

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 34-07153

Priority: January 22, 2015

Maximum Diversion Rate: 0.22 CFS
Maximum Diversion Volume: 43.8 AF

It is hereby certified that RONALD C RISH
PO BOX 414
ARCO ID 83213 has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated September 24, 1976; and has submitted Proof of
Beneficial Use on January 22, 2015. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.22 CFS	43.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4NE1/4 Sec. 27, Twp 04N, Rge 28E, B.M. BUTTE County

PLACE OF USE: 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
04N 26E 27		3.9	8.6														12.5

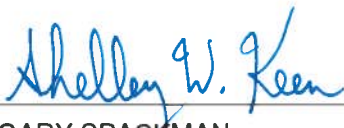
Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

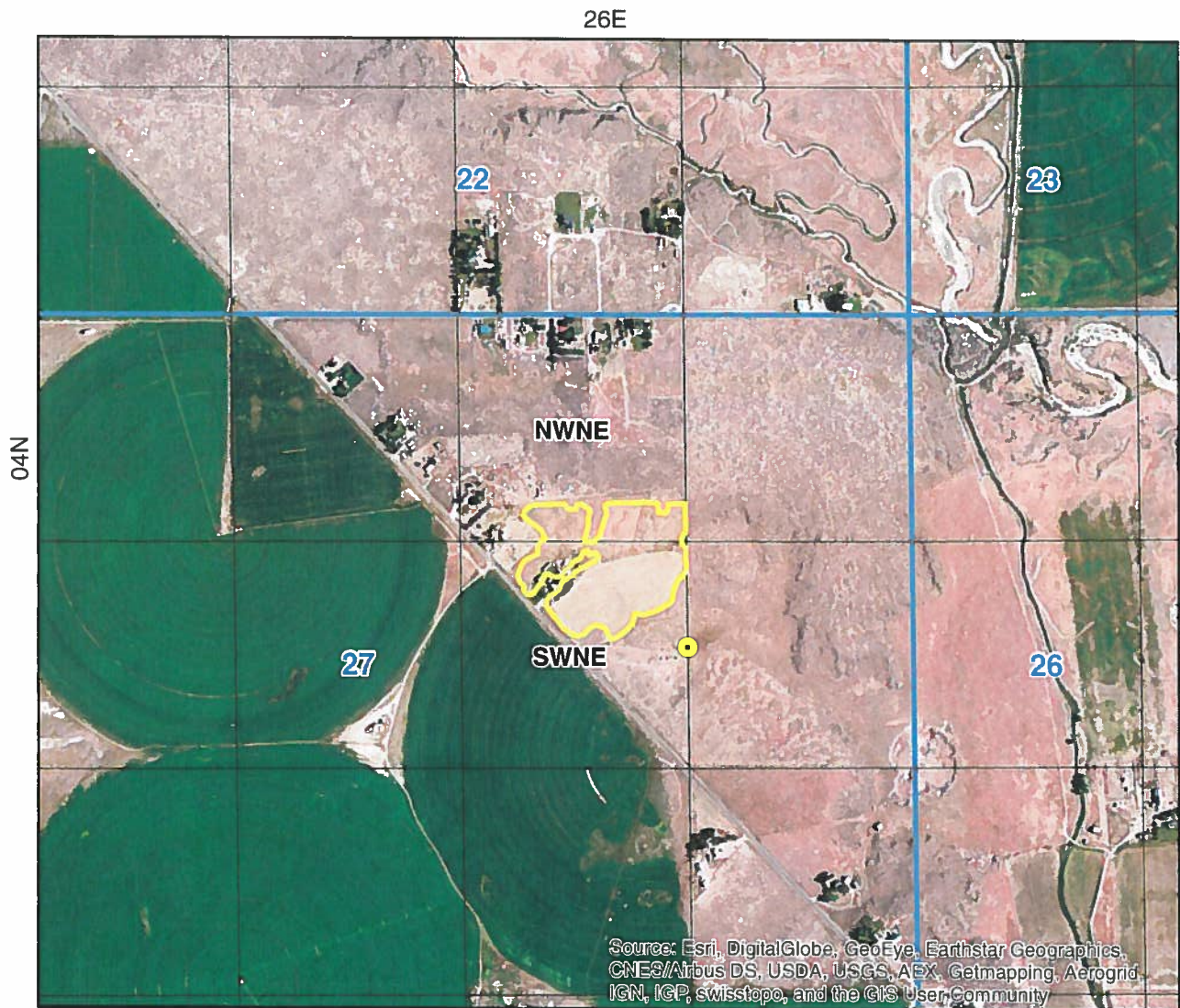
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 1st day of April, 2015.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
34-7153

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
-  Quarter Quarters

0 0.125 0.25 0.5 Miles



**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT)
NO. 34-7153 IN THE NAME OF)
RONALD C. RISH)
_____)

**PRELIMINARY ORDER
REINSTATING A PERMIT**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders:

FINDINGS OF FACT

1. On September 24, 1976, the Department issued Permit No. 34-7153 (permit) in the name of Leonard C. Price. This permit authorized the diversion of 0.54 cubic feet per second ("cfs") of ground water for irrigation use in the NWNE and SWNE of Section 27, Township 04 North, Range 26 East, Butte County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before September 01, 1981.
2. On August 25, 1981, the Department granted an extension of time to provide proof to September 1, 1986.
3. On July 15, 1983, the Department acknowledged the assignment of permit 34-7153 to Phillip A. and/or Linda L. Rankin.
4. On August 22, 1986, the Department granted an extension of time to provide proof to March 1, 1990.
5. On January 31, 1989, the Department contacted the permit owner to determine the extent of development as required by the Swan Falls litigation.
6. On May 19, 1989, the Department re-authorized the development of the permit.
7. On May 16, 1989, the Department received an assignment of permit from Phillip A. and/or Linda L. Ranking to Ronald C. Rish (permit holder).
8. On December 31, 1989, the Department notified the permit holder that proof was due and instructed the permit holder of the steps to be taken to submit either proof or request an extension of time if an extension had not already been granted. The notice was mailed to the address on record, Rt. 1 Box 41, Arco, Idaho 83213.
9. On February 14, 1990, the Department returned a proof of beneficial use form that was received on January 12, 1990 because the \$100.00 examination fee had not been received.
10. On March 14, 1990, the Department issued the permit holder a lapse notice because it had not received an acceptable proof statement or extension request.

4. Idaho Code § 42-218a.2 provides as follows:

In connection with a proof of beneficial use statement submitted more than sixty (60) days after such notice of lapsing, the director shall require all of the following items to be submitted to the department:

- (a) A report prepared by a certified water right examiner as a result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with the permit during the time authorized by the permit and any extensions of time previously approved. The report shall be on a form or forms specified by the director and shall provide the information specified in section 42-217, Idaho Code, for confirming beneficial use and such other information as may be required by the director.
- (b) A statement of reasonable cause for filing a late proof of beneficial use.
- (c) A reinstatement fee of two hundred fifty dollars (\$250).

5. On January 21, 2015, the Department received a request to reinstate permit 34-7153 along with a beneficial use field report prepared by a certified water right examiner, a statement of reasonable cause for filing a late proof of beneficial use, a statement of proof of beneficial use, and the required reinstatement fee.

CONCLUSIONS OF LAW

- 1. The permit holder has provided a reasonable showing why the permit should be reinstated, by submitting an acceptable proof of beneficial use statement on January 22, 2015, and evidence that beneficial use of the water occurred during the period when the permit was active.
- 2. The Department should reinstate permit 34-7153 with the priority advanced to the date that proof of beneficial use was received.

ORDER

IT IS HEREBY ORDERED, that Permit No. 34-7153, in the name of Ronald C. Rish is **REINSTATED**, with the priority advanced to January 22, 2015.

Dated this 15th day of April, 2015.



Shelley Keen
Water Rights Section Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 9, 2015

RONALD C RISH
PO BOX 414
ARCO ID 83213

RE: License No. 34-7153

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

Also enclosed is an order that reinstated the permit, since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this license has been advanced to January 22, 2015, as provided in section 42-218a(2), Idaho Code.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

For Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2015, I mailed true and correct copies, postage prepaid, of the foregoing PRELIMINARY ORDERS (**Preliminary Order Reinstating A Permit**) & (**Approved License**) to the person(s) listed below:

RE: WATER RIGHT NO.

34-7153

**RONALD C RISH
PO BOX 414
ARCO ID 83213**

A handwritten signature in blue ink, reading "Darla Block", is written over a horizontal line.

**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Water Right File 34-7153

FROM: Daniel Nelson – Staff Hydrologist

DATE: February 2, 2015

SUBJECT: Licensing Review of Water Right 34-7153

This field exam was performed by Certified Field Examiner Charles G. Brockway of Brockway Engineering. Mr. Brockway reported that 14.9 acres were irrigated and limited the diversion rate to 0.22 cfs and 52.2 acre feet of water. There are a couple of issues that need to be addressed. Each will be addressed below:

Wells:

Mr. Brockway mentions two wells associated with this permit. Well #1 was the original well for the permit. Apparently, after the current owner purchased the property, he turned well #1 into a domestic only well and had a new well drilled in 1989 (Well #2) that is used exclusively for the irrigation system. Even though they switched wells in 1989, the wells are both in the same legal description, so no amendment should be needed. I could find no well log for Well #2, but Well #1 was deepened in 2003. This gives an estimation of the well characteristics.

Acres:

Mr. Brockway provided a shape file based on the lands irrigated in 1992. This shape file shows that 14.9 acres were irrigated under this permit.

My review of the acres irrigated revealed that there was an area in the middle of the property that could have been a rock pile or something preventing irrigation. I wrote a letter to Mr. Brockway asking for clarification. Mr. Brockway stated that the owner said the entire property was irrigated and referred to the 1989 and 1990 LandSat photography that I sent with my letter.

Unfortunately, the resolution of the LandSat photography is not good enough to delineate any real structures or fields. I then reviewed all of the aerial photos available to the Department for this ground. There was no discernible irrigation on this property in 2004, 2010, and 2013. Approximately 6 acres were irrigated in 2009 and 2011. The 6 acres irrigated in 2009 and 2011 were on the southeastern field and didn't irrigate the area in question in the middle of the property or the area northwestern field.

SESW

SWSE

22

SESE

NENW

NWNE

NENE

**1992 Aerial Photo
12.5 Acres Irrigated.
Irrigated acers adjusted
Per Certified Examiner's
1/21/2015 Letter**

04N26E

27

Yellow Border 1992 acres irrigated.

SESW

SWNE

SENE

NESW

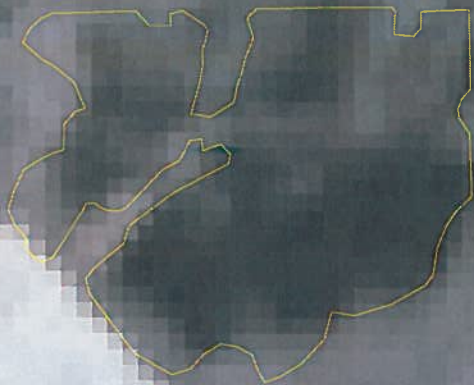
NWSE

NESE



**1989 Spot Imagery,
Although imagery is not
the best, it appears as
though the most that
could be irrigated is the
12.5 acres found in the
1992 aerial photo.**

Yellow Border 1992 acres irrigated.



**1990 Spot Imagery,
Although imagery is not
the best, it appears as
though the most that
could be irrigated is the
12.5 acres found in the
1992 aerial photo.**



Yellow Border 1992 acres irrigated.

SESW

SWSE

22

SESE

NENW

NWNE

NENE

1989 LandSat Sattelite Photos
Partially irrigated
Imagery Resolution
Not Good Enough
to Determine Acres

04N26E

27

Yellow Border 1992 acres irrigated.

SESW

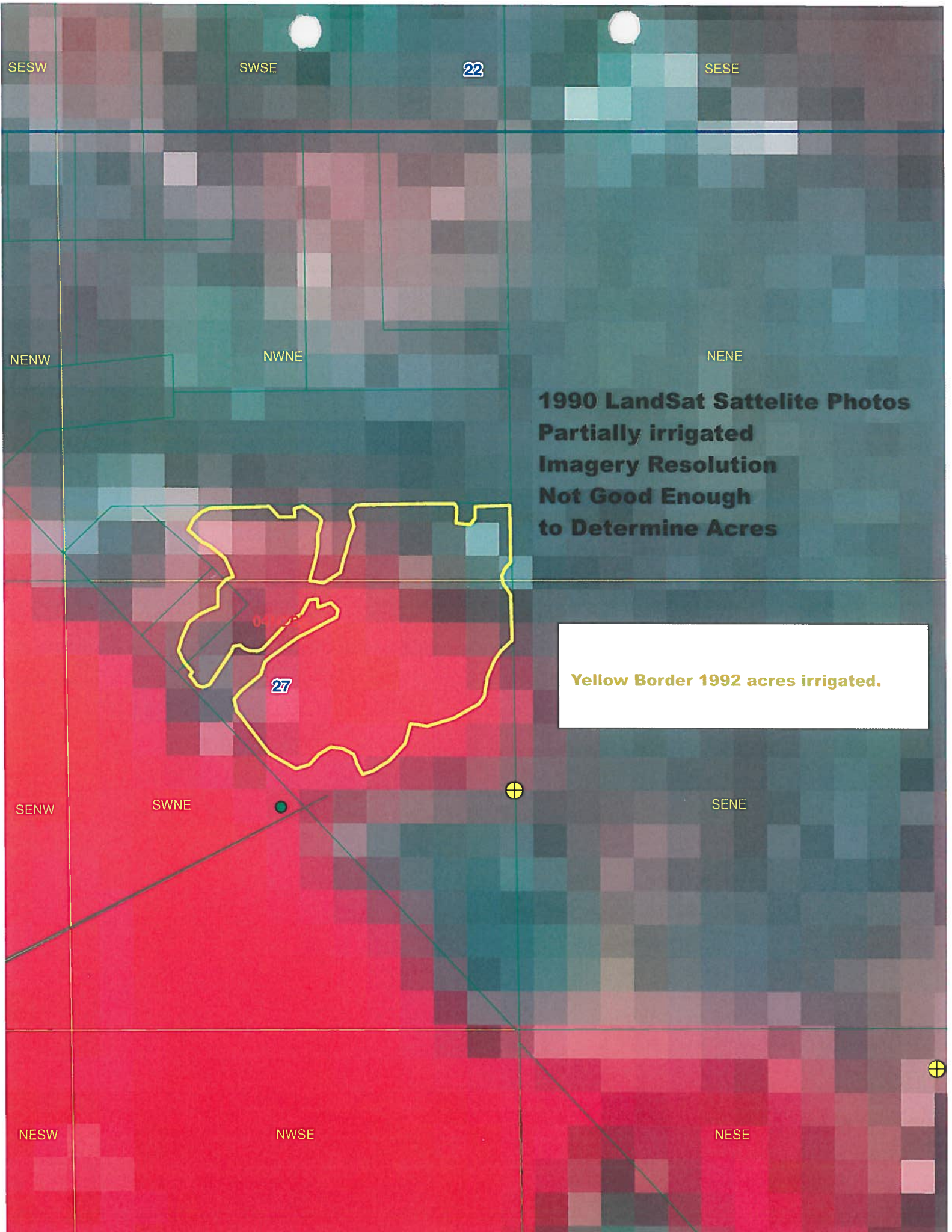
SWNE

SENE

NESW

NWSE

NESE



SESW

SWSE

22

SESE

NENW

NWNE

NENE

1990 Landsat Satellite Photos
Partially irrigated
Imagery Resolution
Not Good Enough
to Determine Acres

27

Yellow Border 1992 acres irrigated.

SESW

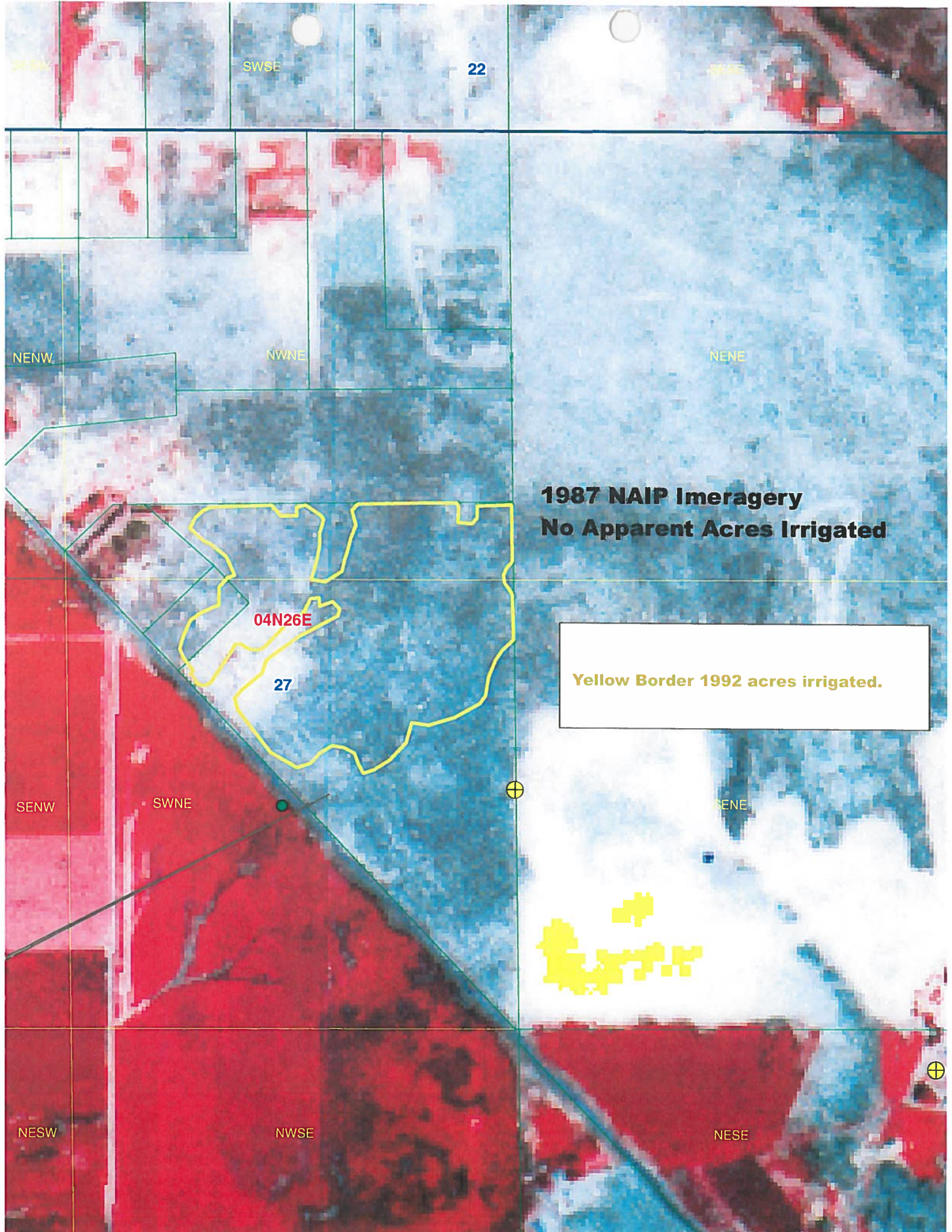
SWNE

SENE

NESW

NWSE

NESE



SWSE

SWSE

22

SWSE

NENW

NWNE

NENE

04N26E

27

**1987 NAIP Imeragery
No Apparent Acres Irrigated**

Yellow Border 1992 acres irrigated.

SENW

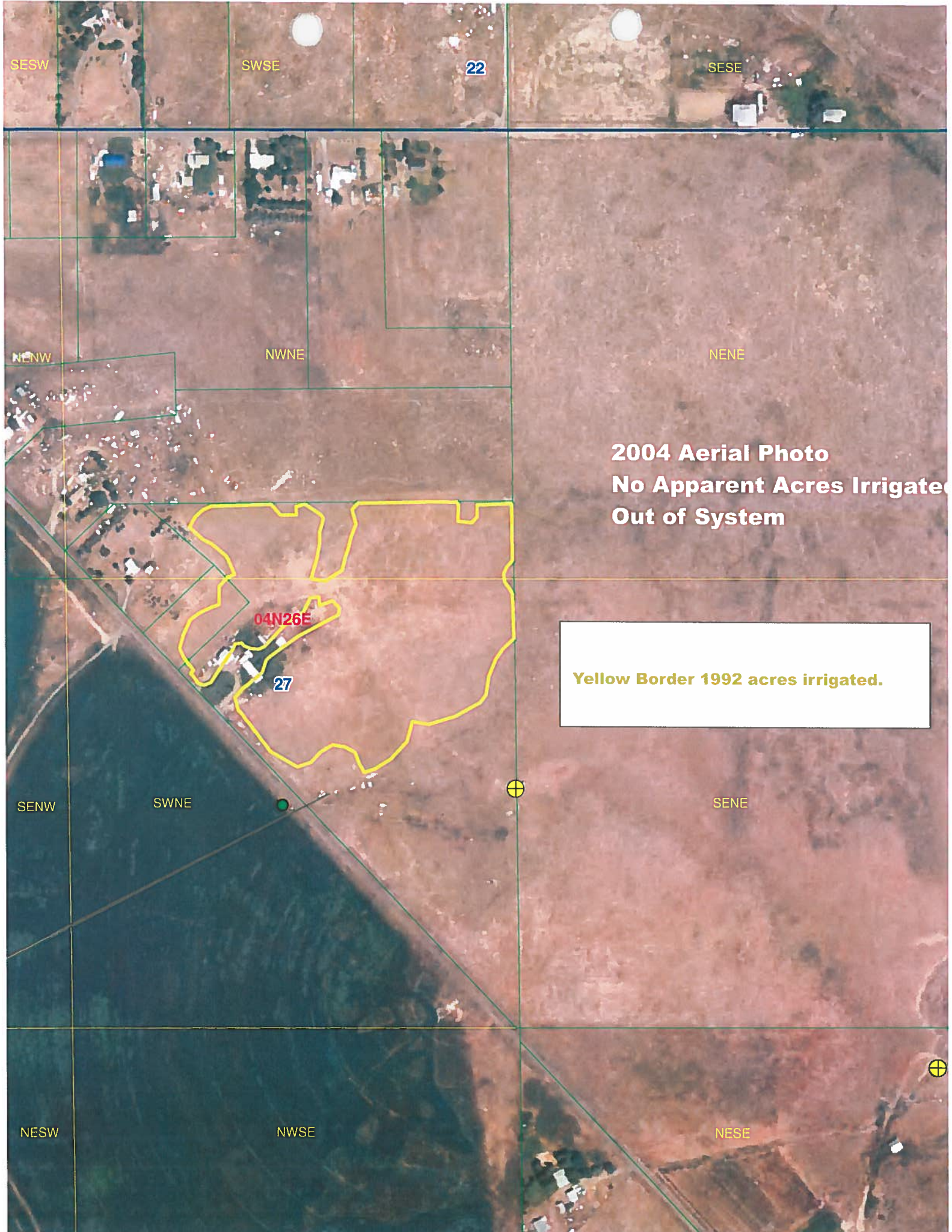
SWNE

SENE

NESW

NWSE

NESE



SESW

SWSE

22

SESE

NENW

NWNE

NENE

2004 Aerial Photo
No Apparent Acres Irrigated
Out of System

04N26E

27

Yellow Border 1992 acres irrigated.

SESW

SWNE

SENE

NESW

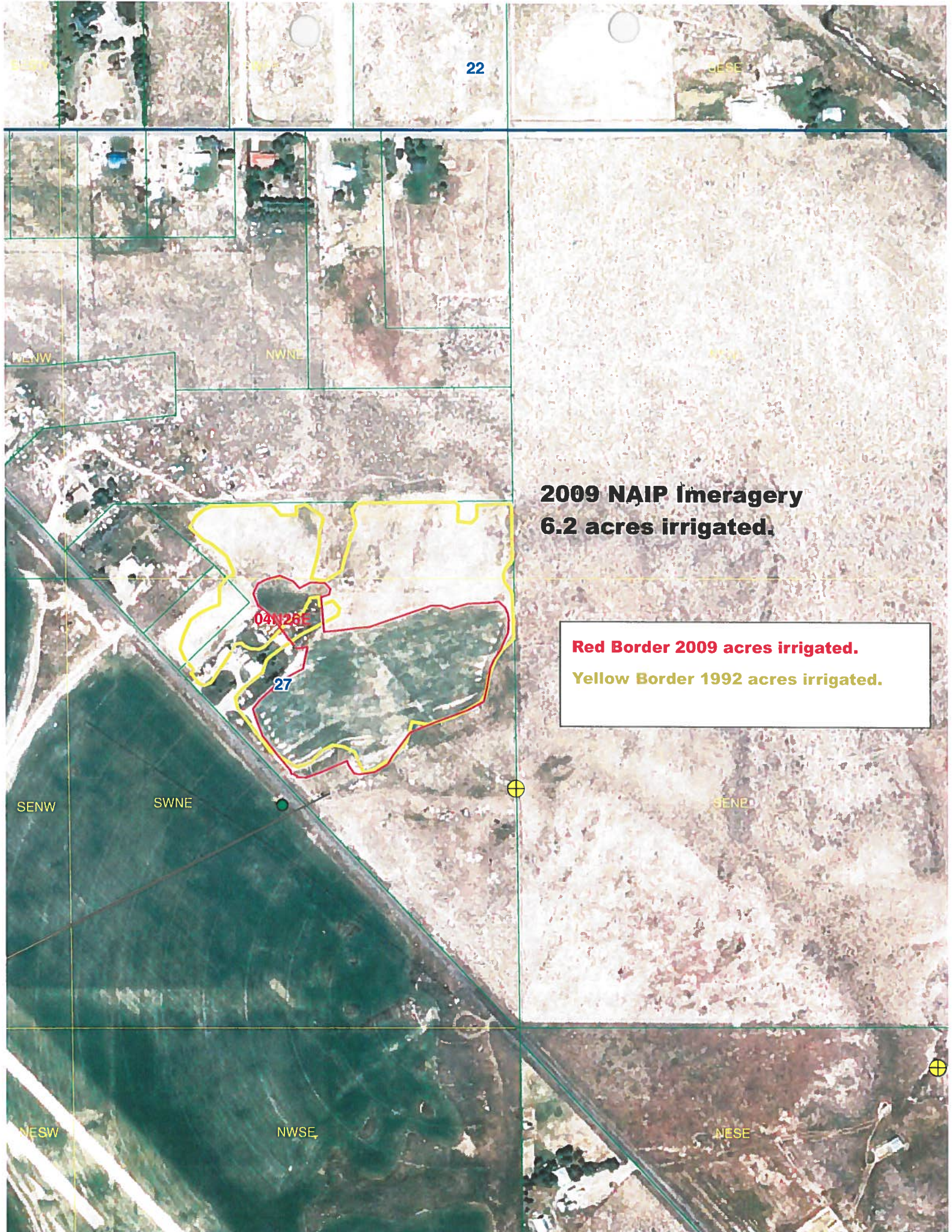
NWSE

NESE



2006 Aerial Photo
7.4 acres irrigated

Red Border 2006 acres irrigated.
Yellow Border 1992 acres irrigated.



22

2009 NAIP Imagery
6.2 acres irrigated.

Red Border 2009 acres irrigated.
Yellow Border 1992 acres irrigated.

04N28E

27

SENW

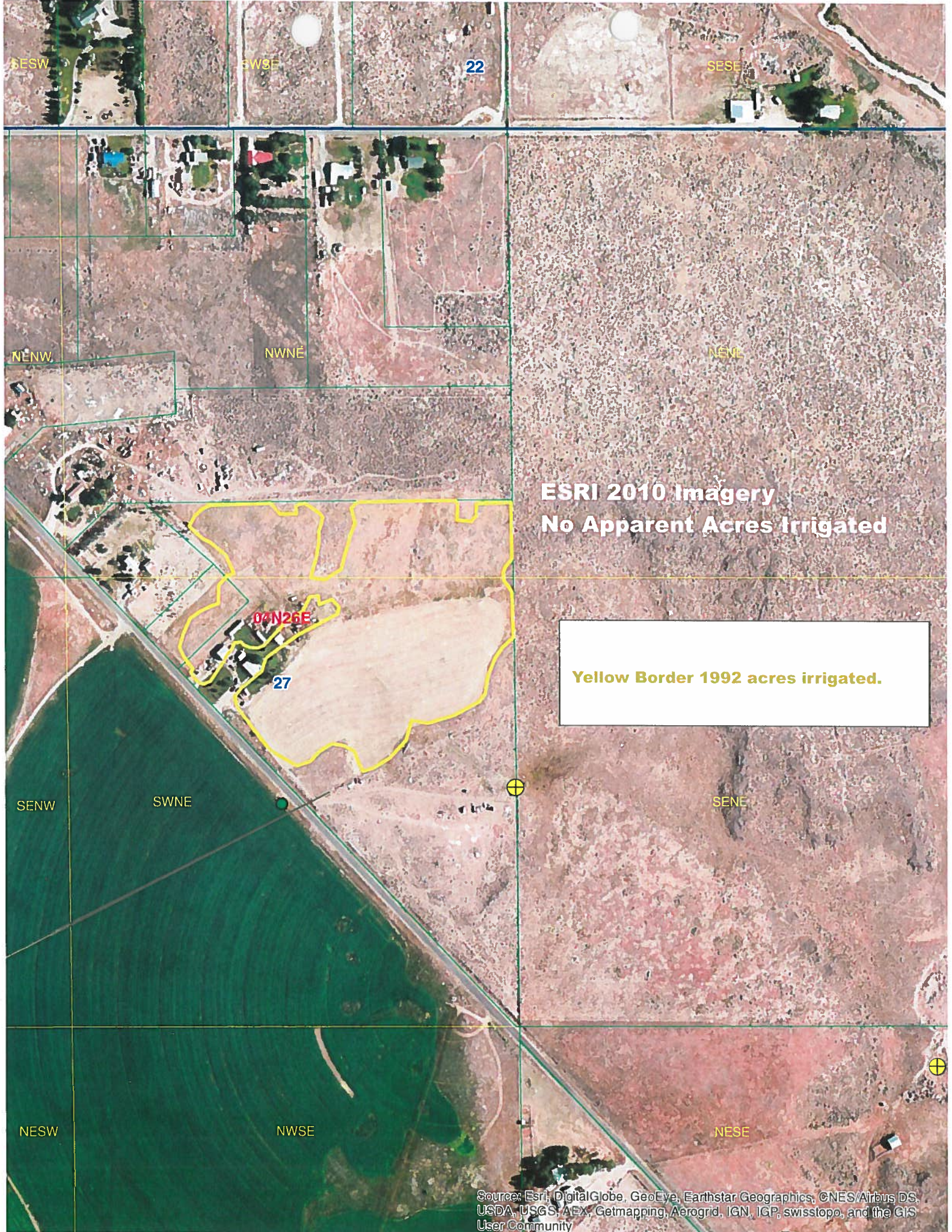
SWNE

SENE

NESW

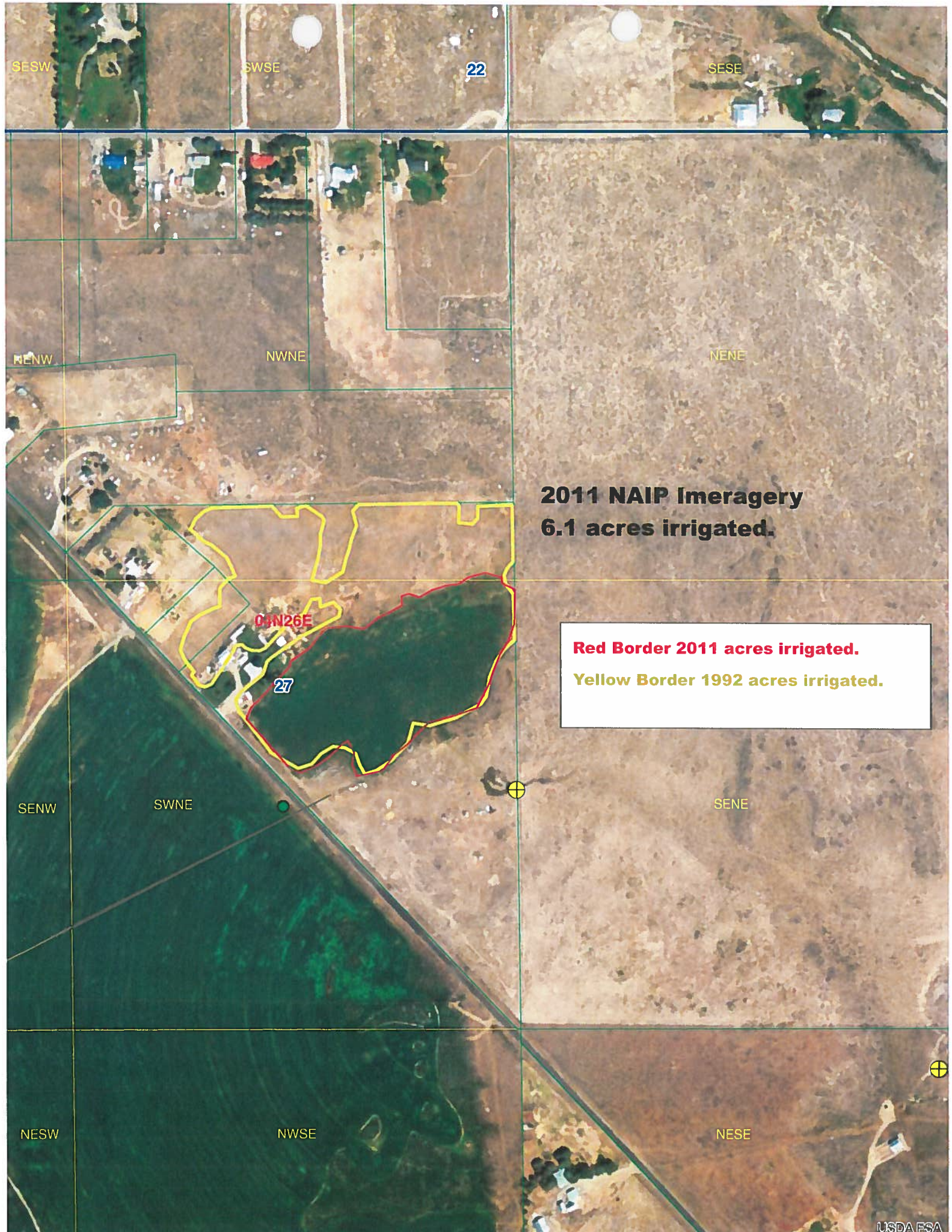
NWSE

NESE



ESRI 2010 Imagery
No Apparent Acres Irrigated

Yellow Border 1992 acres irrigated.



SESW

SWSE

22

SESE

NENW

NWNE

NENE

**2011 NAIP Imeragery
6.1 acres irrigated.**

00N26E

27

**Red Border 2011 acres irrigated.
Yellow Border 1992 acres irrigated.**

SESW

SWNE

SESE

NESW

NWSE

NESE



SESW

SWSE

22

SESE

NENW

NWNE

NENE

04N26E

27

SENW

SWNE

SENE

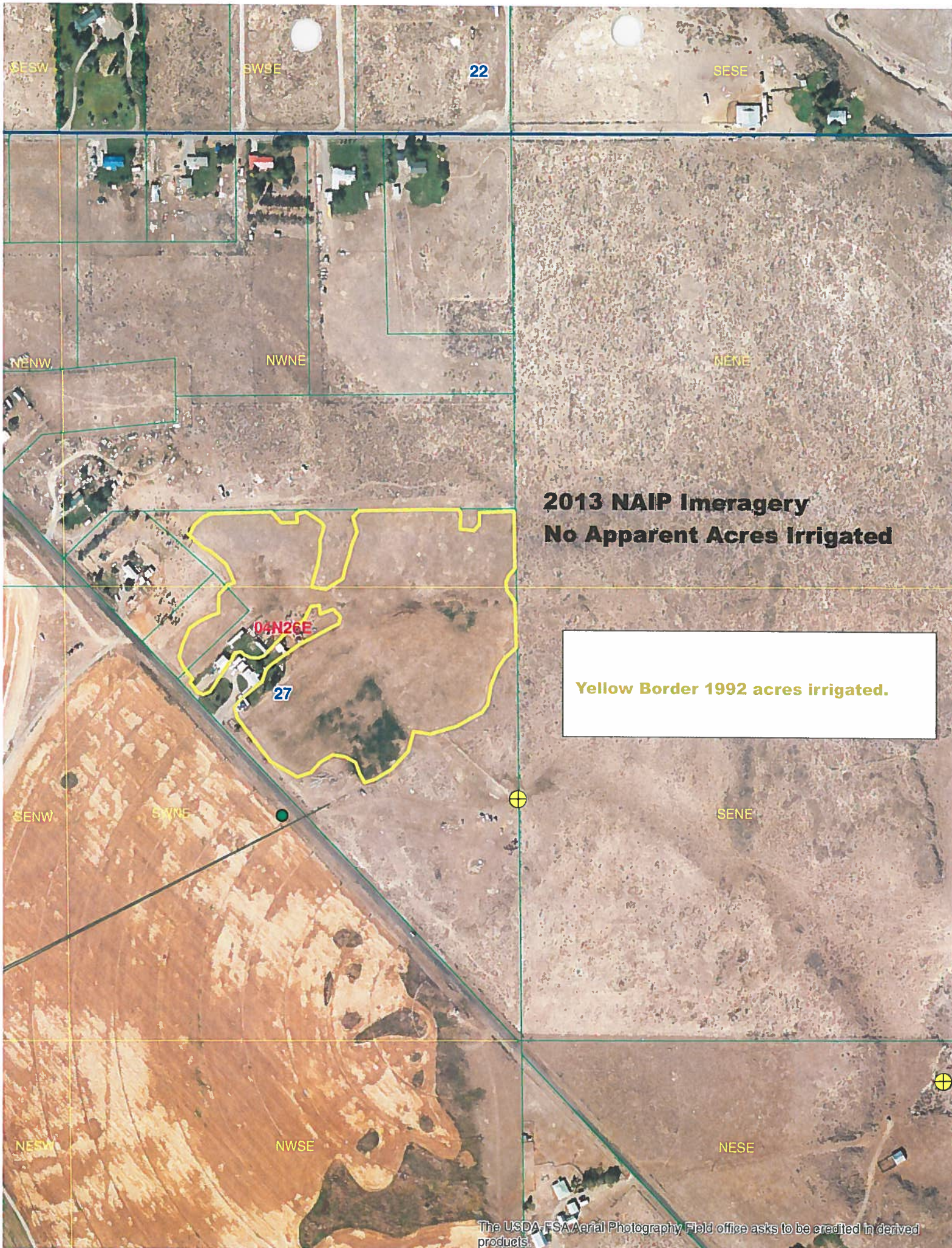
NESW

NWSE

NESE

2013 NAIP Imeragery
No Apparent Acres Irrigated

Red Border 2011 acres irrigated.
Yellow Border 1992 acres irrigated.



**2013 NAIP Imeragery
No Apparent Acres Irrigated**

Yellow Border 1992 acres irrigated.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 22 2015

DEPARTMENT OF
WATER RESOURCES

January 21, 2015

Mr. Dan Nelson
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Permit 37-7153 field exam
Project No. 1280-01-2014

Dear Mr. Nelson:

I am in receipt of your letter dated January 5, 2015 in which you requested additional information to complete your review of the field examination report for permit 37-7153.

As described in the beneficial use examination narrative, the discharge from the well was measured using a Fuji Portaflow X ultrasonic flow meter and the installed Seametrics AG2000, both of which showed nearly identical readings. Pressure and nozzle size of the sprinklers were not used to measure the discharge. A copy of the field notes is enclosed and I would expect them to be adequate to confirm the measurement.

On your second question, the 1992 aerial photo shows a region of irrigation as outlined in yellow on the map submitted with the field exam. The mainline runs northwest from the well through this region, and hand lines run perpendicular to the mainline. Since the area has always been sprinkled, it appears reasonable to conclude that the entire region was irrigated, even though it contains some areas which appear lighter in color or less irrigated. The irregular strip excluded on your proposed map was verified during our site inspection to be irrigable, rather than a draw, rise, or rockpile. It appears reasonable to assume that hand lines historically ran right across it as they currently do, rather than being laid in curved or irregular paths to confine irrigation to the alternative shape file on your proposed map. Additional information is provided by the 1989 Landsat infrared photo. It shows the same degree of the color red or presence of photosynthetic chlorophyll across the property and specifically in the area which you have excluded. The resolution of this photo is very coarse and I do not believe it should be relied upon as a primary source, but at least it provides some evidence. I appreciate the struggle to define the most reasonable irrigated area given the lapse of

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

time since the proof date. "Forensic" hydrology is always difficult, and the analyst must ultimately weigh the evidence and make his best judgment. Based on this reasoning and testimony from the land owner of irrigation of the entire area in 1990, I am still recommending that the permit be licensed for 14.9 acres.

Please feel free to contact me if you have any additional questions.

Cordially,



Charles G. Brockway, P.E.

Enc. Field notes
cc: Ron Rish



JAN 22 2015



DEPARTMENT OF
WATER RESOURCES

Hydraulics

Hydrology

Water Resources

BROCKWAY
ENGINEERING
LLC

2016 NORTH WASHINGTON STREET • SUITE 4
TWIN FALLS, IDAHO 83301
208 • 736 • 8543 FAX 736 • 8506

Client:

Ron Rish

Project:

B V Exam

Location:

2576 N 3300 W, Arco, ID

Date:

9/11/14

Logged by:

22

Weather:

overcast, ~48°F

Time

FIELD NOTES - DESCRIPTION OF WORK

10:30

Arrive @ Rish Residence

Discussion w/ Ron:

- Price owned ~20 (Rish's) + ~3.5 ac = 23.5 ac.

- Price drilled original well (old well)

- Ron re-drilled well in 1989, (new well), new well is being used today (1989-present).

- Pump has been replaced twice.

- Around 2000, pump was replaced a first time. 4" production line inside casing.

- In 2013, Ron had to replace production pipe due to rusty couplers. Replaced w/ 4".

- In 2014, pump motor burnt up - possibly due to electrical storm.

- ^{new} Well is 96' deep. In 89', static level was 14'.

In 2004, he has 48' of water, or ~48' static level.

- Present pump is a 7.5hp pump - Single phase (likely).

- Ron has drawn hand lines during 89 on 2006 map.

- Ron bought 1 acre lot to the north, Parker lot, in 2001 ish.

- Ron deepened old well (now serves domestic for house), in 2005-2006 to 210'. Casing was 8-10", put 210' of 6"

inside old well. old well deepened because it caved in
IDWR TAG - D007218

FIELD RECORD FORM

Page 2 of



BROCKWAY
ENGINEERING
LLC

Hydraulics
Hydrology
Water Resources

2016 NORTH WASHINGTON STREET • SUITE 4
TWIN FALLS, IDAHO 83301
208 • 736 • 8543 FAX 736 • 8506

Client: *Ron Rich*

Project: *BV Exam*

Location: *Arco, ID*

Date: *9/11/14*

Logged by: *m*

Weather: *overcast, 50°F*

Time

FIELD NOTES - DESCRIPTION OF WORK

• Currently, ron is irrigating w/ 2 sets, 20 rain birds total.

11:54 • Ron shuts off on line w/ 10 birds, so 10 remaining.

• Original motor specs:

Franklin Electric, serial no: 336653914 MFB9 120007

model: 226119010 HP: 7 1/2 Volts: 230

HZ: 60 RPM 3450 AMP 36.5 KW 5.5

• Original Pump Specs:

Grundfos no. 8928 HP 60~

12-21 m³/h Type: SP16-80875-8

101-76 mVs 54-93 US gal/min

331-249 Feet.

12:08 - 4965.1 x 1000 gallons - 73.4 gpm w/ 10 birds running

meter serial # - 122013000757

AG2000 - 400

12:26 - 72.9 gpm @ D= 63.02' - pumping level * cascading water

12:45 - begin discharge test w/ Fuji ultrasonic meter.

- 1st set of comparisons w/ 10 birds on.

* 79.25' - solid signal. cascading water from 63.02-79.25'.

1:00 - ron turns off 10 birds and opens valve on 1st 20'

stick of aluminum pipe. Flow rate from here on represents max yield of well

FIELD RECORD FORM

Page 3 of



BROCKWAY
ENGINEERING
LLC

Hydraulics
—
Hydrology
—
Water Resources

2016 NORTH WASHINGTON STREET • SUITE 4
TWIN FALLS, IDAHO 83301
208 • 736 • 8543 FAX 736 • 8506

Client: Ron Rish

Project: BU Exam

Location: Arco, ID

Date: 9/11/14

Logged by: ZL

Weather: overcast/bkm

Time

FIELD NOTES – DESCRIPTION OF WORK

- 1:08 - Pumping depth - $D = 86.47'$, 99.5 gpm on Fuji, 99 on Seametrics
- opened valve @ next aluminum section up hill, no water coming out. This means all water from well is coming out the open valve on first section of pipe. See pic.
- 1:14 - max pumping rate as seen on Fuji meter is ~102.4 gpm
- Seametrics meter will register this rate, then jump up or down ~30 gpm, could be sucking air.
- pumping level steady @ ~86.47'
- well total depth is near 96' according to plan
* EDWR well tag: A0018926
* new well / irrigation well is a 10" well casing.
- 1:40 - Switch from free-discharge, to operation of 20 rainbirds
- 1:52 - Pressure now in pin-holes in aluminum @ meter.
- 1:57 - $D = 86.57'$ to water in new well / pumping well
* can hear sloshing in pipe...
- 2:01 - Seametrics in-line meter is much more stable w/ pack press. Doesn't vary 60 gpm.
- 2:05 - $D = 86.42'$.
* Price (original permit owner) never irrigated here. Price's daughter lived on the now Rish property and when Ron bought it, it was all sagebrush.

Page 4 of 4



2016 NORTH WASHINGTON STREET • SUITE 4
TWIN FALLS, IDAHO 83301
208 • 736 • 8543 FAX 736 • 8506

Weather:

[illegible]



Flow Meter Test

Project : Don Rich Irrigation Well - BU exam
Date : 9/11/14 Crew : 22
Location : Rich Irrigation Well

System Information

Pipe Type: Aluminum Lining Type: none Measured Circumference: 1.575' = 18.9" (inches)
Fluid Type: Water Sound Speed: 3080 m/s Calculated Pipe Diameter: 6.0161" (Cir. / π)
Suggested Transducer Spacing: 4.199" Wall Thickness: 0.5mm(1) 0.5mm(2) 0.6mm(3)
Adjusted Transducer Spacing: 4.199" Average Wall Thickness: 0.0210"

Remarks: First set of discharge rates are w/ 10 birds on. @ 100pm - open discharge w/ no birds on.

Test Meter

Make / Model: Fuji Ultrasonic
Transducer : FLD12

Signal Strength: |||||

Time	Velocity	Flow Rate gal	Totalizer
12:45	0.82 ft/s	72.0	10 birds on
12:47		72.2	" "
12:54	0.83 ft/s	73.5	
12:55	- opens free discharge valve, going to shutt off 10 birds		
12:58	- line could be back draining		
1:01	1.153	100.1	
1:04		100.4	
1:15		98-100	
1:26	1.145 ft/s	98-100	3869 gal
1:33		101	
1:34			4640
1:40	turn on 20 birds		

Subject Meter

Make / Model: Sea Metrics AG2000-400
Serial Number : 122013000757

Time	Velocity	Flow Rate	Totalizer
12:45		73.0	
12:45		73.1	
12:54		72.7	
1:01		101.7	meter fluctuating 50-130 gpm
1:04		80.6	"
1:15		98.8	"
1:26		99.3	"
1:33		109.5	

Error Analysis

Difference = $\frac{(\text{Subject} - \text{Test}) \times 100\%}{\text{Test}}$ = _____ % Calibration Multiplier = $(\text{Test} / \text{Subject})$: _____



BROCKWAY
ENGINEERING
PLLC

Flow Meter Test

Project : Run Rich Irrigation Well

Date : 9/11/14

Crew : n

Location : New Irrigation well.

System Information

Pipe Type : _____ Lining Type : _____ Measured Circumference: _____ (inches)
Fluid Type : _____ Sound Speed : _____ Calculated Pipe Diameter: _____ (Cir. / π)
Suggested Transducer Spacing : _____ Wall Thickness : _____ (1) _____ (2) _____ (3)
Adjusted Transducer Spacing : _____ Average Wall Thickness: _____

Remarks: page 2/2

Test Meter

Make / Model: Fuji Ultrasonic

Transducer : FUD12

Signal Strength: |||||

Time	Velocity	Flow Rate	Totalizer
2:01		98.2	7346
2:04		99.7	7627
2:09		99.6	8122
2:10	- pull	meter	0 ft.

Subject Meter

Make / Model: Sea Metrics

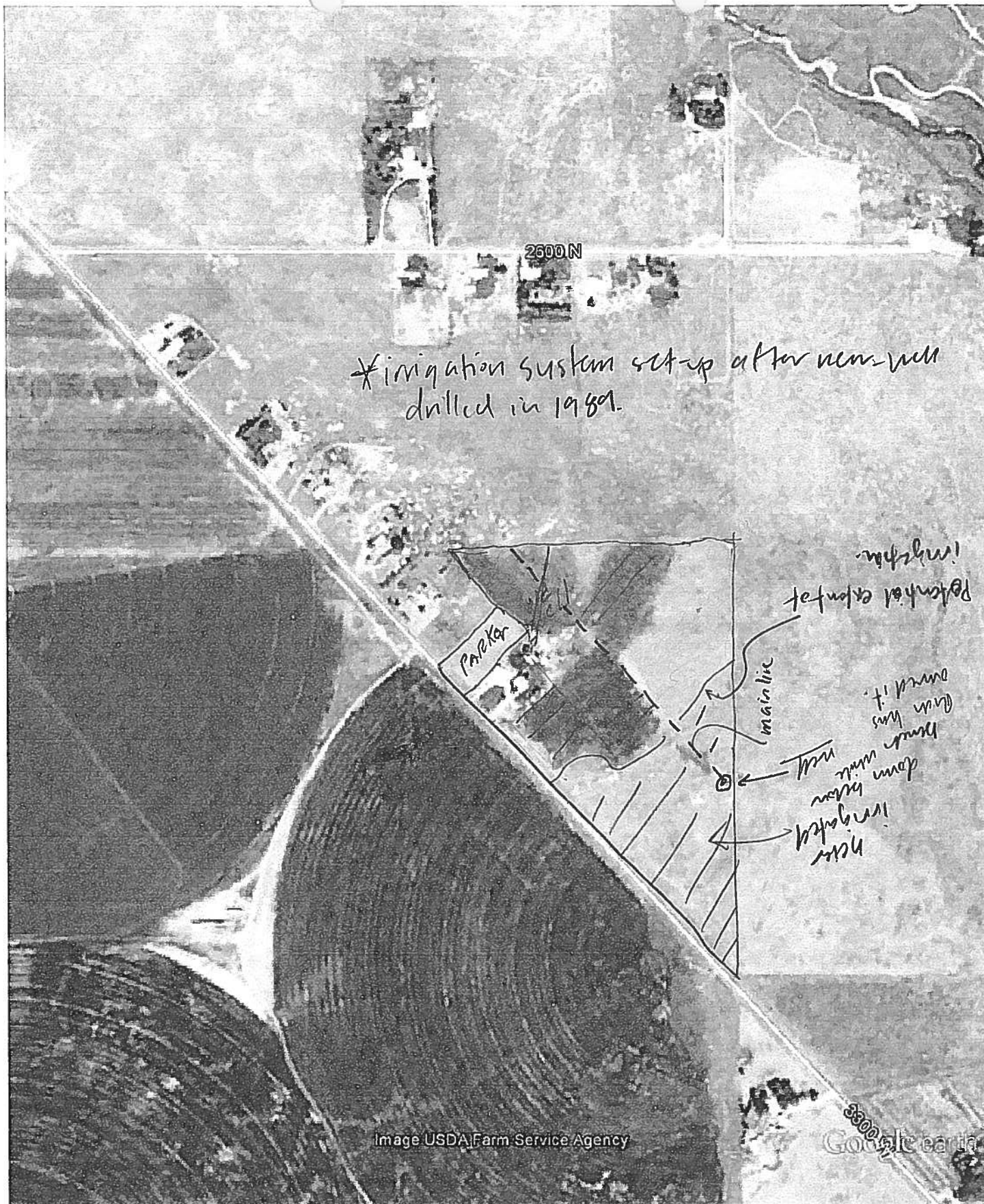
Serial Number : _____

Time	Velocity	Flow Rate	Totalizer
2:01		99.4	stable rate now
2:04		102.9	
2:09		101.0	4976.2 x 1000

Error Analysis

Difference = $\frac{(\text{Subject} - \text{Test}) \times 100\%}{\text{Test}}$ = _____ %

Calibration Multiplier = $(\text{Test} / \text{Subject})$: _____



Google earth

feet 1000
meters 500

2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 5, 2015

BROCKWAY ENGINEERING PLLC
ATTN CHARLES E BROCKWAY
2016 NORTH WASHINGTON STREET SUITE 4
TWIN FALLS IDAHO 83301

RE: Field exam report for water right permit 34-7153

Dear Mr. Brockway:

I have reviewed the field exam you supplied for water right permit 34-7153 and the reasoning for filing late proof. We have agreed to proceed with the licensing process for this water right permit. Unfortunately, there are few issues that I will need to have clarified before I can move forward with licensing this water right. The issues are as follows:

- 1.) To measure the flow rate, you referred to several different methods including flow meter measurements and sprinkler measurements. These are acceptable means of measurement for a license, but we do need the details of the measurement. Please include the data downloaded from the flow meter, and the pressures and nozzle sizes you measured on sprinklers. If multiple readings were done, please show the same for each reading. The Idaho Administrative Code Beneficial Use Examination Rules, IDAPA 37.03.02.040.03 states the following:

03. Measurements. Water measurements may be made by vessel, weir, meter, rated flume, reservoir capacity table or other standard method of measurement acceptable to the Director. The field report shall describe the method used in making the measurement, the date when made, the name of the person making the measurement, the legal description of the location where the measurement was taken and shall include sufficient information, including current meter notes, rating tables, and/or calibration information to enable the Director to check the quantity of water measured in each case.

- 2.) We reviewed the acres irrigated and we agree with using the 1992 aerial photos to determine the acres irrigated, with the assistance of current LandSat satellite photos. According to my calculations, I found a total of 12.3 acres irrigated not the 14.9 acres you found. Where we are working with aerial photos that were taken 2 years after the original proof was due, we wanted to give you the opportunity to provide crop records, Farm Service Agency photos, or other information that would verify the correct acres irrigated in 1990. I have attached copies of the maps that I created with this letter for your records. We are willing to work with you to get the correct acreage amount, so I look forward to any new information you can provide.

The Idaho Beneficial Use Examination Rules 37.03.02.035.02.c states that field exams that we can give a certified water right examiner an additional 30 days to supply additional information to clarify the field exam report as stated below.

If the Director determines that a field report prepared by a certified water right examiner is acceptable but that additional information is needed to clarify the field report, he will notify the examiner in writing of the information required. If the additional information is not submitted within thirty (30) days or within the time specified in the written notice, the priority date of the permit will be advanced one (1) day for each day the information submittal is late. Failure to submit the required information within one (1) year of the date of the department's request is cause for the Director to take action to cancel the permit.

Therefore, please supply the above information by February 6, 2015. If you have any questions, please don't hesitate to contact me.

Respectfully,



Daniel Nelson

Staff Hydrologist

Idaho Department of Water Resources

Telephone (208) 287-4856

Fax (208) 287-6700 (attn: Dan Nelson)



SWSE

22

SESE

SWSW
23

NWNE

NENE

NWNW

04N26E

27

26

SWNE

SENE

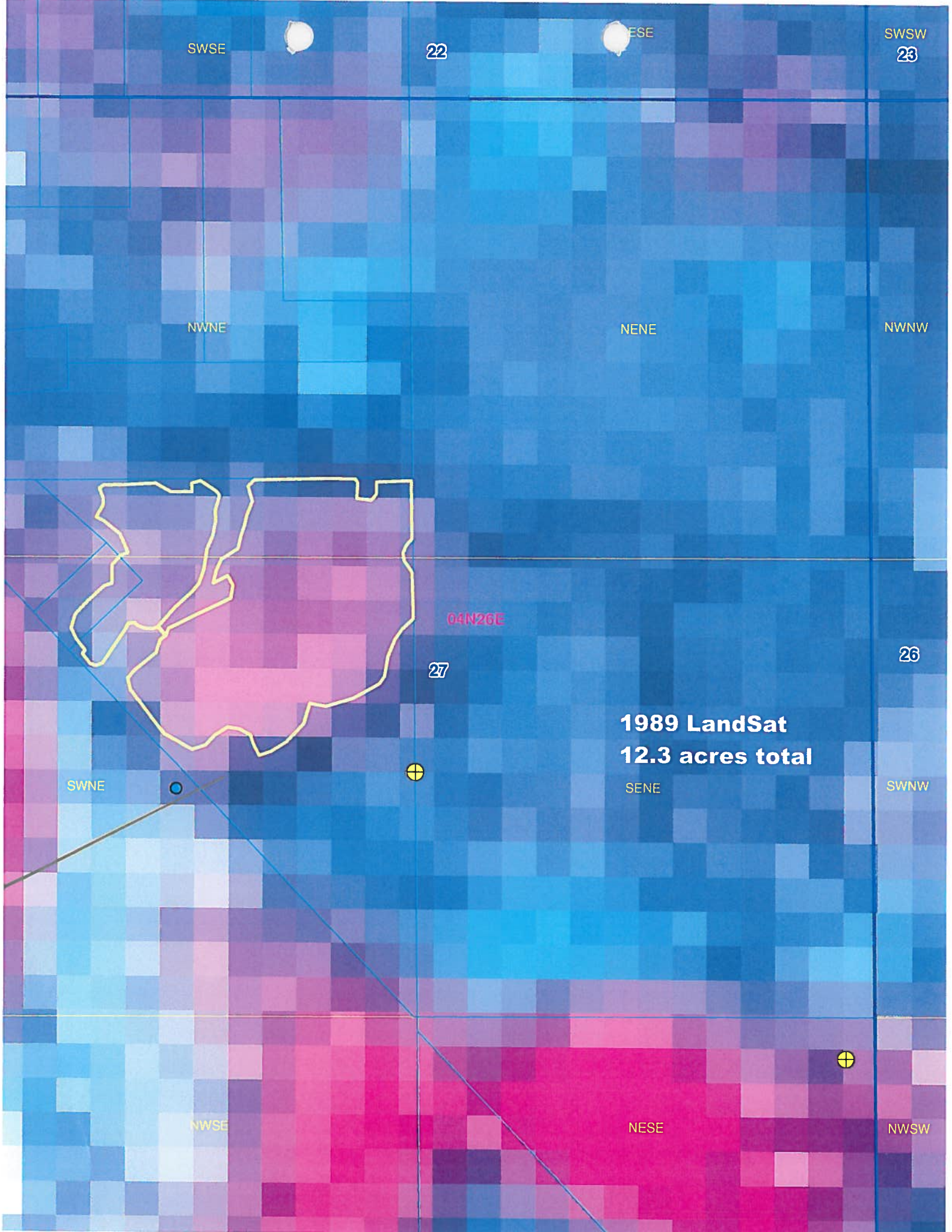
SWSW

NWSE

NESE

NWSW

**1992 Aerial Photo
12.3 acres total**



SWSE

22

ESE

SWSW
23

NWNE

NENE

NWNW

04N26E

27

26

**1989 Landsat
12.3 acres total**

SWNE

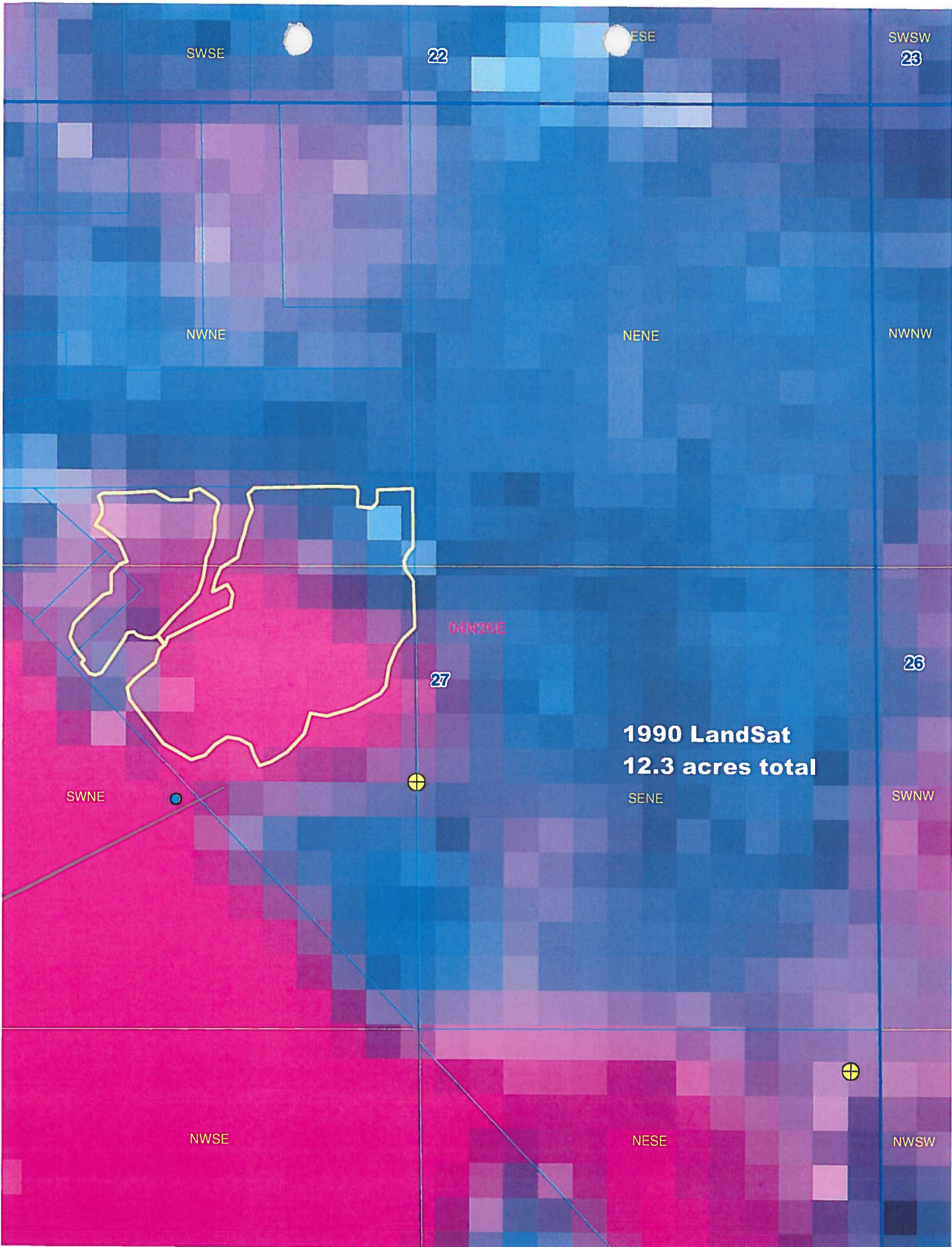
SENE

SWNW

NWSE

NESE

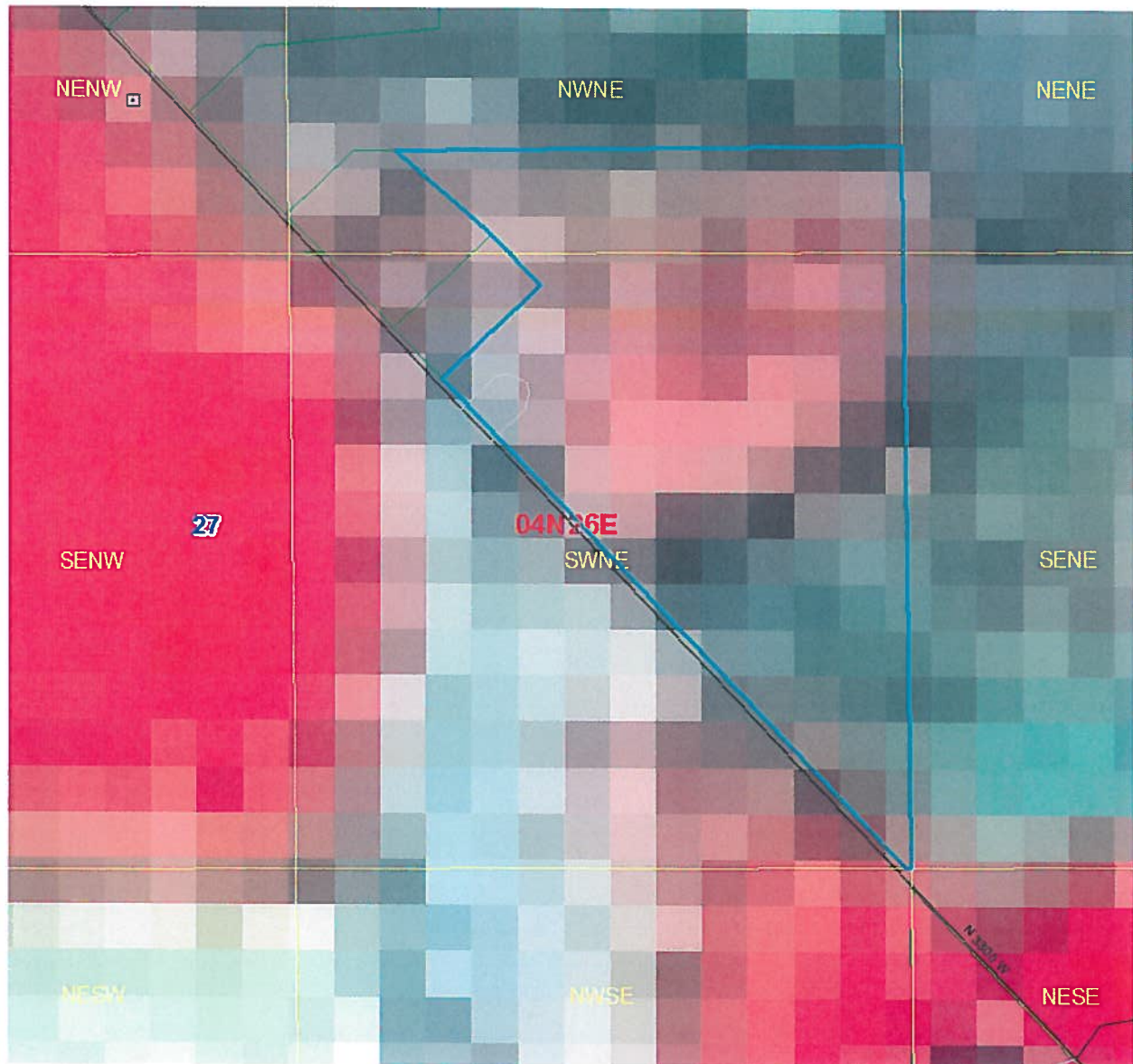
NWSW



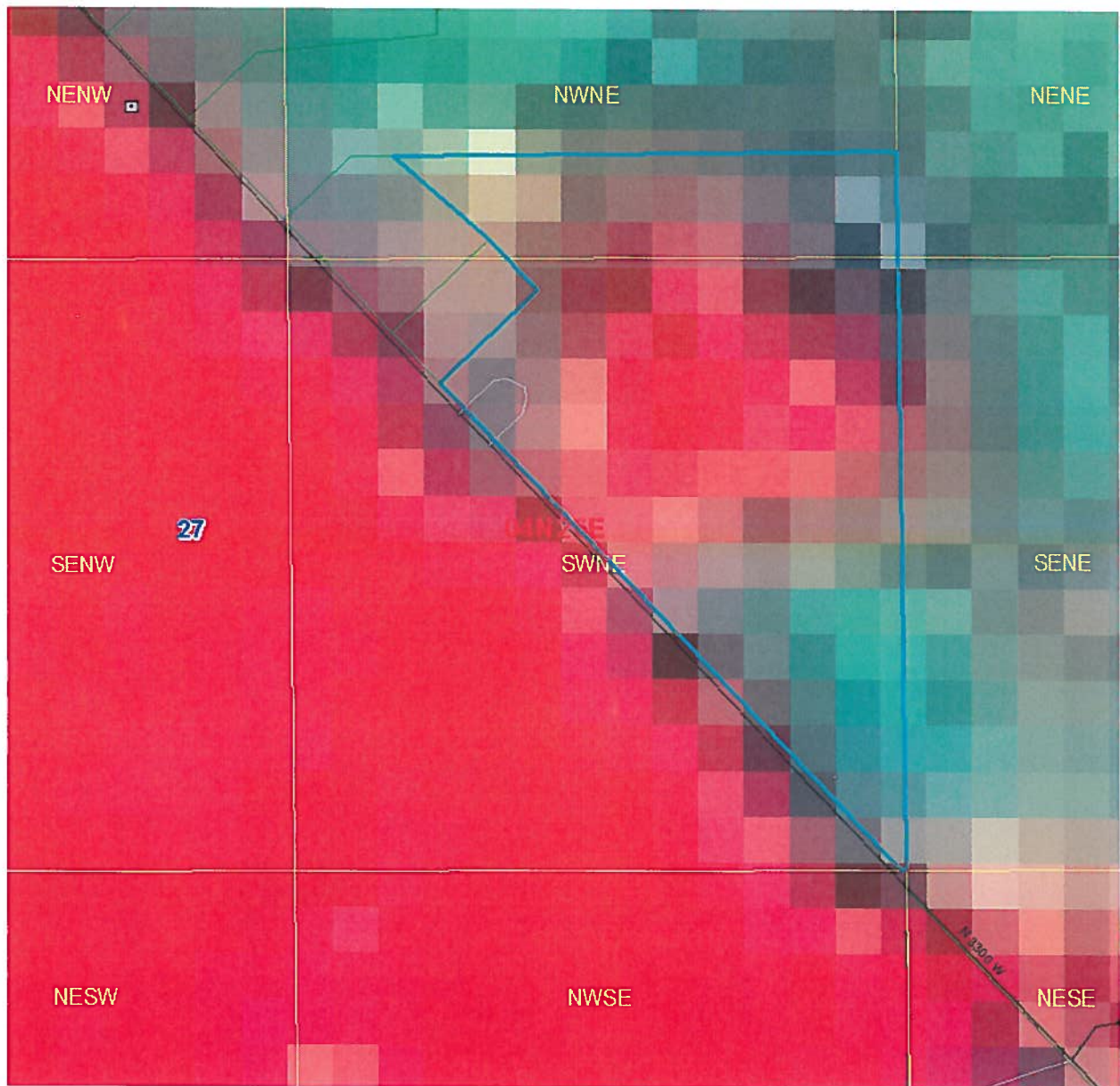
Memo to File 34-7153

Reinstatement Evidence of Development

Proof of Beneficial Use was due 03-01-1990 for irrigation use under Lapsed Right 34-7153. Available landsat imagery from 1989 & 1990 supports some irrigation use within the development period of the permit. Earlier imagery shows no evidence of irrigation until mid-season 1989.



09-1989 Landsat Imagery (p40r30) of parcel of land associated with Reinstatement of Right 34-7153 Rish



06-1990 Landsat Imagery (p40r30) of parcel of land associated with Reinstatement of Right 34-7153 Rish