

IDWR Concurrency:

 12-12-08
IDWR Agent _____ Date _____
Nicholas Spencer _____ Date _____
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2008, 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

MATTHEW C PAXTON
17460 GARNET RD
WILDER, ID 83676

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-4443

NAME AND ADDRESS: MATTHEW C PAXTON
17460 GARNET RD
WILDER ID 83676

SOURCE: UNNAMED DRAIN TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.



QUANTITY: 0.200 CFS

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

PRIORITY DATE: 03/01/1969

POINT OF DIVERSION:

T03N R05W S2 NWSW within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION in CANYON County

T03N R05W S02 NESW 0.50 T03N R05W S02 NWSW 0.70

STOCKWATER in CANYON County

T03N R05W S02 NESW T03N R05W S02 NWSW

9.2 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.

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

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.



EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.

2008 SEP 05 AM 09:54
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 STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 63-04443

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, DECEMBER 02, 2008 at 11:00 AM (MT)

SRBA
253 - 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: SEPTEMBER 05, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

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

Page 1 9/05/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on SEPTEMBER 05, 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

MATTHEW C PAXTON
17460 GARNET RD
WILDER, ID 83676
Phone: 208-337-3214

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

RIGHT NUMBER: 63-4443

NAME AND ADDRESS: MATTHEW C PAXTON
17460 GARNET RD
WILDER ID 83676

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.200 CFS

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

PRIORITY DATE: 03/01/1969

POINT OF DIVERSION:

T03N R05W S2 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R05W S02	NESW	0.50	T03N R05W S02	NWSW	8.70
---------------	------	------	---------------	------	------

STOCKWATER in CANYON County

T03N R05W S02 NESW T03N R05W S02 NWSW

9.2 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.

09/05/2008

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

RIGHT NUMBER: 63-4443

NAME AND ADDRESS: MATTHEW C PAXTON
17460 GARNET RD
WILDER ID 83676

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

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QUANTITY: 0.200 CFS

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PRIORITY DATE: 03/01/1969

POINT OF DIVERSION: T03N R05W S2 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R05W S02 NESW 0.50 T03N R05W S02 NWSW 8.70

STOCKWATER in CANYON County

T03N R05W S02 NESW T03N R05W S02 NWSW

9.2 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.

Ready for
SF 5-kw

RECEIVED

JUL 02 2008

DEPARTMENT OF
WATER RESOURCES

2008 JUN 30 PM 03:36
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 STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 63-04443

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, SEPTEMBER 05, 2008 at 09:30 AM (MT)

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: JUNE 30, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

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

Page 1 6/28/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on JUNE 30, 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

MATTHEW C PAXTON

17460 GARNET RD
WILDER, ID 83676
Phone: 208-337-3214

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 04:30
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: 63-04443

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

THURSDAY, JUNE 26, 2008 at 03:15 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

Page 1 5/22/08

(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:
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DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

MATTHEW C PAXTON

17460 GARNET RD
WILDER, ID 83676
Phone: 208-337-3214

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 63-4443
(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: Matthew C. Paxton
Address: 17460 Garnet Rd.
Wilder, ID 83676

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: _____

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. 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)

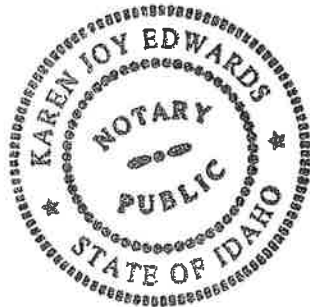
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(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, 200 , 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: Matthew C. Paxton
Address: 17460 Garnet Rd.
Wilder, ID 83676

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: 63-4443

NAME AND ADDRESS: MATTHEW C PAXTON
17460 GARNET RD
WILDER ID 83676

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

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

PRIORITY DATE: 03/01/1969

POINT OF
DIVERSION: T03N R05W S2 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R05W S02	NESW	0.50	T03N R05W S02	NWSW	8.70
---------------	------	------	---------------	------	------

STOCKWATER in CANYON County

T03N R05W S02	NESW	T03N R05W S02	NWSW
---------------	------	---------------	------

9.2 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.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.

11/01/2006

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

RIGHT NUMBER: 63-4443

NAME AND ADDRESS: MATTHEW C PAXTON
17460 GARNET RD
WILDER ID 83676

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

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

PRIORITY DATE: 03/01/1969

POINT OF DIVERSION:

T03N R05W S2 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T03N R05W S02 NESW 0.50 T03N R05W S02 NWSW 8.70

STOCKWATER Within CANYON County

T03N R05W S02 NESW T03N R05W S02 NWSW

9.2 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.



Idaho Department of Water Resources

SRBA Recommendation:

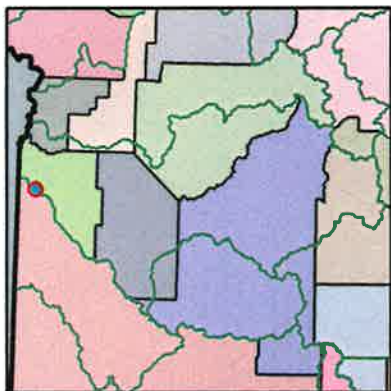
63-4443

(Irrigation)

Acres = 9.2

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 Wednesday, November 1, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4443

WATER RIGHT NUMBER: 63-4443

Owner Type Name and Address
Original Owner ALBERT EIDEMILLER
RT 1
WILDER, ID 83676
Original Owner ODESSA EIDEMILLER
RT 1
WILDER, ID 83676
Current Owner MATTHEW C PAXTON
17460 GARNET RD
WILDER, ID 83676
(208)337-3214

Priority Date: 04/01/1934

Basis: Beneficial Use

Status: Active

Source

UNNAMED DRAIN

Tributary

FARGO WASTEWAY

Beneficial Use

IRRIGATION

STOCKWATER

From To

3/15 to 11/15

1/01 to 12/31

Diversion Rate

0.18 0.340 CFS

0.020 CFS

Annual Volume

N/A - surface water

Total Diversion: 0.360 CFSLocation of Point(s) of Diversion

UNNAMED DRAIN

SW1/4NW1/4

Sec. 2, Twp 03N, Rge 05W, B.M.

CANYON County

UNNAMED DRAIN

NW1/4SW1/4

Sec. 2, Twp 03N, Rge 05W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SE	Totals
03N	05W	2	17.0	9.2	17.0	17.0

Total Acres: 17

STOCKWATER same as IRRIGATION

Conditions of Approval:Remarks:

C18
Stock - to hd. range cattle
N05, N08
W59

11/01/2006

Exam made
10/28/06 by Dan

Review by kw
11/1/06
Hay Walker

Rec. standard season 3/1-11/15
Flows into Snake River

per field exam

p/u ok w/ Boise Project Board of Control (wieder)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4443

Comments:

Dates and Other Information:

Claim Received Date: 10/2/2006 ✓

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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:

Water Supply Bank:

MEMORANDUM

TO: ADJUDICATION FILES 63-4443

FROM: DANIEL A. NELSON

DATE: 10/30/06

SUBJECT: FIELD EXAM NOTES

On 10/28/2006, I performed a field exam for water right 63-4443. During this field exam I discovered that there is actually only one point of diversion. The diversion was listed in the NWSW and the SWNW of T3N R5W S2. The single point of diversion is actually in the NWSW of S2. The point of diversion is very close to the forty acre tract line, so I am assuming they listed both tracts to ensure they had it correctly described.

The diversion is on a large drain that diverts into the Fargo Wasteway. The stockwater portion of this claim is incidental stockwater and should be limited to the standard 0.02 cfs. I estimated the number of cattle on the property to be approximately 20 head at the time of the exam, but they could easily have 40 head on this property from time to time.

The claim lists 17 acres of irrigation, but there is actually only 9.2 acres down hill from the drain. Currently, the owner diverts all of his water into a pond diverts it through a sprinkler system, but the original claim was only for a gravity system. The only field that could be irrigated from this drain is between the ditch and the canal/road. Therefore, I suggest that this claim be recommended for 9.2 acres.

I measured the pipeline from the ditch to the pond, and it has the capability of diverting 14.16 cfs. However, the owner informed me that the pipeline rarely runs full, but it has on occasion during high runoff/irrigation events. Therefore, I assumed that the pipeline could operate at a full pipe to determine the capacity of the system. I honestly believe that the pipe rarely runs more than 2 to 4 cfs, and probably runs on average about 0.50 cfs. I would allow a full diversion rate of an inch or 0.02 cfs per acre for the 9.2 acres being irrigated for a total of 0.18 cfs. No volume is required, since this is a surface water source. The stockwater should be limited to the 13,000 gallons per day

I would suggest that this claim be recommended for 0.18 cfs for irrigation of 9.2 acres described as 8.7 acres in the NWSW S2 and 0.5 acres in the NESW S2. I would allow 0.02 cfs for stockwater for year round use with a 13,000 gallon per day limitation. The total rate of diversion should be additive for a total of 0.20 cfs.

An aerial photograph of a land section, overlaid with a yellow grid. A green line outlines a specific area. The text 'T3N R5W S2' is centered in the upper half. The text 'NWSW 8.7 ACRES' is in the lower-left quadrant, and 'NESW 0.5 ACRES' is in the lower-right quadrant. A small yellow circle is on the left edge.

T3N R5W S2

**NWSW
8.7 ACRES**

**NESW
0.5 ACRES**

FIELD EXAM 63-4443

WASTE DITCH FLOW CALCULATIONS

BY DAN NELSON

Wastewater on this farm comes from neighboring fields by pipeline and by overflow of the owners ditch from his Black Canyon water. The owner irrigates directly out of this ditch by installing portable dams, so it is difficult to determine the actual flow. However, in-between the point where the water enters the property and the regulation pond was a 10 inch steel culvert. It looks to be well casing material or thicker metal pipe. This is the only reasonable place to get a decent measurement.

In order to measure the maximum capacity of the ditch, I needed to take into account the maximum flow of the ditch. In order to do this I used the Mannings Equation through the culvert. It is obvious that the culvert would flow at a full pipe during the high water events. The following are my calculations:

Mannings equation $\rightarrow Q = [(1.49/n) (R)^{2/3} (S)^{1/2}] \times A$

$n = 0.009$

Steel metal pipe in Open Channel Hydraulics, Ven Te Chow
1959, McGraw-Hill

$R = 0.405$

(The standard inside diameter for schedule 40 10 inch PVC pipe is
9.702 inches / 12 = 0.809 ft. $D/2 = R$ or $0.809 / 2 = 0.405$)

$S = 0.092$

(I measured the length of the pipe at 23.8 feet long with a 2.2 feet
difference in elevation using a level. I measured 9.83 feet
downstream and 7.63 feet upstream. Slope is determined by
Rise/Run, therefore, $2.2 \text{ ft} / 23.8 \text{ ft} = 0.092$ slope.)

$A = 0.515 \text{ ft}^2$

(Area = $\pi R^2 \rightarrow A = \pi (.405)^2 = 0.515 \text{ ft}^2$.)

Mannings Calculation $\rightarrow$

$Q = [(1.49/0.009) (0.405)^{2/3} (0.092)^{1/2}] \times 0.515$

$Q = 14.16 \text{ cfs}$

This seems reasonable for this ditch during high flows. This is a wastewater ditch that is fairly large to handle excess flows. I would estimate that the ditch actually supplies less than 2-4 cfs at any given time.

PLASTIC PIPE DIMENSIONS

Pipe Diameter And Type	PSI Rating PVC 1120 and 1220	O.D. Inches	I.D. Inches	Area Sq. Ft.	Pipe Diameter And Type	PSI Rating PVC 1120 and 1220	O.D. Inches	I.D. Inches	Area Sq. Ft.
4" Nominal	--	--	4.00	0.0873	14" Nominal	--	--	14.00	1.069
4" PIP Lowhead	22	4.13	4.00	0.0873	14" PIP Lowhead	22	14.28	14.00	1.069
4" PIP	50	4.13	4.00	0.0873	14" PIP SDR 93.5	43	14.28	13.974	1.065
4" PIP SDR 51	80	4.13	3.968	0.0859	14" PIP SDR 81	50	14.28	13.928	1.058
4" PIP SDR 41	100	4.13	3.928	0.0842	14" PIP SDR 51	80	14.28	13.720	1.027
4" PIP SDR 32.5	125	4.13	3.876	0.0819	14" PIP SDR 41	100	14.28	13.584	1.006
4" IPS SDR 64	63	4.50	4.360	0.1037	14" PIP SDR 32.5	125	14.28	13.402	0.980
4" IPS SDR 41	100	4.50	4.280	0.0999					
4" IPS SDR 32.5	125	4.50	4.224	0.0973	15" Nominal	--	--	15.00	1.23
4" IPS SDR 26	160	4.50	4.154	0.0941	15" PIP Lowhead	22	15.30	15.00	1.23
4" IPS SDR 21	200	4.50	4.072	0.0904	15" PIP SDR 93.5	43	15.30	14.972	1.223
					15" PIP SDR 81	50	15.30	14.922	1.21
5" Nominal	--	--	5.00	0.136	15" PIP SDR 51	80	15.30	14.700	1.18
5" IPS SDR 64	63	5.563	5.389	0.158	15" PIP SDR 41	100	15.30	14.554	1.15
5" IPS SDR 41	100	5.563	5.291	0.153	15" PIP SDR 32.5	125	15.30	14.358	1.12
5" IPS SDR 32.5	125	5.563	5.221	0.149					
5" IPS SDR 26	160	5.563	5.135	0.144	16" Nominal	--	--	16.00	1.396
5" IPS SDR 21	200	5.563	5.033	0.138	16" PIP Lowhead	22	16.00	15.68	1.341
					16" PIP SDR 81	50	16.00	15.604	1.328
6" Nominal	--	--	6.00	0.196	16" PIP SDR 51	80	16.314	15.686	1.342
6" PIP Lowhead	22	6.14	6.00	0.196	16" PIP SDR 41	100	16.314	15.534	1.316
6" PIP SDR 93.5	43	6.14	6.00	0.196	16" PIP SDR 32.5	125	16.314	15.330	1.282
6" PIP SDR 81	50	6.14	5.988	0.195	16" IPS SDR 93.5	43	16.00	15.638	1.337
6" PIP SDR 51	80	6.14	5.900	0.190	16" IPS SDR 41	100	16.00	15.222	1.264
6" PIP SDR 41	100	6.14	5.840	0.186	16" IPS SDR 32.5	125	16.00	15.016	1.230
6" PIP SDR 32.5	125	6.14	5.762	0.181	16" IPS SDR 26	160	16.00	14.770	1.190
6" IPS SDR 64	63	6.625	6.417	0.225					
6" IPS SDR 41	100	6.625	6.301	0.217	18" Nominal	--	--	18.00	1.767
6" IPS SDR 32.5	125	6.625	6.217	0.211	18" PIP Lowhead	22	18.701	18.301	1.827
6" IPS SDR 26	160	6.625	6.115	0.204	18" PIP SDR 93.5	43	18.701	18.301	1.827
6" IPS SDR 21	200	6.625	5.993	0.196	18" PIP SDR 81	50	18.701	18.239	1.814
					18" PIP SDR 51	80	18.701	17.967	1.761
8" Nominal	--	--	8.00	0.349	18" PIP SDR 41	100	18.701	17.789	1.726
8" PIP Lowhead	22	8.16	8.00	0.349	18" PIP SDR 32.5	125	18.701	17.551	1.680
8" PIP SDR 93.5	43	8.16	7.986	0.348	18" IPS SDR 93.5	43	18.36	17.966	1.760
8" PIP SDR 81	50	8.16	7.958	0.345	18" IPS SDR 81	50	18.36	17.906	1.749
8" PIP SDR 51	80	8.16	7.840	0.335	18" IPS SDR 51	80	18.36	17.60	1.689
8" PIP SDR 41	100	8.16	7.762	0.329	18" IPS SDR 41	100	18.36	17.464	1.663
8" PIP SDR 32.5	125	8.16	7.658	0.320	18" IPS SDR 32.5	125	18.36	17.230	1.619
8" IPS SDR 64	63	8.625	8.355	0.381					
8" IPS SDR 41	100	8.625	8.205	0.367	20" Nominal	--	--	20.00	2.182
8" IPS SDR 32.5	125	8.625	8.095	0.357	20" IPS SDR 93.5	43	20.40	19.964	2.174
8" IPS SDR 26	160	8.625	7.961	0.346	20" IPS SDR 81	50	20.40	19.894	2.159
8" IPS SDR 21	200	8.625	7.805	0.332	20" IPS SDR 51	80	20.40	19.600	2.095
					20" IPS SDR 41	100	20.40	19.404	2.054
10" Nominal	--	--	10.00	0.545					
10" PIP Lowhead	22	10.20	10.00	0.545	21" Nominal	--	--	21.00	2.405
10" PIP SDR 93.5	43	10.20	9.982	0.543	21" PIP SDR 93.5	43	22.047	21.575	2.539
10" PIP SDR 81	50	10.20	9.948	0.540	21" PIP SDR 81	50	22.047	21.503	2.522
10" PIP SDR 51	80	10.20	9.800	0.524	21" PIP SDR 51	80	22.047	21.183	2.447
10" PIP SDR 41	100	10.20	9.702	0.513	21" PIP SDR 41	100	22.047	20.971	2.399
10" PIP SDR 32.5	125	10.20	9.572	0.500	21" PIP SDR 35	100	22.047	20.783	2.356
10" IPS SDR 64	63	10.750	10.414	0.592	21" PIP SDR 32.5	125	22.047	20.691	2.335
10" IPS SDR 41	100	10.750	10.226	0.570					
10" IPS SDR 32.5	125	10.750	10.088	0.555	24" Nominal	--	--	24.00	3.14
10" IPS SDR 26	160	10.750	9.924	0.537	24" PIP SDR 93.5	43	24.803	24.271	3.213
10" IPS SDR 21	200	10.750	9.738	0.516	24" PIP SDR 81	50	24.803	24.191	3.192
					24" PIP SDR 51	80	24.803	23.831	3.098
12" Nominal	--	--	12.00	0.785	24" PIP SDR 41	100	24.803	23.593	3.036
12" PIP Lowhead	22	12.24	12.00	0.785	24" PIP SDR 35	100	24.803	23.381	2.982
12" PIP SDR 93.5	43	12.24	11.978	0.783	24" PIP SDR 32.5	125	24.803	23.277	2.955
12" PIP SDR 81	50	12.24	11.938	0.777	24" IPS SDR 93.5	43	24.00	23.486	3.008
12" PIP SDR 51	80	12.24	11.760	0.754	24" IPS SDR 81	50	24.00	23.408	2.989
12" PIP SDR 41	100	12.24	11.642	0.739	24" IPS SDR 51	80	24.00	23.058	2.900
12" PIP SDR 32.5	125	12.24	11.486	0.720	24" IPS SDR 41	100	24.00	22.830	2.843
12" IPS SDR 64	63	12.750	12.352	0.832	24" IPS SDR 32.5	125	24.00	22.524	2.767
12" IPS SDR 41	100	12.750	12.128	0.802					
12" IPS SDR 32.5	125	12.750	11.966	0.781	27" Nominal	--	--	27.00	3.976
12" IPS SDR 26	160	12.750	11.770	0.756	27" PIP SDR 51	80	27.953	26.857	3.934
12" IPS SDR 21	200	12.750	11.538	0.726	27" PIP SDR 41	100	27.953	26.589	3.856
					27" PIP SDR 35	100	27.953	26.351	3.787
					27" PIP SDR 32.5	125	27.953	26.233	3.753

Designations of PIP and IPS same as given in ASAE Standard: ASAE S376.1 revised April 1982 for pipe 18 inch diameter and larger.

TABLE 5-5. VALUES OF THE ROUGHNESS COEFFICIENT n (continued)
 These figures are values generally recommended in design

TABLE 5-6. VALUES OF THE ROUGHNESS COEFFICIENT n (continued)

Type of channel and description	Minimum	Normal	Maximum
A. CHANNELS FLOWING PARTLY FULL			
a. Metal			
1. Brass, smooth	0.009	0.010	0.013
2. Steel			
1. Lockbar and welded	0.010	0.012	0.014
2. Riveted and spiral	0.013	0.016	0.017
c. Cast iron			
1. Coated	0.010	0.013	0.014
2. Uncoated	0.011	0.014	0.016
d. Wrought iron			
1. Black	0.012	0.014	0.015
2. Galvanized	0.013	0.016	0.017
e. Corrugated metal			
1. Subdrain	0.017	0.019	0.021
2. Storm drain	0.021	0.024	0.030
A-2. Nonmetal			
a. Lucite	0.008	0.009	0.010
b. Glass	0.009	0.010	0.013
c. Cement			
1. Neat, surface	0.010	0.011	0.013
2. Mortar	0.011	0.013	0.015
d. Concrete			
1. Culvert, straight and free of debris	0.010	0.011	0.013
2. Culvert with bends, connections, and some debris	0.011	0.013	0.014
3. Finished	0.011	0.012	0.014
4. Sewer with manholes, inlet, etc., straight	0.013	0.015	0.017
5. Unfinished, steel form	0.012	0.013	0.014
6. Unfinished, smooth wood form	0.012	0.014	0.016
7. Unfinished, rough wood form	0.015	0.017	0.020
e. Wood			
1. Stave	0.010	0.012	0.014
2. Laminated, treated	0.015	0.017	0.020
f. Clay			
1. Common drainage tile	0.011	0.013	0.017
2. Vitrified sewer	0.011	0.014	0.017
3. Vitrified sewer with manholes, inlet, etc.	0.013	0.015	0.017
4. Vitrified subdrain with open joint	0.014	0.016	0.018
g. Brickwork			
1. Glazed	0.011	0.013	0.015
2. Lined with cement mortar	0.012	0.015	0.017
h. Sanitary sewers coated with sewage slimes, with bends and connections	0.012	0.013	0.016
i. Paved invert, sewer, smooth bottom	0.016	0.019	0.020
j. Rubble masonry, cemented	0.018	0.025	0.030
B. LINED OR BUILT-UP CHANNELS			
B-1. Metal			
a. Smooth steel surface			
1. Unpainted	0.011	0.012	0.014
2. Painted	0.012	0.013	0.017
b. Corrugated	0.021	0.025	0.030
B-2. Nonmetal			
a. Cement			
1. Neat, surface	0.010	0.011	0.013
2. Mortar	0.011	0.013	0.015
b. Wood			
1. Planed, untreated	0.010	0.012	0.014
2. Planed, creosoted	0.011	0.012	0.015
3. Unplaned	0.011	0.013	0.015
4. Plank with battens	0.012	0.015	0.018
5. Lined with roofing paper	0.010	0.014	0.017
c. Concrete			
1. Trowel finish	0.011	0.013	0.015
2. Float finish	0.013	0.015	0.016
3. Finished, with gravel on bottom	0.015	0.017	0.020
4. Unfinished	0.014	0.017	0.020
5. Gunite, good section	0.016	0.019	0.023
6. Gunite, wavy section	0.018	0.022	0.025
7. On good excavated rock	0.017	0.020	
8. On irregular excavated rock	0.022	0.027	
d. Concrete bottom float finished with sides of			
1. Dressed stone in mortar	0.015	0.017	0.020
2. Random stone in mortar	0.017	0.020	0.024
3. Cement rubble masonry, plastered	0.016	0.020	0.024
4. Cement rubble masonry	0.020	0.025	0.030
5. Dry rubble or riprap	0.020	0.030	0.035
e. Gravel bottom with sides of			
1. Formed concrete	0.017	0.020	0.025
2. Random stone in mortar	0.020	0.023	0.026
3. Dry rubble or riprap	0.023	0.033	0.036
f. Brick			
1. Glazed	0.011	0.013	0.015
2. In cement mortar	0.012	0.015	0.018
g. Masonry			
1. Cemented rubble	0.017	0.025	0.030
2. Dry rubble	0.023	0.032	0.035
h. Dressed ashlar	0.013	0.015	0.017
i. Asphalt			
1. Smooth	0.013	0.013	
2. Rough	0.016	0.016	
j. Vegetal lining	0.030		0.500
C. EXCAVATED OR DREDGED			
a. Earth, straight and uniform			
1. Clean, recently completed	0.016	0.018	0.020
2. Clean, after weathering	0.018	0.022	0.025
3. Gravel, uniform section, clean	0.022	0.025	0.030
4. With short grass, few weeds	0.022	0.027	0.033
b. Earth, winding and sluggish			
1. No vegetation	0.023	0.025	0.030
2. Grass, some weeds	0.025	0.030	0.033
3. Dense weeds or aquatic plants in deep channels	0.030	0.035	0.040
4. Earth bottom and rubble sides	0.028	0.030	0.035
5. Stony bottom and weedy banks	0.025	0.035	0.040
6. Cobble bottom and clean sides	0.030	0.040	0.050
c. Dragline-excavated or dredged			
1. No vegetation	0.025	0.028	0.033
2. Light brush on banks	0.035	0.050	0.060
d. Rock cuts			
1. Smooth and uniform	0.025	0.035	0.040
2. Jagged and irregular	0.035	0.040	0.050
e. Channels not maintained, weeds and brush uncut			
1. Dense weeds, high as flow depth	0.050	0.080	0.120
2. Clean bottom, brush on sides	0.040	0.050	0.080
3. Same, highest stage of flow	0.045	0.070	0.110
4. Dense brush, high stage	0.080	0.100	0.140
D. NATURAL STREAMS			
D-1. Minor streams (top width at flood stage <100 ft)			
a. Streams on plain			
1. Clean, straight, full stage, no rifts or deep pools	0.025	0.030	0.033
2. Same as above, but more stones and weeds	0.030	0.035	0.040
3. Clean, winding, some pools and shoals	0.033	0.040	0.045
4. Same as above, but some weeds and stones	0.035	0.045	0.050
5. Same as above, lower stages, more ineffective slopes and sections	0.040	0.048	0.055
6. Same as 4, but more stones	0.045	0.050	0.060
7. Sluggish reaches, weedy, deep pools	0.050	0.070	0.080
8. Very weedy reaches, deep pools, or floodways with heavy stand of timber and underbrush	0.075	0.100	0.150
b. Mountain streams, no vegetation in channel, banks usually steep, trees and brush along banks submerged at high stages			
1. Bottom: gravels, cobbles, and few boulders	0.030	0.040	0.050
2. Bottom: cobbles with large boulders	0.040	0.050	0.070
D-2. Flood plains			
a. Pasture, no brush			
1. Short grass	0.025	0.030	0.035
2. High grass	0.030	0.035	0.050
b. Cultivated areas			
1. No crop	0.020	0.030	0.040
2. Mature row crops	0.025	0.035	0.045
3. Mature field crops	0.030	0.040	0.050
c. Brush			
1. Scattered brush, heavy weeds	0.035	0.050	0.070
2. Light brush and trees, in winter	0.035	0.050	0.060
3. Light brush and trees, in summer	0.040	0.060	0.080
4. Medium to dense brush, in winter	0.045	0.070	0.110
5. Medium to dense brush, in summer	0.070	0.100	0.160
d. Trees			
1. Dense willows, summer, straight	0.110	0.150	0.200
2. Cleared land with tree stumps, no sprouts	0.030	0.040	0.050
3. Same as above, but with heavy growth of sprouts	0.050	0.060	0.080
4. Heavy stand of timber, a few down trees, little undergrowth, flood stage below branches	0.080	0.100	0.120
5. Same as above, but with flood stage reaching branches	0.100	0.120	0.160
D-3. Major streams (top width at flood stage >100 ft). The n value is less than that for minor streams of similar description, because banks offer less effective resistance.			
a. Regular section with no boulders or brush	0.025		0.060
b. Irregular and rough section	0.035		0.100

FROM: OPEN CHANNEL HYDRAULICS,
 VEN TE CHOW, 1959,

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 10/28/2006

FILE NUMBER 63-4443

Diversion
pipe

Pipeline going under
driveway.



The first photo shows the point of diversion. The water in this drain flows under the road or through the diversion under the stair step rocks.



The second photo shows the ditch as it flows through the property. As you can see in this picture, all the ground on the other side of the ditch is uphill, so no water could be gravity fed up this hill.

The photo below shows the field that can be irrigated out of this drain by gravity feed.



FIELD NOTES

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
no pump					

Gravity System

2.) Lift (distance from pump to water) _____

3.) How was lift determined (well log, measurement, owner)? _____

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) _____

5.) Was a measurement made? _____ If no can a measurement be made at a latter time? _____

6.) What type of measurement device was used? _____

7.) Is there a pump curve available for pump? _____

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

9.) Please outline all acres irrigated on attached aerial photo. _____ DONE

10.) Please clearly mark all points of diversion on map and GPS. _____ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

_____ DONE

12.) Pictures taken of place of use and point of diversion. _____ DONE

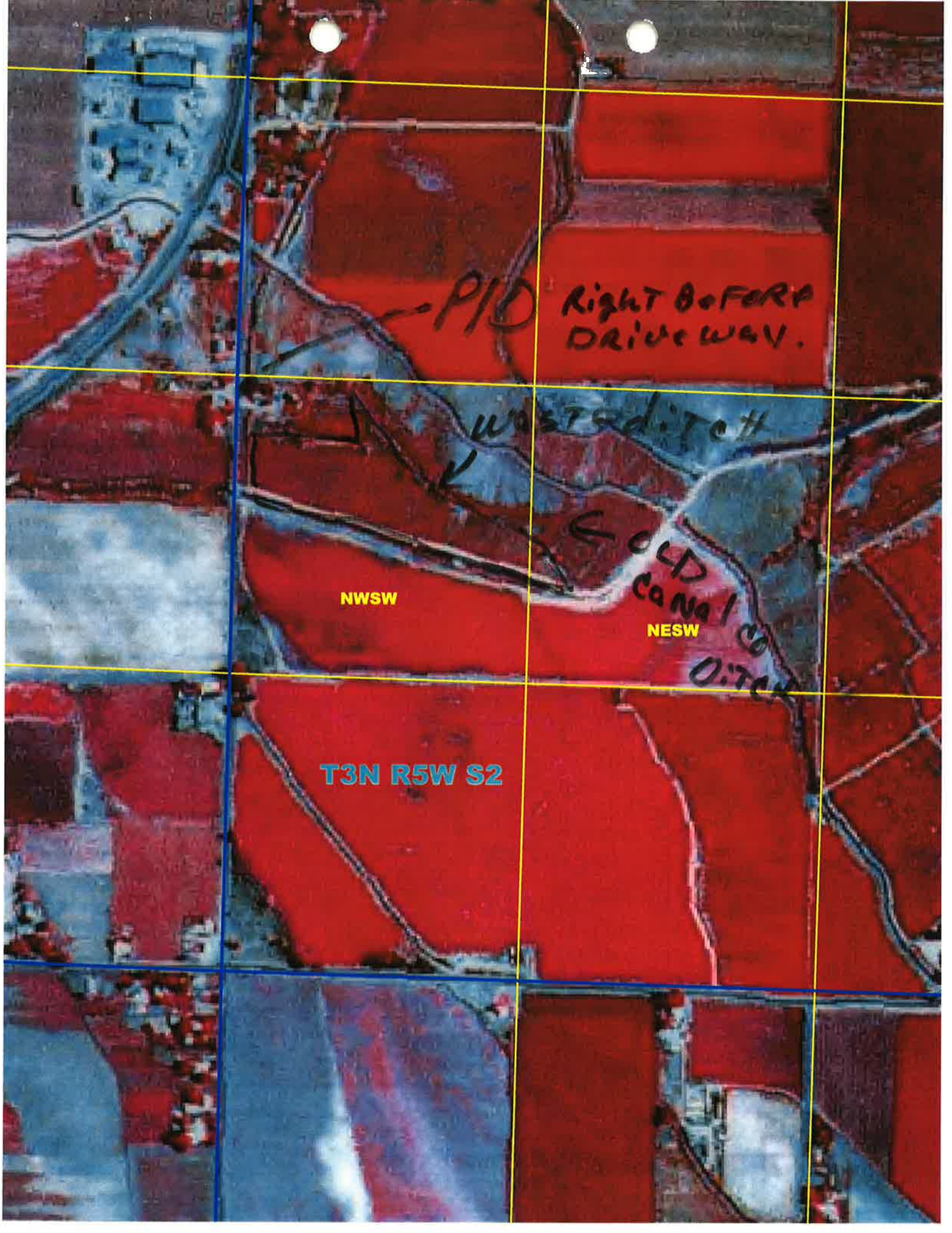
13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

10" Pipe.
23.8 FT.
7.63 UP
9.83

DATE EXAM CONDUCTED _____

FIELD EXAMINER _____



P/D

Right Before
DRIVEWAY.

Washed ditch

OLD canal CO
DITCH

NWSW

NESW

T3N R5W S2



NEW WATER

all goes
INTO
POND
or POND

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4443

WATER RIGHT NUMBER: 63-4443

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALBERT EIDEMILLER RT 1 WILDER, ID 83676
Current Owner	ODESSA EIDEMILLER RT 1 WILDER, ID 83676

Priority Date: 04/01/1934

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	FARGO WASTEWAY

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.340 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.360 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	SW1/4NW1/4	Sec. 2, Twp 03N, Rge 05W, B.M.
CANYON County		
UNNAMED DRAIN	NW1/4SW1/4	Sec. 2, Twp 03N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
03N 05W 2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
											17.0						17.0

Total Acres: 17

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:Comments:

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Albert &/or Odessa Eidemiller
(name of claimant)
of Rt. 1, Wilder, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Drain, tributary to, Fargo Wasteway
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>0.34</u>	Use <u>Irrigation</u>	Period of Use: From <u>Mar 15</u> To <u>Nov 15</u>
Amount <u>0.02</u>	Use <u>Stockwater</u>	Period of Use: From <u>Jan 1</u> To <u>Dec 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri, stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 0.36 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1934

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2 Twp. 3N Rge. 5W B. M. County of Canyon
 Additional points of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 2, T3N, R5W

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. Diversion dam into gravity ditch

- (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.

[illegible]

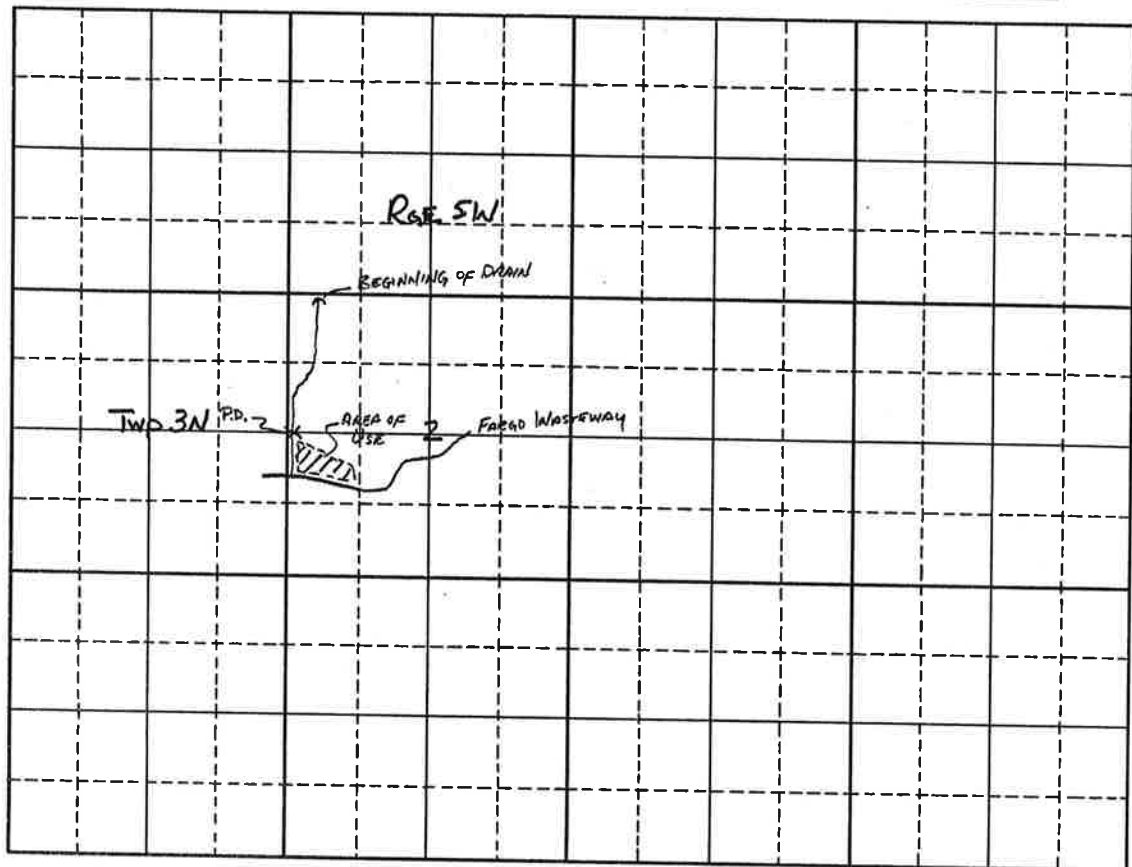
Total No. of acres 17

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: 40 Head cattle

If you are claiming water as a member of an organization, list name of organization: _____

PROFILED

(8) Remarks



Scale: 2 Inches equal 1 mile.

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 affiants knowledge.

Sworn to before me this 24th day of

Albert Edmiller
(Claimant)
March, 19 77
Lyle Glen Saxton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>RL</u>	Date <u>3-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-24-77</u>		claimant by:	
\$10.00 fee received by <u>RL</u>	Date <u>3-24-77</u> # <u>204</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>News Tribune</u>				
Dates <u>April 7 + 14</u>				