

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 47-7673

Exam Date: 9/29/2015

1. Current Owner: L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL ID 83355
(208)536-6148
2. Accompanied by: In-house re-exam based on previous exam from 05/1997 performed by Jim Stanton

3. SOURCE

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-8379 and 47-16392.
2. Other water rights with the same point of diversion: No other water rights are diverted from this POD.

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER

SE1/4NW1/4

Sec. 1, Twp 12S, Rge 18E, B.M.

TWIN FALLS County

Method of Determination: Determined location from GIS aerial imagery (ESRI imagery), Google Earth imagery and using sketch provided with previous field exam.

2.

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	
11S	18E	36	33.0			20.0								19.0	30.0	20.0	40.0	40.0	202.0
11S	19E	32									40.0	39.0	37.0	34.0					150.0
12S	18E	1	40.0	40.0	21.0	28.0	38.0	5.0	25.0	24.0									221.0
			L 1	L 2			L 3	L 4											
12S	19E	5	38.0	29.0			23.0	39.0	32.0		38.0	19.0							218.0
			L 1	L 2			L 3	L 4											
12S	19E	6	40.0	39.0	39.0	40.0	39.0	18.0	19.0	39.0	26.0			18.0	40.0	39.0	39.0	40.0	475.0
			L 1	L 2			L 3	L 4	L 5										
12S	19E	7	32.0	40.0	40.0		27.0			35.0	32.0					33.0			239.0

Total Acres: 1505

Method of Determination: Determined PPU using GIS aerial imagery (1992-1 meter imagery and 1987- 3.5 meter imagery) and compared irrigated acres with existing PPUs for overlapping decreed rights.

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
	US Motors	200 Hp	856272	Lane & Bowler	

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
Polysonic Flow Meter						

2. Measurements: Per Beneficial Use Field Report completed by Jim Stanton on 05/09/1997:

Measured 3598 gpm average flow = 8.02 cfs

E. FLOW CALCULATIONS – N/A

 Additional Computation Sheets Attached

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 760 \text{ acres} \times 4.0 \text{ acre feet} = 3040.0 \text{ acre feet}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 8.02 \text{ cfs} \times 246 \text{ days} \times 1.9835 \text{ afd} = 3913.3 \text{ acre feet}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{3,040.0 \text{ acre feet}}$$

2. Volume Calculations for Other Uses: N/A

G. NARRATIVE/REMARKS/COMMENTS

The following is from the narrative in the original field exam conducted by Jim Stanton on 05/19/1997:

"Well, motor, pump, mainline to ditch out of Rock Creek. Ditch Flows into pond. Four re-lift pumps in pond pump water to sprinklers. This well can be used anywhere on this farm, which is much larger than just the permitted ground...The rock Creek rights on this farm also go into the big pond...The quad map shows 2 other wells in the SENW, both in the NESENW. Licenses 47-2511 & 2566 have P/Ds in the SENW, with 25 Hp & 100 Hp pumps. So it appears that there are no other rights on the well

covered by this permit...Well capacity is 8.02 cfs (exam fee = \$300.), but proof was filed on 7.0 cfs by former owner (exam fee=\$250.)...A portion of the p/u in Sec. 36 & Sec. 1 was sold to Kevin Guthrie in 1995, but is still watered by this well...It is expected that the existing pivot will be removed in a couple years to accommodate the ownership change. I don't know how his portion of the ground will be watered without using the ranch system, however."

I have attached a copy of that field report to include the entire narrative and provide reported measurement data.

The field examiner didn't recommend the 71 irrigated acres in the NW1/4 of Sec. 1 for licensing that had been sold to Kevin Guthrie, even though they were irrigated using this irrigation system and water right. The Pivot that was to be removed remains in operation to this day and water is provided through the same system that delivers water to the entire PPU. Mr. Guthrie eventually purchased all of the properties in this PPU, and he paid a reexamination fee for this permit in 2001. I'm including those 71 acres as part of the recommended POU for licensing. Since then, the properties in this PPU have changed hands several times and are now owned by Greg Clanton and ISE 555 Broadway LLC, which is managed by Greg Clanton. I was not able to obtain an assignment of permit for this right, so a change of ownership will need to be filed after licensing.

I examined the irrigated acres using 1987 and 1992 imagery in an effort to verify the acres irrigated during the beneficial use development period. I estimated a total of 1477 acres irrigated, which only differed from the original field exam by an additional 5 acres (when you don't account for the 71 acres in Sec. 1 that the field examiner purposely left out). After reviewing the acres for the other water rights used in the PPU, along with researching the adjudication claim files for those rights and the previous field exam for this permit, I have come to the conclusion that this right should have a PPU that closely matches the PPU for decreed water rights 47-127A and 47-2552 (see attachment #1). The 1491 acre PPU for rights 47-127A and 47-2552 was recommended based on overlap with five other smaller PPUs (18 rights total) and all are at least partially irrigated using this same irrigation system. However, there will be an additional 14 acres added to the PPU in the NESW of Sec 6, Twp 12S, Rge 19E, that were clearly irrigated in both the 1992 and 1987 imagery (see attachment #2). This will create a 1505 acre PPU with an acre limit of 760 acres for this water right.

The field examiner measured a flow rate of 8.02 cfs from the well, but proof of beneficial use was filed with a rate of 7.0 cfs. The permit was recommended with a flow rate of 7.51 cfs. On 10/07/2001, the owner at that time, Mr. Guthrie, requested a reexamination and paid a \$300.00 reexamination fee. Since the measured capacity of the well is less than the permitted flow rate and the measured rate doesn't exceed 0.02 cfs per acre, I'm recommending a flow rate of 8.02 cfs for this license.

Fast forward to 2015, with the addition of pivots around the farm, the PPU acres have been rearranged, but total acres irrigated appear to be approximately 1484 acres. Since most of the Rock Creek rights and ground water rights 47-2511 and 47-2566, are re-lifted from the pond and delivered throughout the 1491 acre PPU associated only with water rights 47-127A and 47-2552, the owners should file a transfer to update their rights to reflect current water use within the PPU(s). Approximately 9.0 acres in the NWSE that are contained in the PPU were recently sold to Brent Funk and are now likely irrigated using Mr. Funk's water rights. Water right 47-2566 was decreed with a point of diversion in the SWSENW, but the only POD in the 10 acre tract is the well established in 1981 under this permit. After reviewing the claim files, water right back files for water rights 47-2556 and 47-2511 (which are clearly two separate wells), along with the previous field exam and the well log (which lists this permit number and indicates it was drilled in 1981), I'm convinced that the POD location for 47-2566 is incorrect and it should have been located in the NWSENW as indicated by Jim Stanton in his 1997 field exam. The field exam also included a sketch that identifies the locations of the three wells in the SENW. Comparing the sketch to GIS imagery (all three wells are visible in ESRI 1 meter imagery, see attachment #3) it appears that well #3 is actually located just north of the ¼ line in Govt Lot 3 (NENW) and not in the SENW as indicated by all previous documentation. While there are issues associated with other water rights used on this farm, the Jim Stanton's field exam appears to be fairly accurate. The field exam identified the three wells that pump into the irrigation pond and that the 200 Hp well in the SWSENW is the well permitted under this permit with no other water rights associated with it.

Based on Mr. Stanton's flow measurement reported in his 1997 field exam and the PPUs for associated water rights that were decreed in the SRBA and are used in the same system, I recommend licensing 8.02 cfs and 3040.0 af limited to the irrigation of 760.0 acres within a 1505 acre PPU.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	8.020 CFS	3,040.00 AF
<u>Totals:</u>		8.020 CFS	3,040.00 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Bill Miller Date 11-11-2015

Reviewer [Signature] Date 12-7-15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 14 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-07673

1. Owner: Winding Brook Corp. Phone No. 466-0419

Current Address: c/o Rodney Moore, PO Box 53, Nampa, ID 83653

2. Accompanied by: Tom Haynes EXAM DATE: 6-28-95

Address: PO Box 123, Rupert, ID 83350 Phone No. 436-0292

Relationship to Permit Holder: partner in B & H Inc. (lease ground & operate farm)

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

plus Rock Creek decrees

1. Other water rights with the same place of use: 47-02536, 2556, 2552, 2554, 2557, 8377

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NW	1	12S	18E	Twin Falls	ASCS photo

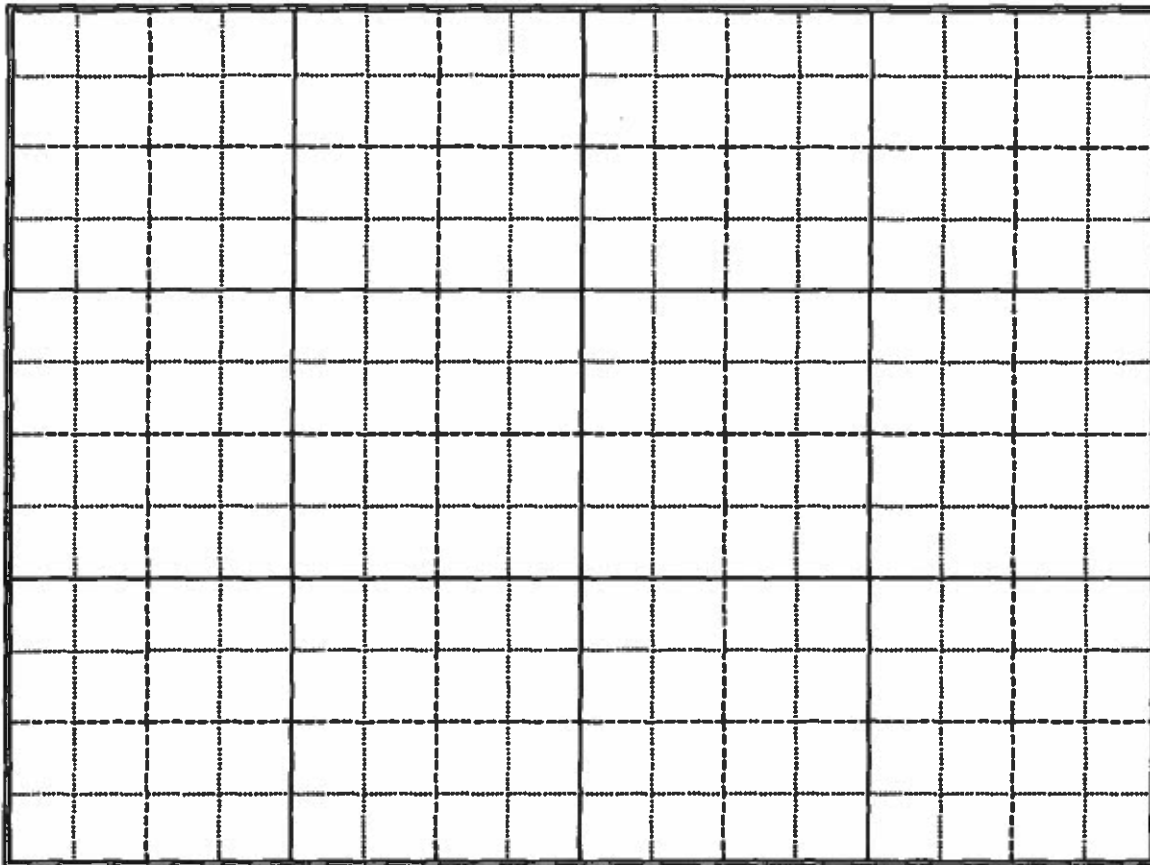
2. Place(s) of Use: PPU not exceeding 760 acres/760000 Indicate Method of Determination ASCS photos, dot grid

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	36	33			20								26	30	16	39	35	179
	19E	32									36	39	38	29					142
12S	18E	1	LT1 36	LT2 39	14	30	LT3 28	LT4 28	LT5 28	LT6 28									139
	19E	5	LT1 37	LT2 29			LT3 24	LT4 39	33		40	21							225
		6	LT1 37	LT2 39	40	40	LT3 37	LT4 19	20	40	27			19	40	40	39	40	481
		7	35	40	40		29			36	31					34			245
																			1401

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



Scale: 1" = _____

☒ Copy of USGS Quadrange 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
	US Motors	200	856272	Lytne & Bowler	

*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
Polysonic flow meter						

2. Measurements: Measured 3598 gpm average flow. = 8.02 cfs

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E. NARRATIVE/REMARKS/COMMENTS

Well, motor, pump, mainline to ditch out of Rock Creek. Ditch flows into pond. Four re-lift pumps in pond pump water to sprinklers.

This well can be used anywhere on this farm, which is much larger than just the permitted ground. The wells on the permitted ground are tied into the common mainline, but are used only on that part of the farm. The Rock Creek rights on this farm also go into the big pond.

Mr. Hyman said that he thought all the other wells on the farm had been licensed. The quad map shows 2 other wells in the SE/NW, both in the NE/SE/NW. Licenses 47-2511 & 2566 have PIDs in the SE/NW, with 25 hp & 100 hp pumps. So it appears that there are no other rights on the well covered by this permit.

I visited this property in 1982. The same system was in place at that time. Instead of dumping directly into Rock Creek, the big well now dumps into a ditch out of Rock Cr. I also visited this property last year in connection with a pending application for transfer. I worked with aerial photos, and drove all over the property to verify the P/U. My recommended P/U is based on that visit.

* Well capacity is 8.02 cfs (Exam fee = \$300.), but proof was filed on 7.0 cfs by former owner (Exam fee = \$250.).

A portion of the p/u in Sec 36 & Sec. 1 was sold to Kevin Guthrie in 1995, but is still watered by this well. A broken red line shown on the ASCS photo is the east boundary of the Guthrie property. It is expected that the existing pivot will be removed in a couple of years to accommodate the ownership change. I don't know how his portion of the ground will be watered without using the Ranch system, however.

Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on this property.

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

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$3598 \text{ gpm} = 8.02 \text{ cfs}$$

Permit = 8.61 cfs, but proof = 7.0 cfs. Additional Fee^v due to license full amount. * of \$50. + \$25. penalty

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{1401 - 1029}{\text{licensed}} = 372 \text{ new acres} \times 4 = 1488$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 8.02 \times 214 \times 1.9835 = 3404.2$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 1488 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	* 8.02	1488
Totals:			8.02	1488

2. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name J. F. Stanton Date 5-9-97

Reviewer _____ Date _____

SEAL

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OCT 19 2001



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OCT 19 2001

47-07673
5-28-95 JS



Well • Pump



Measuring Point
(Note Transducer Marks)

Well Discharge
Point Into Ditch

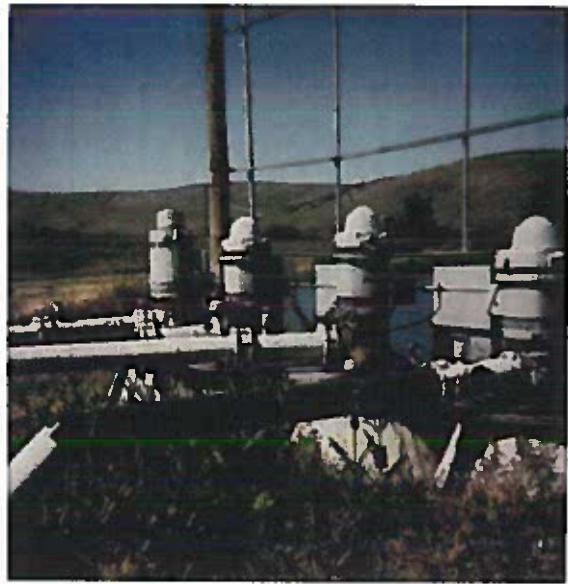


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47-07673
6-28-95 JS



Pond



Re-Lift Pumps In Pond

Mainline From
Re-lift Pumps
Across Feeder Ditch



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47-07673
6-28-95 JS

site inspection
made 4-14-82
J F Stanton

GE 25 hp motor
65169337B
Aurora pump

Well #3

GE 100 hp
JKT 911149
Aurora pump

#2 well

6-28-75 - GE 125 hp
NJT 17139

pumps: 1 High Thrust 125 hp motor
R9984-02-826
Aurora pump

2 High Thrust 75 hp motor
R-6326-05-083
Aurora pump

3 High Thrust 75 hp motor
R-6326-05-093

4 High Thrust 50 hp motor
R-6231-05-047
Aurora pump
feeds only decreed ground

pond
pump 4
pump 3
pump 2
pump 1

Rock Creek

ditch

P.D.

Well #1

Pop for
49-7673 →
200 Hp

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Well #1 dumps ~~it only to the decreed ground~~ into a ditch which leads to the pond. Pumps in pond deliver water to decreed ground, also to ground under new permit. Well #2 will supplement

MODE SELECT
INPUT

OUTER DIAMETER
12.095 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2492 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.548 IN U

06-28 11:0300 *R
+ 3.598E 3GPM

06-28 11:0500 *R
+ 3.594E 3GPM

06-28 11:0600 *R
+ 3.603E 3GPM

06-28 11:0600 *R
+ 3.604E 3GPM

06-28 11:0600 *R
+ 5.198E 0MGD

06-28 11:0600 *R
+ 10.948E 0FPS

06-28 11:0700 *R
+002.90 % AI2

06-28 11:0800 *R
+002.90 % AI2

06-29 11:0800 *R

MODE SELECT
INPUT

OUTER DIAMETER
12.095 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2492 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.548 IN U

06-28 11:0300 *R
+ 3.598E 3GPM

06-28 11:0500 *R
+ 3.594E 3GPM

06-28 11:0600 *R
+ 3.603E 3GPM

06-28 11:0600 *R
+ 3.604E 3GPM

06-28 11:0600 *R
+ 5.198E 0MGD

06-28 11:0600 *R
+ 10.948E 0FPS

06-28 11:0700 *R
+002.90 % AI2

06-28 11:0800 *R
+002.90 % AI2

06-28 11:0800 *R

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OCT 19 2001

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. *Drill...*

USE TYPEWRITER OR
BALLPOINT PEN

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

RECEIVED

JUN 25 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 47-7677 Telephone No. 423-5782

Name(s) of Permit Holder(s): Van Diest Family Partnership

Post Office Address: 2872 Rock Creek Rd., Hansen, ID

Source of Water: Ground water 8534

If ground water, well driller's name: Chuck Jones Date drilled: 10/1980

Extent of Use:
Domestic _____ (No. of households) Irrigation 700 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 7 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6/1981

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

Measuring device: Required? Yes No Installed? Yes No

OR

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

Fee Enclosed: \$ 250.00 (See License Examination Fee Schedule)

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

Bill Van Diest 423-5782
Name Telephone No.

2872 Rock Creek Rd., Hansen, ID
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

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DEC 17 1990

6/25/90 Bill Van Diest (partner)
Date Signature (and title if on behalf of a company or organization)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2001

KEVIN GUTHRIE
2872 ROCK CREEK RD
HANSEN, ID 83334

RE: Permit 47-7673

Dear Mr. Guthrie:

I received your request for a re-examination to quantify the beneficial use of water established in accordance with Permit 47-7673. I will ask staff from IDWR's office in Twin Falls to contact you to schedule a time to conduct the re-examination.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

C: IDWR Southern Region -- Jim Stanton

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OCT 04 2001

**Department of Water Resources
Southern Region**

October 3, 2001

Dept. of Water Resources
Statehouse
Boise, ID
83270

OCT 9 - 2001

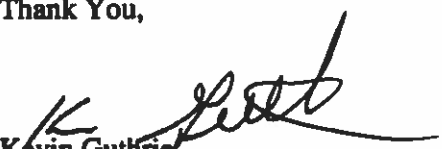
Department of Water Resources

RE: Permit 47-7673, Kevin Guthrie

Dear Sirs;

I do hereby request a licensing re-examination on this permit, as land was inadvertently left off of the recommendation due to incorrect information supplied to the examiner by our farm manager. Attached is the re-examination fee of \$300.

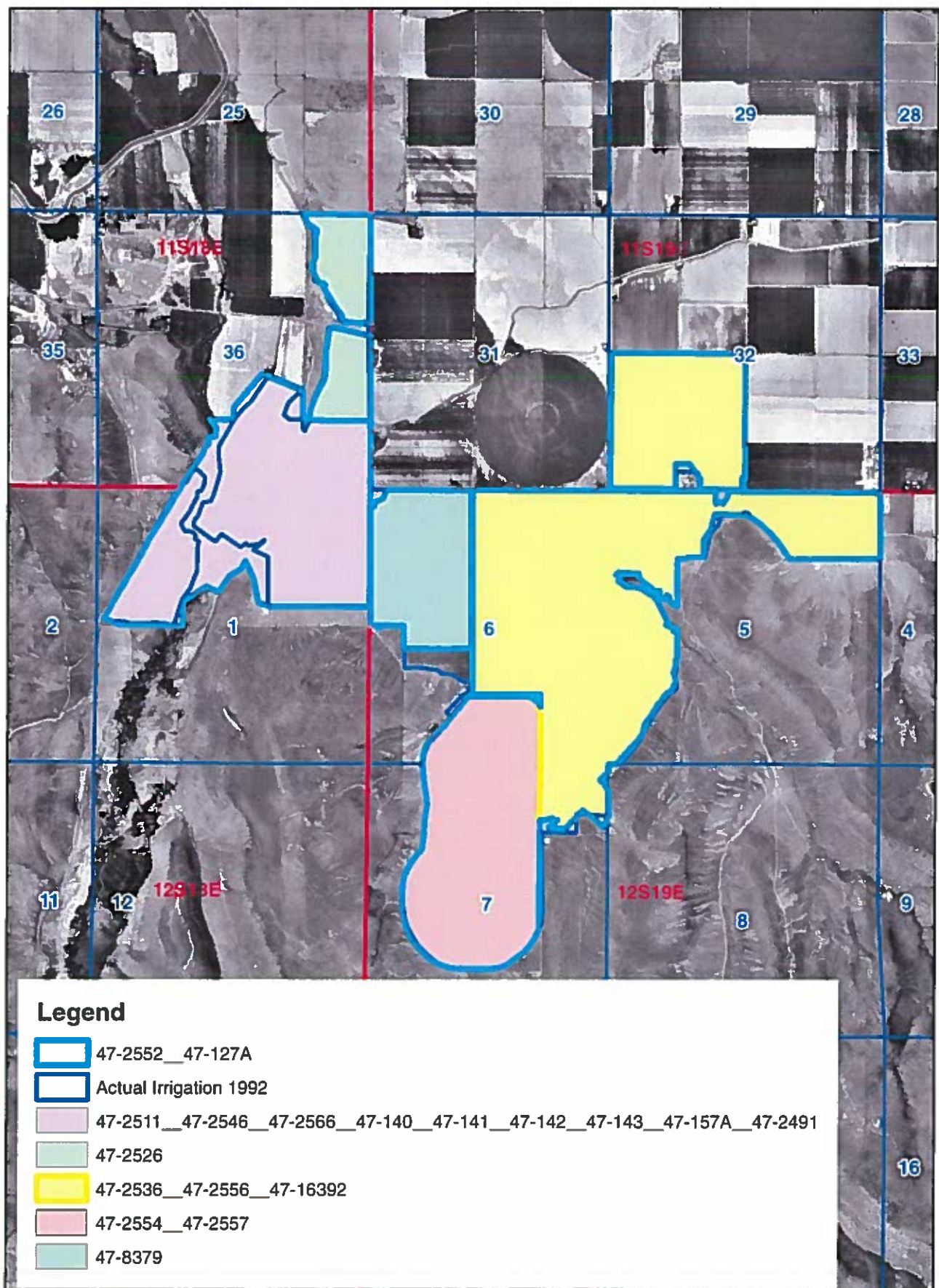
Thank You,


Kevin Guthrie
2872 Rock Creek Rd
Hansen, ID
83334

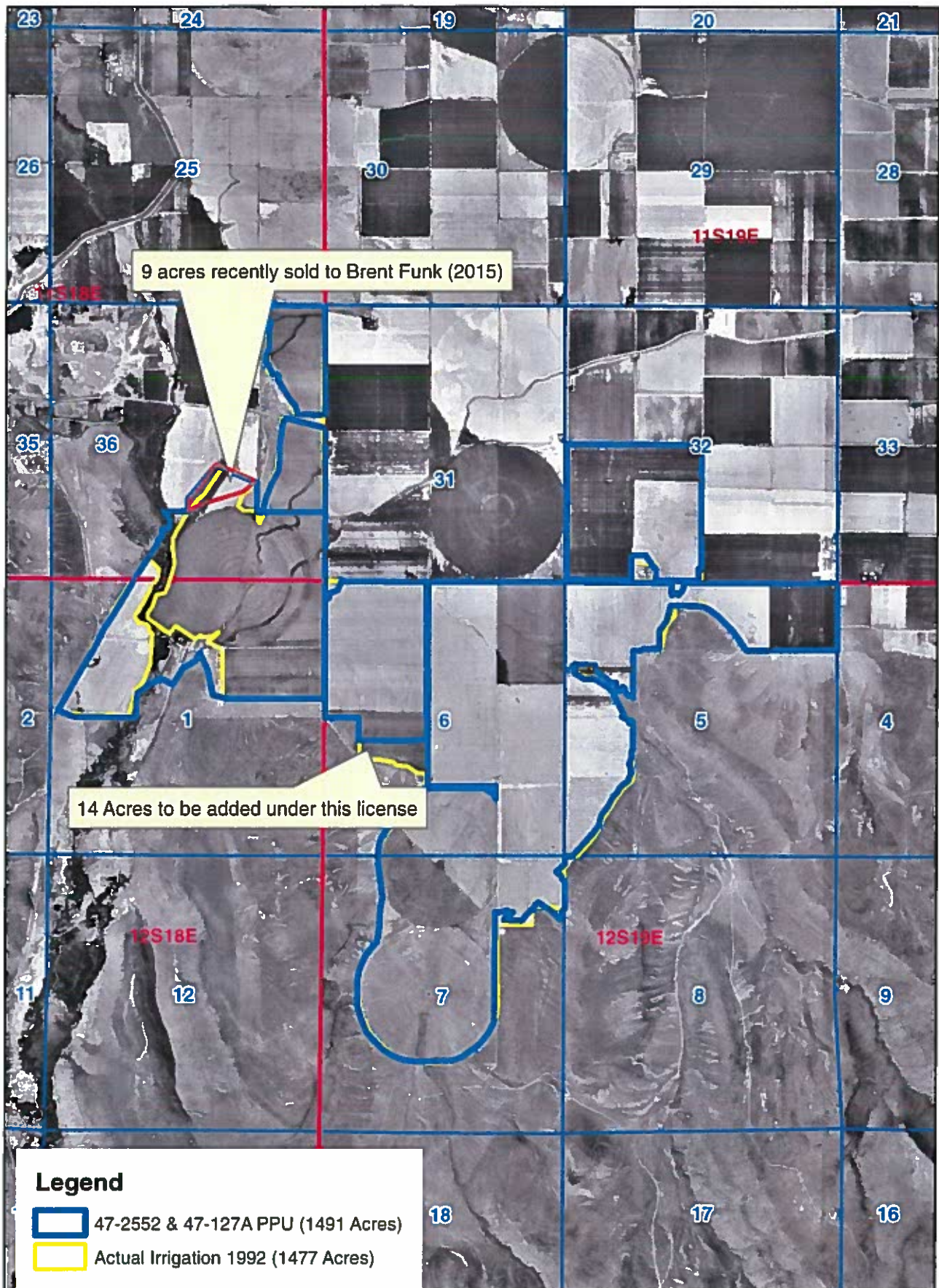
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OCT 13 2001

Attachment #1: Overlapping PPUUs (1992 Imagery)



Attachment #2: Large PPU & Actual Irrigation (1992 Imagery)



Attachment #3: Well Locations (ESRI Imagery)

