

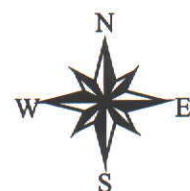
# IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right 31-10292

Township 7 North Range 36 East Section 22



- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This Water Right
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections



GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000

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

1

# IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right 31-10292

Township 7 North Range 36 East Section 22



- ⊙ Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
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- Sections
- Quarter-quarter Sections



IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10292

|                   |                                                                                                |
|-------------------|------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                        |
| Current Owner     | WEST JEFFERSON SCHOOL DISTRICT NO 253<br>HC 63 BOX 1000<br>TERRETON, ID 83450<br>(208)663-4542 |

Priority Date: 12/31/1938  
Basis: Beneficial Use  
Status: Valid

Source: GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 1.35 CFS              | 10.5 AFA      |                    |
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              | 1.5 AFA       |                    |
| Total Diversion       |             |           | 1.39 CFS              | 12 AFA        |                    |

## Point(s) of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County    |
|----------|-------|---------|-------------------|-----|-----------|
| 07N      | 36E   | 22      | SE NE NW          | 0   | JEFFERSON |
| 07N      | 36E   | 22      | SE NE NW          | 0   | JEFFERSON |

## Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 07N             | 36E          | 22             |            | NENW         | 3            |            |              |              |            |              |              |            |              |              |

Place of Use Legal Description: DOMESTIC

JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 07N             | 36E          | 22             |            | NENW         |              |            |              |              |            |              |              |            |              |              |

Total Acres: 3

## Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

## Remarks:

1. Quantity THE VOLUME OF WATER THAT MAY BE DIVERTED FOR IRRIGATION UNDER THIS RIGHT IS LIMITED TO 1.25 ACRE FEET IN ANY SEVEN DAY PERIOD

## Comments:

|               |             |                |                                                                        |
|---------------|-------------|----------------|------------------------------------------------------------------------|
| <u>Author</u> | <u>Date</u> | <u>Subject</u> | <u>Comment</u>                                                         |
| bcontor       | 10/4/00     | Diversion Rate | Excessive diversion rate recommended per documentation in file. Injury |

bcontor 10/4/00 Volume Limitation  
bcontor 10/4/00 Priority Date  
bcontor 10/4/00 Points of Diversion

prevented by 7-day volume limitation.  
Std rate for small acreages is 0.09 cfs/acre.  $0.03 \times 3 = 0.09$ .  $0.09 \times 1.9835 \times 7 \text{ days} = 1.25$  acre feet every seven days.  
Documentation shows 1938 development, but does not pinpoint exact date within 1938. Therefore 12/31/1938 recommended per instructions in Claims Verification Handbook.  
Irrigation POD is located in pump house at East side of school, per drive-by inspection and head custodian. Domestic is under school per head custodian.

Dates:

Licensed Date:  
Claim Received Date: 09/21/1988  
Decreed Date:  
Date Filed with Court:  
Objection Filed Date:  
Response Filed Date:  
SF5 Filed:  
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

| Element       | Last Review Date   | Reviewer | Last Verified Date | Verifier | Status     |
|---------------|--------------------|----------|--------------------|----------|------------|
| POD           | 10/4/00 1:56:15 PM | bcontor  |                    |          | In Process |
| POU           | 10/4/00 2:13:31 PM | bcontor  |                    |          | In Process |
| Priority Date | 10/4/00 1:55:32 PM | bcontor  |                    |          | In Process |
| Quantity      | 10/4/00 2:18:17 PM | bcontor  |                    |          | In Process |
| Season        | 10/4/00 2:16:21 PM | bcontor  |                    |          | In Process |
| Source        | 10/4/00 1:59:31 PM | bcontor  |                    |          | In Process |
| Summary       | 10/4/00 2:22:07 PM |          | 10/4/00 2:22:07 PM | bcontor  | Complete   |
| Use           | 10/4/00 2:14:36 PM | bcontor  |                    |          | In Process |

Other Information:

Receipt Number(s):  
State or Federal: S  
Water District:  
Civil Case Number:  
Old Case Number:  
Decree Plaintiff:  
Decree Defendant:  
PresumptionFlag:  
Notice of Error Flag:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False

Verification Log:

| Element | Date Time Stamp    | Reviewer | Log Text                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|--------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 10/4/00 1:57:29 PM | bcontor  | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                 |
| POD     | 10/4/00 1:56:13 PM | bcontor  | 1. (YES) The basis is beneficial use.<br>4. (NO) There is not evidence that there has been a change in the Point of Diversion.<br>6. (YES) The file contains all the necessary information to verify the POD.<br>Comment for 6: Drive-by inspection & phone conference with head custodian of school<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required. |
| POD     | 10/4/00 1:54:59 PM | bcontor  | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                 |
| POU     | 10/4/00 2:13:28 PM | bcontor  | 1. (YES) The POU is required.<br>2. (YES) The basis of claim is beneficial use.<br>5. (NO) There is no evidence that there has been a change in the POU.<br>9. (YES) The file contains all the necessary information to verify the POU.<br>Comment for 9: GIS, drive by inspection.<br>12. (NO) POU remark was not required.<br>13. (NO) POU condition was not required.                                              |

|               |                    |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------|--------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority Date | 10/4/00 1:55:30 PM | bcontor | <p>1. (NO) There has not been a later court decree of the water right(s) from the water source.</p> <p>4. (YES) The basis of claim is beneficial use.</p> <p>4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.</p> <p>10. (YES) The claim file contains sufficient evidence of priority date.</p> <p>12. (YES) The claim is recommended.</p> <p>13. (YES) The claim is coded correctly.</p> <p>14. (NO) Priority remark was not required.</p> <p>15. (NO) Priority condition was not required.</p>                                  |
| Quantity      | 10/4/00 2:18:15 PM | bcontor | <p>1. (YES) The basis of claim is beneficial use.</p> <p>5. (YES) A flow measurement was required.</p> <p>Comment for 5: Theoretical calculation based on data provided by claimant, see file.</p> <p>6. (YES) The source is ground water and the purpose of use requires a diversion volume limit.</p> <p>8. (YES) Irrigation is a purpose of use.</p> <p>Comment for 8: See file for documentation of excessive diversion rate per acre.</p> <p>9. (YES) Quantity remark was required.</p> <p>10. (NO) Quantity condition was not required.</p>                                               |
| Season        | 10/4/00 2:16:19 PM | bcontor | <p>1. (YES) The basis of claim is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change to the period of use.</p> <p>9. (YES) The file contains all the necessary information to verify the period of use.</p> <p>11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.</p> <p>13. (YES) Irrigation is the purposed use.</p> <p>15. (NO) Period of Use remark was not required.</p> <p>16. (NO) Period of Use condition was not required.</p>                           |
| Source        | 10/4/00 1:59:29 PM | bcontor | <p>1. (YES) The basis is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change in the Source.</p> <p>7. (YES) The file contains all of the necessary information to verify the source.</p> <p>Comment for 7: Well log, drive by inspection, affidavit in file, interview with Larry Soderquist, head custodian of school.</p> <p>8. (NO) The source is not surface water.</p> <p>10. (NO) Source remark was not required.</p> <p>11. (NO) Source condition was not required.</p>                                                                                    |
| Summary       | 10/4/00 2:22:05 PM | bcontor | <p>1. (YES) The basis of the claim is beneficial use.</p> <p>2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.</p> <p>5. (NO) General remark was not required.</p> <p>6. (NO) Explanatory remark was not required.</p> <p>7. (YES) Additional condition was required.</p> <p>8. (YES) Wanted to view the recommended right.</p> <p>9. (NO) This is not a split right.</p> <p>10. (NO) This is not a combined right.</p> <p>11. (NO) Documents were not linked or attached to this file.</p> <p>12. (YES) Set the verification date.</p> |
| Use           | 10/4/00 2:14:35 PM | bcontor | <p>1. (YES) The basis of claim is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change to the purpose of use.</p> <p>9. (YES) The file contains all the necessary information to verify the purpose of use.</p> <p>11. (NO) Purpose of Use remark was not required.</p> <p>12. (NO) Purpose of Use condition was not required.</p>                                                                                                                                                                                                                                 |

RECEIVED

APR 18 2000

Department of Water Resources  
Eastern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10292  
Date Received: 9/21/1988  
Receipt No: E002507  
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WEST JEFFERSON SCHOOL DISTRICT NO 253 208-663-4542  
Address: HC 63 BOX 1000  
TERRETON ID 83450

2. Date of Priority: APR 1, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |           |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County    |
| 07N      | 36E   | 22      | SE     | NE     | NW  |     | JEFFERSON |

5. Description of diverting works:  
2 WELLS TO DELIVERY SYSTEM TO SCHOOL BUILDINGS AND GROUNDS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      | 1.50   |
| IRRIGATION | 04/01 | 11/01 | 1.350 |      | 10.50  |

7. Total Quantity Appropriated is:  
1.390 C.F.S. (and/or) 12.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC - HAMER SCHOOL

10. Place of Use:

|          |       |         |        |     |     |        |       |
|----------|-------|---------|--------|-----|-----|--------|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
| 07N      | 36E   | 22      | NE     | NW  |     | DOMEST |       |
|          |       |         | NE     | NW  |     | IRR    | 3.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 3.0   |
|          |       |         |            |     | Total Acres   | 3.0   |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

HISTORICAL PRACTICE IS TO FLOOD IRRIGATE FOR A FEW HOURS, THEN  
LEAVE THE PUMP OFF UNTIL NEXT IRRIGATION. WHILE DIVERSION RATE  
IS HIGHER THAN WITH SPRINKLERS, ACTUAL WATER USAGE IS NOT.

\*\*\*

DOMESTIC WATER USE CALCULATED 120 STUDENTS \* 20 GALLONS/DAY \*  
200 DAYS.

\*\*\*

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments:   -0-

**For Organizations:**

I do solemnly swear or affirm that I am SUPERINTENDENT of  
Title  
WEST JEFFERSON S.D. #253, that I have signed the foregoing  
Organization  
document in the space below as SUPERINTENDENT of  
Title  
WEST JEFFERSON S.D. #253 and that the statements contained in the  
Organization  
foregoing document are true and correct.

Ben Spelman  
Signature of Authorized Agent

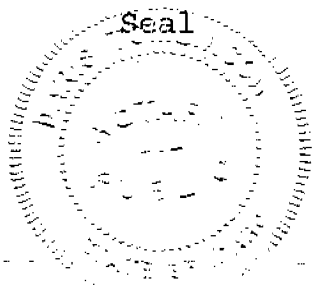
Superintendent - West Jefferson S.D. #253  
Title and Organization

April 17, 2000  
Date

State of Idaho )  
County of Jefferson ) SS.

Subscribed and sworn (or affirmed) before me this 17<sup>th</sup> day  
of April 20 00

Davis Tomlinson  
Notary Public



Residing at Montrose, Idaho  
My Commission Expires 9/6/2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10292  
Date Received: 9/15/1988  
Receipt No: E 002507  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name:  
Address

CT NO 253 208-663-4542  
3450

2. Date of

3. Source:

ib. to:

4. Point o

Township  
07N

of 1/4 Lot  
NW

County  
JEFFERSON

5. Descrip  
2 WEL

BUILDINGS AND GROUNDS

6. Water i

es:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| IRRIGATION | 04/01 | 11/01 | 0.060  |      |        |

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

A.F.A.

8. Tot

7.5 Acre Feet Per Annum.

9. Nor

10. Pl

To

| of 1/4 | Lot | Use    | Acres |
|--------|-----|--------|-------|
| NW     |     | DOMEST |       |
| NW     |     | IRR    | 3.0   |

Section Acres 3.0

1 Date: 09/15/88

RECEIVED

SEP 21 1988

Department of Water Resource  
Eastern District Office

A3110292



NOV 17 1992

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:  
NONE.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

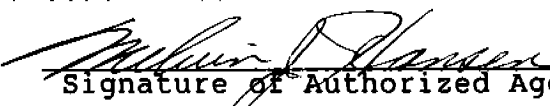
Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am Superintendent of  
Title

West Jefferson Sc. Dist. #253, that I have signed the foregoing  
Organization  
document in the space below as Superintendent of  
Title

West Jefferson Sc. Dist. #253 and that the statements contained in the  
Organization  
foregoing document are true and correct.

  
Signature of Authorized Agent  
Superintendent

West Jefferson Sc. Dist. #253  
Title and Organization

9/20/88

Date

State of Idaho )  
County of Jefferson ) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of September 19 88

Jackie Shively  
Notary Public

Seal

Residing at Terreton, Idaho

My Commission Expires 8/2/94

Farm  
Pond  
L I F E

R E F U G E

Hamer  
Lake

Flowing  
Wells

Flowing  
Wells

Sandhole  
Lake

Hamer  
Well

Roadside  
(Rest)

HAMER

Well  
4803

Well  
4792

BM  
4799

Well  
4811

BM  
4816

Well  
4796

Well  
4810

Well  
4813

Well  
4816

BM  
4855

Well  
4833

MICROFILMED

NOV 17 1992

431-10292



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

January 18, 2002

WEST JEFFERSON SCHOOL DISTRICT NO 253  
1272 E 1500 N  
TERRETON ID 83450

RE: Notice of Change of Address for 31-10292 and Notice of  
Completed Administrative Proceeding (NCAP)

Dear Sir or Madam:

The Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

A handwritten signature in cursive script that reads 'Cheri Vandermeulen'.

Cheri Vandermeulen  
Records Clerk

Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 31-10292

Case No. 39576

)

)

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

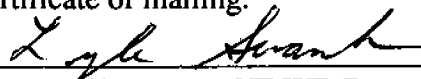
☐ split of water right ☐ change in ownership

☐ other

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 1/18/2002

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on Jan 18, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707
2. One copy to:  
Claimant/Seller for Substitution of Party or attorney of record:  
WEST JEFFERSON SCHOOL DISTRICT NO 253  
1272 E 1500 N  
TERRETON ID 83450
3. One copy to:  
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:  
Each party in the subcase, or attorney of record
5. One copy each to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. One Copy to:  
United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

Cheri Undermeulen  
Signature of person or attorney mailing the form

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

RIGHT NUMBER: 31-10293  
NAME AND ADDRESS: WEST JEFFERSON SCHOOL DISTRICT NO 253  
HC 63 BOX 1000-1272 E 1500 N  
TERRETON ID 83450

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS  
7.00 11.0 AFY

~~THE QUANTITY OF WATER~~  
~~NOT EXCEED 2,500 GALLONS~~

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION: T06N R34E S22 SEENENW N

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

DOMESTIC

4.0 / FY

PLACE OF USE: IRRIGATION Within JEFFERSON

T06N R34E S22 NENW

DOMESTIC Within JEFFERSON

T06N R34E S22 NENW

2.8 2

OTHER PROVISIONS NECESSARY FOR DEFINITION OR

TWO POINTS OF DIVERSION LOC

THIS PARTIAL DECREE IS SUB.  
FOR THE DEFINITION OF THE I

OF

THE WATER RIGHTS AS MAY BE  
POINT IN TIME NO LATER THAN

SECTION

42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREE

IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SF5 31-10293

CHERI

School District submitted  
change of address for  
31-10292 - NCAP  
31-10293 - NCAP  
31-10294 - NCAP  
31-10295 - p.d.

I can not find form but  
correct address is on  
the attached report. Please  
update the adjudication  
data base. May need  
NCAP for 31-10292 & 31-10295

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

RIGHT NUMBER: 31-10294

NAME AND ADDRESS: WEST JEFFERSON SCHOOL DISTRICT NO 253  
~~HC 63 BOX 1000 1272 E 1500 N~~  
TERRETON ID 83450

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS  
4.0 AFY

~~THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500  
GALLONS PER DAY.~~

PRIORITY DATE: 04/01/1958

POINT OF  
DIVERSION:

T06N R34E S22 NWNWNE Within JEFFERSON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
DOMESTIC

PERIOD OF USE:  
1/01 12/31

QUANTITY  
0.040 CFS  
4.0

AFY

DOMESTIC USE IN ~~TERRETON ELEMENTARY SCHOOL AND~~ WEST JEFFERSON HIGH  
SCHOOL.

PLACE OF USE: DOMESTIC Within JEFFERSON County

T06N R34E S22 NWNE

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

TWO POINTS OF DIVERSION LOCATED IN NWNE, S22, T07N, R36E.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION

OF

THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A  
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE.

SECTION

42-1412(6), IDAHO CODE.

~~THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SF5 31-10294

## Contor, Bryce

---

**From:** McHugh, Candice  
**Sent:** Tuesday, May 09, 2000 3:52 PM  
**To:** Contor, Bryce  
**Subject:** RE: Excessive Diversion Rate

Keep the memo you wrote to me in the file. Since the claimant claimed the amount which is excessive diversion rate and it is the common practice in the area and you have good reasons to support your recommendation, recommending the excess rate is appropriate and if we get any objections thereto then we will deal with that then. Thanks

*Candice*

-----Original Message-----

**From:** Contor, Bryce  
**Sent:** Wednesday, April 19, 2000 11:04 AM  
**To:** McHugh, Candice  
**Cc:** Carlsen, Emle; Music, Vicky  
**Subject:** Excessive Diversion Rate

<< File: To.doc >>

To: A31-10291, A31-10292  
Fr: Bryce Contor  
Date: 5/2/00

Re: Excessive Diversion Rate

Candice McHugh indicated today after the B31 Action Meetings that we could go ahead and recommend these claims, as they appear reasonable and as the objection process provides due process to anyone who may be injured.

**To:** Carlsen, Ernie  
**Subject:** RE: Excessive Diversion Rate

Memo #44 contemplates irrigating daily, but for only part of a day. The proposed diversion rate is increased by the ratio of 24 hrs/hrs of pumping.

Extending the same reasoning to these claims, I can calculate max. authorized diversion rate by dividing the number of hours of operation by the proposed limitation period, and multiplying that ratio by the standard rate.

For A31-10291, the operator reports "3 hrs of lawn irrigation every 7 - 10 days, 4 hours of pasture irrigation every 14 days, 5 hours of alfalfa irrigation every 21 days." I come up with (3 hrs \* 3 irrigations + 4 hrs \* 1.5 irrigations + 5 hrs \* 1 irrigation = 20 hrs irrigation per 21-day period).  $0.09 * (24 \text{ hrs} * 21 \text{ days} / 20 \text{ hrs}) = 2.27$  cfs. Only 1.68 cfs is claimed.

For A31-10291, I estimate 6 hrs of pumping every seven days (last summer, the playground was flooded every Sunday morning when I drove by).  $0.09 * (24 \text{ hrs} * 7 \text{ days} / 6 \text{ hrs}) = 2.52$  cfs. Only 1.35 cfs is claimed.

Bryce.

-----Original Message-----

**From:** Carlsen, Ernie  
**Sent:** Thursday, April 20, 2000 10:42 AM  
**To:** Contor, Bryce  
**Subject:** RE: Excessive Diversion Rate

For the irrigation of three acres the quantities you propose appear high. What is the diversion rate if you follow the guidelines in Memo #44.  
Ernie

-----Original Message-----

**From:** Contor, Bryce  
**Sent:** Wednesday, April 19, 2000 11:04 AM  
**To:** McHugh, Candice  
**Cc:** Carlsen, Ernie; Music, Vicky  
**Subject:** Excessive Diversion Rate

<< File: To.doc >>

To: Candice McHugh  
cc: Ernie Carlsen  
Vicky Music  
Fr: Bryce Contor  
Date: 4/19/2000



Re: A31-10291, A31-10292

These are the two small-acreage irrigation claims that I plan to recommend with excessive diversion rates. Each claim is for three acres, which ordinarily would justify a diversion rate of 0.09 cfs. Claim A31-10291 includes 1.68 cfs for private irrigation. A31-10292 includes for 1.35 cfs for irrigation of the playground at an elementary school.

Both are beneficial use claims, with good documentation of 1940 and 1938 priority dates. The large diversion rates are due to the historical practice of "level border" irrigation. This is a surface-irrigation practice where the place of use is divided into "lands" or basins with a level surface and surrounded by a small dike or border. A large stream of water is diverted into the land for a short period of time, until the land is filled to the desired depth of application. A large stream is necessary so that the water spreads quickly across the entire land, ensuring uniform application. This can be a very efficient method of application, and my calculations show that efficiency is adequate in these two cases.

This is a common irrigation practice in this area. However, most of the places irrigated this way are parts of much larger places of use, so there are enough acres to justify the claimed diversion rate. Therefore, these are the only two claims I've come across where excessive diversion rate per acre appears to be an issue.

I plan to recommend the claimed diversion rates, based upon the following:

1. AJ memo #44 allows for excessive diversion rate with appropriate volume limitations, for irrigation of public turf areas. While only one of these is a public area, the concept seems to apply to both. Memo #44 requires a daily limitation on irrigation volume. In this case, the claimants only irrigate once a week to once every three weeks, so I propose a 21-day volume limitation on A31-10291 and a 7-day volume limitation on A31-10292.

The limitation I propose is based upon round-the-clock pumping at the standard diversion rate of 0.03 cfs/acre. In both cases, this is more than adequate to supply the actual diverted volume calculated from the documentation in the files.

Of course, I also plan to recommend the standard annual diversion volume limitation. Calculations show that this is also very adequate to allow continuation of historical practices.

2. The claimant of A31-10291 tried a sprinkler system a number of years ago, and asserts that running "round the clock" he could not irrigate as adequately as with the level border system. Calculation of the volume from round-the-clock diversion at a typical sprinkler diversion rate shows a larger diversion volume than calculated from the claimant's records of his actual level-border practice.

This is consistent with my understanding of the range of irrigation efficiencies associated with sprinkler and level border irrigation in general.

3. There is no off-site runoff from either location, so any excess diversion volume would percolate to groundwater. Therefore there is not a potential for injury on a volume basis.
4. These wells have been in place at least 60 years. Any injury due to diversion rate would have become apparent in that time. There is no indication that anyone has ever raised the issue of injury. Furthermore, if there is injury, the objection process provides a forum for the injured to be heard.
5. There is a potential for injury if an attempt were made to transfer these rights to larger places of use, resulting in more annual hours of diversion and larger annual volumes. I believe that the acreage element of the water rights, the standard annual volume limitations, and the proposed 7-day or 21-day volume limitations, guard against this potential.
6. The Claims Verification Manual Draft, page 1, chapter 6, states "A determination that the quantity diverted for a long-standing use is not reasonable... should be made only after consultation with legal staff and the bureau chief." This clearly points to the need for caution in reducing a recommendation.

In this case, I cannot find any reason to determine that the long-standing use is unreasonable.

7. The only possible cause for concern I see here is that the documentation in both cases is provided by the same individual, Melvin Hansen. He is the claimant for A31-10291 and is the retired Superintendent of Schools, so he has or had an interest in both water rights.

However, Mr. Hansen has a very good reputation for trustworthiness in the community. Also, if these recommendations are challenged, we should be able to obtain documentation from other long-time residents of the community.

It will be a few weeks before I start coding the recommendations for these claims. Unless I hear otherwise, I plan to do a GIS analysis of the place of use and recommend them basically as claimed.

Thanks,

Bryce

# West Jefferson School District No. 253

*Ben Speelmon, Superintendent*

1272 East 1500 North • Terreton, Idaho 83450

Business: 663-4542 • Home: 663-4677



*Daris Tomlinson, Secretary/Treasurer*

Fax: 663-4543

April 17, 2000

RECEIVED

APR 18 2000

Department of Water Resources  
Eastern Region

Bryce A. Contor  
Senior Water Resource Agent  
Department of Water Resources  
900 N. Skyline Dr., Suite A  
Idaho Falls, Idaho 83402-1718

Dear Mr. Contor,

I have enclosed the signatures and information requested for the amended claim on Hamer Elementary Adjudication Claim No. A31-10292.

Thank you for bring this matter to our attention.

If you need any additional information, please contact me at the District Administrative Office in Terreton.

Sincerely,

Ben Speelmon, Superintendent

## Calculation of Volume Limitations

A31-10292

B. Conton

4/17/00

### A) ET-based

1) Assume 0.30"/day max ET.

2) Assume 50% irr. efficiency

3) Assume weekly irrigations, based on my observations in the summer of 1999

4)  $0.30"/\text{day} \times 1 \text{ foot}/12" \times 3 \text{ acres} = 0.075 \text{ acre ft}/\text{day ET}$

5)  $0.075 \text{ acre ft}/\text{day} \times 7 \text{ days}/\text{week} = 0.525 \text{ acre ft}/\text{week ET}$

6)  $0.525 \text{ acre ft}/\text{week} \times 1/50\% \text{ efficiency} = 1.05 \text{ af}/\text{week diversion vol.}$   
(see 4/19/00 calculations in A31-10291 re: efficiency).

### B) IDWR standard

1) Assume 0.03 cfs/acre for small acreage

2)  $0.03 \text{ cfs}/\text{acre} \times 3 \text{ acres} = 0.09 \text{ cfs}$

3)  $0.09 \text{ cfs} \times 1.983 \text{ acre ft}/\text{cfs}/\text{day} = 0.178 \text{ acre ft}/\text{day}$

4)  $0.178 \text{ acre ft}/\text{day} \times 7 \text{ days} = 1.25 \text{ acre ft}/\text{week}$

A31-10292 Volume Calculations p2 4/17/00

C) Annual Volume

1)  $1.35 \text{ ft}^3/\text{sec} \times 3600 \text{ sec/hr} \approx 4,850 \text{ ft}^3/\text{hr}$

2)  $10.5 \text{ ac-ft/yr} \times 43560 \text{ ft}^3/\text{ac-ft} \approx 460,000 \text{ ft}^3/\text{yr}$

3)  $\frac{460,000 \text{ ft}^3/\text{yr}}{4850 \text{ ft}^3/\text{hr}} \approx 94.5 \text{ hrs of operation}$

4) Assume 6 hrs/irrigation  $\rightarrow \frac{94.5}{6} \approx 16 \text{ irrigations}$



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 7, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Dr. Ben Speelmon  
Superintendent  
West Jefferson School District # 253  
HC 63 Box 1000  
Terreton, ID 83450

Re: Hamer Elementary Adjudication Claim, No. A31-10292

Dear Superintendent Speelmon:

As we discussed on the phone, I am in the process of reviewing the adjudication claim for the Hamer Elementary School. My goal is to recommend the historical, authorized beneficial use, as accurately as possible. However, certain guidelines limit the recommendations that I may make.

One guideline is that I cannot recommend more diversion rate than was claimed. The original claim for the elementary school was for 0.10 cfs, or about 45 gallons per minute. This would be adequate for sprinkler irrigation, but not for the historical practice of flood irrigating the lawn.

The enclosed amended claim better reflects historical practices, in my opinion. Please review it carefully. If you believe it accurately represents your water usage, please return it with a notarized signature so that I may continue with my review. While I may not be able to recommend all that you claim, this claim will give me room to recommend what the other guidelines allow.

Please call me at 525-7161 or 663-4853 if you have questions, or if you wish to modify the claim before signing it.

Sincerely,

Bryce A. Contor  
Senior Water Resource Agent

## Hammer Elementary Volume Calculations

1) Irrigation  $3.0 \text{ acre} \times 3.5 \text{ af/acre} = 10.5 \text{ acre feet}$

2) Domestic -

Table 3, Field Examiner's Handbook

Institutions other than hospitals

$$75-125 \text{ gpd/person} \times 120 \text{ persons}$$

$$= 12,000 \text{ G/day}$$

$$12,000 \text{ gallons/day} \times 200 \text{ days} = 2,400,000 \text{ gal}$$

$$\frac{2,400,000 \text{ gal}}{325,850} \approx 7.4 \text{ acre feet}$$

Schools, Day, cafeteria, no gym or shower

$$20 \text{ gpd/pupil} \times 120 = 2400 \text{ g/day}$$

$$\frac{2400 \times 200}{325,850} \approx 1.5 \text{ af.}$$

3) total

$$10.5 + 7.4 = 17.9 \text{ acre feet}$$

$$+ 1.5 = 12.0$$

Bye A. Couton  
4/7/00

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## ADMINISTRATOR'S MEMORANDUM

|                               |            |      |     |
|-------------------------------|------------|------|-----|
| Application                   | Processing | Memo | #60 |
| <b>Adjudication Memo # 44</b> |            |      |     |

To: Water Management Division  
Adjudication Bureau

From: Norman C. Young

Re: Irrigation Diversion Rate for Turf Grass in Public Areas

Date: August 15, 1996

Irrigation of turf grass in public areas such as golf courses, parks, schools, and cemeteries often requires that the irrigation occur during the night or early morning hours. Since water cannot be applied continuously over a 24-hour period, the irrigation diversion rate is often higher than the statutory standard of 0.02 cfs per acre.

In some cases, a holding pond or regulation pond may eliminate the necessity of diverting a higher rate from the source. A holding pond is used to store the daily requirements of the irrigation system. The diversion rate from the source to the holding pond is based on the continuous-use irrigation requirement and the diversion rate from the pond to the irrigation system is based on the actual hours of operation of the system.

In situations where a holding pond is not practical, a higher rate is considered reasonable and necessary. The diversion rate for a new water right should be based on the requirements of a modern irrigation system with proper management. In an adjudication of water rights, the diversion rate recommended cannot exceed the historical diversion rate nor the amount determined to be reasonably necessary using acceptable irrigation practices. In both cases, a condition is required that limits the daily volume of water diverted.

To calculate the irrigation diversion rate for turf grass for irrigation systems that can not apply water continuously, divide the diversion rate based on continuous operation by the ratio of actual hours of operation per day to 24 hours per day.

Example: A golf course irrigates every day from 10 p.m. to 6 a.m. (eight hours per day) . Based on an analysis of the irrigation diversion requirements, the irrigation diversion rate is calculated to be 0.02 cfs per acre under continuous operation. The diversion rate based on the reduced operation time would be 0.06 cfs per acre ( $0.02 \div 8/24$ ) . The diversion rate of 0.06 cfs per acre is considered reasonable and necessary due to the operation time limitations of the system. This water right must include a condition which limits the daily volume of water diverted.

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This page was last modified on Friday, July 02, 1999 01:20:33 PM

This page best viewed with 1024x768 resolution

Send comments to [webmaster](#)

## CHAPTER 6

### PURPOSE OF USE, QUANTITY FOR EACH PURPOSE, AND TOTAL QUANTITY

#### I. INTRODUCTION

The purpose and quantity elements of a water right lie at the heart of the description of water use under a water right. The agent must be familiar with how to describe the various uses of water the investigation uncovers. Further, the method by which the water right was established determines to a large extent what evidence is relevant to the purpose of use and quantity to be recommended. *see Kaul*

#### II. PURPOSES OF USE AND QUANTITY

Any use of water can be recommended for a water right so long as the use is for a beneficial purpose. The following subsections describe various beneficial uses, how they should be reported, and the quantity to recommend for each.

Adjudication Memo #32 sets forth standard remarks to describe the following:

- a. right measured at point other than point of diversion (D01),
- b. portion of right solely for conveyance loss (D02 - D04),
- c. storage capacity (D05),
- d. facility volume (D06).

The agent's recommendation on quantity must include the rate and volume of diversion for each use, and the total rate and volume of diversion. See Adjudication Memo #31 as to measurement of flow for ground water claims that require field exam; see Adjudication Memo #34 as to which rights require determination of diversion volume. See Application Processing Memo 14 as to determination of amount for rights that include storage purposes.

For a claimed quantity to be recommended, the full amount must be beneficially used and the amount must be reasonable. Otherwise the amount recommended will be limited to a reasonable amount. In determining whether the amount used is reasonable, the following factors should be taken into account: the nature of use, the purpose of use, transmission losses, quantities used for the same purpose by others in the area, and amount of return flows. The fact that water is returned to the stream does not automatically make the diversion unreasonable. A determination that the quantity diverted for a long-standing use is not reasonable is a decision that should be made only after consultation with legal staff and the bureau chief. *Added OK*

There may be instances in which the total quantity may appropriately be less than the sum of the amounts for each purpose, such as where a <sup>date</sup> 9/7/00 <sup>Sig.</sup> A. Conner  
purpose may also be used for another purpose. (For exam) \*\*\*\*\*

## Volume analysis of Hamer Elementary

$$3 \text{ acres} \times 3.5 = 10.5 \text{ acre ft.}$$

$$1.35 \text{ cfs} \times 3600 \text{ sec/hr} = 4860 \text{ ft}^3/\text{hr}$$

$$10.5 \text{ acre ft} \times 43560 \text{ ft}^2/\text{acre} = 457,380 \text{ ft}^3$$

$$\frac{457,380 \text{ ft}^3}{4860 \text{ ft}^3/\text{hr}} = 94.1 \text{ hrs authorized operation}$$

Assume 1 irrigation = 6" depth = 1.5 acre feet.

$$\frac{10.5}{1.5} = 7 \text{ authorized irrigations}$$

Assume 1 irrigation = 3" depth = 0.75 acre feet

$$\frac{10.5}{.75} = 14 \text{ authorized irrigations}$$

Assume 36 hr operation / irrigation

$$\frac{94.1}{3} \approx 31 \text{ irrigations}$$

Assume 12 hr operation / irrigation

$$\frac{94.1}{12} \approx 8 \text{ irrigations}$$

## Volume Analysis P 2

For PDU < 5 acres, allocations allows up to 0.03 cfs/acre. If this logic is carried through to volume,

$\frac{0.03}{0.02} \times 3.5 \approx 5.2$  afa. This would multiply all the above by 1.5.

Debra O. Contor  
4/7/2000

Per Skip Jones, volume on small acreages is not adjusted upwards.

# DENNING WELL DRILLING, INC.

BOX 460, UCON, IDAHO 83454

523-4600

Date 9-20-92

## WELL & PUMP ESTIMATE FOR:

Name West Jefferson

Address Hammer

Location Clk Jack Tschkof

|                   |                             |                     |
|-------------------|-----------------------------|---------------------|
| 100' Drilling     | 16" @ 48 <sup>00</sup> p.f. | 4800. <sup>00</sup> |
| 21' Casing        | 16" @ 20 <sup>00</sup> p.f. | 400. <sup>00</sup>  |
| 80' Casing        | 12" @ 14 <sup>00</sup> p.f. | 1120. <sup>00</sup> |
| 1 Shoe            | 12" @ 250. <sup>00</sup>    | 250. <sup>00</sup>  |
| Pump              | Total                       | 6570. <sup>00</sup> |
| Tank              |                             |                     |
| Submersible Cable |                             |                     |
| Drop Pipe         |                             |                     |
| Well Seal         |                             |                     |
| Pittless Adaptor  |                             |                     |
| Valves & Fittings |                             |                     |
| Accessory Package |                             |                     |
| Pump Installation |                             |                     |
| Well Pit          |                             |                     |

Surface

15' LAVA

30

Clay Sand

70

LAVA

15'  
10'

100 CINDERS

Date 9/7/00 Sig. D. Contor

\*\*\*\*\*

Claim A31-10292

Doc Source Claimant

Total

Drilling Permit No. 90E-043  
 Water Right Permit No. A31-10292  
 Injection Permit No. \_\_\_\_\_

State of Idaho  
 Department of Water Resources

# APPLICATION FOR DRILLING PERMIT

Applicant (please print) West Jefferson School Dist  
 Mailing Address 1272 E 1500 N Terreton ID 83450  
 Telephone 663 4542

☒ Well Owner ( ) Well Operator ( ) Other, specify \_\_\_\_\_

Proposed well location NE 1/4 NW 1/4, or Gov't Lot No. \_\_\_\_\_

Sec. 22, Twp. 7N, Rge. 36E, County Clark

Street Address of Well Site UNKNOWN

Lot, block and subdivision \_\_\_\_\_

## Proposed use of well:

- ( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

- ( ) Injection

- ( ) Monitoring - A well bore schematic and map is required for each well.  
 No. of proposed wells: \_\_\_\_\_

## 5. Well construction information:

- A. ( ) New well ( ) Deepen ☒ Replace - See Condition 9

B. Proposed Surface Diameter \_\_\_\_\_ Proposed Maximum Depth \_\_\_\_\_

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)  
 ( ) 85°F to 212°F (Low temp. geothermal well)  
 ( ) 212° or more (Geothermal well)

Date 4/7/00 sig. A. Coulter  
 \*\*\*\*\*

Claim A31-10292  
 Doc Source Claimant

3. Construction Start Date 16 Nov 1990

7. Anticipated Well Driller Dennison  
 NOTE: The actual well driller must be identified prior to drilling.

3. Applicant's signature Melvin H. Hansen Date 11-20-90

Title Superintendent West Jefferson School Dist #253  
 (Owner, Firm Representative, Other)

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 16 Nov 1990

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

### GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

### SPECIFIC CONDITIONS:

Date 4/7/00 sig. B. Contor

\*\*\*\*\*

Claim A31-10292

Doc Source Claimant

Dennis M. Dunn  
Signature of Authorized Department Representative

Sr Water Resource Agent  
Title

Receipt No. 5015464 Received by Jo Fee 200<sup>00</sup> Date 11-20-90

### EXTENSION OF DRILLING PERMIT

Extension approved by \_\_\_\_\_ Approval Date \_\_\_\_\_

This extension is good for 60 days beyond the above extension approval date.

BUDGET ACCT

VENDOR NAME

PO # DESCRIPTION OF PURCHASE

AMOUNT

|                      |                             |                          |                                    |          |
|----------------------|-----------------------------|--------------------------|------------------------------------|----------|
| 100-632410-000-000-0 | 2M DATA SYSTEMS             | 0-00                     | PAYROLL UPDATE                     | 195.00   |
| 100-515550-000-000-0 | ANDERSON AUTO               | 3308-00                  | JACKET REPAIR KIT                  | 18.62    |
| 100-681425-000-000-0 | ANDERSON AUTO               | 0-00                     | SHOP SUPPLIES                      | 6.18     |
| 100-681425-000-000-0 | ANDERSON AUTO               | 0-00                     | BUS REPAIR PARTS                   | 593.67   |
| 100-683425-000-000-0 | ANDERSON AUTO               | 0-00                     | CAR AND PICKUP REPAIR              | 11.32    |
| 100-681425-000-000-0 | ANDERSON AUTO PARTS         | 0-00                     | BUS REPAIR AT HAMER                | 7.42     |
| 100-664410-000-000-0 | ARCHECTURAL BUILDING SUPPLY | 3318-00                  | MISC. SUPPLIES                     | 398.60   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-03                  | 280-891 UNIFIX TEACHER'S MANUAL    | 5.85     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-01                  | 578-161 GREEN CHALDBOARDS          | 89.85    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-02                  | 879-056 500 UNIFIX CUBES           | 46.00    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-11                  | 780-228 MATCH AND MOVE MEMORY GA   | 9.90     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-05                  | 787-962 CLASSROOM CASH             | 39.95    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-06                  | 787-299 WOODEN PATTERN BLOCKS      | 29.95    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-07                  | 795-869 DINOSAUR FLASH CARDS       | 7.95     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-08                  | 950-618 AIR & WEATHER DISCOVERY    | 9.65     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-09                  | 950-642 EARTH IN SPACE DISCOVERY   | 9.65     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-10                  | 788-083 BASKIC SIGH WORD BINGO     | 6.95     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3264-03                  | 280-891 UNIFIX TEACHER'S MANUAL    | 5.85     |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3279-00                  | SCHOOL TEACHING SUPPLIES           | 199.15   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3272-00                  | TEACHING SUPPLIES                  | 148.94   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3267-00                  | TEACHING SUPPLIES                  | 87.40    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3262-00                  | TEACHING SUPPLIES                  | 281.18   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3259-00                  | TEACHING SUPPLIES                  | 174.22   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3258-00                  | TEACHING SUPPLIES                  | 136.60   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3257-00                  | TEACHING SUPPLIES                  | 42.06    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3254-00                  | TEACHING SUPPLIES                  | 205.31   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3253-00                  | TEACHING SUPPLIES                  | 75.32    |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3265-00                  | TEACHING SUPPLIES                  | 171.86   |
| 100-512550-000-000-0 | BECKLEY-CARDY COMPANY       | 3293-00                  | SET #326-702 CHRISTMAS CHARMERS    | 28.75    |
| 290-710450-000-000-0 | BERNARD FOOD INDUSTRIES     | 0-00                     | FOOD SUPPLIES FOR SCHOOL LUNCH     | 36.00    |
| 100-616110-000-000-0 | BRITT M. HARGRAVES, M.S.    | 0-00                     | 1/12 SALARY CONTRACTED             | 1,300.00 |
| 100-512410-101-000-0 | CAXTON PRINTERS, LTD.       | 3168-00                  | IS IDAHO NOTEBOOK, DENNIS SOMIUS   | 7.90     |
| 100-512440-000-000-0 | CAXTON PRINTERS, LTD.       | 3129-01                  | TEACHING SUPPLIES                  | 343.56   |
| 100-512440-000-000-0 | CAXTON PRINTERS, LTD.       | 0-00                     | CREDIT ON HEALTH BOOKS RETURNED    | 264.00CR |
| 100-515440-401-000-0 | CAXTON PRINTERS, LTD.       | 2029-00                  | POSTAGE AND INL. #74878            | 2.02     |
| 100-515440-401-000-0 | CAXTON PRINTERS, LTD.       | Date 4/2/00 BY B. Conter |                                    |          |
| 420-664550-000-000-0 | CAXTON PRINTERS, LTD.       | *****                    |                                    |          |
| 100-512550-000-000-0 | CENTER FOR APPLIED RESEACH  | Claim                    | A31-10292                          | 95.00    |
| 100-611310-000-000-0 | CLARK CLOUGH                | Doc Source               | C/G/want                           | 28.81    |
| 100-512490-000-000-0 | CLARK COUNTY SCHOOLS        |                          |                                    | 35.90    |
| 100-664410-000-000-0 | CLARK'S MILLWORKS           |                          |                                    | 175.00   |
| 100-664410-000-000-0 | COMMERCIAL METAL WORKS      | 0-00                     | SHEETROCK AND CONDUIT              | 9.44     |
| 100-512550-000-000-0 | CONNECTING POINT            | 0-00                     | GALV. COVER, PAINTED COVER DUCT WR | 280.00   |
| 100-515550-000-000-0 | CYNMAR SCIENTIFIC           | 3342-00                  | FIRST CHOICE SOFTWARE FOR IBM ON   | 119.00   |
| 100-616110-000-000-0 | DR. DAVID HARGRAVES         | 3179-00                  | TRIPLE BEAM, OHAUS E SERIES        | 1,013.92 |
| 100-661410-000-000-0 | DECKER'S INC.               | 0-00                     | 1/12 SALARY                        | 1,300.00 |
| 100-661410-000-000-0 | DECKER'S INC.               | 3316-00                  | PROBLEM SOLVER -WAX MOP HEADS      | 85.41    |
| 100-664410-000-000-0 | DECKER'S INC.               | 3302-00                  | #661 CRANK TOWEL DISPENSOR         | 163.50   |
| 100-664410-000-000-0 | DECKER'S INC.               | 0-00                     | SOLUTION TABLE FOR POWER TECH.     | 23.33    |
| 100-664410-000-000-0 | DECKER'S INC.               | 0-00                     | CREDIT ON DECEMBER STATEMENT       | 0.20CR   |
| 420-664455-000-000-0 | DENNING WELL DRILLING INC.  | 3289-00                  | WELL DRILLED AT HAMER              | 7,930.00 |
| 100-512550-000-000-0 | DICK BLICK                  | 3277-00                  | F-6810000 ART RACK 29" HIGH X 24   | 222.03   |
| 100-515380-001-000-0 | DON BIRD                    | 0-00                     | TRAVEL AND MEETINGS                | 220.30   |

Date 4/2/00 BY B. Conter

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Claim A31-10292  
Doc Source C/G/want

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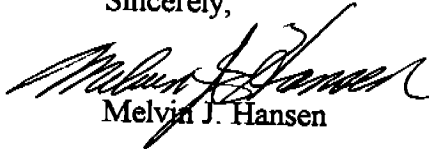
TO WHOM IT MAY CONCERN

4-3-00

I was a grade school student at Hamer elementary when the school addition was built and the irrigation well was drilled in 1938. The purpose of the well was to water the ground around the school building. The well was used until 1990 when the water table dropped low enough that the pump began sucking air. I was the Superintendent of School District # 253 when this happened.

We received permission to drill a new well that was deeper and would have adequate water supply. The original well was very shallow and the pump was removed and a cap was welded over the casing. Dirt was then placed over the old well.

Sincerely,

  
Melvin J. Hansen

Date 4/7/00 sig. B. Contor  
\*\*\*\*\*  
Claim A31-10292  
Doc Source Claimant

To: A31-10292  
Fr: Bryce A. Contor  
Date: 2/21/2000

Re: Conversation w/ Larry Soderquist

On February 20 I talked briefly with Larry Soderquist, head custodian for West Jefferson School District #253, about proof of priority for Beneficial Use Claim A31-10292.

Larry indicated that there are two wells, a small well used for domestic purposes within the grade school, and a large well installed ten or fifteen years ago for irrigation of the lawns. The irrigation well is 10 or 15 horsepower, pumping open discharge, with a lift of about 45 ft. The theoretical diversion rate is:

$$\frac{\text{water hp} * 3960}{\text{total dynamic head}} = \frac{(\text{motor hp} * \text{pump efficiency}) * 3960}{(\text{lift} + \text{friction})} =$$

$$\frac{(15 * 0.70 * 3960)}{(45 + 10)} = 756 \text{ gallons per minute} = 1.68 \text{ cfs}$$

This well is used for flood irrigation of very sandy soil. A Hubble analysis may be used to justify more diversion rate than 0.03 cfs/acre, but the approximately 3 acres of place of use will not justify the full apparent diversion rate.

update 4/7/00

Larry called back, the horsepower is 10. Per MNRD data, measure PWL at Rene Shurtliff's nearby well is 29 ft. 70% efficiency is a little optimistic for this small pump.

$$\frac{(10 * .60 * 3960)}{(29 + 10)} \approx 610 \text{ GPM} \approx 1.35 \text{ cfs}$$



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 9, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

West Jefferson School District No. 253  
HC 63 Box 1000  
Terreton, Idaho 83450

Dear Water User:

We are now reviewing Adjudication Claims in Administrative Basin 31. In 1993, you were sent a letter regarding proof of priority for your claim numbered A31-10292, for the Hamer Elementary School. That letter stated in part:

"As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that **diversion works** were in place, that they were **capable of delivering** the claimed diversion rate, and that the diverted water was **beneficially used** on the entire claimed place of use..."

The file does not contain adequate documentation for me to recommend your right as claimed. Please read the enclosed pamphlet and provide documentation to support the claimed priority date. Please note that affidavits or statements of individuals must be "first person" statements (I saw... I farmed... I irrigated), rather than "second person" (my father said... my brother observed...).

We also need to document the diversion rate. We can calculate a theoretical capacity if you can document the pump type and horsepower, the pumping water level, and the discharge pressure. If you have ever had a pump test or flow measurement, these data would also be very useful.

The irrigation portion of your claim is for 0.06 cfs, or 0.02 cfs/acre. This is probably less than you actually use, if the flood irrigation I have seen at the school comes from this

well and this water right. If your pump capacity warrants a higher diversion rate, you may wish to amend your claim to 0.09 cfs, or 0.03 cfs/acre. That is our "rule of thumb" limit for small acreages (0.02 cfs/acre is the limit for large diversions).

Enclosed for your convenience is a computer summary of your claim as filed with IDWR.

Please review these materials and respond as soon as possible. Please call me at 525-7161 (office) or 663-4853 (home) if you have questions.

Sincerely,

Bryce A. Contor



State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION  
FEBRUARY 9, 1993

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

POOR ORIGINAL

\*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

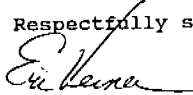
EVIDENCE OF PRIORITY  
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

\*\*\*\*\*  
The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.  
\*\*\*\*\*

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

  
Eric Verner  
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED  
APR 15 1994