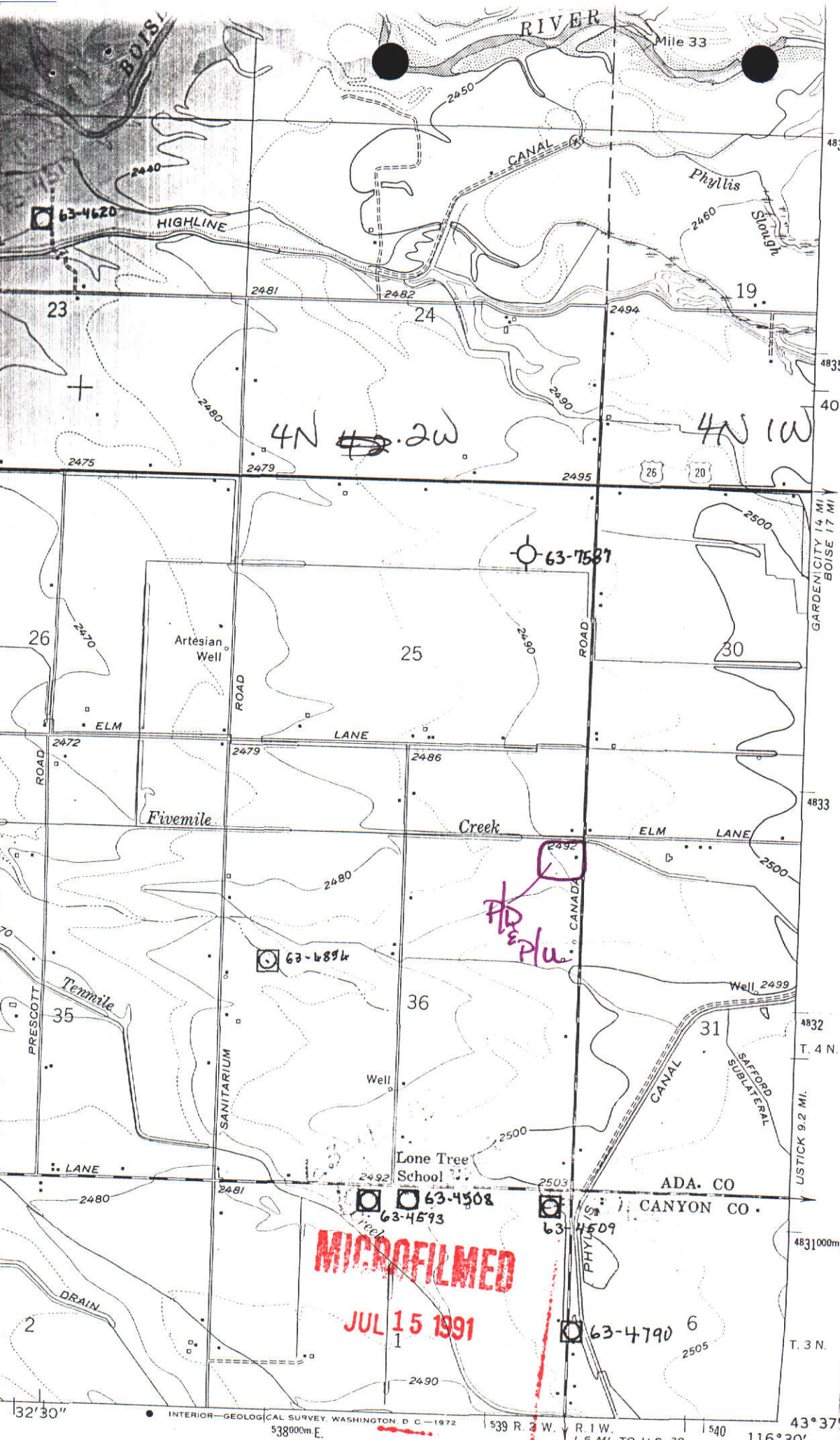




63-4620

63-7587

63-4891
63-8774
63-4884

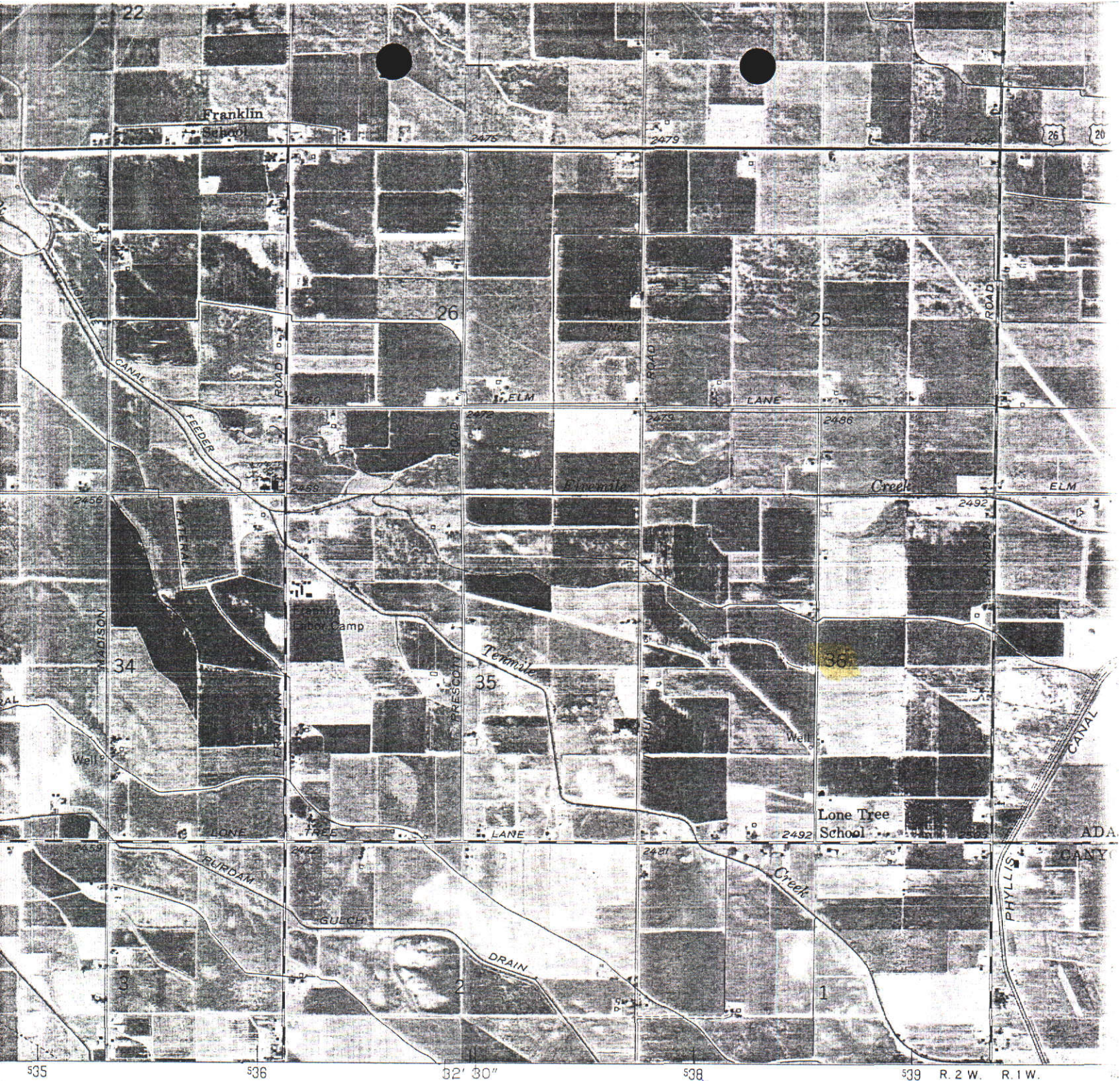
63-9276

63-4508
63-4509
63-4593

63-4790

MICROFILMED

JUL 15 1991



SCALE 1:24 000

1 MILE

2000 3000 4000 5000 6000 7000 FEET

1 KILOMETER

These Maps Can Be Obtained
 at the Blue Print, Boise Idaho

MICROFILMED

JUL 15 1991



QUADRANGLE LOCATION

MIDDLETON

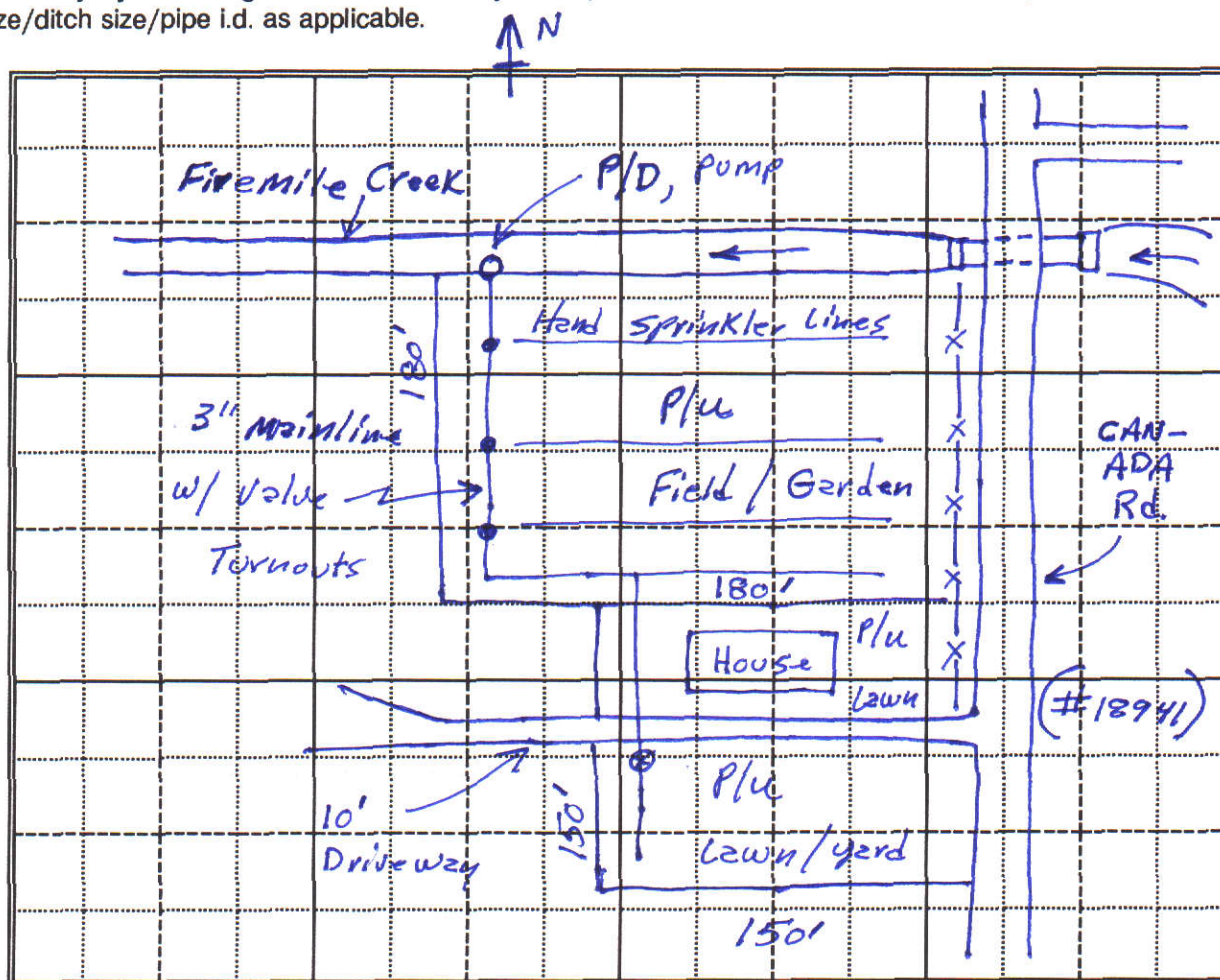
N4337.5—W1

1981

ES WITH NATIONAL MAP ACCURACY STANDARDS
 GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

ant to
 Snake
 local
 action
 accuracy

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	A.O. Smith Corp.	2	Model C48M2ECIS	STA-RITE	Model DHG-52L
			SER 1CW027-748		Code F96G

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

D. FLOW MEASUREMENTS

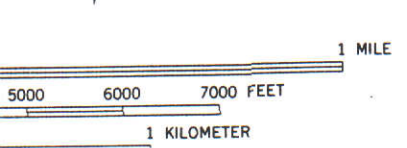
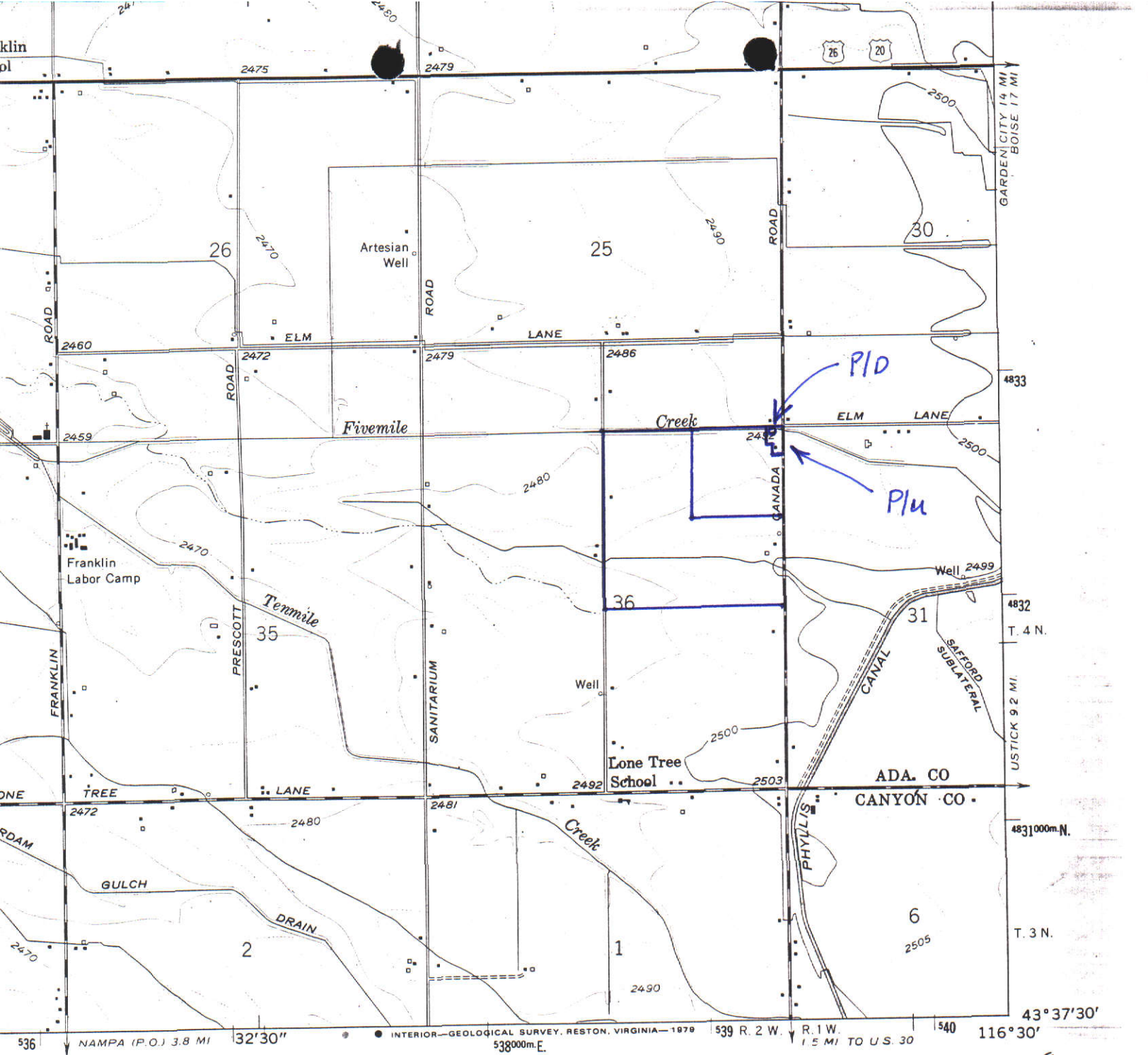
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

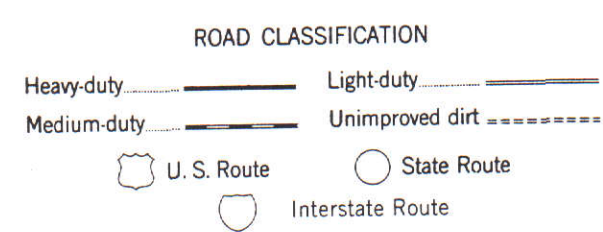
2. Measurements: None - System was not on.

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SEP 22 1998



No Gov. Lots



QUADRANGLE LOCATION

MIDDLETON, IDAHO
N4337.5—W11630/7.5

TOURS
OF 1929

STANDARDS
2225, OR RESTON, VIRGINIA 22092
S AVAILABLE ON REQUEST

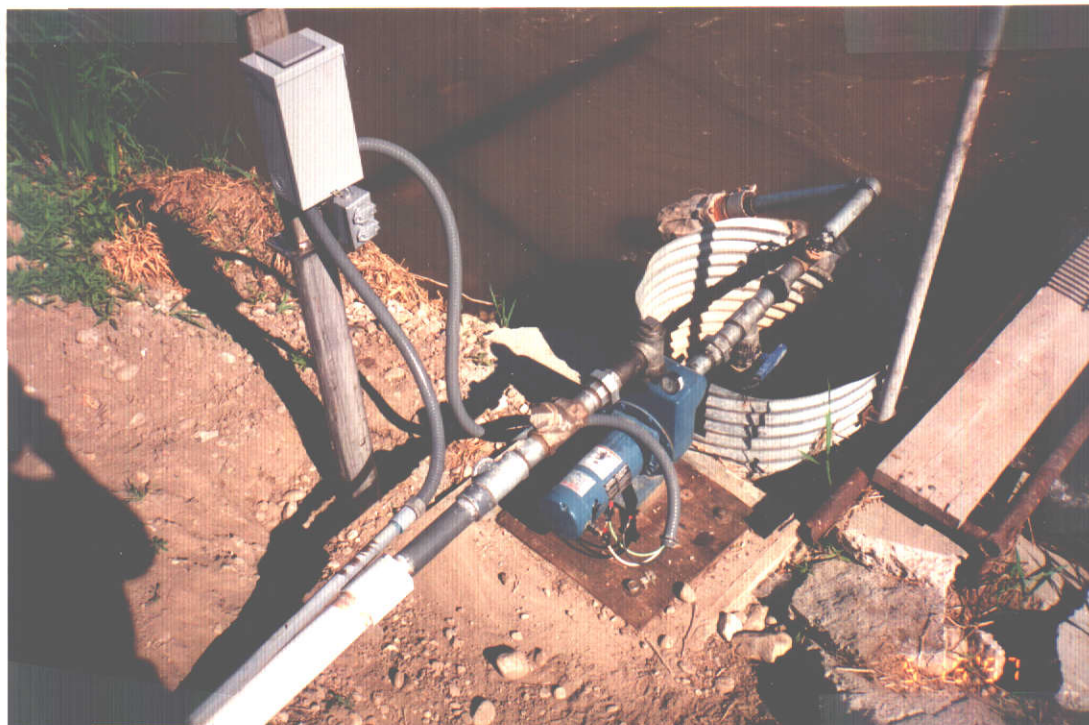
*T4N, R2W, S 36
NENE*

**MICROFILMED
SEP 22 1998**

1958
PHOTOREVISED 1971
AMS 2671 II NE—SERIES V893

63-11508

1 of 3



P/D

Pump
in

Fivemile
Creek



P/D

Pump in
Fivemile
Creek at
structure
in back-
ground.

P/u
Field/Garden
- where
tractor is,
View
Looking
West

MICROFILMED

SEP 22 1998

63-11508

2 of 2



P/u

Field/Garden

- where
tractor is.

House in
back-
ground.

View

Looking

Southwest



P/u

Field/Garden,
yard
around
house.

View

Looking

Southwest

63-11508

MICROFILMED

SEP 22 1997

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-11508

Priority: April 3, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.2 AF

This is to certify, that LUIS NUNEZ
CARMEN NUNEZ

18941 CAN ADA RD
NAMPA ID 83687

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 3, 1991; and has submitted Proof of Beneficial Use on June 30, 1993. An examination indicates that the works have a diversion capacity of 0.120 cfs of water from:

FIVEMILE CREEK

tributary to TENMILE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 36, Township 04N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02W	36	NENE	1.2		1.2

Total number of acres irrigated: 1.2

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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SEP 22 1998

State of Idaho
Department of Water Resources

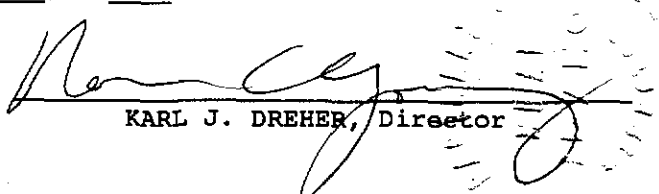
Water Right License

WATER RIGHT NO. 63-11508

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of August, 1978.


KARL J. DREHER, Director

MICROFILMED

SEP 22 1998

RECEIVED

JUN 1 1993

For Office Use Only
Amt. of Fee \$ 50-
Date 6/30/93
Receipt No. W016463
Received by g4

D1

RECEIVED
JUN 30 1993

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11508 Telephone No. 467 2386
2. Name(s) of Permit Holder(s): Luis Nunez
3. Post Office Address: 1894 Can-Ada Rd Nampa ID 83687
4. Source of Water: Five Mile Creek
 - a. If ground water, well driller's name: _____ Date drilled: _____
 - b. Pump horsepower: 2 Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation <u>2</u> (No. of acres)
Stockwater _____ (No. and type of stock)	Other _____
6. Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☐ No
Flow Measurement Port:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☒ No
8. Fee Enclosed: \$ ~~50-~~ 50- (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>Applicant</u> Name	<u>Above - afternoons</u> Telephone No.
--------------------------	--

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

6/30/93
DateLuis Nunez
Signature (and title if on behalf of a company or organization)

JUL 08 1993

RECEIVED
MAY 20 1992

For Office Use Only
\$15 Fee Received by 82
Date 5-18-92
Receipt No. 2014719

STATE OF IDAHO
Department of Water Resources DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 63-11508
Name(s) of Permit Holder: Luis & Carmen Nunez
Mailing Address: 18941 CAN-POE RD. Nampa, ID 83687
Date Proof is Due July 1, 1992 Telephone No. 467-2386

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Purchased pipelines, still need to obtain pump &
get power installed.

Costing \$ 600⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

financial reasons - trying to buy a good
used pump when available

Permit holder(s) request an extension to July 1, 19 92.

FEE: \$15.00

Luis Nunez
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to July 1, 1993.

Signed this 21st day May, 19 92

J. Shu Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11508

Proposed Priority: April 3, 1991

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **LUIS NUNEZ**
CARMEN NUNEZ
18941 CAN-ADA RD.
NAMPA, ID 83687

has applied for a permit to appropriate water from:

FIVEMILE CREEK

tributary of **TENMILE CREEK**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE Sec. 36, Township 04N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

04N 02W 36

NENE 2

2

Total number of acres irrigated:

2

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1992.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 63.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

20th day of June, 1991.

MICROFILMED

JUL 15 1991.

R. Keith Higginson
R. Keith Higginson, Director

RECEIVED

APR 4 1991

Ident. No. 63-11508

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LUIS NUNEZ
Address: 18941 CANADA RD.
NAMPA, ID 83678⁸⁷

467-2386
208-000-0000

AND/OR

Name: CARMEN NUNEZ
Address: 18941 CANADA RD.
NAMPA, ID 83678⁸⁷

208-000-0000

* FIVEMILE CK

2. Source: ~~WASTE WATER~~

TENMILE CK
Trib. to: SINKS

3. Location of Point of Diversion:

NENE Sec. 36, Township 04N, Range 02W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.040		

5. Total quantity to be appropriated is:

0.040 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
PUMP & PIPE.

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is inches; proposed depth of well is
feet.

d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:

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JUL 15 1991

* per conversation & clarification with owner 4-11-91 gH
Database changes made 4-11-91 gH

9. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
04N 02W 36	NENE 2			2

Total number of acres irrigated: 2

10. Describe any other water rights used for the same purposes.

PIONEER IRRIG DIST.

11. a. Who owns the property at the point of diversion?

APPLICANT

b. Who owns the land to be irrigated or place of use?

APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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

Paul Munn
Applicant

Received by SC Date 4/4/91 Time 1:00 P.M. Preliminary check by CSH

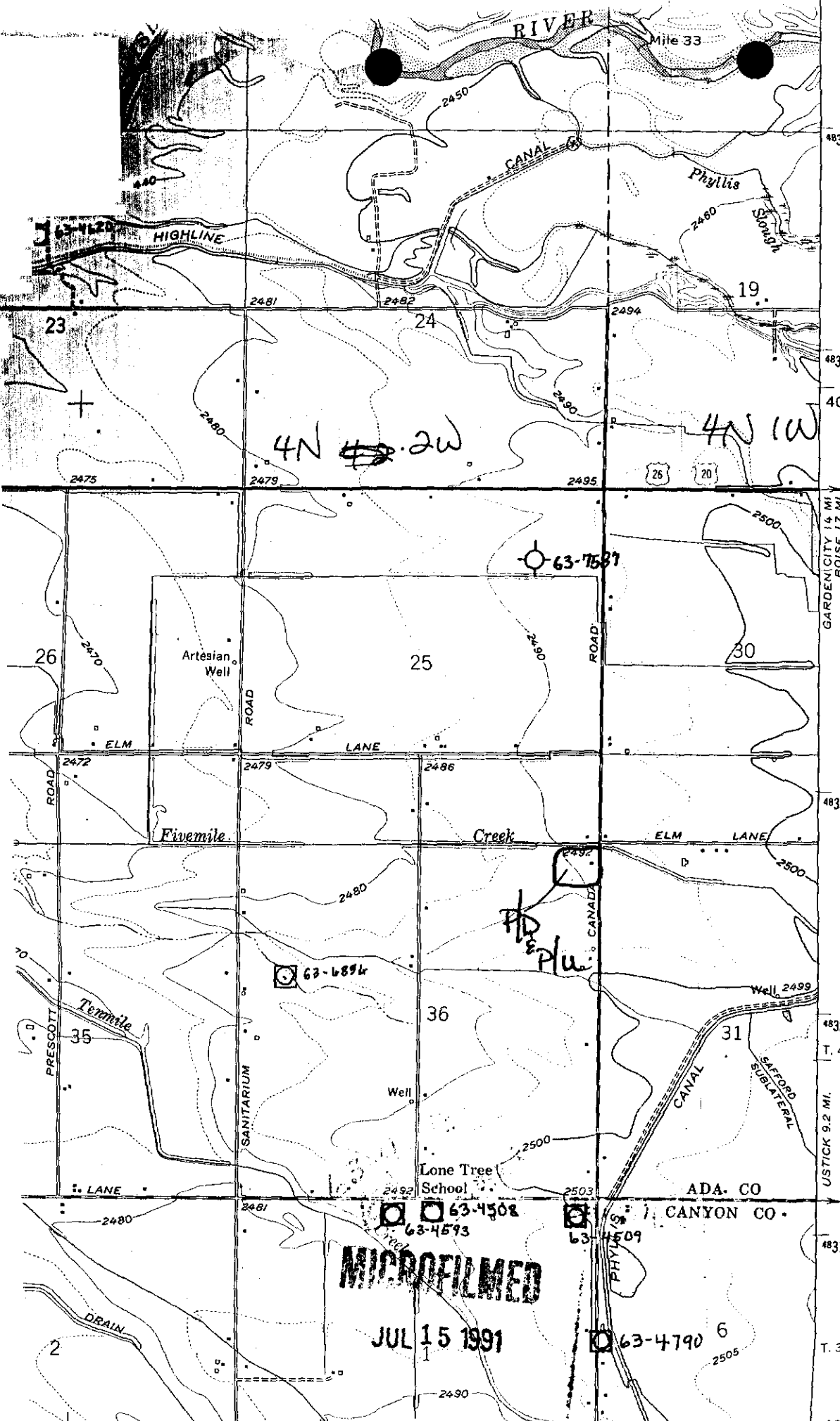
Fee \$ 30.00 Receipted by SA # C020097 Date 4/3/91

Publication prepared by GG Date 4-24-91 Published in Press-Tribune

Publication approved st Date 5-22-91 5/1 & 5/8/91

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JUL 15 1991



63-4620

63-7587

63-4891
63-9774
63-4884

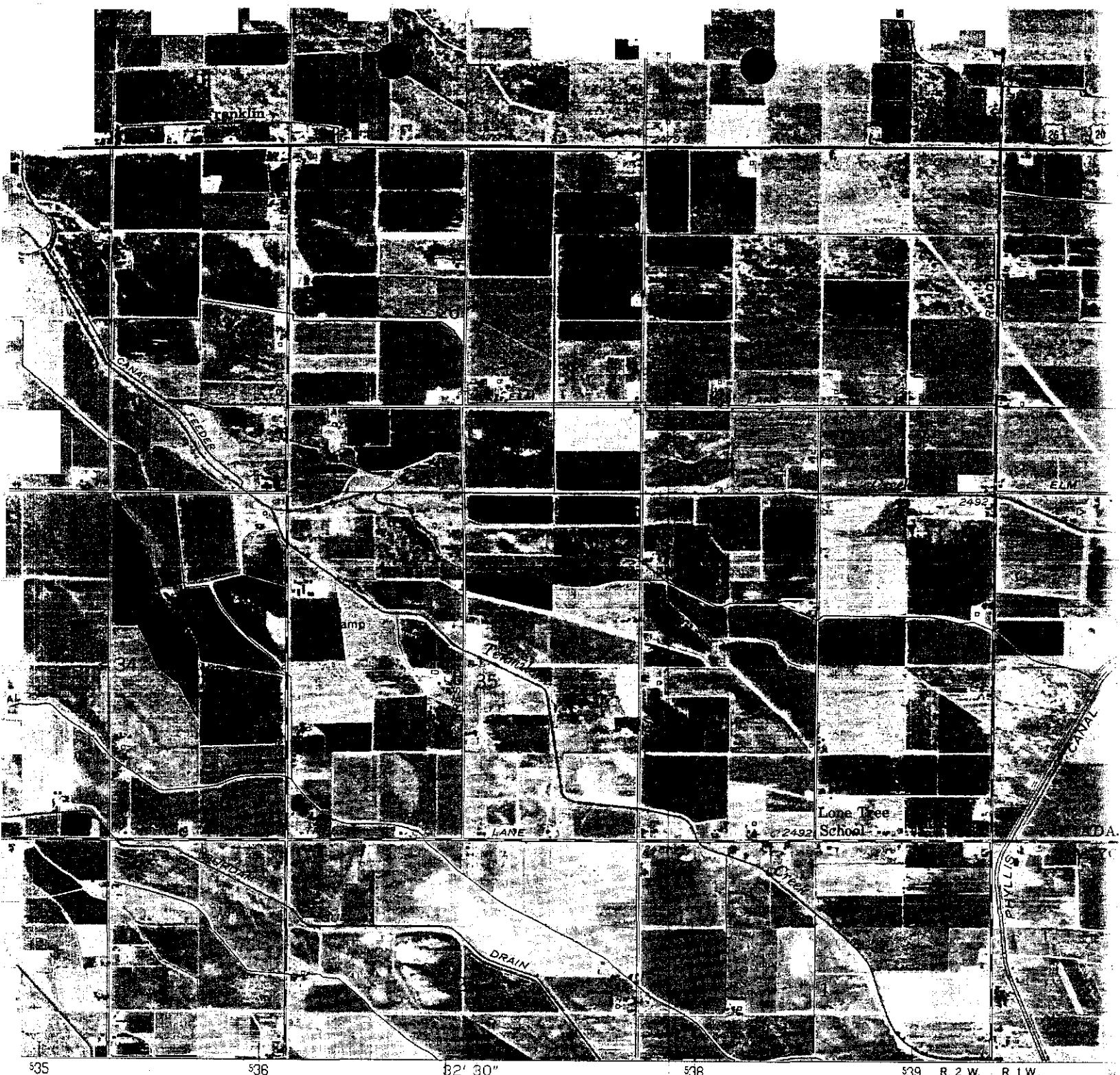
63-9276

63-4508
63-4509
63-4593

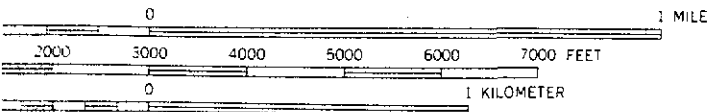
63-4790

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JUL 15 1991



SCALE 1:24 000



These Maps Can Be Obtained **MICROFILMED**
 in the Blue Print, Boise Idaho

JUL 15 1991



QUADRANGLE LOCATION

MIDDLETON
 N4337.5-W1

1981

CONFORMS WITH NATIONAL MAP ACCURACY STANDARDS
 GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

not to
 make
 legal
 action
 liability.

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-11508

NUNEZ, LUIS
NUNEZ, CARMEN
18941 CAN-ADA RD.
NAMPA, ID 83687
Source: FIVEMILE CREEK
Diversion Pt:
Use: IRRIGATION

Date Filed: 4/3/1991
In: T04N R02W S36
2.0 ACRES TOTAL

Tributary: TENMILE CREEK
NENE Sec 36 T 04N R 02W
(.040 CFS)
Total Diversion: (.040 CFS)

NENE

STATE OF IDAHO)
) ss.
County of Canyon)

MAY 9 1991

Department of Water Resources
Western Regional Office

Sharla O'Krakel

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

63-11522

NIELSEN, MERLYN R.
17885 SAND HOLLOW RD.
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION

Date Filed: 4/15/1991
In: T06N R03W S18
40.0 ACRES TOTAL

LOT 1 (NWNW) Sec 18 T 05N R 03W
(.800 CFS)
Total Diversion: (.800 CFS)

Lot 1 (NWNW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 20, 1991.

R. KEITH HIGGINSON
Director
May 1, 8, 1991

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper
two times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 1, 8, 1991

Sharla O'Krakel

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 8th day of May in the year of 1991, before me, a Notary Public, personally appeared Sharla O'Krakel, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

JUL 15 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN ADA RD
NAMPA ID 83687

RE: WATER RIGHT NO. 63-11508

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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SEP 22 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

MICROFILMED

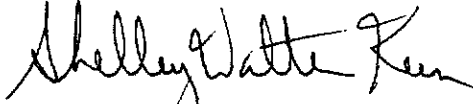
2

SEP 22 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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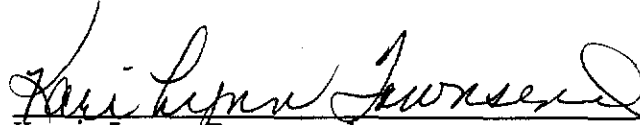
SEP 22 1998

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of August, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-11508

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN ADA RD
NAMPA ID 83687


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 22 1998

MEMORANDUM

TO: File 63-11508

FROM: Sharla

DATE: August 27, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 63-11508 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.04 cfs	4.2 afa
------------	--------------	----------	---------

The rate of diversion allowed for systems of 5 acres or less is 0.03 cfs/acre. The rate is calculated $1.2 \times 0.03 = 0.036$ cfs, rounded to 0.04 cfs.

Exam Date: May 15, 1997
Examiner: Dan Tomich

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SEP 22 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11508 DATE 8/25/98 REVIEWER: SHARLA

NAME OK Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (P39 /P47) ☐ Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK ☐ Change (P41/P47) ☐ Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$5000
 Measured cfs
 Theoretical .12 cfs

Recommended Total Div Rate .02 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Irr.</u>	<u>.02</u> cfs	<u>1.2</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
_____	_____ cfs	_____ af	supp. gw (WB7/065/079)
_____	_____ cfs	_____ af	overlap spec. combined rts (W35)
_____	_____ cfs	_____ af	<1acre (W31)
_____	_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.02</u> cfs	<u>4.2</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate _____ cfs X _____ days X 1.98 = _____ af

REMARKS _____

ADD'L CONDITIONS R04 Watermaster Control WD# 63
R02 GW Measurement/Measuring Device

☐ Others ☐ Trust (052/R55 - remove 051) ☐ Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo rate
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 09 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11508

1. Owner: Luis & Carmen Nunez Phone No. (208) UNKNOWN

Current Address: 18941 CAN-ADA Rd., Nampa, ID 83687

2. Accompanied by: _____ EXAM DATE: 5-15-97

Address: _____ Note: Phone No. (208) 467-2386
is no longer in Service.

Relationship to Permit Holder: _____

3. Source: Five mile Creek tributary to Ten mile Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02529, 63-02891 [Pioneer I.D. water not being used]

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NE	36	4N	2W	Canyon	Site Visit, Map

2. Place(s) of Use:

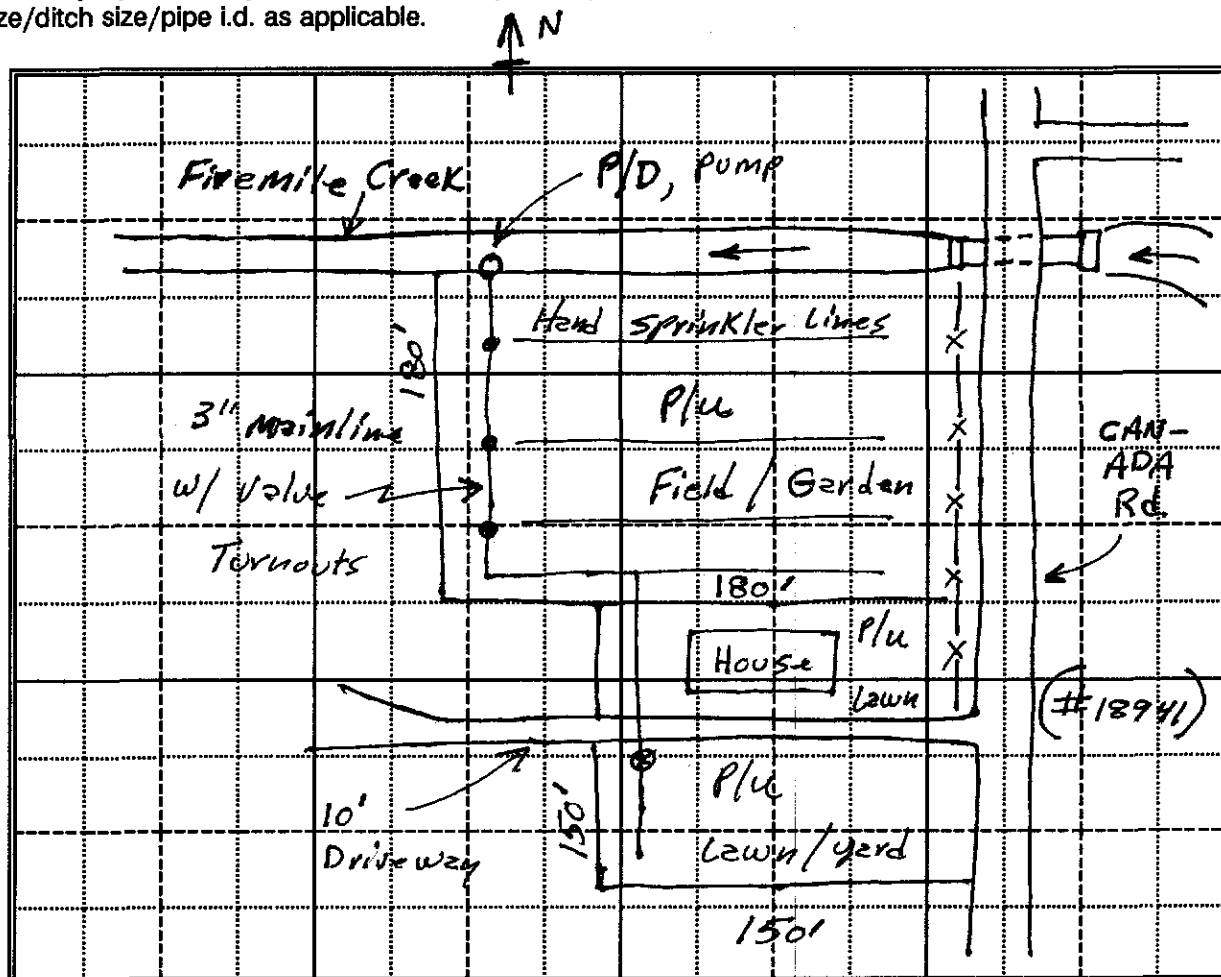
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	36	1.2															1.2	
				</															

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SEP 22 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	A.O. Smith Corp.	2	Model C48M2EC15	STA-RITE	Model DHG-52L
			SER 1CW 027748		Code F96G

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - System was not on.

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SEP 22 1998

E. NARRATIVE/REMARKS/COMMENTS

1. The water system consists of a pump in Five mile Creek, a 3" PVC buried mainline, head line sprinkler turnouts for a field/garden, and a sprinkler system for the yard around the house, and another yard just south of the house (across the lane).
2. The pump system has a screened intake pipe in the creek and another one in a 36" comp Sump in the creek. There is a pressure gauge, a check valve, gate valves, etc. at the pump site. The normal operating pressure would be about 45 psi with a 3' suction lift.
3. This land could be served by Pioneer I.D., WR # 63-02529, 63-02891, but there was no evidence this water was being used.
4. The phone No. 467-2386 is no longer in service. (listed on proof). Unable to contact the owners, but the system and land is being used. The Canyon County Assessor's office confirmed that the Nunez's live at 18941 CAN-ADA Rd. and have 11.02 Ac. in T4N, R2W, S36, NENE.

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SEP 22 1998

Have conditions of permit approval been met? ☐ yes ☒ no

Condition 4. There was no lockable device on the pump unit. The power panel box could be locked, however.

Additional Computation Sheets Attached

$$Q_{\max} = \frac{(8.8)(2.14P)(90\%)}{3' + (45 \text{ psi}) \left(\frac{34'}{14.7 \text{ psi}} \right)} = \underline{0.12 \text{ cfs}}$$

$$Q_{\text{allowed}} = (1.2 \text{ Ac.}) \left(0.02 \frac{\text{cfs}}{\text{Ac.}} \right)$$

$$= \underline{0.02 \text{ cfs}}$$

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{(1.2 \text{ A.C.})(3.5 \frac{\text{AFD}}{\text{A.C.}})}{1} = 4.2 \text{ AFD}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{(0.02)(246)(1.9835)}{1} = 9.8$$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 4.2 \text{ AFA}$

2. Volume Calculations for Other Uses:

$$\text{Irrigated Acres} = \frac{[(180' \times 180') + (150' \times 150') - (40' \times 150') - 1500 \text{ ft}^2]}{(66 \times 66) \text{ ft}^2} = 1.2 \text{ AC.}$$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03/15	11/15	0.02	4.2
Totals:			0.02	4.2

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other

1) only 1.2 Acres
being irrigated.

2) Div. rate is 0.02 cfs.

I. AUTHENTICATION

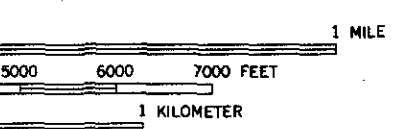
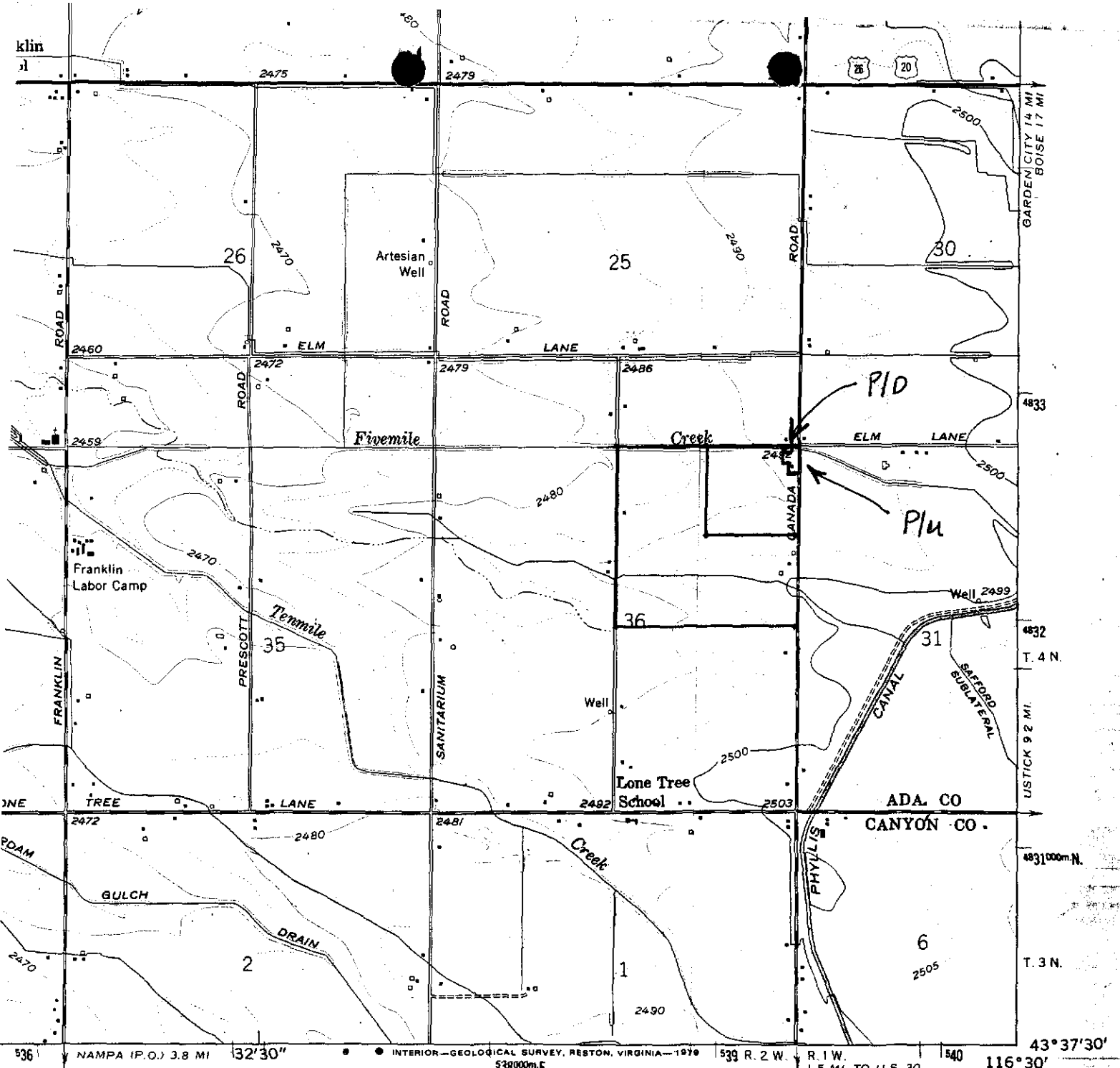
Field Examiner's Name Van Zandt Date 1-8-98

Reviewer	Date
----------	------

SEAL

MICROFILMED

SEP 22 1998



No Gov. Lots



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Heavy-duty	Light-duty
Medium-duty	Unimproved dirt

U. S. Route State Route
 Interstate Route

TOURS
OF 1929

RACY STANDARDS
225, OR RESTON, VIRGINIA 22092
S AVAILABLE ON REQUEST

T4N, R2W, S36 NENE

MICROFILMED
SEP 22 1998

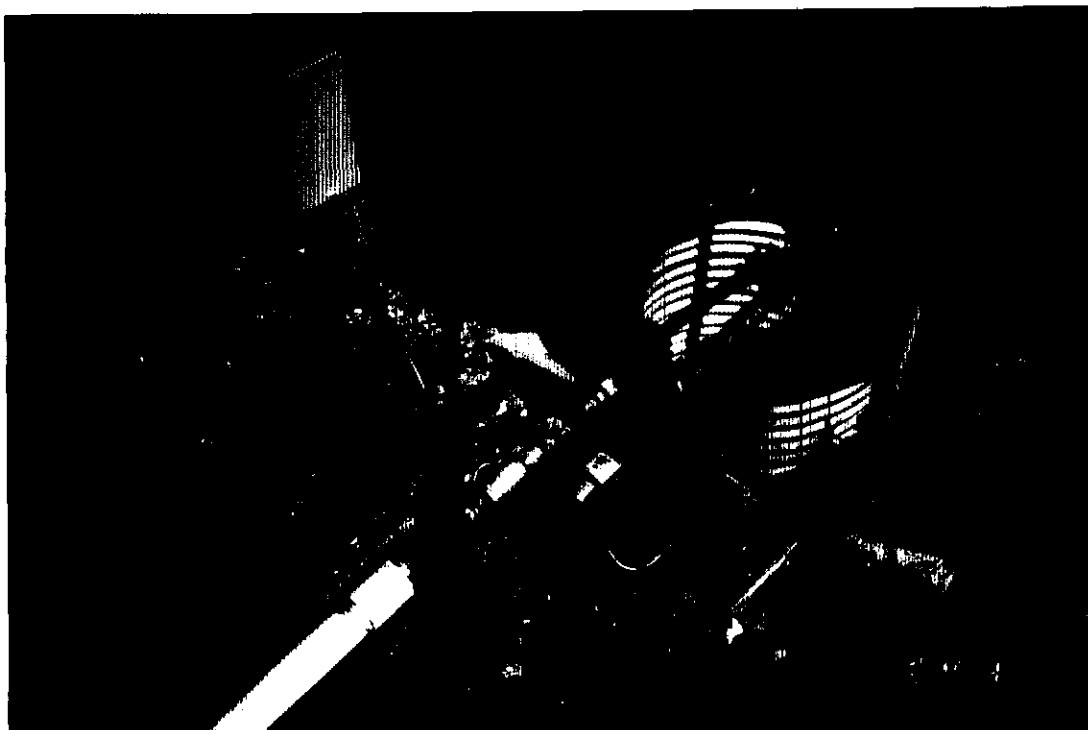
MIDDLETON, IDAHO
N4337.5—W11630/7.5

1958
PHOTOREVISED 1971
AMS 2671 II NE—SERIES V893

63-11508



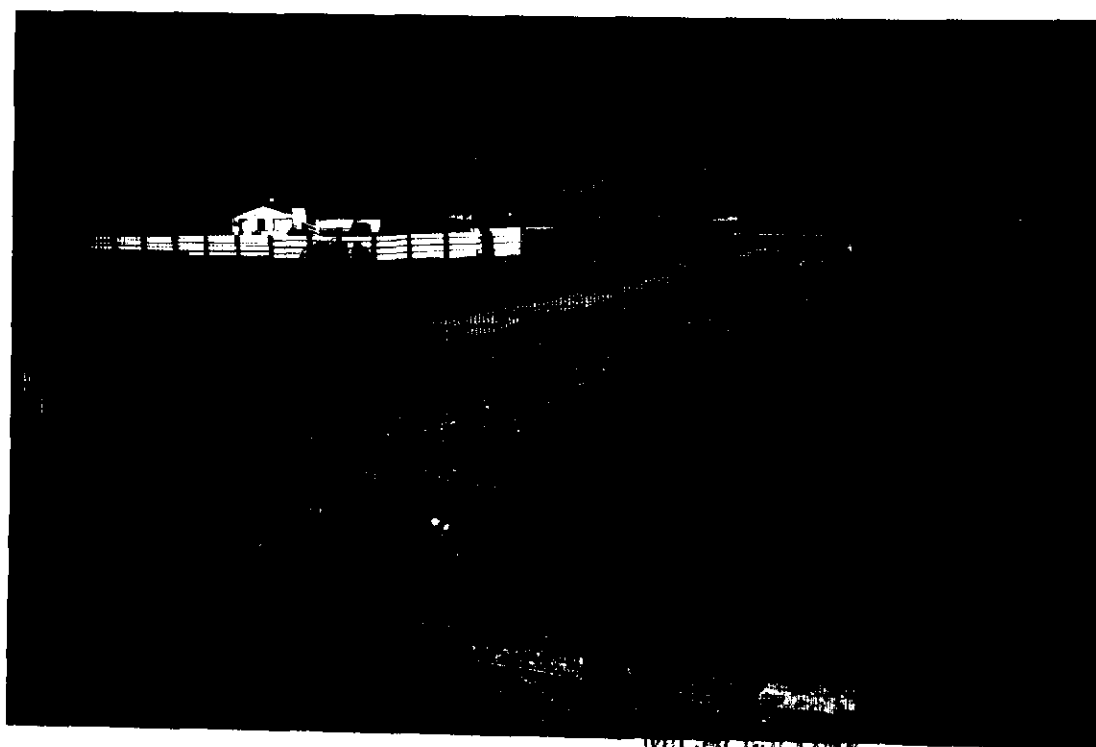
1 of 2



P/D

Pump
in

Fivemile
Creek



P/D

Pump in
Fivemile
Creek at
structure
in back-
ground.

P/u

Field/Garden
- where
tractor is,

View
Looking
West

MICROFILMED

SEP 22 1991

63-11508

2 of 2



P/u
Field/Garden
- where
tractor is.

House in
back-
ground.

View
Looking
Southwest



P/u
Field/Garden,
yard
around
house.

View
Looking
Southwest

63-11508

MICROFILMED

SEP 2 1963

July 2, 1993

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN-ADA RD.
NAMPA ID 83687

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11508

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 08 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11508 Reviewed by Klg Date 7/1/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
NA Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

lockable
Proof Made 6/30/93
7/2/93 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 11, 1993

Luis Nunez
18941 Can-Ada Road
Nampa, ID 83687

Re: Permit No. 63-11508

Dear Mr Nunez:

Returned is the Request for Extension of Time submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

First of all, an extension request must be accompanied by a \$15 filing fee. The Department cannot take action on the request until it has been returned with the fee.

Secondly, the Department is unable to ascertain from the extension request if you are beneficially using the water. If you are beneficially using the water, you have filed the wrong form. If you are using the water, you need to file the proof of beneficial use form that was previously mailed to you. If you are not beneficially using the water, please explain in further detail why you have not completed the project. Your reason you have already supplied is not sufficient.

The Department should also inform you that since you have already received one extension of time based on due diligence, Idaho Code, Section 42-204, will not allow the Department to grant another extension request. Therefore, it is unlikely that the Department will be able to grant another extension.

In any case, in order to be in compliance with all of the required dates, you will need to return the appropriate form and subsequent fee no later than July 1, 1993.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

RECEIVED

JUN 18 1993

April 30, 1993

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN-ADA RD.
NAMPA ID 83687

PROOF DUE NOTICE

RE: PERMIT NO. 63-11508

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140137

JUL 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 22, 1992

Luis and Carmen Nunez
18941 Can-Ada Road
Nampa, ID 83687

Re: Permit No. 63-11508

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1993. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

MAY 08 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. ⁶³~~68~~-11508 Reviewed by Klg Date 5/20/92

BASIC INFORMATION

5/20/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Approve Based on due diligence
extend to 7/1/93*

PRIORITY CALCULATION

Date extension received	<u>NA</u>	=	
Proof due date		=	
Number of days late		=	
Priority date		=	
New Priority Date		=	

DATA ENTRY

New Address _____
Change Proof Due Date 5/22/92 Klg
Change Priority Date _____

April 30, 1992

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN-ADA RD.
NAMPA ID 83687

PROOF DUE NOTICE

RE: PERMIT NO. 63-11508

Dear Permit Holder:

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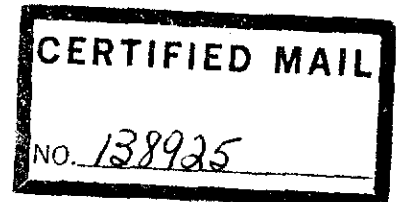
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Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

JUL 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 27, 1991

LUIS NUNEZ
CARMEN NUNEZ
18941 CAN-ADA RD.
NAMPA, ID 83687

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11508

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED
JUL 15 1991

APPLICATION FOR PERMIT REVIEW

Application #: 63-11508
Date: 6-17-91

Reviewer: Pam Skaggs

Existing:

✓ No - 26A-P17

✓ Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23(All GW, even existing wells)

Location:

✓ Water Districts - WD No. 63

Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - (1, Blank or Other)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)

Non Trust - 048-049

✓ River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 07-01-1992

Other Conditions Recommended

MAILED
JUL 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: GH DATE: 4-11-91 APPLICATION: 63-11508
NW1/4

REQUIRED INFORMATION

7/ Name: (If applicant is a corporation or partnership, names and addresses for the
7/ director, officers, and other partners must be included.)
7/ Address:
7/ Source: (See USGS Quad for names of water sources)
7/ Point of Diversion: (10 acres for spring, lot & block descriptions for
7/ Subdivisions, local name)
7/ County:
7/ Quantity: (flow and/or volume)
7/ Period of use: Gov't. Lots:
7/ Nature of proposed use: (Include description of use) None P/D
7/ Description of diverting works: P/U
7/ Time required for beneficial use of water:
7/ Place of use or acres irrigated:
7/ Map:
7/ Signature: (If applicant is corp., partnership, or municipality, title of
7/ signatory is required)
7/ Fee:
7/ Yes ___ No* In form to receipt:

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☐	Critical groundwater area:
☐	☐	Groundwater management area:
☐	☐	Diversion within interim protected river area
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
MAY 29 1991

Department of Water Resources

PROCESSING

APPLICATION NO. 63-11508

YES NO

☒

☐

☒

☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐

☐

☐

☐

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐

☐

☐

☐

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒

☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒

☐

☐

☐

☐

☐

☐

☐

☐

Publication dates and paper recorded on application:

Protests received. Final date for protest May 20, 1991

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DER

Measuring device required: No

Measuring port required:

Water delivered by water master? No, not delivered in this area, but District # within WD63

Special conditions of approval or cover letter: _____

023

☒ See below for additional information

Recommended Date or Priority 4/3/1991

Recommended by: DER

Date 5/22/91

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

DATE 4-11-91

FROM Cindy Hodges

TO File 63-11508

SUBJECT A.I. Claim

Notice of claim A63-²¹⁴¹⁰~~21410~~ for Stock/domestic has been filed & could be examined along with this permit when the time comes.

MICROFILMED

JUL 15 1991

CyH

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

APRIL 24, 1991

Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 20, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED

JUL 15 1991

63-11508

NUNEZ, LUIS
NUNEZ, CARMEN
18941 CAN-ADA RD.
NAMPA, ID 83678

Source: FIVEMILE CREEK

Tributary: TENMILE CREEK

Diversion Pt: NENE Sec 36 T 04N R 02W

Use: IRRIGATION (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 4/ 3/ 1991

In: T04N R02W S36 NENE

2.0 ACRES TOTAL

RECORDED

JUL 15 1991

FROM Cindy Hodges

DATE 4-11-91

TO File 63-11508

SUBJECT A.J. Claim

Notice of claim A63-²¹⁴¹⁰~~21410~~ for Stock/domestic has been
filed & could be examined along with this permit
when the time comes.

MICROFILMED

JUL 15 1991

CyH

SIGNATURE