

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

**A. GENERAL INFORMATION**Permit No. 63-106751. Owner Alscott Farms LLCPhone No. 208-424-3865Current address 501 Baybrook Court, Boise, Id 837062. Examiner's name Cody ParkerEXAM DATE 08/22/17; 1994 original3. Accompanied by Dennis Moyer

Email \_\_\_\_\_

Address SameRelationship to permit holder ManagerPhone No. same4. Source Groundwater

tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**1. Other water rights with the same place of use 3-100132. Other water rights with the same source and point of diversion None**C. DIVERSION AND DELIVERY SYSTEM**

## 1. Point(s) of Diversion:

| Ident. No. | Gov't Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County  | Method of Determination/Remarks      |
|------------|-----------|---|----|----|-----|-----|-----|---------|--------------------------------------|
|            | 5         |   | NE | NW | 32  | 07N | 05W | Payette | GPS, Aerial Imagery, Digital PLS Map |
|            |           |   |    |    |     |     |     |         |                                      |
|            |           |   |    |    |     |     |     |         |                                      |
|            |           |   |    |    |     |     |     |         |                                      |

## 2. Place(s) of Use:

Method of determination Aerial Imagery, Site Visit

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07N | 05W | 29  |    |    |    |    |    |    |    |    | 10 | 1  | 22 | 23 |    | 5  | 1  |    | 62     |
|     |     |     |    |    |    |    |    |    |    |    | L5 | L7 | L7 | L8 |    | L5 | L8 |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 07N | 05W | 30  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3  | 3      |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | L3 |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 65     |

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.

Scale: 1" = \_\_\_\_\_

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (**required**)  
☒ Aerial photo attached (required for irrigation of 10+ acres)  
☒ Photo of diversion and system attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | GE         | 25 | 5K6237XHIB       | GE        | 10"                               |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with no. on map and aerial photo

#### D. FLOW MEASUREMENTS

1.

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

2. Measurements: \_\_\_\_\_

Theoretical only, inspection during harvest

\_\_\_\_\_

\_\_\_\_\_

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.[illegible]

**F. FLOW CALCULATIONS**☐ Additional computation sheets attached

Measured Method:

$$Q = 8.8 \times 25 \times 0.7 / ((2.31 \times 0) + 100) = 1.54 \text{ cfs (from '94 exam)}$$

Permit =&gt; 1.30 cfs

$$\text{BU Standard} = 0.02 \text{ cfs/acre} \times 65 \text{ acres} = 1.30 \text{ cfs}$$

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 65 \text{ acres} \times 4.5 \text{ afa/acre} = 292.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.3 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 670.4 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 292.5 \text{ afa}$$

## 2. Volume Calculations for Other Uses:

No other uses

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion | Annual Volume |
|----------------|---------------|-------|-------------------|---------------|
|                | From          | To    | Q (cfs)           | V (afa)       |
| Irrigation     | 03/01         | 11/15 | 1.30 cfs          | 292.5 afa     |
|                |               |       |                   |               |
|                |               |       |                   |               |
|                |               |       |                   |               |
|                |               |       |                   |               |
| <b>Totals:</b> |               |       | 1.30 cfs          | 292.5 afa     |

## 2. Recommended Amendments

☒ Change P.D. as reflected on page 1☐ Add P.D. as reflected on page 1☐ None☐ Change P.U. as reflected on page 1☐ Add P.U. as reflected on page 1☐ Other**I. AUTHENTICATION**

Field Examiner's Signature



Date 08/29/2017

Reviewer



Date 11/17/17

SEAL

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

NARRATIVE

Permit 63-10675 was approved on October 6, 1988 authorizing the diversion of 1.3 cfs from groundwater to irrigate 65 acres. Proof of beneficial use was submitted on September 14, 1989. A field exam was completed in July of 1994 by Dave Gray(?). At that time, Mr. Gray was not able to take a measurement of the diversion rate as he visited the site during harvest season. He did however provide a theoretical diversion capacity based on the parameters of the pump system. No license was ever issued after the initial field exam. On August 22, 2017 I, WRA Cody Parker, revisited the site to GPS the well and to create a system diagram for the field report. I was accompanied during my visit by Doug Tracey the farm manager, and Dennis Moyer the vice president for Alscott Farms. This narrative summarizes the data and observations from both site visits. The photos included in the file with this report were taken during the original exam.

The point of diversion for the system is a 12" diameter, 496' deep well. The GPS coordinates for the well are N 43°54'32.6" by W 116°57'58.1", which puts it in Gov Lot 5 (NENW) of Section 32, Township 07 North, Range 05 West, B.M. Water is diverted from the well using a 25 hp GE pump into a 10" steel line. The line splits just downstream of the pump. One line runs north to a small pond used to store irrigation water. There is no water right associated with storage in the pond. The pond is approximately 4.5 acres in surface area and to qualify for the 24-hr rule it would need to have a mean depth of ~0.6 ft or less. I have sent a letter to the owner asking them to apply for a permit to cover this storage water. The other line runs west to a 10" pvc riser. A pvc line can be attached to the riser directing water to open ditches to the east or west. Water is then conveyed from the open concrete ditches to irrigate the place of use using up to 2 ½" siphon tubes.

According to the previous field examiner, the pumping water level in the well was estimated at 100' below ground surface. A 25 hp pump with an open discharge and an assumed efficiency of 70% for the pump would yield a flow rate of 1.54 cfs. The permitted rate is 1.30 cfs, so it appears that the pump system is not limiting the amount of water that can be diverted.

For this report, I measured the irrigated acreage from aerial imagery and compared to the acreage found by the previous examiner. In total, I found 58 acres are currently being irrigated. However, the project was developed in 1988. Aerial imagery from 1992 shows approximately 64 acres irrigated, though the resolution of the imagery is poor so 65 acres seems likely. The previous examiner found 65 acres of irrigation in his report, so I have used his count for my recommendation. The 65 acres are distributed throughout Gov Lots 5, 7, and 8 of the SW¼ and Gov Lots 5 and 8 of the SE¼ of Section 29, Township 07 North, Range 05 West, B.M. as well as Gov Lot 3 (SESE) of Section 30. At 0.02 cfs/acre, the BU standard diversion rate for 65 acres of irrigation is 1.30 cfs. The BU standard and the permitted rate are the same and the license is recommended for 1.30 cfs. I chose not to take a measurement during my most recent site visit, as it would hardly be representative of use during the development period. From what I was told, the crops and diversion system have changed significantly over the years as the new owners acquired the land.

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The annual volume recommended for the license is 292.5 afa, which is the product of the acres irrigated and the headgate requirement (4.5 afa/acre). The groundwater is used to supplement irrigation using surface water according to right no. 3-10013, though there are no supplemental conditions on the permit. Condition R65 is used to ensure that irrigation of the POU from all sources does not exceed 0.02 cfs/acre nor more than 4.5 afa/acre. I recommend that the right be licensed as supplemental use of groundwater as that is how it was developed. I have added condition 943 for supplemental use.

The permit contains condition 01G which requires the owner to install a flow measurement port prior to the diversion of water. The approval conditions search says that the condition is now inactive and to drop it at licensing. I have removed the condition on the recommended license.

The irrigated acreage for some quarter-quarters were different than described on the permit. But, the permit holder did not develop irrigation outside of the quarter-quarters described. The place of use description does not require an amendment. However, the point of diversion is described as Gov Lot 8 (SESW) of Section 29, T07N, R05W, B.M. on the permit. The actual location of the POD, as determined by GPS coordinates, does not match the permit.

The right will require an amendment to change the POD description at licensing. The permit is in the name of J.A. Albertson Enterprises while the current owners of the farm are Alscott Farms LLC. I sent a copy of the Application for Amendment to the owners on record and received no reply, confirming that the owners of record are a dissolved company. Then I sent the application for amendment to the new owners, who signed and returned it with a change of ownership and supporting documents. I will move forward to draft a license while the ownership change is in line to be processed.



VIEW OF THE WELL. DIVERSION  
IS IN NENW  $\frac{1}{4}$   $\frac{1}{4}$  OF SECT 32.  
WATER IS PUMPED INTO Pond or  
INTO DITCH SYSTEM

PHOTO ONE-



VIEW OF THE Pond. LOCATED IN  
THE SE SW  $\frac{1}{4}$   $\frac{1}{4}$  OF SECT. 29.

PHOTO TWO-



WATER IF USED FOR IRRIGATION IS  
PUMPED TO THIS DITCH SYSTEM WHICH  
DISSECTS THE VARIOUS FIELDS.

PHOTO THREE--

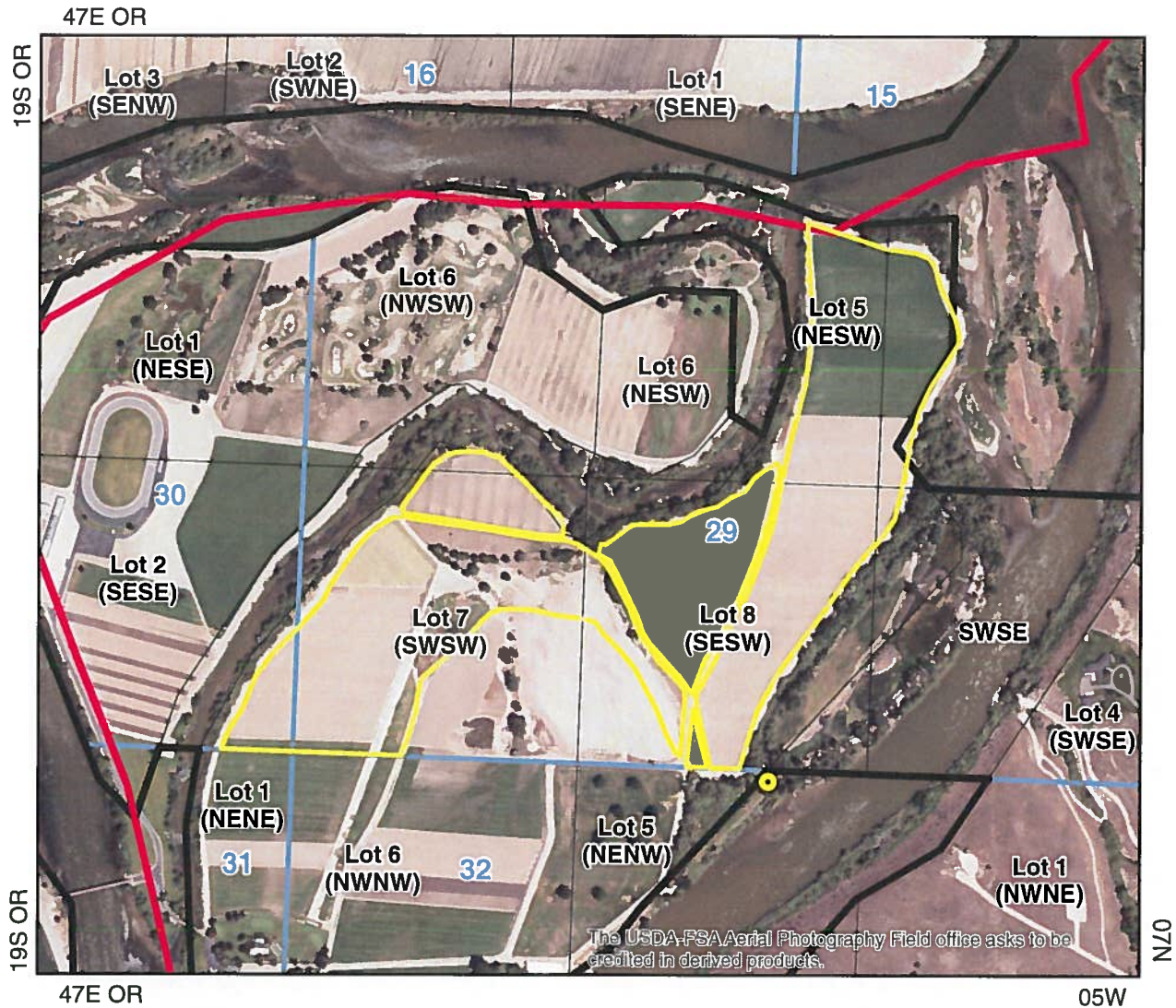


VIEW OF DITCH. TUBES ARE USED TO  
IRRIGATE.

PHOTO FOUR--

State of Idaho  
Department of Water Resources  
**Attachment to Water Right License**  
63-10675

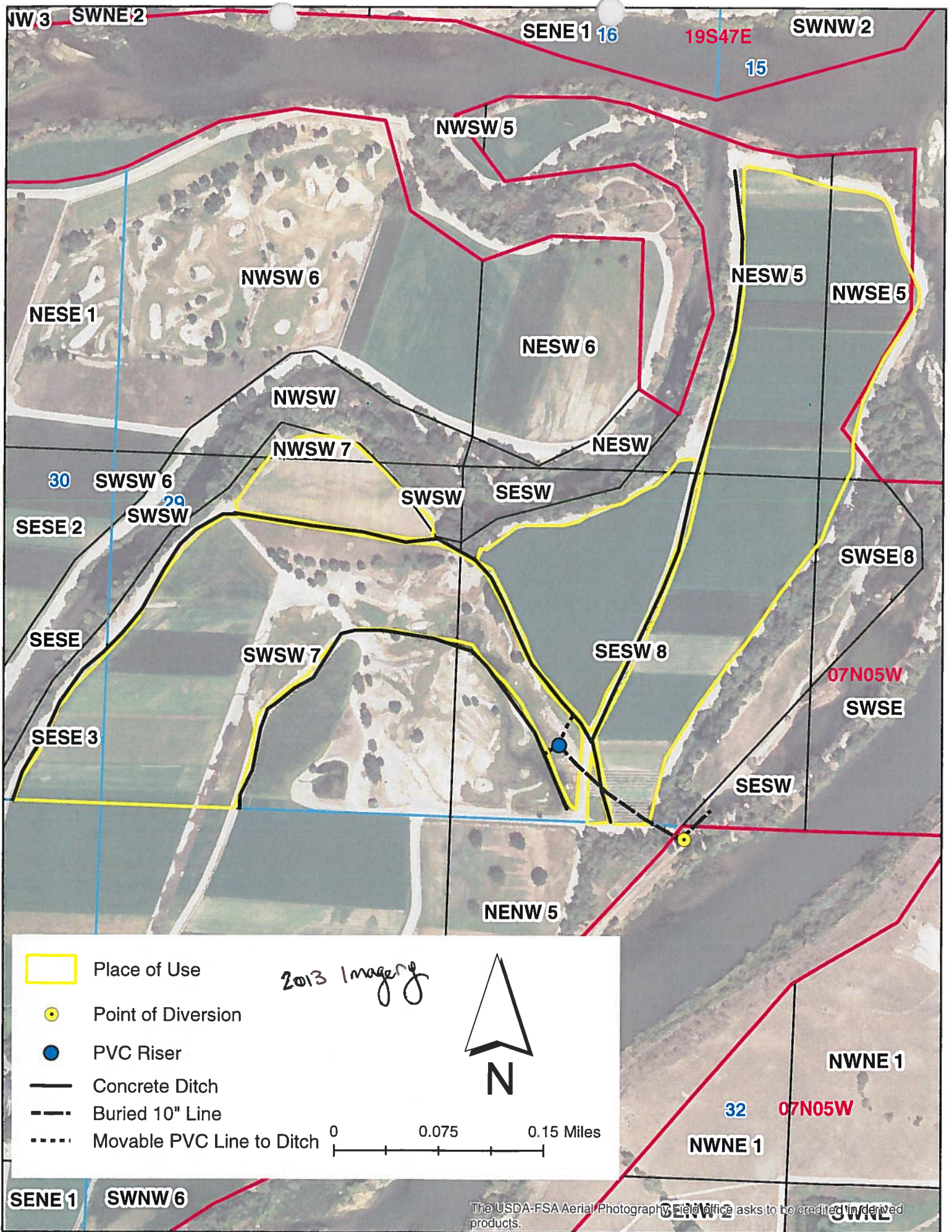
This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

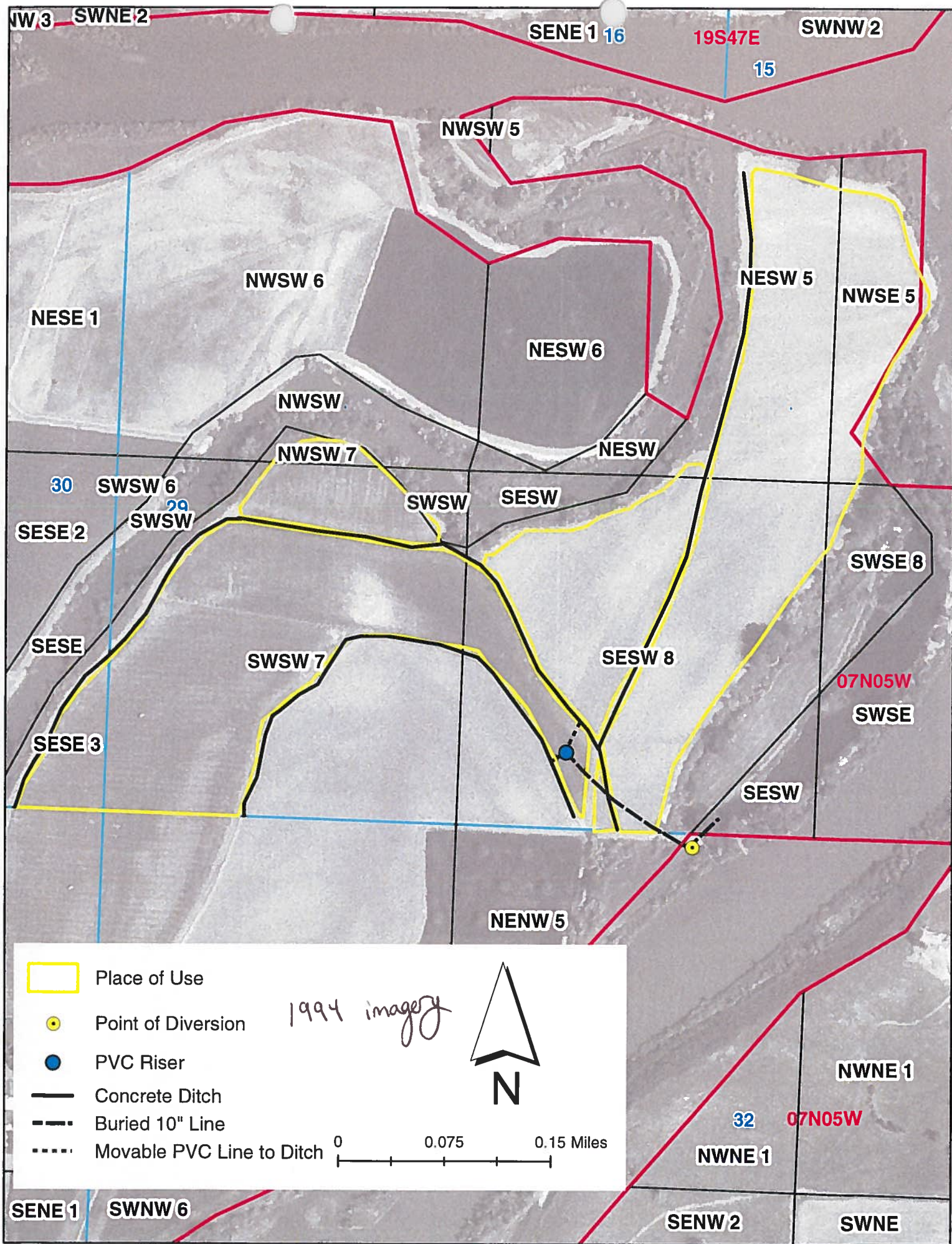


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.1 0.2 0.4 Miles







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.

| <p><b>1. WELL OWNER</b></p> Name <u>Joe Albutson</u><br>Address <u>Gamble Island</u><br>Drilling Permit No. <u>[redacted]</u><br>Water Right Permit No. <u>63-91-2-253</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>7. WATER LEVEL</b></p> Static water level <u>5</u> feet below land surface.<br>Flowing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No G.P.M. flow _____<br>Artesian closed-in pressure _____ p.s.i.<br>Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Cap <input type="checkbox"/> Plug<br>Temperature _____ °F Quality _____<br><small>Describe artesian or temperature zones below.</small>                                                                                                                                      |            |                         |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------|-----------|----------|-----------|----|----|---|---|----------|--|--|----|---|----|-------------|--|--|----|----|-----|-------------------------|---|---|
| <p><b>2. NATURE OF WORK</b></p> <input checked="" type="checkbox"/> New well <input type="checkbox"/> Deepened <input type="checkbox"/> Replacement<br><input type="checkbox"/> Well diameter increase <input type="checkbox"/> Modification<br><input type="checkbox"/> Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>8. WELL TEST DATA</b></p> <input type="checkbox"/> Pump <input type="checkbox"/> Bailor <input type="checkbox"/> Air <input type="checkbox"/> Other _____                                                                                                                                                                                                                                                                                                                                                                                                                        |            |                         |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| <p><b>3. PROPOSED USE</b></p> <input type="checkbox"/> Domestic <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Monitor<br><input type="checkbox"/> Industrial <input type="checkbox"/> Stock <input type="checkbox"/> Waste Disposal or Injection<br><input type="checkbox"/> Other _____ (specify type)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>9. LITHOLOGIC LOG</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Bore Diam.</th> <th>Depth From</th> <th>To</th> <th>Material</th> <th>Water Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>14</td> <td>0</td> <td>5</td> <td>Top Soil</td> <td></td> <td></td> </tr> <tr> <td>14</td> <td>5</td> <td>30</td> <td>SAND Gravel</td> <td></td> <td></td> </tr> <tr> <td>12</td> <td>30</td> <td>996</td> <td>Mud Clay And SAND STRAP</td> <td>✓</td> <td>✓</td> </tr> <!-- Empty rows omitted for brevity --> </tbody> </table> | Bore Diam. | Depth From              | To        | Material | Water Yes | No | 14 | 0 | 5 | Top Soil |  |  | 14 | 5 | 30 | SAND Gravel |  |  | 12 | 30 | 996 | Mud Clay And SAND STRAP | ✓ | ✓ |
| Bore Diam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Depth From                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | To         | Material                | Water Yes | No       |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| 14                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 5          | Top Soil                |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| 14                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 30         | SAND Gravel             |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| 12                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 996        | Mud Clay And SAND STRAP | ✓         | ✓        |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| <p><b>4. METHOD DRILLED</b></p> <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Air <input type="checkbox"/> Auger <input type="checkbox"/> Reverse rotary<br><input type="checkbox"/> Cable <input checked="" type="checkbox"/> Mud <input type="checkbox"/> Other _____<br><small>(backhoe, hydraulic, etc.)</small>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            |                         |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| <p><b>5. WELL CONSTRUCTION</b></p> Casing schedule: <input checked="" type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> Other _____<br>Thickness Diameter From To<br><u>+ 352 inches</u> <u>12 inches</u> + <u>1</u> foot <u>30</u> feet<br>_____ inches _____ inches _____ feet _____ feet<br>_____ inches _____ inches _____ feet _____ feet<br>Was casing drive shoe used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Was a packer or seal used? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Perforated? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>How perforated? <input type="checkbox"/> Factory <input type="checkbox"/> Knife <input type="checkbox"/> Torch <input type="checkbox"/> Gun<br>Size of perforation? _____ inches by _____ inches<br>Number From To<br>_____ perforations _____ feet _____ feet<br>_____ perforations _____ feet _____ feet<br>_____ perforations _____ feet _____ feet<br>Well screen installed? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Manufacturer _____ Type _____<br>Top Packer or Headpipe _____<br>Bottom of Tailpipe _____<br><br>Diameter Slot size Set from feet to feet<br>Diameter Slot size Set from feet to feet<br>Gravel packed? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Size of gravel _____<br>Placed from feet to feet<br><br>Surface seal depth <u>30</u> Material used in seal: <input type="checkbox"/> Cement grout<br><input checked="" type="checkbox"/> Bentonite <input type="checkbox"/> Puddling clay <input type="checkbox"/> _____<br>Sealing procedure used: <input type="checkbox"/> Slurry pit<br><input type="checkbox"/> Temp. surface casing <input checked="" type="checkbox"/> Overbore to seal depth<br>Method of joining casing: <input type="checkbox"/> Threaded <input checked="" type="checkbox"/> Welded<br><input type="checkbox"/> Solvent Weld <input type="checkbox"/> Cemented between strata<br><br>Describe access port _____ | <br><br><br><br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |            |                         |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |
| <p><b>6. LOCATION OF WELL</b></p> Sketch map location must agree with written location.<br><u>On Gamble island in Snake River</u><br>Subdivision Name _____<br><br>Lot No. _____ Block No. _____<br>County <u>Payette</u><br><u>SE 1/4 SW 1/4 Sec. 29 T. 7 S R. 5 W</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>10.</b></p> Work started <u>Approx April / 88</u> finished <u>May / 88</u><br><br><p><b>11. DRILLER'S CERTIFICATION</b></p> I/we certify that all minimum well construction standards were complied with at the time the rig was removed.<br>Firm Name <u>K&amp;H</u> Firm No. <u>194</u><br>Address <u>815 Plymouth</u> Date _____<br>Signed by Drilling Supervisor _____<br>and<br>(Operator) <u>Nash Bunn</u><br><i>(If different than the Drilling Supervisor)</i>                                                                                                           |            |                         |           |          |           |    |    |   |   |          |  |  |    |   |    |             |  |  |    |    |     |                         |   |   |



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 20, 2017

ATTN DENNIS MOYER  
ALSCOTT FARMS LLC  
501 BAYBROOK CT  
BOISE ID 83706

**RE: Water Right License No. 63-10675**

Dear Mr. Moyer,

Thank you for submitting the Notice of Change in Water Right Ownership and Application for Amendment for the water right referenced above. I am almost done processing this file and you may expect to receive the water right license in the mail soon. Today I am writing you concerning the pond located at the eastern edge of Gamble Island.

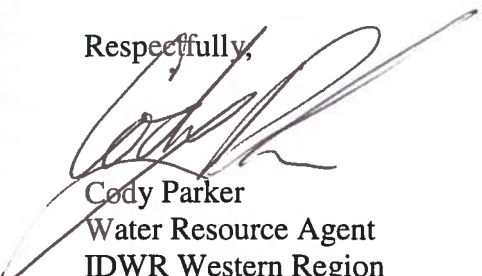
After looking through the existing water rights for the island, I have not been able to find a water right describing the storage of water in the pond. A water right is needed to authorize the diversion to, and storage of water in, the pond if that pond does not meet the Department's 24-hr rule. Put simply, the 24-hr rule says that 1) if the pond is part of a distribution system for irrigation or some other use for which there is a valid water right, and 2) if the pond can be completely filled within a 24-hr period based on the diversion rate of the water right, then a water right is not needed to authorize the storage of water. However, if the use of water in the pond is derived solely from its being stored (i.e. if the pond is used only for recreation or aesthetics) then the 24-hr rule does not apply.

If I recall correctly from our most recent field exam, this particular pond is used as part of the irrigation system. If that is correct, the pond falls under the 24-hr rule *if* it can be filled within a 24-hr period at the diversion rate authorized by right 63-10675 (1.30 cfs). The daily volume equivalent to 1.30 cfs is 2.6 acre-feet. From aerial imagery, I estimate that the pond surface area is approximately 4.3 acres. So, to qualify for exemption under the 24-hr rule the pond must have an average depth not greater than 0.6 ft.

If you determine that this pond does not require a water right according to the information above no further action is needed on your part. However, if the pond is not exempt from permitting I ask that you submit an application for permit to authorize the use of water in the pond.

Please let me know if you have any questions regarding the content of this letter. You can reach me by phone at 208-334-2190 or email me at [cody.parker@idwr.idaho.gov](mailto:cody.parker@idwr.idaho.gov). There is no deadline for reply to this letter. IDWR forms and other information can be found online at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Thank you for your help with the most recent licensing exam and for your attention to these matters.

Respectfully,



Cody Parker  
Water Resource Agent  
IDWR Western Region



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 30, 2017

J A ALBERTSON ENTERPRISES  
380 E PARKCENTER BLVD  
BOISE ID 83706

RE: Water Right Permit No. 63-10675

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Section 42-211, Idaho Code. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

☒ **Point(s) of Diversion**

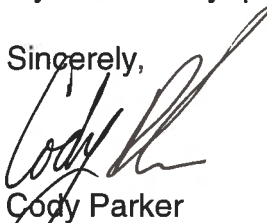
☐ **Place(s) of Use**

☐ **Other**

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at 208-334-2190.

Sincerely,

  
Cody Parker  
Water Resource Agent

Enclosure(s): Application for Amendment

\*Returned  
unable to deliver

## RETURN SERVICE REQUESTED



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WATER RESOURCES  
WESTERN REGION

J A ALBERTSON ENTERPRISES  
380 E PARKCENTER BLVD  
BOISE ID 83706

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State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 29, 2017

ALSCOTT FARMS LLC  
501 E BAYBROOK CT  
BOISE ID 83706

**Re: Notice of Intent to Void Permit to Appropriate Water No. 63-10675**

Dear Alscott Farms,

I am writing you today in regard to the water right permit referenced above, which is listed in the name of JA Albertson Enterprises. The permit authorizes the diversion of 1.3 cfs from groundwater for irrigation of 65 acres located in Sections 29 and 30 of Township 07 North, Range 05 West, in Payette County. I sent a letter to the permit holders on May 4, 2017, requesting to schedule a field exam for this permit. The letter had a 30-day deadline for response which, if not met, would lead to the water right permit becoming void. The deadline passed on June 3, 2017. However, before voiding the permit I wanted to reach out to you as the current owner of the property associated with this permit to see if the water is still in use and to schedule a field exam.

If you have developed, and are currently using, groundwater for the use listed on the permit (see enclosed report) you will need to contact me to schedule a field exam. You can reach me by phone at 208-334-2190 or email me at [cody.parker@idwr.idaho.gov](mailto:cody.parker@idwr.idaho.gov). The field exam is the final step towards developing a water right license and is necessary for perfecting a water right. **I look forward to your response within thirty (30) days of the date of this letter. If I do not receive a response within this time, I will assume that you do not have any interest in pursuing a water right license, and I will take action to void the permit.** Refunds are not available for voided applications. Thank you for your time and for your attention to these matters.

Respectfully,

Cody Parker  
Water Resource Agent  
IDWR Western Region  
Phone: (208) 334-2190  
Email: [cody.parker@idwr.idaho.gov](mailto:cody.parker@idwr.idaho.gov)

Enclosure: Proof Report, Relinquishment of Permit, Assignment of Permit



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 4, 2017

JA ALBERTSON ENTERPRISES  
380 E PARKCENTER BLVD  
BOISE ID 83706

**RE: Scheduling Field Exam for Water Right Permit No. 63-10675**

Dear Permit Holder:

We are planning to conduct water right examinations in the vicinity of the above-referenced permit **this season**. An examination is needed to verify the water use in order to issue a water right license.

The above-referenced permit authorizes **1.30 cfs** of **GROUND WATER** for **irrigation** use. **If you have developed a beneficial use and still own the place of use property, please contact me at your earliest convenience to schedule an examination.**

If you did not develop a beneficial use of water under the permit during the beneficial use period, a license cannot be issued and the permit should be relinquished. If that use was developed, but have ceased using the water and you currently carry no interest in it, please relinquish the permit by submitting the enclosed Relinquishment of Permit form (no fee required).

If you did develop a beneficial use of water under the permit, but you no longer own the place of use property identified in the permit, please submit the enclosed Assignment of Permit form with the applicable \$25 processing fee.

**Please contact me within the next thirty (30) days at (208) 334-2190 to either schedule an examination or submit a relinquishment or assignment form. If you no longer own the place of use property and/or do not respond to this letter, the department will work with the current property owner to issue a license or void the permit.**

Sincerely,

Cody Parker  
Water Resource Agent

Enclosures: Relinquishment of Permit form  
Assignment of Permit form  
Water Permit Report and Map