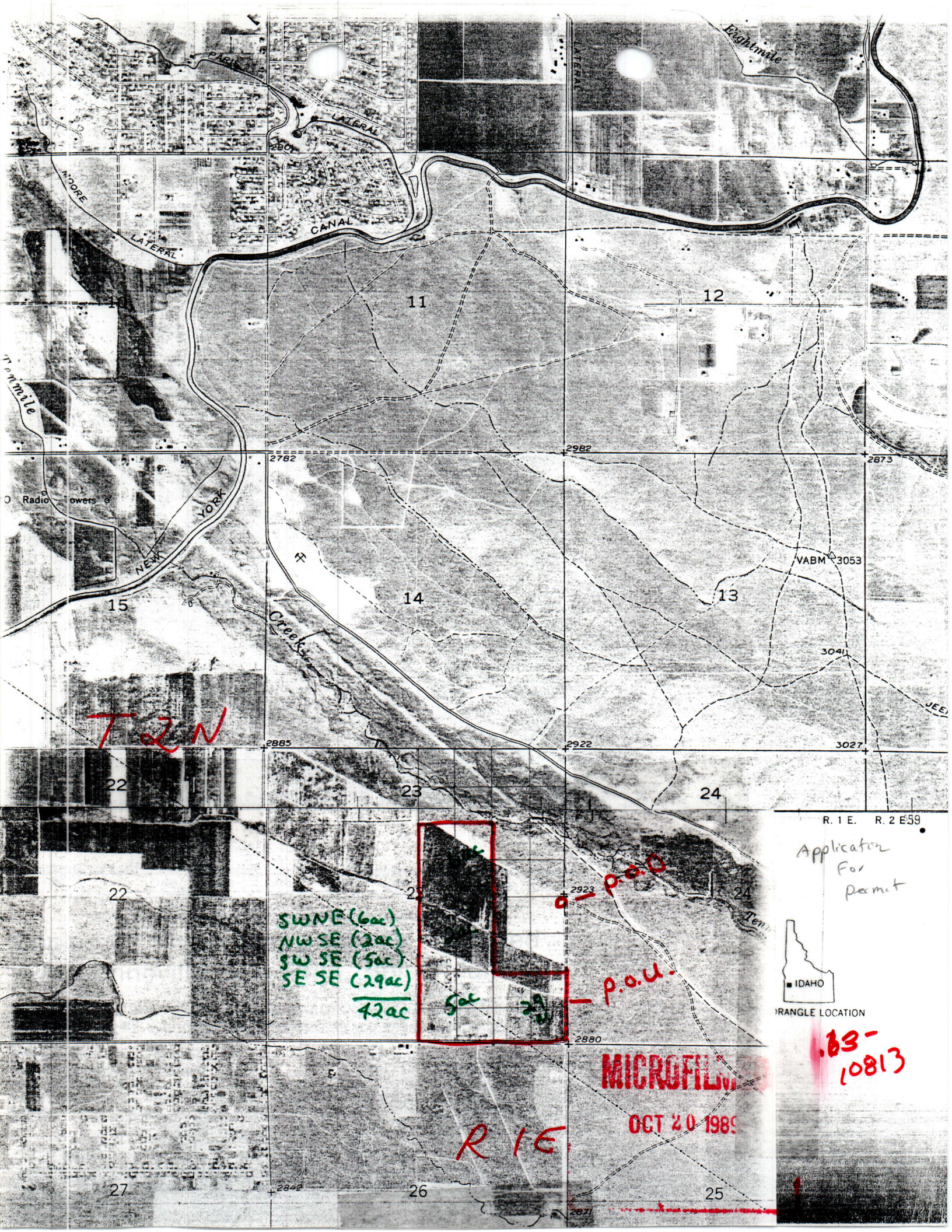




Eightmile

CANAL

LATERAL

NEW YORK CREEK

VABM 3053

3041

3027

R. 1 E. R. 2 E 59

Application
For
Permit



RANGE LOCATION

83-
10813

MICROFILMED

OCT 20 1989

R1E

15
22

14

T1628

63-03214 = 158

63-10813 = 27

185 ACRES

NW
HEL

NW
HEL

25.6
2
40.5

G11

T1631

HEL

NW
HEL
3
24.0

NW
HEL
4
20.6

40

NW
1
35.5

T1629

HEL

T1806

34

NW
15.0

NW
25.8

33

NW
7.5

T1840

T1636

HEL

40

NW
28.2

HEL

11

NW
3
12.4

T16210

27

NW
28.8

22

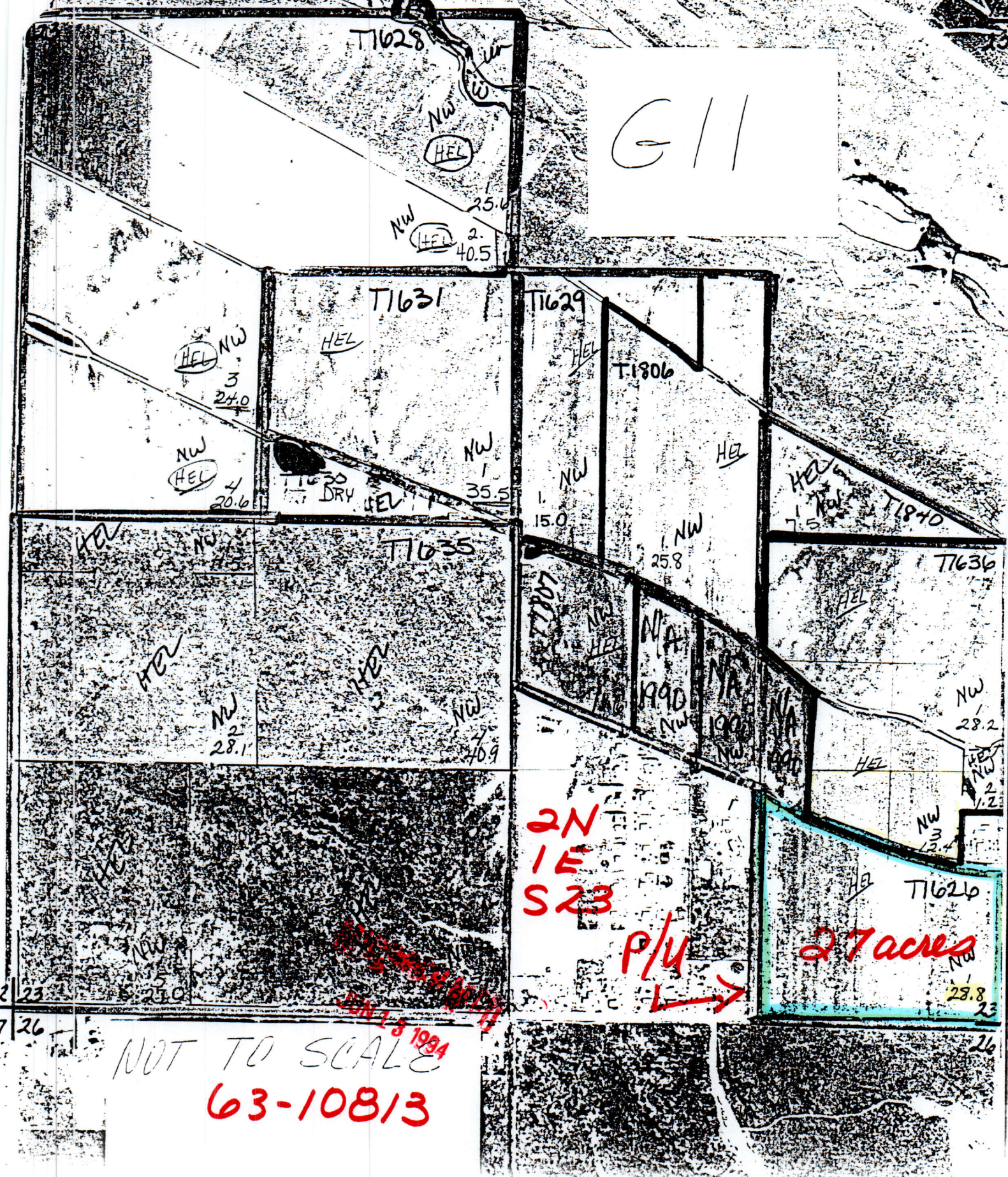
23

27

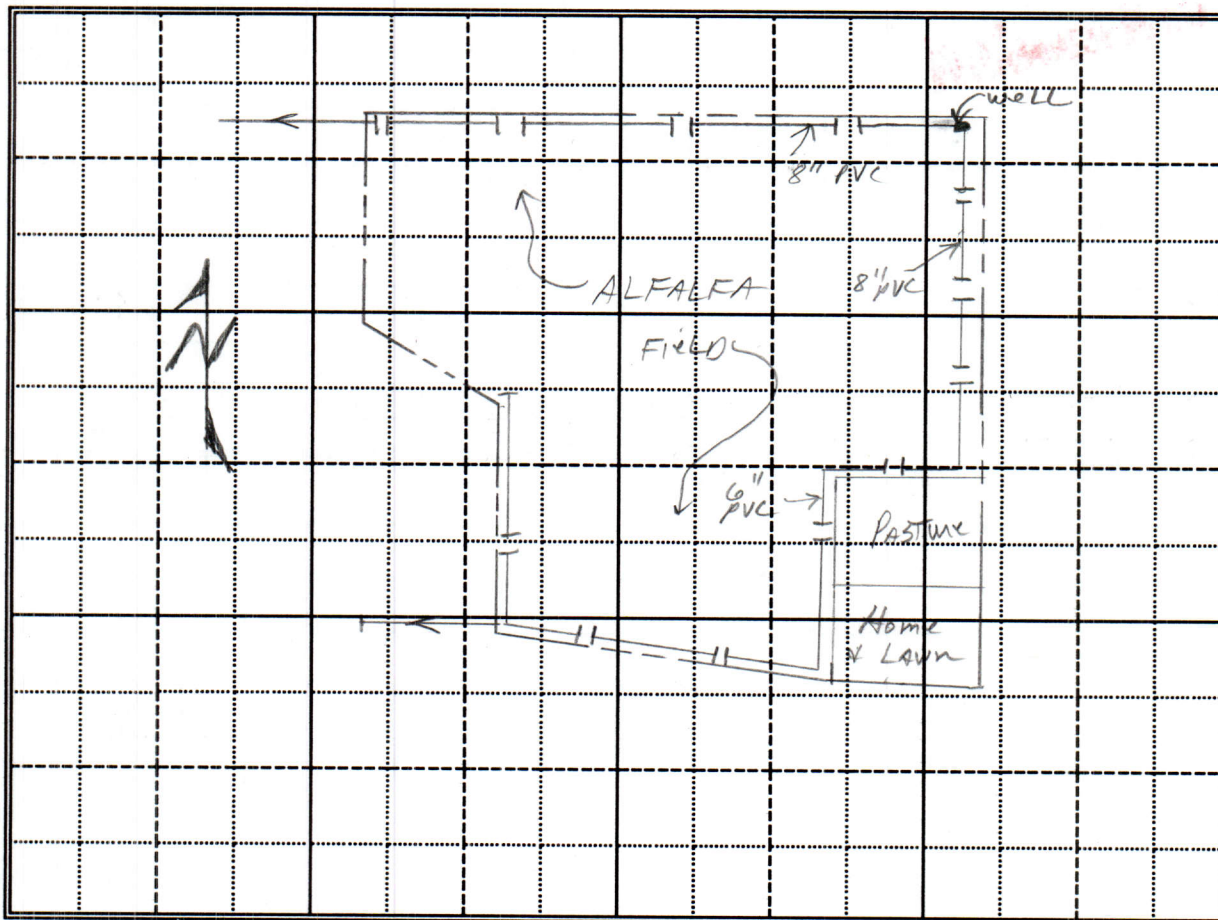
26

NOT TO SCALE

G11



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



Scale: 1" = NTS

☒ 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
	General Elec.	250	DX5404101	N/A	N/A

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

D. FLOW MEASUREMENTS

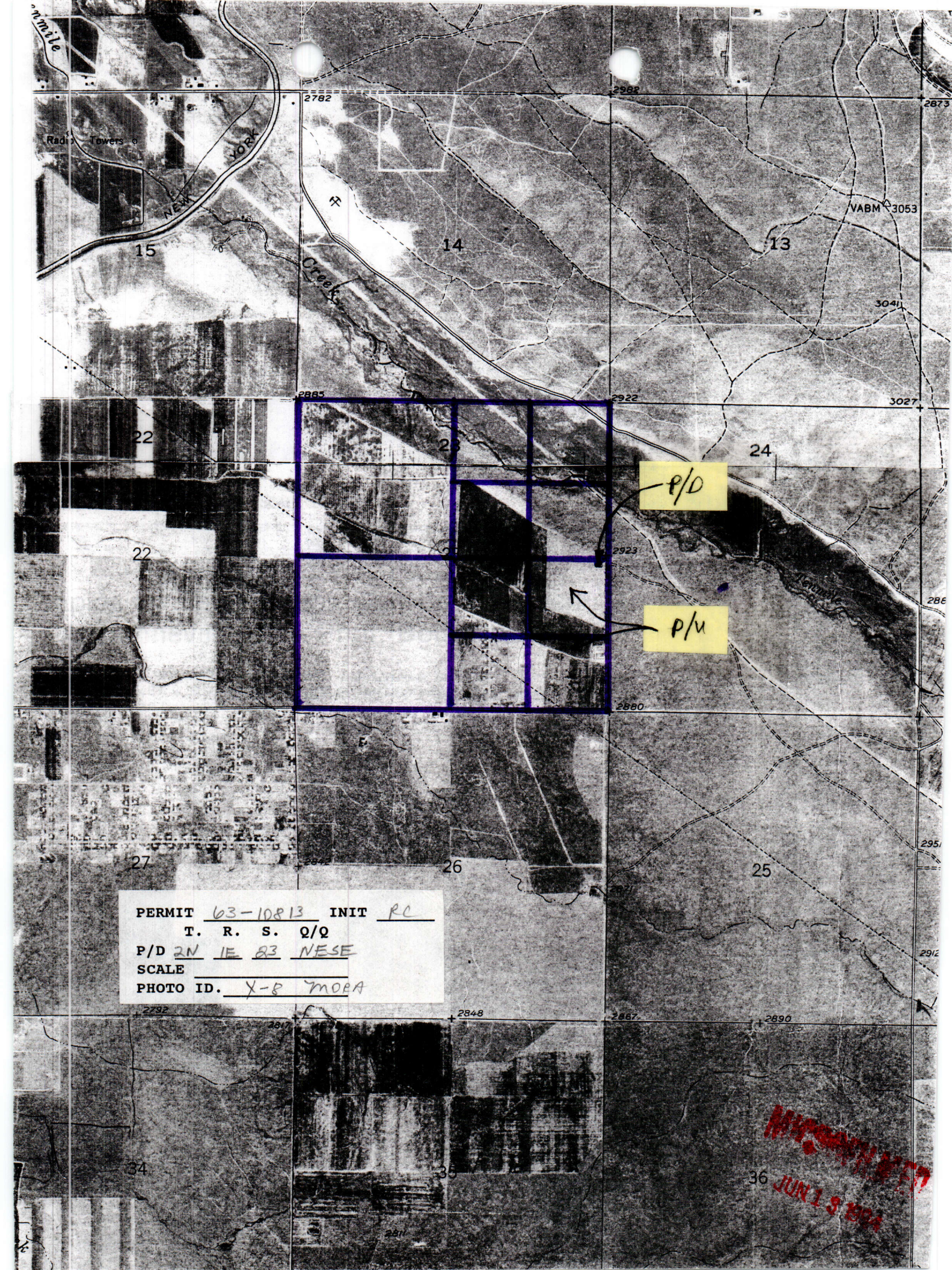
1.

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

2. Measurements: None, due to winter examination.

RECORDED

JUN 13 1994



PERMIT 63-10813 INIT RC
T. R. S. Q/Q
P/D 2N 1E 83 NESE
SCALE _____
PHOTO ID. X-8 MOBA

RECEIVED
36 JUN 13 1964

15 14
22

G11

T1628

NW
HEL

25.6

NW
HEL
2.40.5

T1631

HEL

NW
HEL
3
24.0

NW
HEL
4
20.6

T1630
DRY

HEL

NW
35.5

T1629

HEL

T1806

NW
15.0

HEL

NW
7.5

T1840

T1635

HEL

NW
28.1

HEL

NW
40.9

T1807

NW
HEL

NW
19.0
NW
19.0

NW
25.8

T1636

HEL

NW
28.2

HEL

NW
2.2
2.2

T1624

HEL

NW
28.8

22 23

27 26

NOT TO SCALE

JUN 13 1994



PHOTO ONE-

View westerly of well and one of two ~~8" to~~ 8" discharge lines. Blue mechanism is flow regulator.

>



MISSOURI
JUN 13 1994

PHOTO TWO-

View northerly of ~~the~~ well and the two 8" discharge lines.



PHOTO THREE- View southerly of Alfalfa field and wheel Lines. Risers are located or marked by metal fence posts to the left of field.

>



MISSOURI
JUN 13 1994

PHOTO FOUR- View westerly of hand line used to irrigate northern most portion of alfalfa field

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10813

Priority: June 13, 1989

Maximum Diversion Rate: 0.54 CFS
Maximum Diversion Volume: 121.5 AF

This is to certify, that KUNA EAST WATER CORP
9000 E KUNA RD
KUNA ID 83634

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 13, 1989; and has submitted Proof of Beneficial Use on September 17, 1990. An examination indicates that the works have a diversion capacity of 3.300 cfs of water from a GROUNDWATER 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	0.54 CFS	121.5 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 23, Township 02N, Range 01E
ADA 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>
02N	01E	23	SESE	27		27

Total number of acres irrigated: 27

CONDITIONS/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 that 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. This right uses the same well as Right 63-03214 and when combined with Right 63-03214 shall not exceed a diversion rate of 3.30 cfs nor provide more than 4.5 afa per acre for the lands above.

JUN 13 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10813

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 1st
day of JUNE, 1994.

Acting for R. Keith Higginson, Director

RECEIVED
JUN 13 1994

SEP 17 1990

Department of Water Resources
Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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.

Permit No. 63-10813 Telephone No. 362-2971

Name(s) of Permit Holder(s): Kuna East Water Corp.

Post Office Address: 900 E. Kuna Rd. Kuna ID 83634

Source of Water: groundwater

If ground water, well driller's name: UNKNOWN Date drilled: 1964

Extent of Use:
Domestic _____ (No. of households) Irrigation 42 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .84 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 9/29/89 although use dates back to about 1964

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes ___ No Installed? ___ Yes ☒ No

OR

Flow Measurement Port: Required? ☒ Yes ___ No Installed? ___ Yes ☒ No

Fee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Orville Brokaw 362-2971
Name Telephone No.
AS PRU
Address

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.

9/17/90 X Orville E. Brokaw President
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-10813

Proposed Priority: June 13, 1989

Maximum Diversion Rate:

0.84 CFS

This is to certify, that **KUNA EAST WATER CORP.**
9000 E. KUNA RD.
KUNA, ID 83634

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.84 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NESE	Sec. 23, Township 02N, Range 01E ADA 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>
02N	01E	23	SWNE 6 SESE 29	NWSE 2	SWSE 5	42

Total number of acres irrigated: 42

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
6. 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

29th day of September, 1989

NOT RECORDED

OCT 20 1989

[Signature]
for R. Keith Higginson, Director

Ident. No. 63-10813

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: KUNA EAST WATER CORPORATION 208-362-2971
Address: 9000 E. KUNA RD.
KUNA, ID 83634
2. Source: GROUNDWATER Trib. to:
3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	23	NE	SE			ADA
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
IRRIGATION	03/15	11/15		0.840	
5. Total quantity appropriated is:
0.840 CFS (and/or) AFA
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
400'DRILLED WELL W/250 HP SURFACE PUMP W/PIPELINE TO P.O.U.
 - 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 16 inches; proposed depth of well is 400
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:
IRRIGATION OF ACRES NOT INCLUDED IN LICENSE 63-03214

RECEIVED

OCT 20 1989

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	23	SW NE		IRR	6.0
			NW SE		IRR	2.0
			SW SE		IRR	5.0
			SE SE		IRR	29.0
Total Section Acres						42.0
Total Acres						42.0

10. Describe any other water rights used for the same purposes.
63-03214

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

DEVELOPMENT WEST

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

WATER USERS

c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.
P.O.D. WELL AGREEMENT; P.O.U. SHAREHOLDERS

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [X]

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.

Orville E. Prokav

Applicant

President

Kama East Water Corp.

MICROFILMED

OCT 20 1989

10-5-87
JMK

INSTRUCTIONS ON REVERSE SIDE

No. 040604	Idaho Corporation Annual Report Form		2. Registered Agent and Office																			
Return To Secretary of State Room 203, Statehouse Boise, ID 83720	Due No Later Than November 1, 1987		ORVILLE E. BROKAW 9000 EAST KUNA ROAD KUNA, IDAHO 83634																			
	1. Mailing Address — Please Correct	040604																				
4. Names and Addresses of Officers and Directors		KUNA EAST WATER CORPORATION ORVILLE E. BROKAW 9000 EAST KUNA ROAD KUNA, IDAHO 83634		3. Incorporated Under The Laws of STATE OF IDAHO																		
		<table border="1"><thead><tr><th>Name</th><th>Street or P.O. Address</th><th>City</th><th>State</th><th>Zip</th></tr></thead><tbody><tr><td>President: ORVILLE E. BROKAW</td><td>9000 E KUNA RD</td><td>KUNA</td><td>IDAHO</td><td>83634</td></tr><tr><td>Secretary: NILE CLARK</td><td>2017 S. PHILIPPI</td><td>BOISE</td><td>IDAHO</td><td>83705</td></tr><tr><td>Directors: DOSS GARVIN</td><td>CON HORSE DR.</td><td>KUNA</td><td>IDAHO</td><td>83634</td></tr></tbody></table> SAME AS ABOVE ORVILLE E. BROKAW NILE CLARK DOSS GARVIN			Name	Street or P.O. Address	City	State	Zip	President: ORVILLE E. BROKAW	9000 E KUNA RD	KUNA	IDAHO	83634	Secretary: NILE CLARK	2017 S. PHILIPPI	BOISE	IDAHO	83705	Directors: DOSS GARVIN	CON HORSE DR.	KUNA
Name	Street or P.O. Address	City	State	Zip																		
President: ORVILLE E. BROKAW	9000 E KUNA RD	KUNA	IDAHO	83634																		
Secretary: NILE CLARK	2017 S. PHILIPPI	BOISE	IDAHO	83705																		
Directors: DOSS GARVIN	CON HORSE DR.	KUNA	IDAHO	83634																		
5. Nature of Business IRRIGATION WATER	6. I certify that this Annual Report has been examined by me and is to the best of my knowledge true, correct and complete. <table border="1"><tr><td>Signature</td><td>Orville E. Brokaw</td><td>Date</td><td>10-5-87</td></tr><tr><td>Name (Typed or Printed)</td><td>ORVILLE E. BROKAW</td><td>Title</td><td>PRESIDENT</td></tr></table>				Signature	Orville E. Brokaw	Date	10-5-87	Name (Typed or Printed)	ORVILLE E. BROKAW	Title	PRESIDENT										
Signature	Orville E. Brokaw	Date	10-5-87																			
Name (Typed or Printed)	ORVILLE E. BROKAW	Title	PRESIDENT																			

Missouri

OCT 20 1989

Ident. No. 63-10813
Page 3

Received by EJR Date 06/13/89 Time 2:17 pm Preliminary check by SL
Fee \$ 45⁰⁰ Receipted by EJR # W003217 Date 06/13/89
Publication prepared by GG Date 6-28-89 Published in ID Statesman
Publication approved st Date 7-28-89 ^{7/6 & 7/13/89}

MICROFILMED

OCT 20 1989



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 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN M GIBBONS
3230 S TERRI DR
MERIDIAN ID 83642

RE: Kuna East Water Corp. Water Rights

Dear Marvin:

I am writing in response to your request for clarification of the water use authorized by Water Right Licenses 63-03214 and 63-10813. You will find this response to be a reiteration of the responses I have already provided you, Karen Wooddell, Hal Cooksey, Buck Gibbons, and Jerry Blickfeldt in prior discussions about Kuna East Water Corporation's water rights.

Water Right License 63-03214 was issued to Twin Block Ranch in 1966. The water use authorized by this license has been claimed by Kuna East Water Corp. in the Snake River Basin Adjudication (SRBA). Water Right License 63-03214 authorizes the diversion of up to 3.16 cfs (1418 gallons per minute) from groundwater for the irrigation of 158 acres within the following area:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T2N, R1E
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1E
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1E

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T2N, R1E
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1E

Water Right License 63-10813, issued to Kuna East Water Corp. in 1994, authorizes the diversion of up to 0.54 cfs (242 gpm) from groundwater for the irrigation of 27 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1E.

Together water rights 63-03214 and 63-10813 authorize the diversion of 3.30 cfs (1481 gpm) from groundwater for the irrigation of 185 acres in the tracts identified above.¹

Although the water right licenses specify a number of acres irrigated within each quarter-quarter (40-acre tract) listed in the place of use descriptions, no formal change to the water right is required to rearrange the irrigated acres within the listed quarter-quarters, as long as the

¹ Approval Condition No. 6 on Water Right License 63-10813 limits the two rights when used together to 3.30 cfs, the capacity of the well at the time of the field examination for 63-10813.

Marvin Gibbons
August 11, 1999
Page 2

authorized total number of acres is not exceeded. An approved transfer is required, however, before land can be irrigated under an existing water right in a quarter-quarter other than those designated in the place of use description, even if the authorized total number of irrigated acres is not exceeded. For example, if a water right describes 20 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of a particular section, a transfer application is not required to irrigate 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$. A transfer is required, however, to irrigate 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ because the SW $\frac{1}{4}$ NE $\frac{1}{4}$ is not listed part of the place of use described on the license.

If Kuna East Water Corp. wishes to irrigate land outside its authorized place of use, it needs to obtain a new water right or apply to transfer (change) an existing right to cover the proposed use. Because there is a processing hold on applications for new irrigation rights in the Treasure Valley, the best option for an immediate solution would probably be a transfer to change the place of use of one of the existing water rights. The proposed change can be approved if the total irrigated acreage is not increased beyond 185 acres, no other water users would be injured by the proposed change, and the change is not contrary to the public interest. Kuna East Water Corp. could also acquire an existing water right from another location in the Treasure Valley and propose to transfer it to the Kuna East system. Transfer forms are available at any IDWR office or from our homepage on the Internet. I will be glad to continue to work with the designated representatives of Kuna East Water Corp. in an earnest effort to identify options for resolving water right issues in a manner consistent with Idaho law and IDWR's rules and regulations.

In your letter, you also asked me to address enforcement options for water right violations. IDWR may take civil action under Section 42-1701B, *Idaho Code*, to stop the diversion and/or use of water without a water right or in a manner that is not in conformance with a water right. For irrigation without a water right, annual penalties of up to \$300.00 per acre may be levied.

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

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

Cc: Kuna East Water Corp. c/o Karen Wooddell

MEMORANDUM

Date: August 10, 1999

To: Department of Water Resources
Shelly Walter Keen
1301 N. Orchard St.
Boise, ID. 83706-2237
208-327-7946

Re: Request for Interpretation of exact water usage by Kuna East Water Corp.

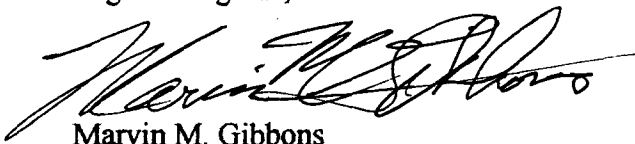
Dear Mr. Keen,

I have attached copies of both Water Right Licenses issued to Kuna East Water Corp. and a map with the 40 acres tracts (boundaries outlined in green and the land in question colored in yellow. I respectfully make the following request:

It is my wishes that you issue a formal Interpretation of the exact water usage available to Kuna East Water Corp. As per our earlier face to face conversation, we discussed the ability of the Corporation to supply water to property, which lies within the boundaries of the listed 40 acres tracts under the Water Right License. A neighbor of the Corporation has requested the Corporation to supply water to land, which (A) does not have ANY Listed Water Rights issued to It and (B) does not fall within the boundaries of the 40 acres Tracts listed under the Water Right License. PLEASE specifically outline the usage available to the Water Corp. i.e. that It is able to water 185 acres of land which falls within the 40 acres boundaries described within the Water Licenses. AND ALSO specify that the Corporation would be in direct violation and possible penalties if it supplied water to land, which falls outside the boundaries, without state and appropriate governmental written approval.

Mr. Keen, I sincerely would like to thank you for your attention to this matter. As you are aware, we the Kuna East Water Corp. are doing our very best to regulate our water usage as the State and your agency specify it.

Highest Regards,



Marvin M. Gibbons
3230 S. Terri Dr.
Meridian, Idaho 83642
(208) 362.2395

State of Idaho **License and Certificate of Water Right**

Water License No. G-28993

Amount 3.16 c.f.s.

Water District No. _____

Priority September 6, 1960

THIS IS TO CERTIFY that **MAUDE E. WOLKE - Assignee - TWIN BLOCK RANCH** of **Kuna, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **September 6, 1960**; that Permit No. G-28993 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.16 second feet**, was issued thereunder on **May 23, 1966**, showing that said works were completed on the **10th day of August, 1965**; and that on the **10th day of August, 1965**, **TWIN BLOCK RANCH**

of **Kuna**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. **G-28993** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **13** of Licenses at page **8471**, on the **23 day of May, 1966**;

The right hereby confirmed dates from **September 6, 1960**;

The Point of Diversion is located in the **NE ¼, SE ¼, Sec. 23, Tp. 2 N, R. 1 E., B. M. Ada County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.16 cubic feet per second**.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	1 E	23	SW¼ NE¼	40	34
			SE¼ NW¼	40	40
			NE¼ SE¼	40	40
			NW¼ SE¼	40	33
			SE¼ SE¼	40	11
Total number of acres to be irrigated:					158

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this **23rd day of May, 1966**.

/s/ R. KEITH HIGGINSON
Deputy State Reclamation Engineer.

(SEAL)

63 2314

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10813

Priority: June 13, 1989

Maximum Diversion Rate: 0.54 CFS
Maximum Diversion Volume: 121.5 AF

This is to certify, that KUNA EAST WATER CORP
9000 E KUNA RD
KUNA ID 83634

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 13, 1989; and has submitted Proof of Beneficial Use on September 17, 1990. An examination indicates that the works have a diversion capacity of 3.300 cfs of water from a GROUNDWATER 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	0.54 CFS	121.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 02N, Range 01E
ADA 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>
02N	01E	23	SESE	27		27

Total number of acres irrigated: 27

CONDITIONS/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 that 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. This right uses the same well as Right 63-03214 and when combined with Right 63-03214 shall not exceed a diversion rate of 3.30 cfs nor provide more than 4.5 afa per acre for the lands above.

JUN 13 1994

G 11

7628

HEL

NW

121

U631

HEL

HEL NW

3
24

NW
REL

40

CEL

35.5

11629

70811

34

मृ

425

77634

410

NW.
28.2

HEL

لعل

77624

67 acres

38-288

NOT TO SCALE ¹⁰²⁴
63-10813



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

May 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KUNA EAST WATER CORP
C/O KAREN WOODDELL
11575 S HAWK HAVEN
KUNA ID 83634

RE: Water Right Questions

Dear Karen:

As you requested, I am writing in response to the questions you posed yesterday on the phone.

1. Does Kuna East Water Corporation need to file a transfer application with the Department of Water Resources (IDWR) to seek approval for rearranging the number of irrigated acres within the tracts listed as the authorized place of use for its licensed water rights, 63-03214 and 63-10813?

In general, a transfer application is not required to rearrange the irrigated acres within the quarter-quarters (40-acre tracts) described as the place of use on a license, as long as the authorized total number of irrigated acres is not exceeded. An approved transfer is required, however, before acres can be irrigated in a quarter-quarter other than those designated in the place of use description, even if the authorized total number of irrigated acres is not exceeded. For example, if a water right describes 20 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of a particular section, a transfer application is not required to irrigate 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$. A transfer application is required, however, to irrigate 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ because the SW $\frac{1}{4}$ NE $\frac{1}{4}$ is not listed part of the place of use described on the license.

2. If Kuna East Water Corporation rearranges its irrigated acres under its existing water rights, should it amend its Snake River Basin Adjudication (SRBA) claim, A63-03214?

In the adjudication process, your claim will be investigated by IDWR, a recommendation will be submitted to the SRBA court, and the court will issue a final determination of your water right. If you change your water use, it probably would be prudent to amend your claim and to file an explanation of the changes so they can be incorporated into the recommendations prepared by the claim reviewer. If you file an application for transfer, approval of the transfer will be deemed to automatically amend your claim. If you make changes that do not require a

Kuna East Water Corporation
May 20, 1999
Page 2

transfer, you can amend your claim by completing and submitting a new claim form. There is no charge to file an amended claim.

3. How should Kuna East Water Corporation notify IDWR of changes in ownership of their water rights, or portions of their water rights?

It is not necessary to notify IDWR of a change in distribution of shares to a water right that is owned by Kuna East Water Corporation. However, it is necessary to notify IDWR if ownership of the water right is split among the users and Kuna East Water Corporation's ownership interest is reduced or terminated. I am enclosing a Notice of Change of Water Right Ownership form, which you may photocopy as often as you need. To notify IDWR of an ownership change, complete and submit the form with 120 days of the change. Please pay particular attention to Item 6 on the form. If you divide the water rights among the users, it will be important to carefully document how each owner's share of the water rights was determined.

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

Sincerely,

A handwritten signature in black ink that reads "Shelley Walter Keen". The signature is written in a cursive, flowing style.

Shelley Walter Keen
Water Rights Supervisor

Enclosure

cc: IDWR Adjudication Bureau

Notes

By: Shelley W. Keen ^{SWK}

Date: April 7, 1999

Subject: Meeting with Kuna East Water Corp.

On April 5, 1999, I met for 1.5 hours with Jerry Blickfeldt, Hal Cooksey, Buck Gibbons, and Karen Wooddell of Kuna East Water Corp. Karen Wooddell recorded the conversation. Kuna East Water Corp. owns licensed water rights 63-03214 and 63-10813, which together authorize 185 acres of irrigation. The Kuna East has distributed to its members 200 acres worth of shares, and the representatives believe the total area irrigated may exceed 185 acres. Also, Jerry Blickfeldt's property contains some irrigated land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T2N, R1E, a tract that is not part of the authorized place of use.

I recommended to the Kuna East group that they first estimate as accurately as possible the number of acres actually irrigated from their system. I reminded them to exclude roads, buildings, and other areas not actually irrigated. If they find they are under 185 acres, I told them, they can pursue a transfer to cover Jerry Blickfeldt's land. If they are over 185 acres, they can pursue an enlargement claim in the SRBA, attempt to acquire and transfer another right, or reduce the land they're irrigating. We discussed the SRBA enlargement claim provisions, the transfer process, and the current hold on new appropriations in the Treasure Valley.

The Kuna East representatives also indicated they are looking for ways to resolve the issue over the number of shares issued versus the number of irrigated acres authorized under their water rights. I told them that I am not a lawyer, and I suggested that they may want to have their own lawyer review their bylaws and give them some advice.

Hal

Special Kuna East Water Corporation Task force meeting minutes:

March 25, 1999

7:30pm

At Buck Gibbons home

In Attendance:

Jerry Blickfeldt

Hal Cooksey

Buck Gibbons

Karen Wooddell

Purpose of meeting:

To document questions for Shelly Keen prior to meeting with him.

And

To ask for direction / options to resolve issue in writing from the State.

Situation of Kuna East Water Corporation Review:

The Kuna East Water Corporation has outstanding shares of stock equal to 2000. Each 10 shares of stock is equal to 1 acre of land, hence the outstanding shares of stock are equal to 200 acres of land. The Kuna East Water Corporation has water rights equal to 185 acres. Need to determine how to balance the two (shares of stock and water rights) to each other along with the following concerns:

Acres of land that were watered prior to 1987.

How do water rights relate to actual legal descriptions of land? 40-acre parcels versus water rights associated with each 40 acres.

Questions for Shelly Keen – Idaho Department of Water Resource

- We have 240 acres described in our water licenses, but only 185 acres of water rights. Are the water rights tied directly to each 40 acre parcel as described on the water license or can the 185 water rights be used anywhere within the 240 acres? If the later is correct, How do you/we determine this? Can Shelly help us do this?
- Can the water rights be transferred across these 40-acre parcels or are the water rights bound by each of the 40-acre parcel legal descriptions? How do our water rights relate to legal descriptions? Must the water rights be assigned to particular legal descriptions? Via each stock certificate?
- If we have land that was watered prior to 1987 (photo proof) and now these do not have water rights, how do we get the water rights back? What is the process? Need to apply or can they be grandfathered back to the current landowner?
- How many acres does the state say was being watered prior to 1987? (photos)
- We've been told there is a 5% plus or minus rule regarding water rights and actual water usage IE: we can use up to 5% more water than we have rights for; we have 185 water rights plus 5% equals 195 acres; plus the exemptions for roadways/houses/etc then we would be ok?

- Can we buy 'extra' water rights for others – not in our Water Corporation? If so, how do we go about this? Can the state help us with this process?
- We heard about the water must be used or else lose it? Is this true? What is the time period? Is there a difference between our old water license/rights versus the new water license/rights?
- Who legally owns the water? Who legally owns the water rights? IE: The landowner or the water corporation or the state? Our Water Rights appear to be in the name of Kuna East Water Corporation. Do we need to change these to the landowners or is that the intention of the share of stock?
- What is the difference between Water Rights, Water License, Rights of Water and shares of stock in our corporation?
- What is the purpose of the Snake River Water Adjudication? How do they work with the State Dept. Water Resources? Who controls the water rights?
- What is the normal distribution of share of stock & water rights when more shares of stock are sold versus existing water rights? Recommendation for our situation?
- Who or what determines the water rights distribution and water from the well? Water Rights? Shares of Stock?
- How often does the state make their water assessments?

Hal Cooksey had received the aerial photos from the state and we reviewed them.

Karen Wooddell will contact Shelly Keen at the Idaho Department of Water Resources to setup a meeting.

Thanks to Cheryl and Buck Gibbons for their hospitality and Goodies!

The meeting adjourned at approximately 9:00 PM.

15 24
22

T1628

63-03214 = 158

63-10813 = 27

185 ACRES

NW
HEL

NW
HEL

2
40.5

G11

T1631

HEL

40

NW
HEL

3
24.0

NW
HEL

4
20.6

T1630
DRY

HEL

NW

1
35.5

T1629

HEL

T1806

34

HEL

NW

15.0

NW

25.8

33

HEL

7.5

T1840

T1636

HEL

40

NW

28.2

HEL

11

NW

3
13.4

T1626

27

NW

28.8

23

26

NOT TO SCALE

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE																				
WR-NUMBER	SOURCE	NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SE		SUM										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac											
6303214	T02N R01E S23	GROUNDWATER																																
	:	34								40								40				33				11				: 158				
A6303214	GROUNDWATE :	34								40												40				33				11				: 158
6303519	GROUNDWATE :	34		20				01												40		33		11		: 158								
A6303519	GROUNDWATE :	34		20				01																: 55										
6307089	GROUNDWATE :									16		40		40										: 55										
A6307089	GROUNDWATE :									16		40		40										: 96										
6307107B	GROUNDWATE :															36		36		36		36		: 96										
6307277	GROUNDWATE :							23																: 144										
A6307277	GROUNDWATE :							23																: 23										
6310813	GROUNDWATE :																							: 23										
																								27 : 27										

AJ0729NP
No. A63-03214

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KUNA EAST WATER CORP 9000 E KUNA RD KUNA ID 83634 (208) 362-2971	09/06/1960	IRRIGATION	03-15 11-15	3.160 CFS	
TOTAL DIVERSION:					3.160 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R01E S23

NESE

ADA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	01E 23			34					40					40	33		11	158.0
TOTAL ACRES																	158.0	

POU County: ADA

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 05/06/1985

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: Y

Presumption Flag:



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

May 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK AND MARVIN GIBBONS
9588 LOFT HORSE LANE
KUNA ID 83634

RE: Licensed Water Rights 63-03214 and 63-10813 (Kuna East Water Corp.)

Dear Mark and Marvin:

As you requested, I am writing to explain why water right 63-10813 was licensed for 27 acres of irrigation when the permit originally authorized 42 acres of irrigation. As we discussed, a permit is authorization to develop a water right. The water right license is confirmation that you have established a water right. Permit 63-10813, issued in 1989, authorized you to develop a right to irrigate 42 acres in addition to the 158 acres covered by right 63-03214. In accordance with Idaho law, the permit carried a condition requiring you to complete your "construction of works and application of water to beneficial use" by November 1, 1990. In other words, under the terms of your permit, to establish a water right you had to divert and use the water by November 1, 1990.

The three basic premises of a water right are intent to establish a water right, physical diversion of water, and application of the water to a beneficial use. Your intent was evident because you filed an application with IDWR. The diversion and beneficial use of water are confirmed by field examination. The field examination conducted by IDWR in 1994 confirmed that you had added 27 acres of irrigation, not 42, to the 158 acres covered under right 63-03214. The water right license issued to you in 1994 reflects the extent of the beneficial use of water you developed within the time frame authorized in your permit. Had you actually irrigated 42 more acres, your license would have recognized a right to irrigate 42 acres.

You also asked me to explain the filing exemption for diversion of ground water for domestic purposes. Essentially, you do not have to file for a water right to divert ground water for domestic use as long as you meet the following criteria.

- Your use must not exceed 13,000 gallons per day.
- You must not irrigate more than half an acre in connection with your home.
- You must own all the homes served. (Your water lines cannot cross property ownership lines.)

MICROFILMED

JUN 05 1998

Mark and Marvin Gibbons
May 22, 1998
Page 2

The half-acre of irrigation must be in connection with your home. You cannot irrigate half an acre without having constructed a home, and you cannot "donate" your half-acre exemption to someone else.

I hope this information is what you need. If you have any additional questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in cursive script that reads "Shelley Walter Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

JUN 05 1998



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 3, 1994

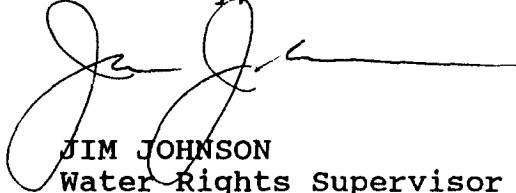
KUNA EAST WATER CORP
9000 E KUNA RD
KUNA ID 83634

RE: WATER RIGHT NO. 63-10813

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUN 13 1994

MEMORANDUM

TO: File 63-10813
Kuna East Water Corporation

FROM: Brenda Chapman

DATE: May 24, 1994

RE: Additional Review Information

=====

The representative for Kuna East Water Corporation, Orville Brocaw, telephoned the office questioning the findings on the field exam for the above referenced permit.

We reviewed the file and found the following:

- a. Found that the examiner had inadvertently recommended the wrong field.
- b. Existing license (63-03214) supported the intent of the filing. A new water right was needed to cover irrigation of the southern most field in the SESE $\frac{1}{4}$ of Section 23.
- c. Since many of the calculations needed to be changed, an amended field exam was prepared.

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JUN 13 1994

LICENSE REVIEW CHECKLIST



PERMIT NO. 63-10813 DATE 5-26-94

Unended REVIEW

NAME	Yes ☐	No ☒	Or Address Change?
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	☒	Amendment needed? _____ Overlaps? <u>63-3214 @ 3.16 CFS</u>
PLACE OF USE	☒	☒	Amendment needed? _____ Overlaps? <u>63-3214 Different acres</u>
DIV RATE	☐	☒	Measurement done? _____ Theoretical only? ☒ <u>Q = 3.30 CFS</u> <u>27 x .02 = .54</u>
			Capacity: <u>3.30</u> Combined rates exceed capacity ☒ Allowable amount: <u>.54 CFS</u> CONDITION
ANNUAL VOLUME	☐	☒	Season of use: <u>D/4.5 (3-15 to 11-15)</u> Calculations: <u>27 x 4.5 = 121.5</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable ☐
USES	☐	☒	Change(s) in Nature of Use? _____ Amendment necessary? ☐
REMARKS	<u>W29 Edit</u> Multiple p/d(s) in 1/4 1/4? _____ Other _____		
CONDITIONS	☐	☒	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ <u>004</u> Other _____
COMMENTS: <u>Reduce acres and rate</u>			

RECOMMENDED	CFS	VOLUME	LICENSE ☒
<u>Irrigation</u>	<u>.54</u>	<u>121.5</u>	
_____	_____	_____	1ST AMENDMENT LETTER _____
_____	_____	_____	FINAL AMENDMENT LETTER _____



G11

T1628

NW
HEL

NW
HEL
25.6
2.4
40.5

T1631

HEL

NW
HEL
3
24.0

NW
HEL
4
20.6

T1630
DRY

NW
1
35.5

T1629

HEL

T1806

NW
1
15.0

HEL

HEL
7.5

T1840

T1635

HEL

NW
2
28.1

NW
2
40.9

HEL

NW
HEL

NW
1990
NW

NW
1990
NW

NW
1990
NW

T1636

HEL

NW
28.2

HEL

NW
3
12.4

2N
1E
S23

P/Y

27 acres

T1621p

NW
28.8

NOT TO SCALE
63-10813

1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-10813

1. Owner: KUNA EAST WATER CORP Phone No. 362-2971

Current Address: 9000 E. KUNA RD KUNA ID 83634

2. Accompanied by: ORVILLE BROKAW EXAM DATE: 1/31/94

Address: SAME Phone No. SAME

Relationship to Permit Holder: PRESIDENT, WATER ASSN.

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63, 03214, 07625, 08588, 09164

2. Other water rights with the same point of diversion: 63-03214

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	SE	23	2N	1E	ADA	AERIAL MAP

2. Place(s) of Use:

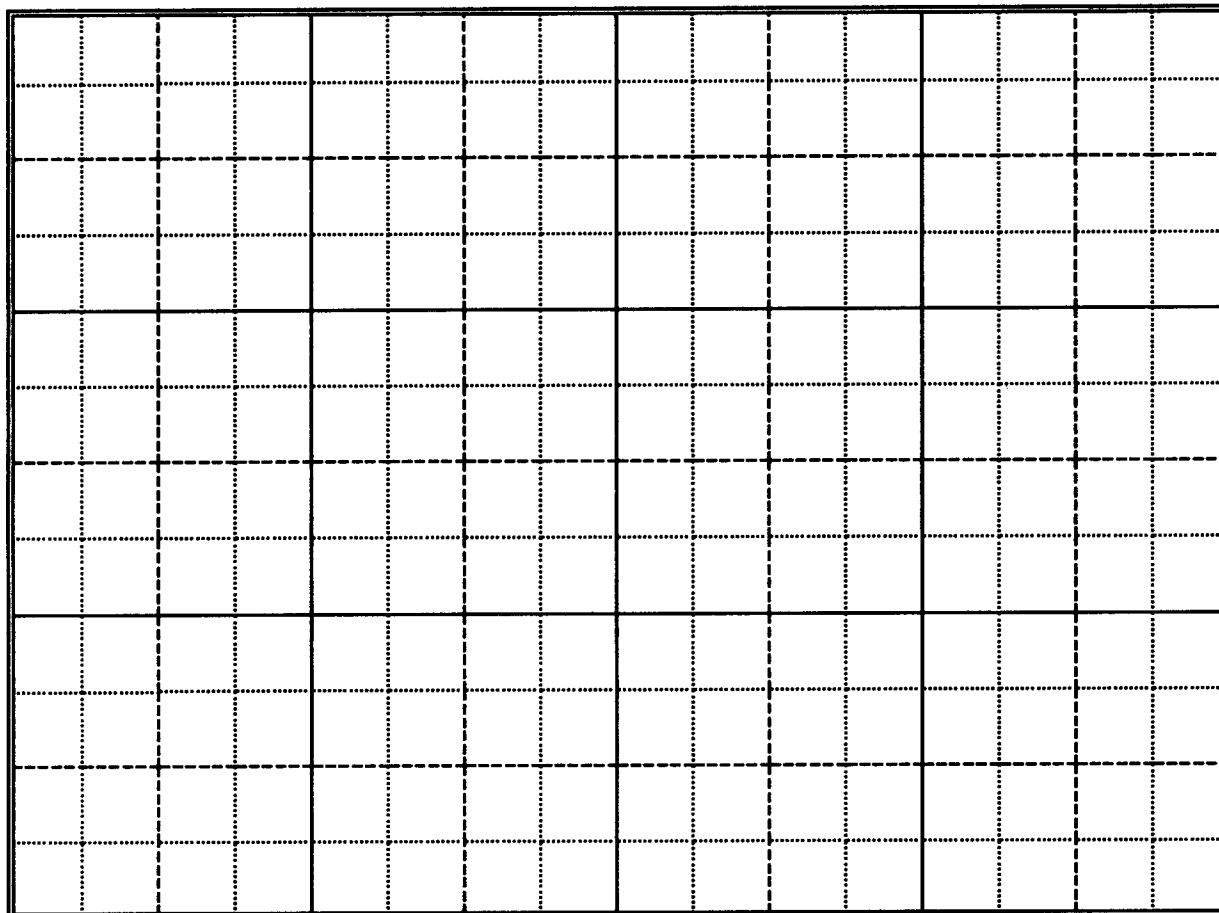
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	1E	23															*	27	27

* Adjusted from 29 acres to allow for 2 roads.

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



Scale: 1" = _____.

_____ 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
	GE	250	DXT404101	N/A	N/A

*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, due to a WINTER EXAMINATION

JUN 13 1994

E. NARRATIVE/REMARKS/COMMENTS

Overlaps P/D - 63-03214 same well
P/U - 63-03214 different acres

See original exam for INFORMATION ON SYSTEM
Development.

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

JUN 13 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

THEORETICAL $Q = 3.30$ CFS
LICENSE 63-03214 @ 3.16 CFS

 $27 \text{ acres} \times .02 = .54 \text{ CFS}$ COMBINED EXCEED
CAPACITY-CONDITION**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 27 \times 4.5 = 121.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 263.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 121.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	.54 CFS	121.5
Totals:			.54 CFS	121.5

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

I. AUTHENTICATIONField Examiner's Name BRENDA CHAPMAN Date 5/24/94

Reviewer _____ Date _____

SEAL

JUN 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 25 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10813

1. Owner: Kuna East Water Corporation Phone No. 362-2971

Current Address: 9000 E. Kuna Road, Kuna, ID 83634

2. Accompanied by: Orville Spokan EXAM DATE: 1/31/94

Address: Same Phone No. Same

Relationship to Permit Holder: President, Water Assn.

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-03214, 63-07625, 63-08588, 63-09164

2. Other water rights with the same point of diversion: 63-03214

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	SE	23	2N	1E	Ada	AERIAL MAP

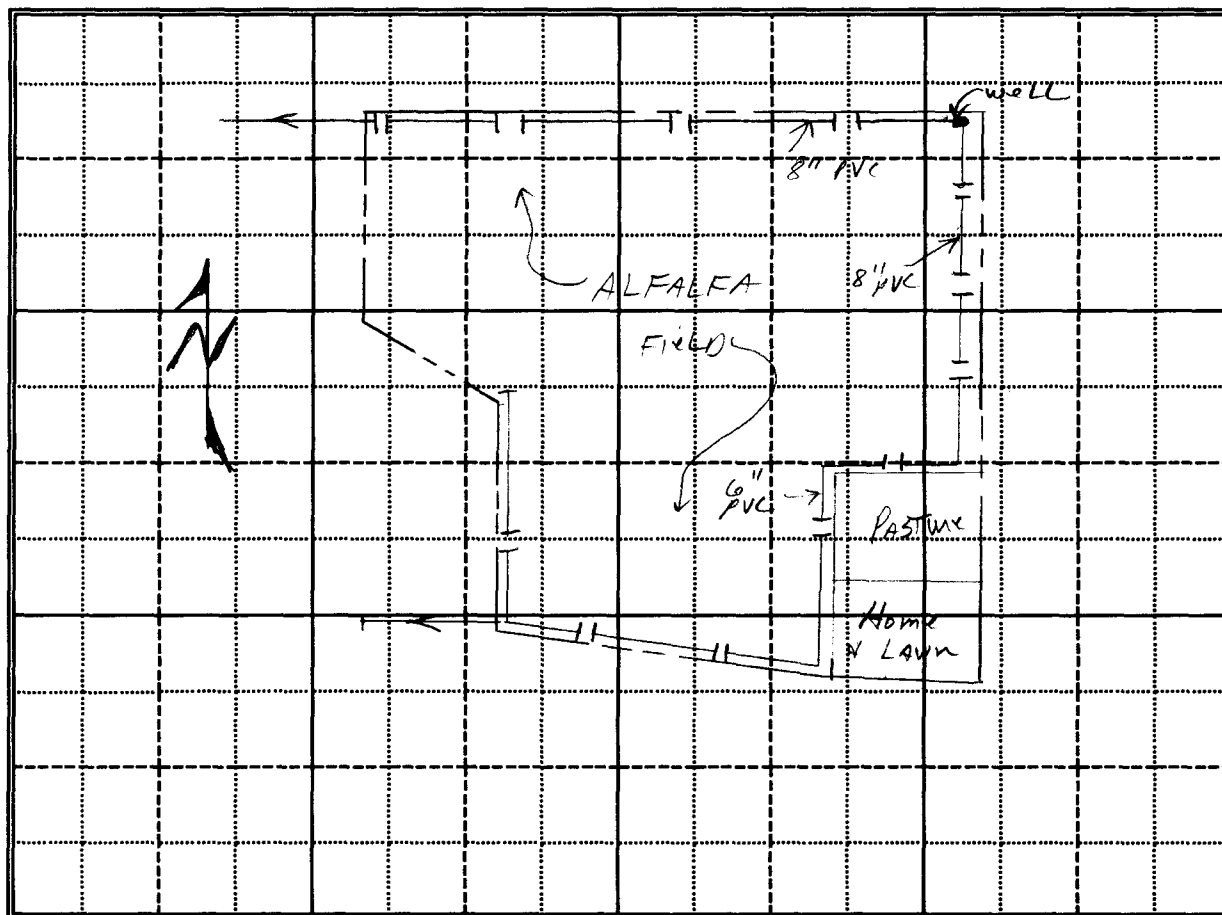
2. Place(s) of Use:

Indicate Method of Determination Same as P/D

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	1E	23			10									10	10	5	29	42	
2N	1E	23												35			7	42	

JUN 13 1994

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



Scale: 1" = NTS

☒ 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
	General Elec.	250	EX5404101	N/A	N/A

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

D. FLOW MEASUREMENTS

N/A

1.

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

2. Measurements: None, due to winter examination.

UNRECORDED

JUN 13 1994

E. NARRATIVE/REMARKS/COMMENTS

* OVERLAPS - P/D Same well, different places
of use; WR 63-03214, formerly
G-28993.

P/U Same QR, different place of use.

Well is used to irrigate 200 acres. Only 42 acres pertain to this water right. The remaining 158 acres are licensed under WR 63-3214 (formerly G-28993). A 250 h.p. pump delivers water through an underground piping system. Risers are situated on the eastern side of the fields where (1) hand line and (3) wheel lines are attached. It takes approximately 6 days to complete the irrigation of the 42 acres.

Both the theoretical and the calculated flow greatly exceeded the requested allocation of 0.84 cfs. This is due to the systems design for 200 acres, not just this 42 acres. Due to P/D overlap, the current rate per acre is 0.0165 cfs (see P/D overlap sheet & calculations). Therefore, recommend licensing for 42 acres @ 0.0165 cfs/acre on a total of 0.69 cfs, not the 0.84 cfs as requested on permit.

Handline & (3) wheel lines: ALL @ 50 psi

(32)	$\frac{1}{8}$ " nozzles	$32 \times 3.30 \text{ gpm} = 105.6 \text{ gpm}$
(Wheel) (86)	$\frac{3}{16}$ " nozzles	$86 \times 7.41 \text{ gpm} = 637.3 \text{ gpm}$
		TOTAL 742.9 gpm = 1.66 cfs

$$Q(\text{THEORETICAL}) = \frac{(8.8)(250)(0.7)}{350 + (2.31 \times 50)} = \frac{1540}{765.5} = 3.3 \text{ CFS}$$

NOTE: Assume dynamic level of 350 ft. since level is unknown.
by office diagram.

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

* See attached Adjustments to Exam explanations
remarks/changes. BC

JUN 13 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: N/A

(Winter Exam) - See theoretical calculation in narrative.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 42 \times 4.5 = 189 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.84 \times 246 \times 1.9835 = 409.9 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 189 \text{ AFA} \quad 0.69 \quad 336.7$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	3/15	11/15	0.84 0.69 *	189.0
Totals:			0.84 0.69 *	189.0

BC

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

I. AUTHENTICATION

Field Examiner's Name Rick Collingwood Date 2/18/94

Reviewer _____ Date _____

MISSOURI
SEAL

JUN 13 1994

* See attached Adjustments to Exam Memo below for explanation of changes made.

WR 63-10813 - KUNA EAST WATER CORP.
P/L Overlap

63-10813 - Requested Flow Rate: 0.84 CFS
Acreage - 42 acres

License No: G-28993 (New No. 63-03214)
Acreage - 158 acres
Licensed Flow Rate: 3.16 CFS

(System Analysis)

Theoretical Flow Calc. - 3.3 CFS

Current Rate per Acre: $3.3 \text{ CFS} / 200 = 0.0165$

Old Rate per Acre: $3.16 \text{ CFS} / 158 = 0.02 \text{ CFS}$

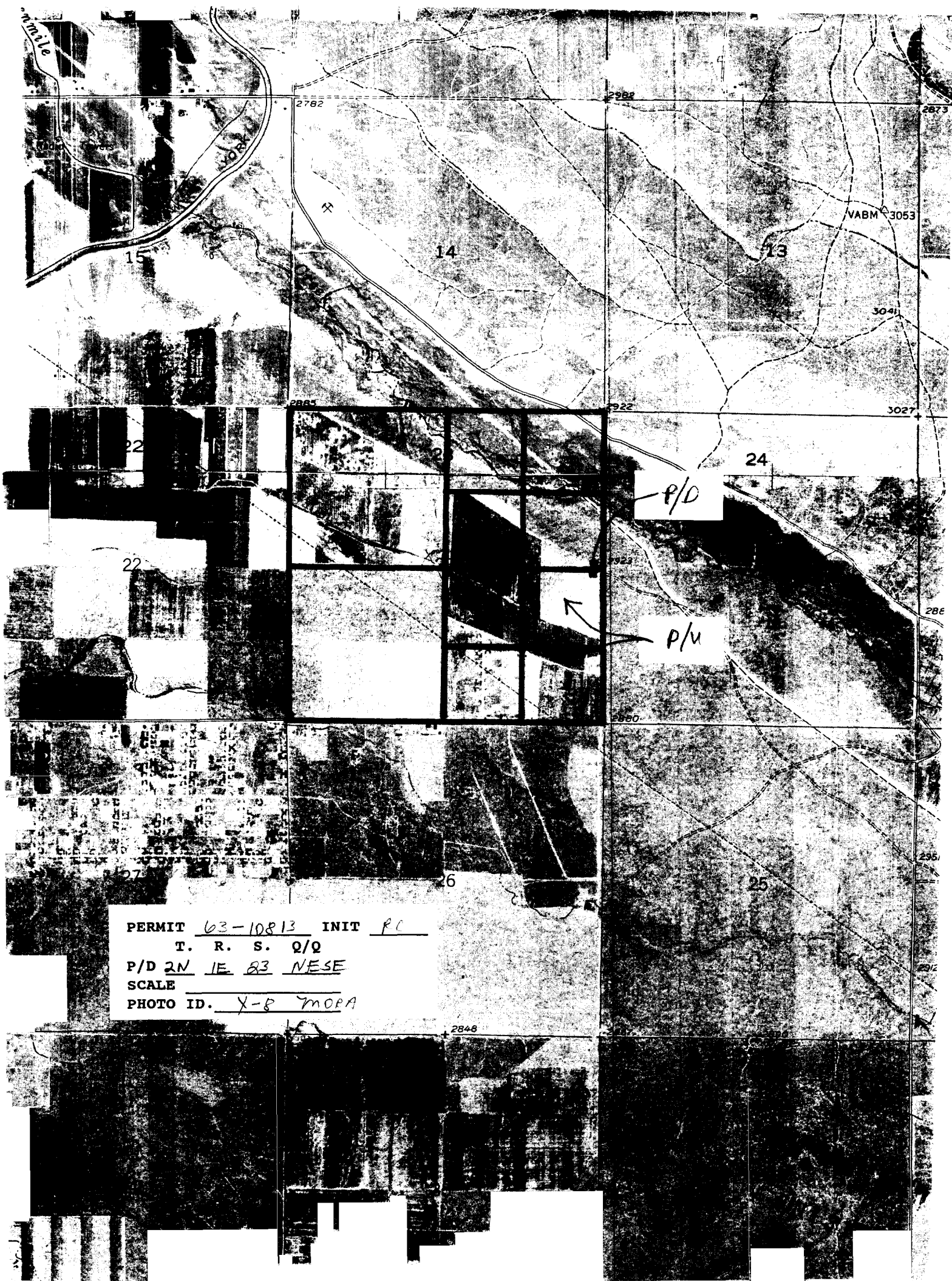
$0.0165 - 0.02 = -0.0035 \text{ CFS/acre}$

Flow Rate for new acres (42 ac):

$42 \text{ acres} \times 0.0165 \text{ CFS/acre} = \underline{0.693 \text{ CFS}}$

License Appurtenant to new land. NO condition
needed to evenly distribute water.

RECORDED
JUN 13 1994



PERMIT 63-10813 INIT PC
T. R. S. Q/Q
P/D 2N 1E 83 NESE
SCALE _____
PHOTO ID. X-8 MOPA

15
22

G11

T1628

HEL

NW
HEL
2.4
40.5

T1631

HEL

HEL NW
3
24.0

NW
HEL
4
20.6

T1630
DRY

NW
1
35.5

T1629

HEL

T1806

NW
1
15.0

HEL

HEL

T1840

T1635

HEL

NW
2
28.1

NW
4
24.9

LOC

NW
1990

NW

25.8

T1636

HEL

NW
1
28.2

HEL

NW
3
12.4

T16210

NW
1
28.8

NOT TO SCALE

JUN 13 1994

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: G 28993 OTHER APPLICABLE NO: _____

2. OWNER: Kuna East Water Corp. (Formerly Manna Wolske) Phone: 362-2971
Address: 9000 E. Kuna Rd., Kuna, ID

3. WELL LOCATION: Twp 2N, Rge. 1E, Sec. 23, NE 1/4 SE 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: (Clausse) E.C. Smith Lic. No. 224
When Drilled? 9/18/64

5. WELL CONSTRUCTION

Casing Diameter 16 inches Water tight cap? ☐ Yes ☒ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 402 ft. Method Drilled N/A
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of 402 ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION

Depth to Static Water 297 ft. Water Temperature N/A °F
Flowing Artesian ☐ Yes ☐ No Pressure: 60 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☐ Domestic ☒ Irrigation
☐ Test ☐ Municipal
☐ Abandoned ☐ Waste Disposal/Injection
☐ Other: _____

☐ Stock
☐ Industrial
☐ Not Used

MINORITIES
JUN 13 1994

9.

REMARKS:

Since system was not operating, could not witness any problems. Motor was replaced in 1988, and pump was repaired at that time. Well services additional 158 acres on WR 63-2214.

Rick Wingard

Signature of Dept. Representative & Title

1/31/94

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

APPROVED
JUN 13 1994

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

RECEIVED

OCT 1 1964

Department of Reclamation

Permit No. 28993 Well No. _____ County ada

Owner Mrs. M. E. Walsh

Address Kunas

Driller P. C. Smith

Address 7. Bureau Stages With Home Idaho

Well location NE 1/4 SE 1/4 Sec. 23 T. 2N R. 1 E. 10

Size of drilled hole 16"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 420

Give depth to standing water from the ground 295 ft Water temp. _____ °Fahr.

On "Pumping Test" delivery was 2365 g.p.m. or _____ c.f.s. Drawdown was 11 ft feet.

Size of pump and motor used to make test 12" bore 10" column 40 HP hand

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per lineal foot _____

Thickness of casing 2.19 Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 16" 402.42 Top To bottom
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
<u>16"</u>	<u>0</u>	<u>402.42</u>	<u>402.42</u>	

Number and size of perforations 13 60 1/4 x 4" located 345' feet to 310' feet from ground

Date of commencement of well 5-20-64 Date of completion of well 16 Sept 1964

NESE 523 2N 1E

RECEIVED
JUN 18 1964

WELL LOG

From Foot	To Foot	Type of Material	Water-bearing Formation Abn. Yes or No	Clayey Formation Abn. Yes or No
0	5	Top soil	No	No
5	15	sand gravel	7	7
15	25	7	7	7
25	35			
35	45			
45	55			
55	65			
65	75			
75	85			
85	95			
95	105			
105	115			
115	125			
125	135			
135	145			
145	155			
155	165			
165	175			

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Charles E. Smith

By _____

Dated _____, 19____

License No. 224

Michigan

JUN 13 1994

SHEET NO. 2

Well Owner Maude WolkeWell Driller C E SmithWell Location 2N 1E S. 23 NESE

WELL LOG

From Foot	To Foot	Type of Material	Water-bearing Formation Abn. Yes or No	Casing Perforated Abn. Yes or No
175	185	Sandy & Gravel	71	713
185	195		7	7
195	205			
205	215			
215	225			
225	235			
235	245			
245	255			
255	265			
265	275			
275	285			
285	295			
295	300		yes	
300	310		7	
310	320			yes
320	330	Sandy clay sand & gravel		7
330	340			
340	350			
350	355			
355	365			
365	375			
375	385			
385	395			
395	400			

NESE 232N1E

USGS

UNRECORDED
JUN 13 1994



PHOTO ONE-

View westerly of well and one of two
~~8" 8"~~ 8" discharge lines. Blue mechanism
is flow regulator.



MIPRA-177

JUN 13 1994

PHOTO TWO-

View northerly of ~~the~~ well and the two 8" discharge
lines.



PHOTO THREE-

View southward of alfalfa field and wheel lines. Risers are located or marked by metal fence posts to the left of field.



PHOTO FOUR-

View westward of hand line used to irrigate northern most portion of alfalfa field.

December 21, 1990

KUNA EAST WATER CORP.
9000 E. KUNA RD.
KUNA, ID 83634

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-10813

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.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

FEB 27 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 63-10813

Date 12-19-90

GENERAL CONSIDERATIONS

y Name same as permit?
N Address change? If yes, prepare data entry form.
y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
y Ground water source
 Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

y Required?
100 Amount submitted?
y Correct amount?

MEASURING DEVICE

y Measuring device or access port required?
y Installed?
N/A Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*Well drilled in 1964
Proof acceptable*

PRIORITY CALCULATION *B*

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____



P.O. Box 1005

Nampa, Idaho 83651

208-466-7376

Department of Water Resources
Western Regional Office

1-28-88

Don Johnson

Well drilled for Lab Kalak &
Doc. Surrall in 1964. 16" Well
400' deep static water 297'

Well tested 9-15-64
Well Pumped 1350 GPM from 308'
1800 " " 310'
2005 " " 311'
2387 " " 312'

Very strong clean well
Original Pump 250 HP Pump
#44144 340' x 10" x 3 x 1 $\frac{5}{16}$
4 stages 14 THC 3600 GPM 345' TDH 2718 W.

In 1976 new Pumps were installed
7 stages 12 KEH, 1200 GPM 455' TDH 1688 W.

you should be pumping a strong 1200 GPM
60 PSI Pump.

RECEIVED

FEB 4 1988

Dill

455' TDH
- 308

147' = 64 PSI

138409
August 31, 1990

KUNA EAST WATER CORP.
9000 E. KUNA RD.
KUNA, ID 83634

PROOF DUE NOTICE

RE: PERMIT NO. 63-10813

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 November 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

FEB 4 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 29, 1989

KUNA EAST WATER CORP.
9000 E. KUNA RD.
KUNA, ID 83634

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P63-10813

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

RECORDED

OCT 20 1989

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

OCT 20 1989

63-10813

KUNA EAST WATER CORP
9000 E. KUNA RD.
KUNA, ID 83634

Source: GROUNDWATER

Diversion Pt: NESE Sec 23 T 02N R 01E

Use: IRRIGATION (.840 CFS)

Date Filed: 6/13/1989

In: T02N R01E S23 SWNE NWSE SWSE SESE

42.0 ACRES TOTAL

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OCT 20 1989

GAL ADVERTISING INVOICE

Amount Due

75.96

Account Name Idaho Department of Water Resources (Western)				Account Number #47628	
Address 2735 Airport Way		City/State Boise, ID		Zip 83705	
Ordered By Judy Pense	P.O. Number	Rate NT	Run Dates 1989 July 6, 13		
Identification Applications for Water Rights			Estimated Inches		Real Inches
					Legal Number #3058

Number of Affidavits

1 Requested

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-10807

Greenfield, William R.
Greenfield, Jean M.
2965 W. Amity Rd.
Meridian, ID 83642

Source: Groundwater

Diversion Pt: NWNW Sec 35 T
03N R 01W

Use: Stockwater (.070 CFS)
Commercial (.040 CFS)

Date Filed: 6/01/1989

In: T03N R01W S35 NWNW

63-10813

Kuna East Water Corp.
9000 E. Kuna Rd.
Kuna, ID 83634

Source: Groundwater

Diversion Pt: NESE Sec 23 T
02N R 01E

Use: Irrigation (.840 CFS)

Date Filed: 6/13/1989

In: T02N R01E S23 SWNE

NWSE SWSE SESE

42.0 Acres Total

63-10815

Sulter, Nancy I.
Sulter, Clarence D.
4635 Skyline Dr.
Eagle, ID 83616

Source: Groundwater

Diversion Pt: SESW Sec 30 T
05N R 01E

Use: Irrigation (.080 CFS)

Date Filed: 6/14/1989

In: T05N R01E S30 SESW

4.0 Acres Total

63-10816

Sulter, Clarence D.
Sulter, Nancy I.
4635 Skyline Dr.
Eagle, ID 83616

Source: Groundwater

Diversion Pt: NESE Sec 8 T
04N R 01E

Use: Commercial (.080 CFS)

Date Filed: 6/14/1989

In: T04N R01E S08 NESE
SESE

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 July 24, 1989.

R. KEITH HIGGINSON
Director

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Debbie Richards

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for 2 ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of July 6, 19 89

and ending with the issue of July 13, 19 89

Debbie Richards

Subscribed and sworn to before me this 13th

day of July, 19 89

MICROFILMED

OCT 20 1989

[Signature]
Notary Public for Idaho, Residing at Boise, Idaho