

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: A43-07152
Date Received: 5/23/1989
Receipt No: 5007288
Received By: ADN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLACE C. TAYLOR 208-824-5572
Address: P.O. BOX 144
ALMO, ID 83312
AND/OR
Name: ROBERT E. TAYLOR 208-824-5572
Address: P.O. BOX 144
ALMO, ID 83312

2. Date of Priority: MAY 13, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	24E	27	NE	NE	SE		CASSIA
			NW	NE	SE		CASSIA

5. Description of diverting works:
WELLS, PUMPS, POND & SPRINKLER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-07152

Page 1

Date: 05/23/89

MICROFILMED
MAR 04 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	27	NE	SE		IRR	38.0
			NW	SE		IRR	37.0
						Section Acres	75.0
						Total Acres	75.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04008 & SHARES IN ALMO WATER CO.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: See Map A43-04008

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): William C Taylor Date: 5-23-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of May 19 89 Lee D Monte
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

Old (D) Number -

+ Address +

State- ID Zip- 83312

Status - - - +

Tributary

Stream Index (Blank if no Index Code)

(31) CASSIA

Diversion Rate Diversion Volume

262.50

1.880

Place of Use	Code	Description	County
acres			

(31) CASSIA
(31) CASSIA

75.0

END & SPRINKLER.

2 P/D IN NESE, S27, T15S, R24E.

----- Old Water Right Numbers -----
 No Old Water Right Numbers found.

----- Conditions of Approval -----

R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

MICROFILMED
MAR 04 1993

WATER RIGHT

+ - Decree Date - +
00/00/0000

-----Comments-----

No Comments Found

+ - - Audit Fields - 02/19/86 05/28/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 09/01/1985	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 09/17/1980	Protected Date	- 00/00/0000	Swan Falls	- Z
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 11/01/1985	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MAR 04 1993

07/17/2001

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

RIGHT NUMBER: 43-7152

NAME AND ADDRESS: ROBERT E TAYLOR
WALLACE C TAYLOR
C/O CAROLE TAYLOR
2714 WAKONDA DR
FORT COLLINS, CO 805211244

SOURCE: GROUND WATER

QUANTITY: 1.5 CFS
262.5 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.
USE OF THIS RIGHT WITH RIGHT NO. 43-4008 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND A COMBINED
ANNUAL DIVERSION VOLUME OF 688 AF.

PRIORITY DATE: 05/13/1980

POINT OF DIVERSION: T15S R24E S27 NENESE Within CASSIA County
T15S R24E S27 NWNESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.50 CFS 262.50 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R24E S26	NESW	40	T15S R24E S26 NWSW 34
T15S R24E S26	NESE	40	T15S R24E S26 NWSE 36
T15S R24E S27	NESE	22	

172 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-4008 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 172 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

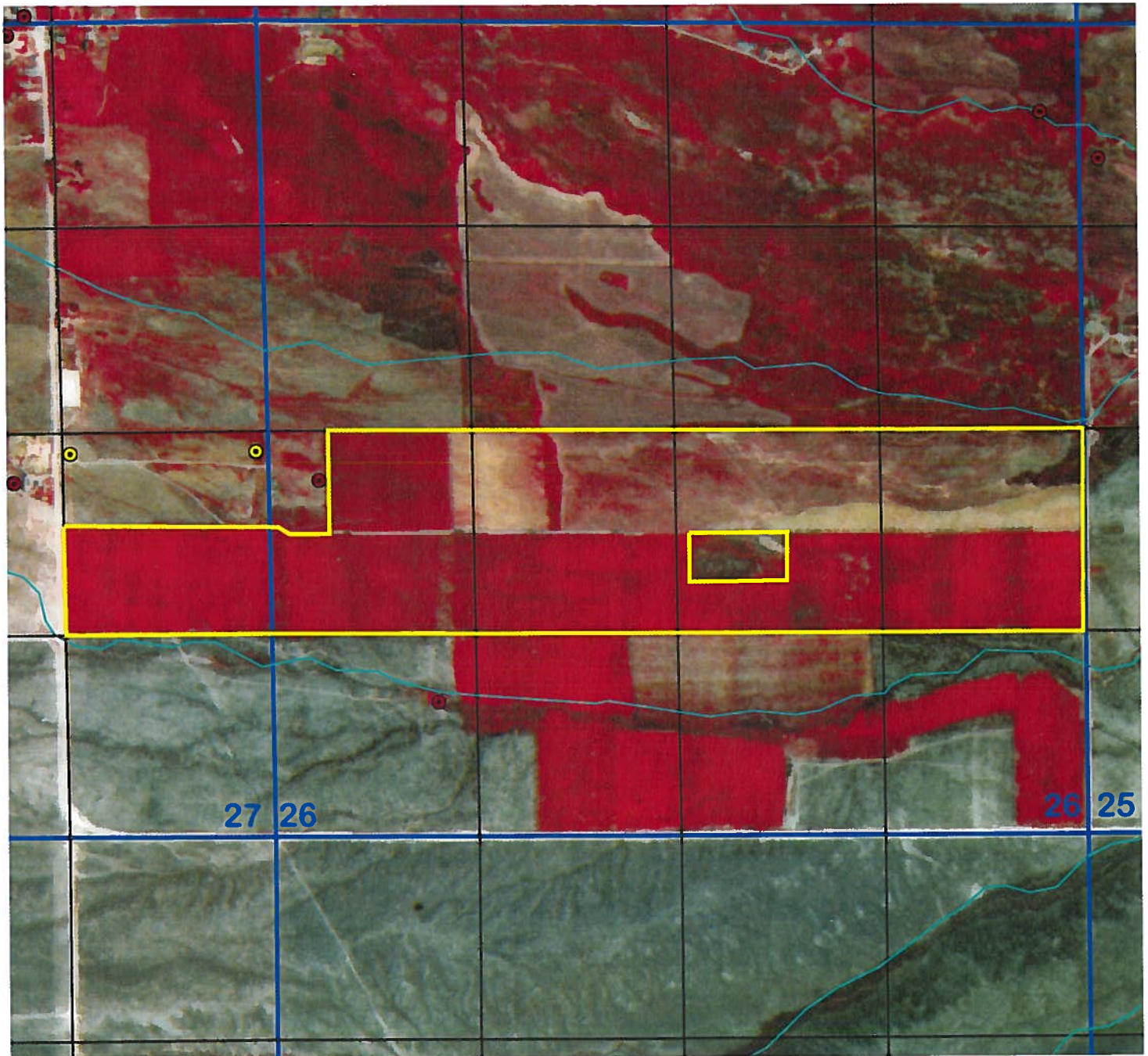
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER
COMPANY.

Idaho Department of Water Resources

RIGHTS: 43-4008, 43-7152

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E, Sec 26, 27
Data entry on December 5, 2000



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

12/05/2000

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

RIGHT NUMBER: 43-7152

NAME AND ADDRESS: ROBERT E TAYLOR
WALLACE C TAYLOR
C/O CAROLE TAYLOR
2714 WAKONDA DR
FORT COLLINS, CO 805211244

SOURCE: GROUND WATER

QUANTITY: 1.5 CFS
262.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-4008 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 688 AF.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/13/1980

POINT OF DIVERSION: T15S R24E S27 NENESE Within CASSIA County
T15S R24E S27 NWNESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	1.50 CFS 262.5 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R24E S26	NESW	40	T15S R24E S26 NWSW 34
T15S R24E S26	NESE	40	T15S R24E S26 NWSE 36
T15S R24E S27	NESE	22	

172 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-4008 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 172 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43D.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 43-7152

*ch'd comb
w.m. b. per
NO E. see
43-4008
10th*

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER
COMPANY.

DIVERSION
VOLUME
187.50 AFA

75.0

5.2.2

Qnt Est
no more than
limited to
Vol limited to
688 of 172AC

75ac
K4
Ag1

RECOMMENDATION NOTES

From: Vikie Hancock

12/5/00

Regarding: - 43-4008 and 43-7152

The above claims are appurtenant to the same place of use in Sections 26 and 27 T15S, R24E. Two wells, both in NESE Section 27, provide water for irrigation to this property. The older well was drilled in 1955 and used to develop statutory claim 43-4008 which was originally filed for 238 acres and 110 inches of water. The newer well, drilled in 1980, was used to develop lands under licensed right 43-7152, which is for 75 acres and 1.5 cfs. The 1980 well was also designed to supplement the 1955 well which claimant said had diminished in capacity since 1955. *A third well, associated with permit 43-7310 was drilled in 1994 and is not included in the adjudication, however note that there is some controversy concerning the use of this well.* Surface water shares from Almo Water Company are also appurtenant to this property for irrigation, and there are two domestic/stockwater wells.

Jim Stanton conducted a field exam in 1995, at which time he found 171 acres irrigated from the two wells. His observation agrees with the location and approximate number of acres found by GIS using 1987 NAPP aerial photography. It was found that only 21 of the original 75 licensed acres in the N½SE¼ 27 are still irrigated. It would appear that an accomplished transfer of 54 acres from Section 27, back to better ground in Section 26, occurred between 1980 and 1987, although Jim noted that the pipeline still exists that conveyed water under the road and into the NWSE Section 27.

From 1978 ASCS photos, it can be determined that 110 acres were irrigated before the 1980 well was drilled. These acres were also being irrigated with surface water, as they continue to be when surface water is available. The claim for beneficial use of ground water beginning in 1955 would be limited to no more than 110 acres. Given the unreliable nature of surface water from Almo Creek, I am inclined to recommend that the entire 110 acres be included in this claim, as Mr. Taylor stated that sprinkler lines were installed in 1956.

In an analysis of the system done in May 1995, Allen Merritt calculated a theoretical diversion capacity of 1.54 cfs for the 1955 well. In the 1955 well log, the well tested at 1.3 cfs. This corresponds with a statement in T2358 that the well pumped 65 inches. I believe that 1.54 cfs would be an accurate, if not liberal, reflection of the historical diversion rate used upon the original acres developed in 1955 under 43-4008.

My recommendations: 43-4008 = 110 acres 1.54 cfs, 2 POD in NESE Sec 27.
43-7152 = 75 acres 1.50 cfs, 2 POD in NESE Sec 27
with a combined limit of 171 acres

See claim file 43-4008 for additional information and complete analysis done in the investigation of permit 43-7310.

TO: Allen Merritt

DATE: April 18, 1995

FROM: Jim Stanton

SUBJECT: Wallace Taylor Property, Almo

Per your request, I visited this property yesterday accompanied by Mr. Taylor. We visited the 3 wells, and I observed the irrigation system. The wells are located in the NW/NE/SE Sec. 27, (the 1980 well), the NE/NE/SE SEC. 27 (the 1955 well), and the NE/NW/SW Sec. 26 (the 1992 well). The 1980 well was off, the 1955 well was out of service for repair, and the 1992 well was pumping open discharge into a concrete ditch. According to Mr. Taylor, all 3 wells are connected via buried mainline to a primary mainline running east and west thru the center of the property. I observed that the mainline runs all the way to the east side of the property. The 1980 and 1992 wells can also open discharge into ditches for gravity irrigation in conjunction with water from Almo Creek. With the 1955 motor and pump pulled for repair, its discharge mechanism could not be seen, but I assume it operates in the same manner. The surface water can be run into a pond and then pumped into the mainline, although this has not been done for 8 or 9 years due to a shortage of surface water according to Mr. Taylor.

Of the 240 acres owned by Mr. Taylor in Sec. 26 & 27, the present sprinkler system can irrigate 171 acres. Mr. Taylor said that the mainline was installed the full length of the farm in 1956, and was just replaced with a plastic line after the original steel line rusted out. I did observe several small ditches running thru the fields near the wells, and there is an earth/concrete ditch running for some distance along the north side of the property. Since my visit was concerned with groundwater, I did not try to determine exactly what ground could be covered by gravity irrigation. The land is fairly flat, although the general slope falls from west to east. The NE corner of the place is a low spot; while this area appears to be rough ground on the aerial photo, it appears to be irrigated with sprinklers now. This corner was probably a bit swampy under gravity irrigation, or was too far east to properly irrigate with the chronically-low surface supplies in this drainage. Mr. Taylor filled in some of this low ground in the past, and extended the concrete ditch about 300' east of the 1992 well.

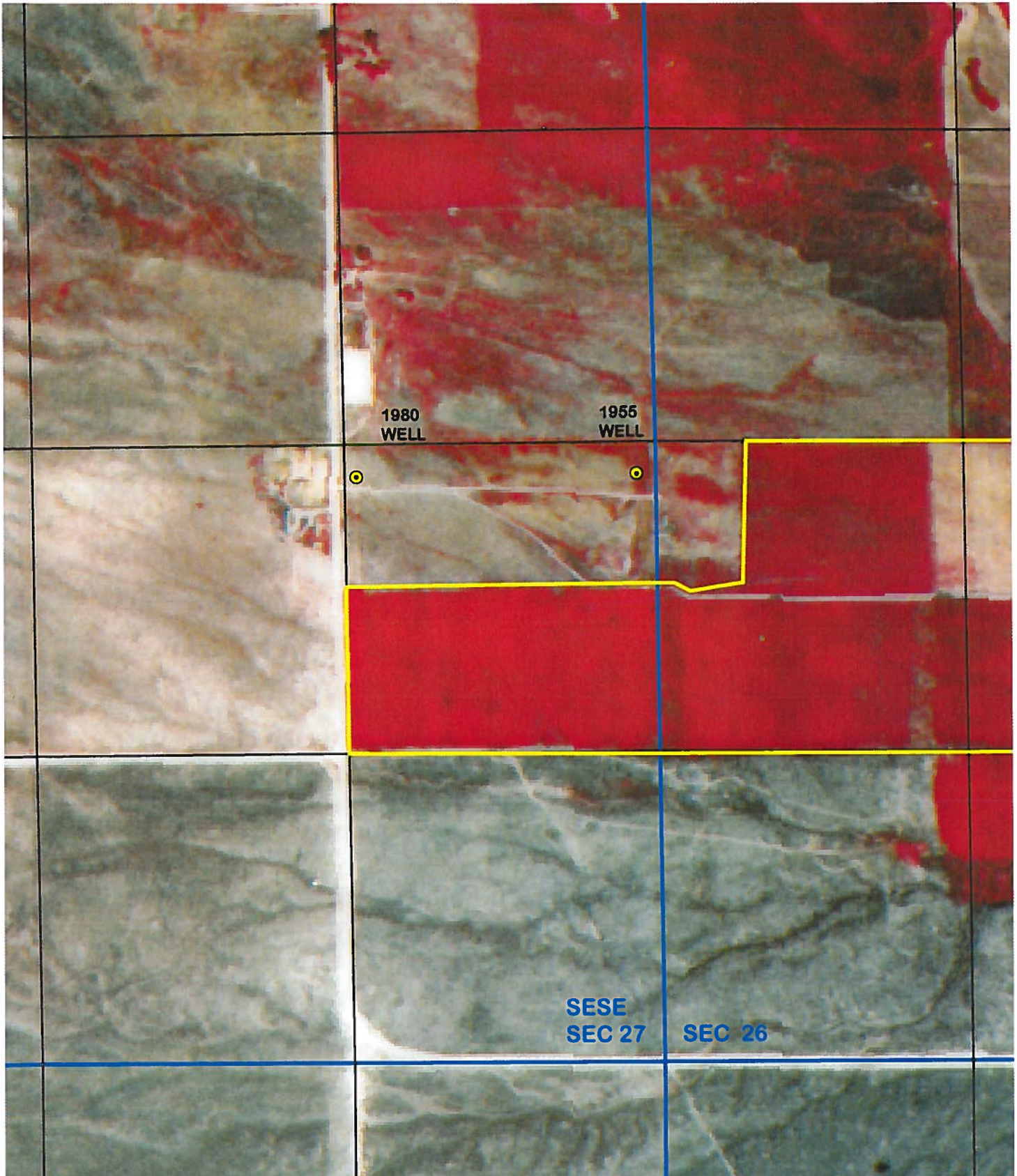
The NW/SE Sec. 27, which is licensed under 43-07152 and claimed under A43-04008, is no longer irrigated according to Mr. Taylor. While the mainline still goes under the highway to reach this ground, the land is too rocky to be worth irrigating. The licensing exam was done in 1982, but the owner said that the 40 has not been irrigated in a long time.

No new land was developed under Permit 43-07310, although the 1992 well was drilled under this permit. So a maximum of 171 acres are irrigated on Mr. Taylor's land in Sec. 25, 26, and 27.

FIELD NOTES

CLAIM NO(S): A43-04008, A43-07152

TWP 15S ,RNG 24E, SEC 26 & 27



V HANCOCK

Date:

PER JIM STANDOW FE 4/95

1987/1988 NAPP PHOTOGRAPHY



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

RECEIVED

JAN 18 2000

Department of Water Resources

December 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

~~Robert E. Taylor~~

~~C/O Wally Taylor~~

2714 Wakonda Dr.

Fort Collins, CO 80521-1244

Carole Taylor

RE: Snake River Basin Adjudication (SRBA) ^R
Water Rights #A43-04008, A43-07152, 43-10215, 43-10216,
A 43-10217 and 43-10218

all records changed 1-21-2k. ss

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 14, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Carole Taylor

Water Right Holder's Signature

970-484-3626

Telephone No.

1/14/00

Wallace Taylor and Robert Taylor are both recently deceased. I have forwarded your letter of 12/9/99 to our attorney Ray Rigby in Rupert, Idaho.

over

I'm sorry I was out of town when
the letter finally arrived at my
address.

Carole Taylor

A43-04008

A43-07152

~~A~~43-10215

~~A~~43-10216

43-10217

43-10218

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PA 43-04008
PA 43-07152
PA 43-10217
PA 43-10218
PA 43-10215
PA 43-10216

RETURN SERVICE
REQUESTED



Wally Taylor
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

TAYLOR TO SENDER
TAYLOR
WAKONDA DR 80521-1244
FORT COLLINS CO 80521-1244

83312-0144
83720/0098
|||

RECEIVED

State of Idaho Department of Water Resources

NOV 5 1985

WATER RIGHT LICENSE

Department of Water Resources
Southern District Office

License of Water Right No. 43-7152 Priority May 13, 1980 Amount 1.50 cfs

THIS IS TO CERTIFY, that Wallace C. Taylor
of Almo, Idaho, has complied with the terms and conditions of Permit
No. 43-7152 issued pursuant to Application for Permit dated May 13, 1980,
and has submitted proof to the Department of Water Resources on May 27, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.88 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.50</u> cfs and	<u>262.5</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
262.5 acre feet per year, said waters to be diverted within the (2 pts) NE 1/4 SE 1/4
Section 27, Twp 15S, Rge 24E in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	27													38	37			75

Total number of acres irrigated 75

43-7152

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1ST day of NOVEMBER, 19 85.

Acting for the Norman C Young
Director

✓ 43-4008, 43-7152, 7 # 3877, See 43-4008 - W. + Adhramme 8.
10/31/94

FROM: Allen Merritt

DATE: May 8, 1995

TO: Norm Young

SUBJECT: Durfee - Taylor Well interference problem

Over the last several years our office has received inquiries about the water rights and complaints about well interference between the Curtis Durfee farm and the adjoining Wallace Taylor farm in the Almo Idaho area. Specifically Mr. Durfee claimed that the 1992 Taylor well caused interference with his 1977 irrigation well. Initially it was felt that it was a drought related problem but more recent studies by Dr. Brockway reveal that there is a definite well interference situation due to the aquifer characteristics which the Durfee 1977 well and the Taylor 1992 rely. (See attached copy of Brockway/Kahlowm 4/13/1995 Report)

Review of the water rights associated with both farms finds the following:

DURFEE

Durfee's farm is supplied water from a single irrigation well licensed under 43-07109 for irrigation of 113 acres at a rate of 1.48 cfs with a 10/17/1977 priority.

TAYLOR

Taylor's farm is supplied water from three irrigation wells. Initially a well was drilled in 1955 which supplied water to the farm and claimed under 43-04008. The right is claimed as 2.20 cfs or 110". In 1979 transfer #2358 was applied for to add an additional well to the system to recover the claimed capacity of right 43-04008. The application proposed to drill the new well in either NESE Sec. 27 or NWSW Sec. 26. The transfer was approved 4/10/1980 but limited the lands irrigated to 160 acres in Section 26. The second well was completed 4/12/1980 in the NWNESE Sec. 27; no well was drilled in Section 26. On 5/13/1980 application 43-07152 was filed and later approved for using the new 1980 well and the old 1955 well for irrigation of another 78 acres in Sec. 27. This permit was licensed in 1985 for 75 acres at 1.50 cfs from the two existing wells at that time. At the time of licensing 43-07152 the new 1980 well was measured pumping 1.88 cfs; the old 1955 well was off at that time. On 5/28/91 transfer #3877 was filed to change the P/U of license 43-07152 and to add another well to water rights 43-04008 and 43-07152 within Section 26. On the same date application 43-07310 was filed for irrigation of 80 more acres in Sec. 25 from the newly proposed well in transfer #3877 and the 1980 well. Permit 43-07310 was approved 12/19/1991 but transfer #3877, after initial advertising was held; from the file I could not determine why it was held without action. On 7/12/92 the last well was completed in Sec. 26. On 11/23/93 the transfer #3877 was

43-7152

amended then held for submittal of the amendment fee which was paid 6/20/94. On 8/15/94 Taylor requested delay of advertising and then on 10/11/1994 Taylor canceled or withdrew transfer application #3877. On 10/17/94 he then filed for a drilling permit 43-94-S-0024-000 to replace the 1955 well. This drilling permit was extended 4/21/95 and expires 10/17/95.

As a result of Durfee complaint on 4/17/95 Jim Stanton conducted a site inspection of the Taylor property on 4/18/1995 to document existing uses and to see if licensing exam for 43-07310 could be completed. (See copy of Jim's memo dated 4/18/95)

ANALYSIS

The Taylor 1955 well has never been measured. Using information gathered by Stanton (60 hp) and from the Brockway report (static 180') and using the drawdown from pump test on log of 1980 well (160'-55') for 2.8 cfs or 0.02667 cfs/ft of drawdown, it is calculated that:

$$\frac{8.8 (60) 0.7}{Q = 180 + 60} = 1.54 \text{ cfs or } 77''; \text{ note that in transfer \#2358 a statement is made the well only produces 65". Additionally, Mr. Durfee claims the well never pumped more than 65 inches to his knowledge.}$$

The Taylor 1980 well was measured at 1.88 cfs in 1982 delivering to sprinklers. Using information gathered by Stanton (100 hp) and from Brockway report (static 210') and drawdown from well log (105') it is calculated that:

$$\frac{8.8 (100) 0.7}{Q = 210 + 82} = 2.11 \text{ cfs open dis.}$$

$$\frac{8.8 (100) 0.7}{Q = 210 + 60 + 115} = 1.60 \text{ cfs to sprinkler @50 psi}$$

The Taylor 1992 well is only authorized for use in Sec. 25 under permit 43-07310. Well has never been measured but Brockway reports well discharge is 2.4 cfs. Stanton found no land in Section 25 irrigated from system. He further finds only 171 acres presently irrigated under entire farm system.

The Durfee 1977 well was measured in 1983 at three different pressures; at 40 psi it delivered 1.48 cfs and was licensed at this rate since that was how it was normally operated; it was measured at 20 psi at 1.64 cfs. Brockway measured the well during the pump test on January 26, 1995 at 1.64 cfs.

RECOMMENDATION

I RECOMMEND THAT TAYLOR BE SENT A CEASE AND DESIST ORDER TO STOP USING THE WELL IN SECTION 26 THAT INTERFERES WITH THE DURFEE WELL UNTIL EITHER A TRANSFER IS FINALIZED ALLOWING USE OF THE WELL OR A LICENSING AMENDMENT IS APPROVED (IF FILED IT SHOULD BE ADVERTISED) WHICH WOULD ALLOW CAPACITY OF WELL TO BE USED TO BRING 171 ACRES UP TO 1"/ACRE WHEN COMBINED WITH OTHER RIGHTS.

43-7152

3.04 I RECOMMEND THAT THE HISTORICAL RIGHT FOR 43-04008 BE
RECOGNIZED AS 77" AND RECOMMENDED IN THE SRBA AS SUCH
UNLESS FURTHER INFORMATION IS GATHERED WHICH SUPPORTS A
LARGER DIVERSION RATE. I RECOMMEND THAT 43-07152 BE
LIMITED TO 1.48 CFS SO THE TOTAL OF THESE TWO RIGHTS BE
LIMITED TO 3.42 CFS. THIS DIVERSION BE LIMITED TO THE
1955 WELL OR IT'S REPLACEMENT AND THE 1980 WELL. (THE 64
ACRES NOT PRESENTLY IRRIGATED UNDER 43-07152 SHOULD BE
INVESTIGATED FOR FORFEITURE; NOTE THAT CAPACITY OF 1980
WELL MAY HAVE BEEN HISTORICALLY SHIFTED TO THE 171 ACRES
PRESENTLY IRRIGATED. IF THE 64 ACRES IS LOST AND THE
CAPACITY GOES WITH THE 171 ACRES THEN THESE ACRES ARE
PRESENTLY AT 1"/ACRE AND LICENSE 43-07310 SHOULD ~~NOT~~ BE
RECOMMENDED ~~AND SHOULD BE VOIDED.~~ ^{could} ~~for only 0.38 after licensing amendment.~~

I RECOMMEND THAT DUFEE'S DIVERSION BE LIMITED TO 1.48
CFS.

I RECOMMEND THAT BOTH DUFEE AND TAYLOR BE ORDERED TO
INSTALL PERMANENT MEASURING DEVICES ON ALL WELLS AND
RECORD THE MONTHLY DIVERSION VOLUME AND RECORD THE WEEKLY
DIVERSION RATE AFTER CONTINUOUS DIVERSION FOR 8 HOURS OR
MORE. THESE RECORDS SHALL BE PROVIDED TO IDWR ANNUALLY.

5/10/95

I talked with Norm & we decided I would send Taylor
2 letters regarding discontinuation of using well in section 26

SEE SRBA CLAIM FILE 43-4008
FOR ADDITIONAL DOCUMENTS FROM
WR 43-7310 FILE.

43-7152

HR5809NP
No. 43-07310

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HALLACE C TAYLOR 2714 WAKONDA DR FORT COLLINS CO 80521 (970) 484-3626	05/28/1991	IRRIGATION	03/15 11/15	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	

C ROBERT E TAYLOR
2714 WAKONDA DR
FORT COLLINS CO 80521
(970) 484-3626

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion: T15S R24E S26
S27

NEENMSM
MNESE

Stage: PERMIT
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE	NESE	SE	SESE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	NEEN	NESE	SESE	SUM
15S 24E 25 :	:	:	:	:
:	:	40	40	:
TOTAL ACRES				80.0

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
43-04008 43-07152

Other Water Rights Listing Overlapping Place(s) of use:
43-04059

Conditions of Approval:

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an

Conditions of Approval:

- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
 - change, add, or remove any requirement as determined to be
 - appropriate.
- 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.

Dates:

App. Received: 05/28/1991 Priority Date: 05/28/1991
Proof Due Date: 12/01/1997 Proof Made Date: 10/30/1997
Exam Made Date: 04/17/1995 Exam Sent to S.O.: 07/05/1995
Licensed Date:

Misc:

Water District Number: Field Exam Fee: R (Received)

Comments:

Date: 12/13/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 11/01/1997 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit:

06/11/91 BALDWIN 07/29/91 LUKE 12/13/91 SKAGGS 12/18/91 SKAGGS
01/12/94 YARBROUG 12/13/94 COMMENTS 12/20/94 YARBROU 06/15/95 ABATES
07/11/95 ABATES 10/04/95 JOHNSON 11/14/95 YARBROU 11/01/97 COMMENTS
12/02/97 YARBROU 02/08/98 CLEARFLD

September 20, 1994

SEP 26 1994

SEP 26 1994
Department of Water Resources
Southern Region Office

Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Attention: Loren Holmes

My father (Wallace Taylor, Almo, Idaho) and I request an application for a drilling permit to change the point of diversion on one of our wells. This well has the water right number of 43-04008 with a priority date of April 1, 1955 and a total diversion of 2.20 cfs. The intent is to drill this near the old well because the current well (43-04008) has a reduced water output compared to it's earlier test and output. The reduced flow is due primarily to the presence of a 6 inch liner which was added when the well was deepened several years ago, drought and no doubt blockage of the perforations that occur with time. Also the other wells (43-07152 and 43-07310) are unable to pump the 2.20 cfs approved for the 43-04008 well.

Please inform us as to how close the new well must be placed to the old well to retain the 1955 priority date. Send the drilling permit application to me for completion.

Thank you for your assistance.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
303/484-3626

RET/ct
cc: Wallace Taylor, Almo, ID 83312