

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

RIGHT NUMBER: 63-7955B

NAME AND ADDRESS: HENGGELEBROS INC
5144 ELMORE RD
FRUITLAND ID 83619

~~BOX 6633 WHITLEY DR~~
~~FRUITLAND ID 83619~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.090 CFS
335.700 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 16.2 AF for the commercial portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 319.5 AF, and 71 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.

The rights listed below are limited to a total combined diversion rate of 5.93 cfs and to a total combined annual diversion volume of 1334.2 AF, and 296.5 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/29/1974

POINT OF DIVERSION:

T06N R04W S7 NWSWN Lot 2 Within PAYETTE County

T06N R04W S7 NENSW Lot 3 Within PAYETTE County

Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B are also diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	03/01 03/15	1.090 CFS 16.20 AFY
IRRIGATION	03/15 11/15	1.090 CFS 319.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 1 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Commercial use is for orchard frost control.

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R04W S07	NESW	33.00	T06N R04W S07	SESW	38.00
---------------	------	-------	---------------	------	-------

COMMERCIAL in PAYETTE County

T06N R04W S07	NESW		T06N R04W S07	SESW	
---------------	------	--	---------------	------	--

71 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 63-7955.

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

In Re SRBA

Case No. 39576

Water Rights: See Attached List

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: February 7, 2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 7, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

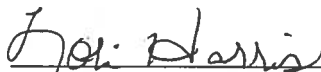
Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Robert M. Henggeler	☐	overnight mail
Henggeler Bros Inc	☒	regular mail
5144 Elmore Rd	☐	hand-delivered
Fruitland ID 83619	☐	facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document

Henggeler Address Change:

63-7955A

63-7955B

63-8311

63-9818A

63-9818B

63-10364A

63-10364B

63-21846



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 7, 2008

ROBERT M HENGGELE
HENGGELE BROS INC
5144 ELMORE RD
FRUITLAND ID 83619

Re: Water Right Nos. 63-7955A, 63-7955B, 63-8311, 63-9818A, 63-9818B, 63-10364A,
63-10364B, 63-21846

Dear Mr. Henggeler:

Enclosed are copies of the above referenced water rights which reflect your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): ROBERT M. HENGGLER

Previous Mailing Address: P.O. BOX 10633
FRUITLAND, ID 83619

New Mailing Address:

ROBERT M. HENGGLER
5144 ELMORE RD.
FRUITLAND, ID

Telephone Number:

208 452-3201 - HOME

Signature of all Claimant(s):

Robert Henggeler
Please print your name below your signature.
ROBERT M. HENGGLER

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

05/26/2006

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

RIGHT NUMBER: 63-7955B

NAME AND ADDRESS: HENGGELEBROS INC
BOX 6633 WHITLEY DR
FRUITLAND ID 83619

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.090 CFS
335.700 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 16.2 AF for the commercial portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 319.5 AF, and 71 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.

The rights listed below are limited to a total combined diversion rate of 5.93 cfs and to a total combined annual diversion volume of 1334.2 AF, and 296.5 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/29/1974

POINT OF DIVERSION:

T06N R04W S7 NWSWN Lot 2 Within PAYETTE County

T06N R04W S7 NENSW Lot 3 Within PAYETTE County

Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B are also diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	03/01 03/15	1.090 CFS 16.20 AFY
IRRIGATION	03/15 11/15	1.090 CFS 319.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 1 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Commercial use is for orchard frost control.

05/26/2006

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

PLACE OF USE:	<u>IRRIGATION Within PAYETTE County</u>					
	T06N R04W S07	NESW	33.00	T06N R04W S07	SESW	38.00
	<u>COMMERCIAL Within PAYETTE County</u>					
	T06N R04W S07	NESW		T06N R04W S07	SESW	

71 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

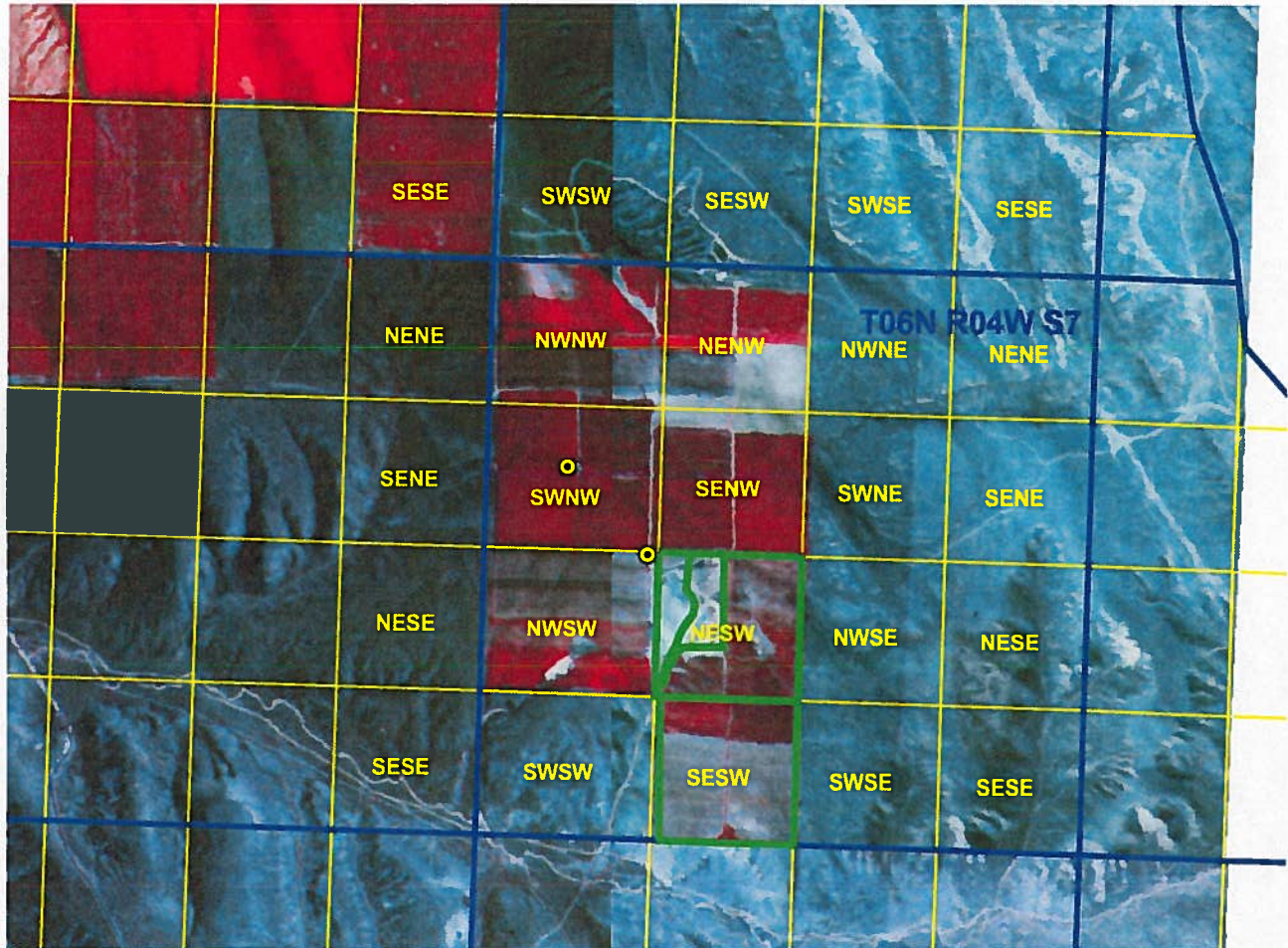
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 63-7955.



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R4W SECTION(S) 7
WATER RIGHT(S) : 63-7955B



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Total Irrigated Acres = 71 acre(s)

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: May 2006



MEMORANDUM

TO: ADJUDICATION CLAIM FILES 63-7955A, 63-7955B, 63-9818A,
63-9818B, 63-10364A, 63-10364B

FROM: DANIEL A. NELSON

DATE: 5/26/06

SUBJECT: CLAIM REVIEW

The above-mentioned claims are the result of three licenses that were filed on the same ground. The licenses were then split in the Snake River Basin Adjudication (SRBA) when one of the brothers wanted his portion of the water rights in his name and not the name of the corporation. All six of these claims are still operated as a single system, so it is best to address them as a group instead of each claim individually. Department records still show the licenses under single ownership, and only the adjudication claims have been split.

63-7955 was the first right licensed. It was licensed from a single well. 63-9818 was then filed on pretty much the same land using the original well with the development of a second well. 63-9818 was applied for in 1981 and the field exam was done in 1986. Water right 63-10364 was then filed to include additional acres, and license the full capacity of the two wells.

A63-7955A and A63-7955B adjudication claims claim both wells, even though they were only licensed with a single point of diversion. Whereas the second well was in place and verified in a field exam for 63-9818 by the department in 1986, it should be allowable to have both wells on the earlier right with an accomplished transfer, since the second well was introduced to the system prior to 1987.

Both 63-7955 and 63-9818 were licensed with two irrigation components. The first irrigation component was for standard irrigation between 3/15 to 11/15. The second component was for orchard frost control between 3/1 to 3/15. In reviewing these uses, they did not fit the true definition of irrigation. Therefore, I changed these uses to a more accurate descriptor of commercial use. The commercial use is a better fit to this scenario, and would allow the additional volume granted on the licenses. I would be hesitant to recommend more than the standard volume even for multiple type irrigation uses. This will make the files cleaner, and fit better in the overall description of the four adjudication claims with this component. Like in wastewater land application for commercial dairy uses, the commercial use will share the place of use as the irrigation component.

Page 2
Henggeler memo

63-7955 and 63-9818 were licensed with some combined limitations for diversion rate and volume. 63-9818 was filed to add a couple of additional acres to the system, and increase the diversion rate to a minor inch or 0.02 cfs per acre for the lands covered by 63-7955. 63-9818 was not even assigned a volume during licensing, but it is not possible to divert water without consuming any volume. Therefore, I assigned a volume based on the rate of diversion for A63-9818A and A63-9818B, and added remarks that would limit the total use to the standard use per acre of 0.02 cfs and 4.5 afa per acre irrigated for all six adjudication claims.

Water right 63-10364 was in essence filed to have the full diversion capacity of the well licensed, and to add 11.5 additional acres to fill in around the edges of the other two licenses. I added a condition to all six rights that limits the system capacity at the time of licensing.

It was difficult to determine which acres were licensed under each right due to previous mapping capabilities, but I believe that the shape files were the best possible depictions of the way they were originally licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7955B V1

WATER RIGHT NUMBER: 63-7955B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HENGGELE BROS INC BOX 6633 WHITLEY DR FRUITLAND, ID 83619 (208)452-3201

Priority Date: 03/29/1974

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	03/01 to 03/15	1.090 CFS	16.20 AF
IRRIGATION	03/15 to 11/15	1.090 CFS	319.50 AF
	<u>Total Diversion:</u>	1.090 CFS	335.70 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4SW1/4)	Sec. 7,	Twp 06N,	Rge 04W, B.M.
PAYETTE County				
GROUND WATER	L2 (NW1/4SW1/4NW1/4)	Sec. 7,	Twp 06N,	Rge 04W, B.M.
PAYETTE County				

Place of Use

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 04W 7									X				X				

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 04W 7									33.0				38.0				71.0

Total Acres: 71

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7955B V1

1. X36 Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B are also diverted through the point(s) of diversion described above.
2. The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 16.2 AF for the commercial portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.
3. The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 319.5 AF, and 71 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955B and 63-9818B.
4. E61 The rights listed below are limited to a total combined diversion rate of 5.93 cfs and to a total combined annual diversion volume of 1334.2 AF, and 296.5 acres for the irrigation portion of these rights. Combined Right Nos.: 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A, and 63-10364B.
5. 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.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 1 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
9. X01 Commercial use is for orchard frost control.
10. P21 This right is a split from former right 63-7955.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7955B V1

Comments:

1. dnelson 5/26/2006 Text

Comment: Use of water for irrigation purposes from 3/1 to 3/15 is for orchard frost control.

THIS RT. IS SPLIT FROM THE PARENT RT. FOR THE LANDS HELD BY THE THE CLAIMANT. THE REMAINING 209 ACRES IS CLAIMED UNDER A63- 07955A BY ROBERT HENGGELEER.

2. dnelson 5/26/2006 Claim Review

Comment: The above-mentioned claims are the result of three licenses that were filed on the same ground. The licenses were then split in the Snake River Basin Adjudication (SRBA) when one of the brothers wanted his portion of the water rights in his name and not the name of the corporation. All six of these claims are still operated as a single system, so it is best to address them as a group instead of each claim individually. Department records still show the licenses under single ownership, and only the adjudication claims have been split.

63-7955 was the first right licensed. It was licensed from a single well. 63-9818 was then filed on pretty much the same land using the original well with the development of a second well. 63-9818 was applied for in 1981 and the field exam was done in 1986. Water right 63-10364 was then filed to include additional acres, and license the full capacity of the two wells.

A63-7955A and A63-7955B adjudication claims claim both wells, even though they were only licensed with a single point of diversion. Whereas the second well was in place and verified in a field exam for 63-9818 by the department in 1986, it should be allowable to have both wells on the earlier right with an accomplished transfer, since the second well was introduced to the system prior to 1987.

Both 63-7955 and 63-9818 were licensed with two irrigation components. The first irrigation component was for standard irrigation between 3/15 to 11/15. The second component was for orchard frost control between 3/1 to 3/15. In reviewing these uses, they did not fit the true definition of irrigation. Therefore, I changed these uses to a more accurate descriptor of commercial use. The commercial use is a better fit to this scenario, and would allow the additional volume granted on the licenses. I would be hesitant to recommend more than the standard volume even for multiple type irrigation uses. This will make the files cleaner, and fit better in the overall description of the four adjudication claims with this component. Like in wastewater land application for commercial dairy uses, the commercial use will share the place of use as the irrigation component.

Page 2
Henggeler memo

63-7955 and 63-9818 were licensed with some combined limitations for diversion rate and volume. 63-9818 was filed to add a couple of additional acres to the system, and increase the diversion rate to a minor inch or 0.02 cfs per acre for the lands covered by 63-7955. 63-9818 was not even assigned a volume during licensing, but it is not possible to divert water without consuming any volume. Therefore, I assigned a volume based on the rate of diversion for A63-9818A and A63-9818B, and added remarks that would limit the total use to the standard use per acre of 0.02 cfs and 4.5 afa per acre irrigated for all six adjudication claims.

Water right 63-10364 was in essence filed to have the full diversion capacity of the well licensed, and to add 11.5 additional acres to fill in around the edges of the other two licenses. I added a condition to all six rights that limits the system capacity at the time of licensing.

It was difficult to determine which acres were licensed under each right due to previous mapping capabilities, but I believe that the shape files were the best possible depictions of the way they were originally licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7955B V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/10/2006	scurtis	Active
Contacts	5/26/2006 3:35:46 PM	dnelson			Active
Priority Date	5/26/2006 3:36:18 PM	dnelson			Active
POD	5/26/2006 3:38:31 PM	dnelson			Active
Source	5/26/2006 3:38:48 PM	dnelson			Active
POU	5/26/2006 3:40:05 PM	dnelson			Active
Use	5/26/2006 3:42:03 PM	dnelson			Active
Season	5/26/2006 3:44:25 PM	dnelson			Active
Quantity	5/26/2006 3:45:25 PM	dnelson			Active
Summary			05/26/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/10/2006 1:19:58 PM	scurtis	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Source	5/26/2006 3:38:48 PM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	5/26/2006 3:39:51 PM	dnelson	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7955B V1

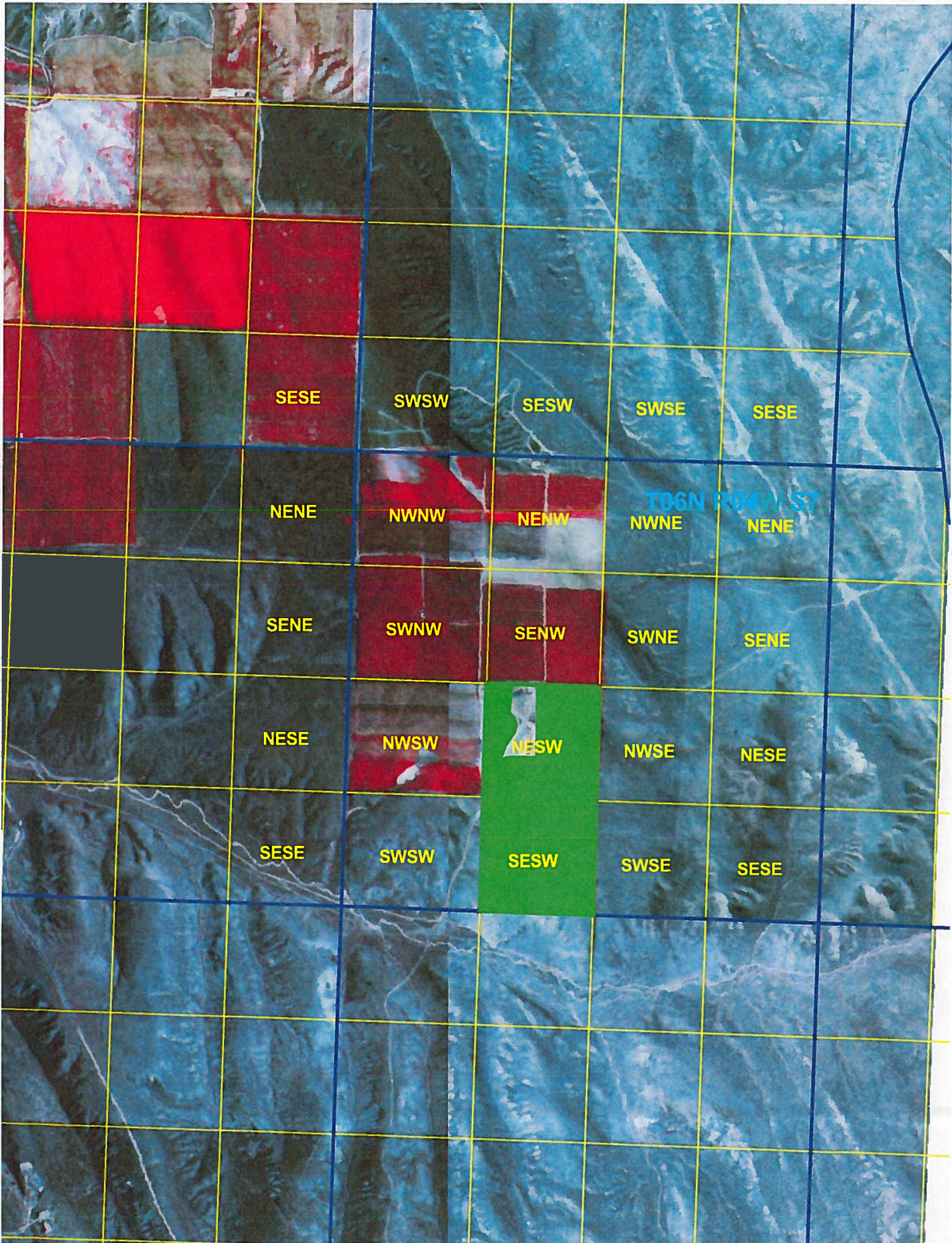
POU	5/26/2006 3:41:20 PM	dnelson	Updated shape for Active POU
Use	5/26/2006 3:42:03 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Contacts	5/26/2006 3:35:47 PM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Right verified during licensing.
General	5/26/2006 3:36:19 PM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	5/26/2006 3:38:32 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POU	5/26/2006 3:40:05 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Season	5/26/2006 3:44:26 PM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7955B V1

Quantity	5/26/2006 3:45:26 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Used licensed volume.
Summary	5/26/2006 3:47:07 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	5/26/2006 3:37:45 PM	dnelson	Updated shape
POD	5/26/2006 3:38:23 PM	dnelson	Updated shape

Water Supply Bank:



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7955B

WATER RIGHT NUMBER: 63-7955B

Owner Type Name and Address
 Current Owner HENGGELE BROS INC
 BOX 6633 WHITLEY DR
 FRUITLAND, ID 83619
 (208)452-3201

3 OK PER SPLIT

Priority Date: 03/29/1974 ← OK PER LICENSE
 Basis: License ← OK
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.090 CFS	319.5
Commercial	3-1 TO 11-15	1.090 CFS	16.2
	<u>Total Diversion:</u>	1.090 CFS	335.7

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4SW1/4)	Sec. 7,	Twp 06N,	Rge 04W, B.M.
PAYETTE County				
GROUND WATER	L2 (NW1/4SW1/4NW1/4)	Sec. 7,	Twp 06N,	Rge 04W, B.M.
PAYETTE County				

OK ONE
PER LICENSE
ONE PER
ACCOMPLISHED
X.F.R.Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	04W	7																	71.0

OK
PER
LICENSE

Total Acres: 71

OK PER LICENSE

Conditions of Approval:

- Use of water for irrigation purposes from 3/1 to 3/15 is for orchard frost control.
 THIS RT. IS SPLIT FROM THE PARENT RT. FOR THE LANDS HELD BY THE CLAIMANT.
 THE REMAINING 209 ACRES IS CLAIMED UNDER A63- 07955A BY ROBERT HENGGELE.

CLAIMANT
REMARKS.Remarks:Comments:SEE ATTACHED SHEET
FOR CONDITIONS.Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7955B

Claim Received Date: 4/9/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

CONDITIONS SHEET

63-7955A –

C-18

- 1.) CO3- Accomplished transfer for POD
- 2.) P21 – Split from 63-7955
- 3.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 4.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 5.) X01 – Commercial use is for orchard frost control
- 6.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.
- 7.) E61 – When Rights 63-7955A and 63-9818A are combined the total irrigation use shall not exceed 4.28 cfs, 963 afa, and 214 acres.
- 8.) E61 – When Rights 63-7955A and 63-9818A are combined the total commercial use shall not exceed 4.28 cfs, 47.9 afa.

R-65

63-7955B –

C-18

- 1.) CO3- Accomplished transfer for POD
- 2.) P21 – Split from 63-7955
- 3.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 4.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 5.) X01 – Commercial use is for orchard frost control
- 6.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.
- 7.) E61 – When Rights 63-7955A and 63-9818A are combined the total irrigation use shall not exceed 1.42 cfs, 319.5 afa, and 71 acres.
- 8.) E61 – When Rights 63-7955A and 63-9818A are combined the total commercial use shall not exceed 1.42 cfs, 16.2 afa.

R-65

63-9818A –

C-18

- 1.) P21 – Split from 63-9818
- 2.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 3.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 4.) X01 – Commercial use is for orchard frost control
- 5.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.
- 6.) E61 – When Rights 63-7955A and 63-9818A are combined the total irrigation use shall not exceed 4.28 cfs, 963 afa, and 214 acres.
- 7.) E61 – When Rights 63-7955A and 63-9818A are combined the total commercial use shall not exceed 4.28 cfs, 47.9 afa.

R-65

63-9818B –

C-18

- 1.) P21 – Split from 63-9818
- 2.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 3.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 4.) X01 – Commercial use is for orchard frost control
- 5.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.
- 6.) E61 – When Rights 63-7955A and 63-9818A are combined the total irrigation use shall not exceed 1.42 cfs, 319.5 afa, and 71 acres.
- 7.) E61 – When Rights 63-7955A and 63-9818A are combined the total commercial use shall not exceed 1.42 cfs, 16.2 afa.

R-65

63-10364A –

C-18

- 1.) P21 – Split from 63-10364
- 2.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 3.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 4.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.

R-65

63-9818B –

10364B C-18

- 1.) P21 – Split from 63-10364
- 2.) X36 – Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are diverted through the same point of diversion
- 3.) S39 – Season of use allowed between 3-1 and 11-15 per new standard.
- 4.) E61 – When Rights 63-7955A, 63-7955B, 63-9818A, 63-9818B, 63-10364A and 63-10364B are combined the total irrigation use shall not exceed 5.93 cfs, 1334.2 afa, and 296.5 acres.

R-65

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7955

WATER RIGHT NUMBER: 63-7955

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT M HENGELER RT 1 BOX 1472 FRUITLAND, ID 83619

Priority Date: 03/29/1974

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.310 CFS	1,260.00 AF
IRRIGATION	3/01 to 3/15	4.310 CFS	64.10 AF
	<u>Total Diversion:</u>	4.310 CFS	1,324.10 AF

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 7, Twp 06N, Rge 04W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	04W	7					32.0	47.0	44.0	39.0	33.0	47.0		38.0					280.0
								L 1	L 2			L 3							

Total Acres: 280

Conditions of Approval:

1. Use of water for irrigation purposes from 3/1 to 3/15 is for orchard frost control.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7955

Licensed Date: 11/9/1987
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

MEMORANDUM

TO: FILE NO.'S 63-7955, 63-9818, & 63-10364

FROM: JAN SHURTE *JS*

SUBJECT: THE WHOLE STORY BEHIND THE EXAMS FOR 63-7955 & 63-9818 AND
WHY PERMIT NO. 63-10364 WAS FILED

On August 12, 1980, Ric Morris conducted an exam for Robert Henggeler on Permit No. 63-7955. At that time he measured the well in Govt. Lot. 2, SWNW, S. 7, T. 6N, R. 4W (Well #1) and found a rate of flow of 4.31 cfs for 280 acres. Mr. Henggler did not agree with that measurement nor with an additional measurement later (same amount) which was not documented by Ric. Then Dave Shaw requested that Lee Sisco measure the discharge again and on November 17, 1981, he went to Henggeler's farm to conduct the measurement. At that time he measured the same or maybe a little less than Ric Morris had and in lieu of this Mr. Henggler agreed to accept Ric's measurement of 4.31 cfs (this information came per phone conversation with Lee Sisco on 12/11/86). Then Mr. Henggler wanted to try and get a measurement on Permit No. 63-9818 (Well #2) and that's when Lee went out on Dec. 18, 1981 (see attached incomplete exam for 63-9818). He said that either the power was not turned on or something was froze up and he couldn't do the measurement then. So the exam was not completed until this last summer when Rich Gemperle did it.

There is some confusion on the point of diversion legal for both 63-7955 and 63-9818. I believe 63-7955 had been taken care of and the whole thing is explained in the memo of 6/17/86 attached to the amendment already filed. No fee was charged for this amendment. However, Permit No. 63-9818 also needs an amendment and it appears to be an error Mr. Henggler had on his permit from the very beginning. The point of diversion was listed in the NESW, S. 7 on the original application. Then an amendment was filed on 63-9818 to add well #1 (63-7955) since both wells were now used together in the system. However, the quarter-quarter for well #2 still remained the NESW, S. 7. Rich Gemperle found that the actual point for well #2 is in the NWSW (Lot 3), S. 7 so it appears that Mr. Henggler will have to pay for this one.

So, I have written the exam up for Permit No. 63-7955 for 4.31 cfs as Ric Morris measured in 1980 and 280 acres from Well #1 in Lot 2, SWNW, S. 7, T. 6N, R. 4W as it was the only well in operation at that time. Then Permit No. 63-9818 will show both wells, which is the present operation at this time, but using only the measurement from Well #2 for the amount of water, 1.39 cfs. This permit will be for 285 acres of irrigation rather than 280 as shown on 63-7955. Mr. Henggeler stated that Well No. 1 (63-7955) has not increased since Ric Morris measured it and probably has decreased (Mr. Henggler did not say it has decreased). The measurement from Well #2 made this summer is sufficient to satisfy this right and then some.

This brings me to the next permit. This is a new application recently filed and has been approved under Permit No. 63-10364. This permit was filed to utilize

RECEIVED
MAR 14 1988

the additional capacity of well #2 as measured under Permit No. 63-9818. Rich Gemperle measured 1.82 cfs and the permit amount is 1.39 cfs which leaves .43 cfs available. The important part for the field examiner to be aware of when he/she conducts the exam is that in order for Mr. Henggeler to receive the .35 cfs he applied for on Permit No. 63-10364 he must develop the 17 additional acres applied for in this permit($302-285=17$). The 285 acres now irrigated have a full inch to the acre after 63-7955 and 63-9818 are licensed. This new permit shows two points of diversion, one in the NWSW(Lt. 3), and one in the NESW, S. 7, T. 6N, R. 4W. Actually, Mr. Henggeler filed on well #2 which was measured under 63-9818, and listed both quarter-quarters because he wasn't sure which one was right. So, he is not filing on a new well and well #2 is in the NWSW(Lt. 3), S. 7, as found by the field examiner, Rich Gemperle. I will place a copy of this memo in Permit No. 63-10364 to, hopefully, avoid any further confusion when the exam is done concerning Mr. Henggeler's water rights and irrigation system.

RECEIVED
MAR 14 1983

15
12/7

T681

Trees

10.8

1-5.4

Hay

Hay

5-14.8

Trees

Trees

3-30.9

4-50.8

P/d

6-11.5

10-12.1

9-10.8

8-11.2

7-5.7

P/d

Line OK

11-20.9

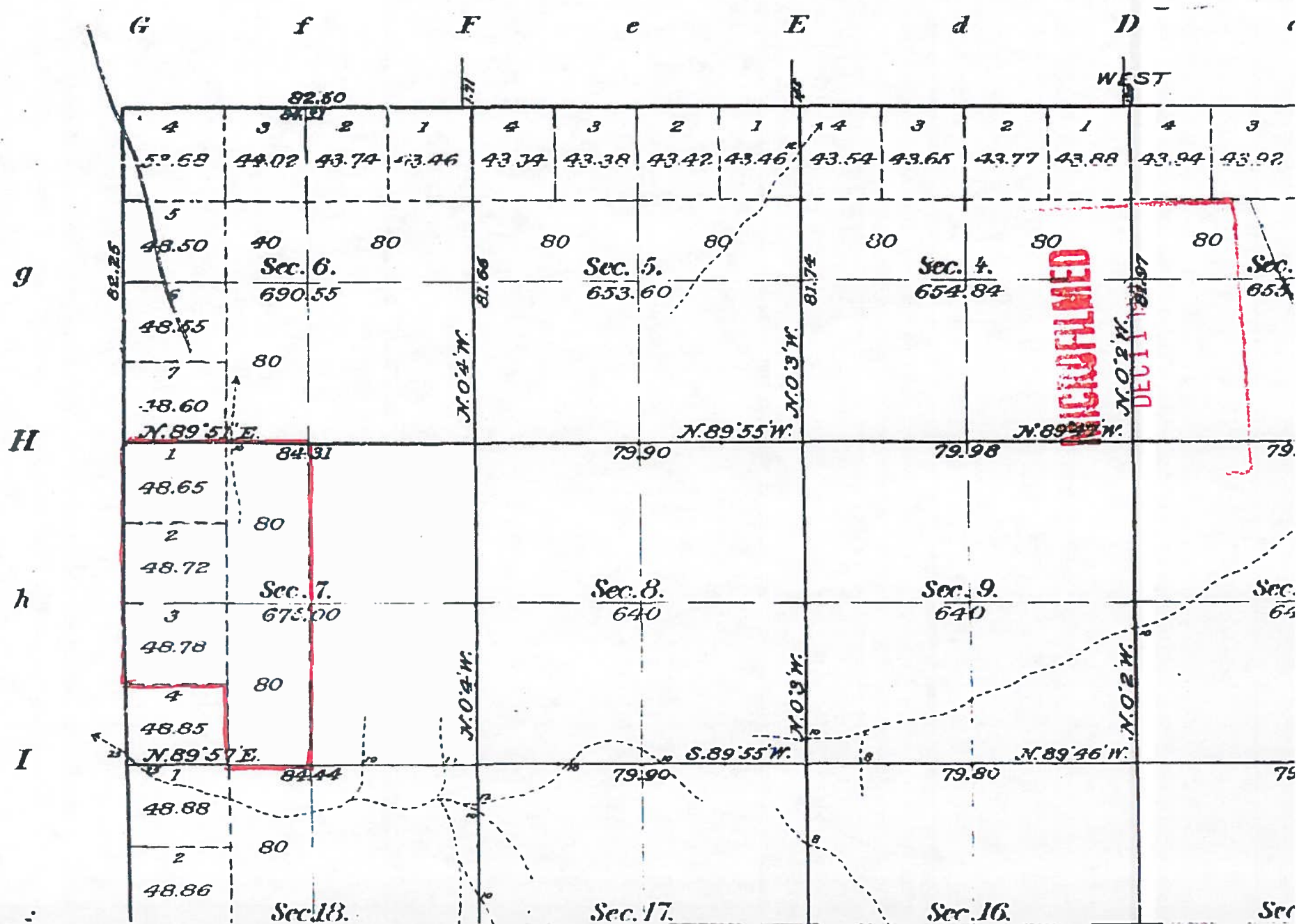
12-22.3

13-

375

NOT FILMED

DEC 11 1990



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-7955

Priority: March 29, 1974 Amount: 4.31 CFS 1324.1 AFA

This is to certify, that ROBERT M. HENGGELE

RT. 1 BOX 1472

FRUITLAND, ID 83619

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 29, 1974, and has submitted proof to the Department of Water Resources on October 29, 1979, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.31 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	4.31 cfs	1260.0 afa
Irrigation	03/01 to 03/15	4.31 cfs	64.1 afa
Totals		4.31 CFS	1324.1 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 2(SWNW), Sec. 7, Township 6N, Range 4W
Payette County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
6N	4W	7	NENW 32	LOT 1(NWNW)47	LOT 2(SWNW)44	SENE 39	
			NESW 33	LOT 3(NWSW)47	SESW 38		280
							Total number of acres irrigated: 280

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water for irrigation purposes from 3/1 to 3/15 is for orchard frost control.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of November 19 87.

MAR 10 1988

Director

Robert Hinggeler
P/D: NESJ, Sec. 7, T6N, R4E
Irrigation #302 acres

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

MAR 05 1987

63-98163

Permit No.

83619

CONTACT WITH PERMIT HOLDER

Department of Water Resources

DATE	INITIALS
------	----------

REMARKS

- | | | | |
|-------------------------------------|--|--|-----|
| ☐ | Appointment letter mailed: | (Rita sent out acknowledgement letter)
check file | |
| ☐ | Telephone call made:
(List Telephone No. used) | | |
| ☒ | Appointment scheduled for:
(Date, time, location) | 12/18/81
10:00 | 665 |

EXAMINATION (12-11-86)

Date 12/18/81 ^{Comp} Accompanied by Mr. Bob Haggeler Total Q measured

If source is surface water, estimate total flow of source

Methods of measurement Number Meets Permit requirements?

Measurement calculations:

[illegible]

System Description Brian barbed wire into sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement = _____ AFA/Acre

Q (cfs)

V {afa}

FROM

TO

Remarks

THIS EXAM INCOMPLETE - SEE MEMO OF 12/11/86.
EXAM WAS COMPLETED ON 8/83/86.

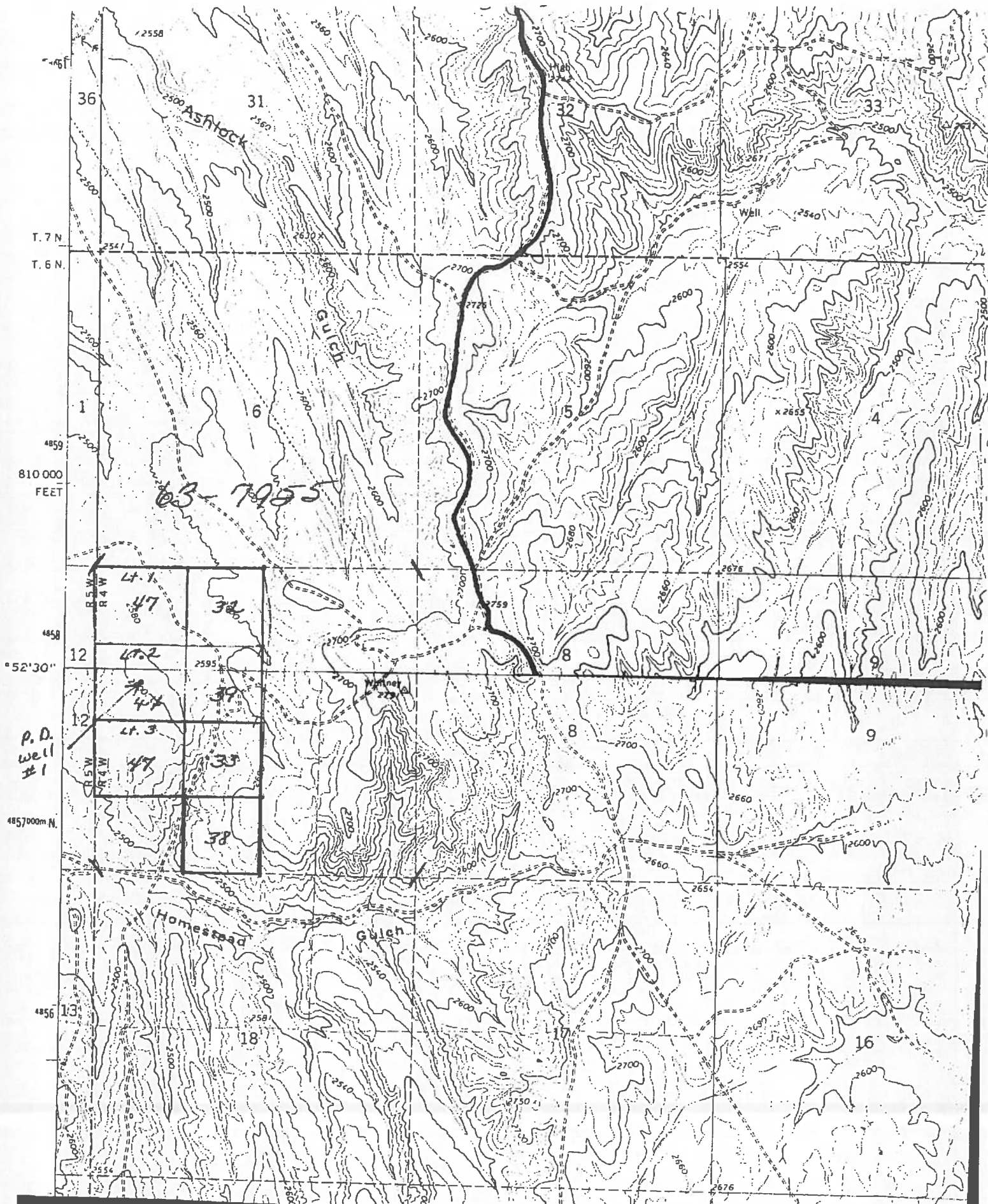
REEL FILMED

MAR 10 1988

MAR 16 1983

DI

TOTAL ACREAGE



DATE OF EXAM 12 Aug 1980

ACREAGE

Found

Recommended

285

280

→ FOR LISTING OF ACRES SEE FRONT OF THIS EXAM. *JP*

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 4.31 c.f.s.

V = 1260

AF/Ann. from 4-1

to 10-1

Domestic Q = _____ c.f.s.

V = _____

AF/Ann. from _____

to _____

Livestock Q = _____ c.f.s.

V = _____

AF/Ann. from _____

to _____

FROST PROTECTION - 4.31 x 264.5 AF 3-1 TO 4-1

Is water co-mingled? yes _____ no X

Name source: _____

twp. _____ N/S, Rge _____

E/W, B.M., Sec. _____

Sub. _____

1/4 _____

1/4 _____

County _____

Exchange? yes _____ no _____

Name source exchanged with: _____

twp. _____ N/S, Rge _____

E/W, B.M., Sec. _____

Sub. _____

1/4 _____

1/4 _____

County _____

Point of injection:

twp. _____ N/S, Rge _____

E/W, B.M., Sec. _____

Sub. _____

1/4 _____

1/4 _____

County _____

Point of exchange:

twp. _____ N/S, Rge _____

E/W, B.M., Sec. _____

Sub. _____

1/4 _____

1/4 _____

County _____

Total Q measured 4.31 CFS

Method of measurement ANNULARY EAGLE EYE METER

Total Q recommended 4.31 CFS

Meter No. _____

Type _____

Condition _____

Total V recommended 1260 AFA

+ 264.5 = 1524.5 AF

Recommended Amendments:

WELL # 1 P.D. SWNW (LOT 2) S. 7, T. 6N, R. 4W. (AMENDMENT ATTACHED)
Place of Use NO CHANGE
Other _____
None _____

MEASUREMENT CALCULATION:

#1 6.8" ANNULARY = 630 GPM = 1.42 CFS 8" pipe

#2 2.0" ANNULARY = 390 GPM .77 CFS

#3 2.0" ANNULARY = 950 GPM 2.12 CFS

TOTAL = 1926 GPM 4.31 CFS

= 215" OF WATER

SYSTEM DESCRIPTION:

G.E. 200hp #EAS 51105 Vert Line Pump #37772703

100hp Booster Lincoln #1706583

74' deep ROWS SET AT 30' STAIR AT 278'

MAR 10 1980

REMARKS:

Recommend ~~Good~~ Beneficial Use For Irrigation

280 AC X 4.5 = 1260 < 4.31 X 183 X 1.98 = 1561.7 - IRRIGATION

4.31 X 1.98 X 31 DAYS = 264.5 AF - FROST PROTECTION

RIC MORRIS DID MEASUREMENTS IN AUG, 1980.

Examiner's Signature EXAM WRITTEN BY Jan Thurst

Date 12/10/80 of this date *see memo*

Checked by DR

Date 2/23/81

Approved by _____

Date _____

USE TYPEWRITER OR
BALLPOINT PEN

State of Idaho
Department of Water Resources

RECEIVED

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

DEC 22 1976

Department of Water Resources

1. WELL OWNER Name <u>Bob Henggeler</u> Address <u>Box #1 Fruitland, Idaho</u> Owner's Permit No. <u>63-7955</u>		7. WATER LEVEL Static water level <u>270</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																																																																																									
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Draw Down	Hours Pumped																																																																																																																																																																																																																																					
Discharge G.P.M.	Draw Down	Hours Pumped																																																																																																																																																																																																																																									
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td> </td><td>0</td><td>10</td><td>Top soil</td><td> </td><td> </td></tr><tr><td> </td><td>10</td><td>25</td><td>sandy clay/hard pan</td><td> </td><td> </td></tr><tr><td> </td><td>25</td><td>33</td><td>sand/small gravel</td><td> </td><td> </td></tr><tr><td> </td><td>33</td><td>37</td><td>sandy clay</td><td> </td><td> </td></tr><tr><td> </td><td>37</td><td>39</td><td>fine sand</td><td> </td><td> </td></tr><tr><td> </td><td>39</td><td>42</td><td>flaky brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>42</td><td>49</td><td>gravel/sand</td><td> </td><td> </td></tr><tr><td> </td><td>49</td><td>60</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>60</td><td>82</td><td>sand/some gravel</td><td> </td><td> </td></tr><tr><td> </td><td>82</td><td>87</td><td>flakey lt. brn clay</td><td> </td><td> </td></tr><tr><td> </td><td>97</td><td>94</td><td>silty blue & brn sand</td><td> </td><td> </td></tr><tr><td> </td><td>94</td><td>103</td><td>lt. brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>103</td><td>105</td><td>lt. coarse sand</td><td> </td><td> </td></tr><tr><td> </td><td>105</td><td>116</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>116</td><td>124</td><td>white coarse sand & gravel</td><td> </td><td> </td></tr><tr><td> </td><td>124</td><td>162</td><td>lt. brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>162</td><td>172</td><td>coarse sand/some gravel</td><td> </td><td> </td></tr><tr><td> </td><td>172</td><td>174</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>174</td><td>190</td><td>brown silty sand</td><td> </td><td> </td></tr><tr><td> </td><td>180</td><td>191</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>191</td><td>240</td><td>brown silty sand</td><td> </td><td> </td></tr><tr><td> </td><td>240</td><td>245</td><td>brown sand/streaks of clay</td><td> </td><td> </td></tr><tr><td> </td><td>245</td><td>260</td><td>lt. brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>260</td><td>340</td><td>sand</td><td> </td><td> </td></tr><tr><td> </td><td>340</td><td>342</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>342</td><td>405</td><td>brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>405</td><td>430</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>430</td><td>432</td><td>brown clay/sand</td><td> </td><td> </td></tr><tr><td> </td><td>432</td><td>462</td><td>sand</td><td> </td><td> </td></tr><tr><td> </td><td>462</td><td>465</td><td>blue sand/streaks of blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>465</td><td>542</td><td>blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>542</td><td>575</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>575</td><td>591</td><td>sand and coarse pea gravel</td><td> </td><td> </td></tr><tr><td> </td><td>591</td><td>622</td><td>clay</td><td> </td><td> </td></tr><tr><td> </td><td>622</td><td>660</td><td>coarse sand</td><td> </td><td> </td></tr><tr><td> </td><td>660</td><td>661</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>661</td><td>665</td><td>blue sand</td><td> </td><td> </td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No		0	10	Top soil				10	25	sandy clay/hard pan				25	33	sand/small gravel				33	37	sandy clay				37	39	fine sand				39	42	flaky brown clay				42	49	gravel/sand				49	60	brown clay				60	82	sand/some gravel				82	87	flakey lt. brn clay				97	94	silty blue & brn sand				94	103	lt. brown clay				103	105	lt. coarse sand				105	116	brown clay				116	124	white coarse sand & gravel				124	162	lt. brown clay				162	172	coarse sand/some gravel				172	174	brown clay				174	190	brown silty sand				180	191	brown clay				191	240	brown silty sand				240	245	brown sand/streaks of clay				245	260	lt. brown clay				260	340	sand				340	342	brown clay				342	405	brown sand				405	430	blue clay				430	432	brown clay/sand				432	462	sand				462	465	blue sand/streaks of blue clay				465	542	blue sand				542	575	blue clay				575	591	sand and coarse pea gravel				591	622	clay				622	660	coarse sand				660	661	blue clay				661	665	blue sand		
Hole Diam.	Depth		Material		Water																																																																																																																																																																																																																																						
	From	To		Yes	No																																																																																																																																																																																																																																						
	0	10	Top soil																																																																																																																																																																																																																																								
	10	25	sandy clay/hard pan																																																																																																																																																																																																																																								
	25	33	sand/small gravel																																																																																																																																																																																																																																								
	33	37	sandy clay																																																																																																																																																																																																																																								
	37	39	fine sand																																																																																																																																																																																																																																								
	39	42	flaky brown clay																																																																																																																																																																																																																																								
	42	49	gravel/sand																																																																																																																																																																																																																																								
	49	60	brown clay																																																																																																																																																																																																																																								
	60	82	sand/some gravel																																																																																																																																																																																																																																								
	82	87	flakey lt. brn clay																																																																																																																																																																																																																																								
	97	94	silty blue & brn sand																																																																																																																																																																																																																																								
	94	103	lt. brown clay																																																																																																																																																																																																																																								
	103	105	lt. coarse sand																																																																																																																																																																																																																																								
	105	116	brown clay																																																																																																																																																																																																																																								
	116	124	white coarse sand & gravel																																																																																																																																																																																																																																								
	124	162	lt. brown clay																																																																																																																																																																																																																																								
	162	172	coarse sand/some gravel																																																																																																																																																																																																																																								
	172	174	brown clay																																																																																																																																																																																																																																								
	174	190	brown silty sand																																																																																																																																																																																																																																								
	180	191	brown clay																																																																																																																																																																																																																																								
	191	240	brown silty sand																																																																																																																																																																																																																																								
	240	245	brown sand/streaks of clay																																																																																																																																																																																																																																								
	245	260	lt. brown clay																																																																																																																																																																																																																																								
	260	340	sand																																																																																																																																																																																																																																								
	340	342	brown clay																																																																																																																																																																																																																																								
	342	405	brown sand																																																																																																																																																																																																																																								
	405	430	blue clay																																																																																																																																																																																																																																								
	430	432	brown clay/sand																																																																																																																																																																																																																																								
	432	462	sand																																																																																																																																																																																																																																								
	462	465	blue sand/streaks of blue clay																																																																																																																																																																																																																																								
	465	542	blue sand																																																																																																																																																																																																																																								
	542	575	blue clay																																																																																																																																																																																																																																								
	575	591	sand and coarse pea gravel																																																																																																																																																																																																																																								
	591	622	clay																																																																																																																																																																																																																																								
	622	660	coarse sand																																																																																																																																																																																																																																								
	660	661	blue clay																																																																																																																																																																																																																																								
	661	665	blue sand																																																																																																																																																																																																																																								
4. METHOD DRILLED Reverse ☐ Cable ☒ Rotary ☐ Dug ☐ Other		5. WELL CONSTRUCTION Diameter of hole <u>28</u> inches Total depth <u>735</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>.250 inches</td><td>16 inches</td><td>2 feet</td><td>345 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>405 feet</td><td>430 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>520 feet</td><td>575 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>595 feet</td><td>620 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>660 feet</td><td>670 feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Roscoe Moss</u> Type <u>full flow</u> Model No. _____ Diameter <u>16</u> Slot size <u>80</u> Set from <u>345</u> feet to <u>405</u> feet Diameter <u>16</u> Slot size <u>80</u> Set from <u>430</u> feet to <u>520</u> feet <u>16</u> <u>80</u> <u>575</u> <u>595</u> Gravel packed? ☒ Yes ☐ No Size of gravel <u>3/8</u> - Placed from <u>50</u> ☒ feet to <u>735</u> feet Surface seal depth <u>50</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing ☒ Overbore to seal depth		Thickness	Diameter	From	To	.250 inches	16 inches	2 feet	345 feet	.250 inches	16 inches	405 feet	430 feet	.250 inches	16 inches	520 feet	575 feet	.250 inches	16 inches	595 feet	620 feet	.250 inches	16 inches	660 feet	670 feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																																																																																																																																																																																																				
Thickness	Diameter	From	To																																																																																																																																																																																																																																								
.250 inches	16 inches	2 feet	345 feet																																																																																																																																																																																																																																								
.250 inches	16 inches	405 feet	430 feet																																																																																																																																																																																																																																								
.250 inches	16 inches	520 feet	575 feet																																																																																																																																																																																																																																								
.250 inches	16 inches	595 feet	620 feet																																																																																																																																																																																																																																								
.250 inches	16 inches	660 feet	670 feet																																																																																																																																																																																																																																								
Number	From	To																																																																																																																																																																																																																																									
_____ perforations	_____ feet	_____ feet																																																																																																																																																																																																																																									
_____ perforations	_____ feet	_____ feet																																																																																																																																																																																																																																									
_____ perforations	_____ feet	_____ feet																																																																																																																																																																																																																																									
6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td></td></tr><tr><td>W</td><td></td><td></td></tr><tr><td>E</td><td></td><td></td></tr><tr><td>S</td><td></td><td></td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County _____ <u>Sec. 14 NW 1/4 Sec. 7 T. 6 N. R. 4 W.</u>		N			W			E			S			10. Work started <u>11/17/76</u> finished <u>11/26/76</u>																																																																																																																																																																																																																													
N																																																																																																																																																																																																																																											
W																																																																																																																																																																																																																																											
E																																																																																																																																																																																																																																											
S																																																																																																																																																																																																																																											
11. DRILLERS CERTIFICATION Firm Name <u>PETE COPE DRILLING CO., INC</u> Firm No. <u>13</u> Address <u>Meridian, Idaho 83642</u> Date _____ Signed by (Firm Official) <u>Steve J. Jackson</u> and _____ (Operator) <u>12611</u>		12. MICROFILMED																																																																																																																																																																																																																																									

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
Department of Water Resources
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name

Address

Owner's Permit No.

2. NATURE OF WORK

☐ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic☐ Irrigation☐ Test☐ Other (specify type)

☐ Municipal☐ Industrial☐ Stock☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable☐ Rotary☐ Dug☐ Other

5. WELL CONSTRUCTION

Diameter of hole inches

Total depth feet

Casing schedule:

☐ Steel☐ Concrete

Thickness

Diameter

From

To

inches

inches

feet

feet

inches

inches

feet

feet

inches

inches

feet

feet

inches

inches

feet

feet

Was casing drive shoe used?

☐ Yes

☐ No

Was a packer or seal used?

☐ Yes

☐ No

Perforated?

☐ Yes

☐ No

How perforated?

☐ Factory

☐ Knife

☐ Torch

Size of perforation

inches by

inches

Number

From

To

perforations

feet

feet

perforations

feet

feet

perforations

feet

feet

Well screen installed?

☐ Yes

☐ No

Manufacturer's name

Type

Model No.

Diameter

lot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed?

☐ Yes

☐ No

Size of gravel

Placed from

feet to

feet

Surface seal depth

Material used in seal

☐ Cement grout

☐ Puddling clay

☐ Well cuttings

Sealing procedure used

☐ Sherry pit

☐ Temporary surface casing

☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name

Lot No.

Block No.

County

%

%

Sec.

T.

N/S

R.

E/W

7. WATER LEVEL

Static water level

feet below land surface

Flowing?

☐ Yes

☐ No

G.P.M. flow

Temperature

F.

Quality

Artesian closed-in pressure

p.s.i.

Controlled by

☐ Valve

☐ Cap

☐ Plug

8. WELL TEST DATA

☐ Pump

☐ Bailer

☐ Other

Discharge G.P.M.

Draw Down

Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.

Depth

Material

Water

From

To

Yes

No

655

700

blue clay/traces of sand

700

715

blue sand

715

725

blue clay

725

730

blue clay/some sand

730

735

blue silty sand

10.

Work started

finished

11. DRILLERS CERTIFICATION

Firm Name

Firm No.

Address

Date

Signed by (Firm Official)

and

(Operator)

EOL 892, 1730 Northway Rd.
 NEW YORK, N. Y. 10030

TIME	PUMPING LEVEL	ORIFICE READING	G.P.M.	MINERS INCHES	
5:00	294' Drawdown	20"	1600	1.77"	Some sand
5:15	293' Recovery	17 1/2"	1500	1.66"	Less Sand
5:30	292' 3" "	15"	1400	1.55"	Clearing

9:45	298'	Drawdown	33"	2020	225"
10:00	298'		36"	2100	233"
10:20	298'		36"	2100	233"
10:30	300'		41"	2250	250"
10:45	300'		41"	2250	250"
11:00	298'	Recovery	33"	2020	225"
11:15	296'	"	26 1/2"	1820	202"
11:30	294'	"	20 1/2"	1620	180"
REMARKS:					

A little sand

$$\begin{array}{r} 14.50 \\ 5 \\ \hline 72.50 \end{array}$$

Paul & Adele

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.5 = 1260.0 \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2094.5 \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = \end{aligned}$$

c) Volume Calculations for Other Uses:

$$\begin{aligned} \text{irrig.} \quad \text{frost control} &= 4.31 \times 1.9835 \times 15 \text{ days} = 128.2 \text{ AFA} \\ \text{ALLOW} &\rightarrow 128.2 \div 2 (12 \text{ hrs}) = 64.1 \text{ AFA} \\ &\text{reduced period of use due to irrig. season} \\ &\text{commencing 3/15 -} \end{aligned}$$

2. Overlap Review

- a) Other water rights with same place of use: 63-8205, 63-9818, 63-10364
- b) Other water rights with same point of diversion: 63-9818 - also being licensed, same system, different
- c) Analysis: additional pld.

Rt. 63-8205 is an application filed in conjunction with a DLE... NO OVERLAP!

Rt. 63-10364 - new permit, same rt. holder) no proof, no overlap.

Rt. 63-9818 - same system, also being licensed.

RECORDED

MAR 10 1988

10 day

MAR 10 1988

Date 7/15/87

[illegible]

Receipt Details for ID C016188

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/9/1990 5:17:10 PM	4/9/1990	State	\$469.00	Check
Payer		HENGELER BROS., INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4918			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$469.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8311		\$61.00	Claim
63	21846		\$137.00	Claim
3	4021		\$50.00	Claim
63	7955	B	\$121.00	Claim
63	10364	B	\$50.00	Claim
63	9818	B	\$50.00	Claim

Print Report

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: A63-07955B
Date Received: 3/26/1990
Receipt No: CO16188
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENGGELE BROS., INC. 208-452-3201
Address: BOX 6633 WHITLEY DRIVE
FRUITLAND, ID 83619

2. Date of Priority: MAR 29, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	04W	7	NW	SW	NW	2	PAYETTE
			NE	NW	SW	3	PAYETTE

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.090		
IRRIGATION	03/01	03/15	1.090		

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

8. Total consumptive use is 248.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	04W	7	NE	SW		IRR	33.0

A63-07955B

Page 1

Date: 03/26/90

MICROFILMED

AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	04W	7	SE SW		IRR	38.0
Section Acres						71.0
Total Acres						71.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
A63-10364B, A63-09818B

14. Remarks:

Use of water for irrigation purposes from 3/1 to 3/15 is
for orchard frost control.
THIS RT. IS SPLIT FROM THE PARENT RT. FOR THE LANDS HELD BY THE
THE CLAIMANT. THE REMAINING 209 ACRES IS CLAIMED UNDER A63-
07955A BY ROBERT HENGgeler.

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 ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: one

For Organizations:

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

Haggeler Bros Inc, that I have signed the foregoing Organization

document in the space below as Pres of Title

Haggeler Bros Inc and that the statements contained in the Organization

foregoing document are true and correct.

Robert Haggeler
Signature of Authorized Agent

Pres Haggeler Bros Inc
Title and Organization

4/9/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Apr 19 90

Forrest E. Luthy
Notary Public

Seal

Forrest E. Luthy, Notary Public

Residing at Residing at Boise, Idaho

My Commission Expires Nov. 8, 1994

My Commission Expires

63-7922

T 06N R 04W Sec 7

P.O.

107 2
49.76 Acres

107 3
49.78 Acres

D451

NON/NN

POINT OF
DIVISION

U.S.

NOT IRRIGATED

3.5
10 5 7
3 57

32 ACRES ONLY
OWNED BY 39.55
AS THE TOTAL ACRES
ARE 33.0

50 8
30 5
W-4 #1

39 32.0
51

WELL #2

NON
IRRIGATED

P.O. 22
39.55 Ac.

P.O. 38 Ac.

30 15.5

MICROFILMED

MAR 10 1988

MICROFILMED

AUG 24 1982

DIU