

MEMORANDUM

Date: July 23, 2013
To: Water Right File 31-7567 (formerly known as 34-7293)
From: Michele Edl
Re: license review

This right started its life in 1981 as 34-7293. It was advertised, granted multiple extensions of time to submit proof, amended and finally received acknowledgement of proof, all as 34-7293. It was renumbered to 31-7567 sometime after April 1992 and before R McCarthy's exam in July 1994. There is no record in the file documenting the timing of or the reason for the renumbering. That number change has complicated the review and processing of the right.

IDWR personnel visited the property three times. The first was Roxanne McCarthy who attempted a field exam on July 12, 1994. She was not able to connect with the property owner and the pumps may not have been running during her visit. She found beneficial irrigation use but did not take flow measurements and left the field exam report incomplete. Her photo log is available but the photos themselves were not part of the file. Because her visit was nearest to the date that proof of beneficial use was submitted, I used her incomplete report as the foundational reference for my licensing recommendations.

Keith Wilson visited the property on September 20, 2000 and May 10, 2006. He took the flow measurement which is the basis for the licensed rate. However, by 2000 the property had a new owner and the irrigation system had been converted to pivots. There was no readily available aerial photography confirming the flood irrigation found by McCarthy. Expansion of the place-of-use was investigated in his follow-up visit in 2006.

Applicant

Clinton H. Peterson is the sole permit holder. I understand that Mr. Clinton died in 2008. No assignment of the permit has been processed.

According to available Jefferson County taxlot records, Lynn Wood owns the property which contains the points-of-diversion and the place-of-use. Ownership issues can be resolved outside the licensing process.

Source and POD

The source of water for this right is ground water which is accessed from two wells. Both wells were found in Twp 6N, Rge 34E, sec 30. The oldest well was drilled by Aaron Frandsen in 1983. The Well Driller's Report describes this well as a new irrigation well for water right 34-7293. R McCarthy labels that well POD #2 and locates it in the SWNESW of sec 30. It appears near the center of the SW quarter and could be slightly inside any of the other QQ depending on the projection of the PLSS grid. K Wilson located this well in the NWSESW and that address is the location agreed upon by ground water protection personnel. Consequently, an amendment will be required.

Mr. Peterson was unhappy with the quantity of sand in the water diverted from the Frandsen well, and was attempting to drill a sand-free well, when IDWR Eastern Region staff stopped the driller. The driller had not filled a drilling permit and in 1990, this property was now within the moratorium and "trust water" areas.

Construction of the second well was completed. It was drilled by Ken Vollmer in 1990. R McCarthy locates that well in SWSWSW of sec 30 and labels it POD #1. The Well Driller's Report describes this well as a new irrigation well for WR 34-7293. A notation by the well driller in Nature of Work section states "change partial point of diversion".

In his follow-up field exam, K Wilson identifies the Frandsen well with tag # A0001744. The Vollmer well may have tag # A0001745. WMIS well locations need to be updated for this property.

I located both well logs and worked with ground water protection personnel in the state office to link the well logs to the correct well locations and to the renumbered water right. The POD shapes selected for this license are the well shapes resulting from that effort.

Water Use

R McCarthy recommended irrigation use only. She found no commercial or domestic use.

No aerial photography was readily available to confirm beneficial use of the water within the development period. I found Landsat imagery dated 1991 that indicated standing water near one point-of-diversion (the Frandsen well) and I solicited assistance from the state office staff who specialize in locating and analyzing imagery. M Wilkins (GIS analyst) completed an image search and provided 2 additional screen shots of imagery from 1991. Those images support diversion from the Frandsen well and moisture applied to the place-of-use. They don't strongly indicate vegetation growth (which would be orange colored in the imagery). However, I believe that water was diverted and used for irrigation in 1991.

R McCarthy did not take measurements during her visit but notated her report with diagrams showing possible flowmeter access and therefore compliance with a condition of the permit. She also recorded that the Frandsen well was fitted with a Johnston turbine pump (possibly 14" discharge) and 350 hp, vertical Holloshaft motor with serial #0409096.

The Vollmer well was fitted with a different Johnston turbine pump and a 250 hp motor. I have requested pump information from the pump company's corporate archive but I found that a pump curve is not necessary for licensing.

In his first field visit, K Wilson found the Frandsen well in service for a pivot irrigation system. The pivots appear in 1997 Landsat imagery and the DOQQ imagery dated 1998. K Wilson found a Johnston pump and 350 hp motor with serial #1409096. Because the motor serial numbers are nearly identical, I believe that this may have been the same pump and motor found by R McCarthy in 1994. K Wilson measured the flow from the Frandsen well at 6.19 cfs.

No flow measurement was taken from the Vollmer well and none is required for this license. The quantity of water diverted from the Frandsen well is sufficient to meet the irrigation requirement for the size of POU I am recommending for this license.

Season of Use

The season-of-use has changed since R McCarthy's recommendation. The current season-of-use for this area is 4/1-10/31. The license will be issued with the longer, current season.

Place of Use

R McCarthy found flood irrigation and drew a map showing how the ditches channeled the water from the 2 PODs. Her map shows that most of the west half of section 30 was irrigated. She excluded 2 areas: along the canal on the west and 10-15 acres in the NE corner of NENW. Unfortunately, she did not provide acreage on the PLSS grid section of her field exam report or list the acreage on her map.

I created the place-of-use shape based on three references: the 1991 Landsat images provided by M Wilkins, the 1992 diagram/map provided by Mr. Peterson and the map R McCarthy created for her 1994 field visit. I found the place-of-use was confined to acreage in section 30.

I did not exclude the ditches and canals which were shown in both the Peterson and McCarthy maps of the place-of-use shape. However, both IDWR examiners show un-irrigated acreage in the NE corner of the NENW. Contemporary images show that that corner is still un-irrigated. I found that consistency compelling enough to exclude approximately 10 acres from the POU shape. I recommend 310 acres.

Status and Combined Use

Two wells were drilled to serve irrigation use on this property. Only one of them, the Frandsen well, appears to be in contemporary use. There is no record that the Vollmer well has been decommissioned.

POU overlap analysis found no overlapping water uses for the irrigation as it was developed in 1991. I believe that there is overlap now. It is likely that the pivots seen in contemporary aerial photos are served by more than one well but not the Vollmer well. A transfer is needed to update the POU and PODs for this water right and the other rights serving the pivot system.

Amendment

The file contains an amendment signed by Mr. Clinton H. Peterson in April 26, 2006. It appears that it was intended to make the permit consistent with K Wilson's findings in 2000 and 2006. My recommendations for the license are based on R McCarthy's 1994 findings. They are more consistent with the permit authorization.

A search of the receipt database returned no record of a fee paid for this earlier amendment. It would be appropriate to return the old amendment unprocessed.

Because I am recognizing the POD location for the Frandsen well to be in the NWSESW, a new amendment will be required.

Conditions

Conditions on the permit have been met.

Water District 110 has been established since the field examiner confirmed this water use.

The amended permit was approved in 1991 and was conditioned to advise the permit holder that annual fees could be required and that it was a water right for trust water. At that time, the right was still numbered as Basin 34 right, so it's not clear if those conditions are equally applicable to a right that was subsequently renumbered into Basin 31.

Calculations and Recommendations

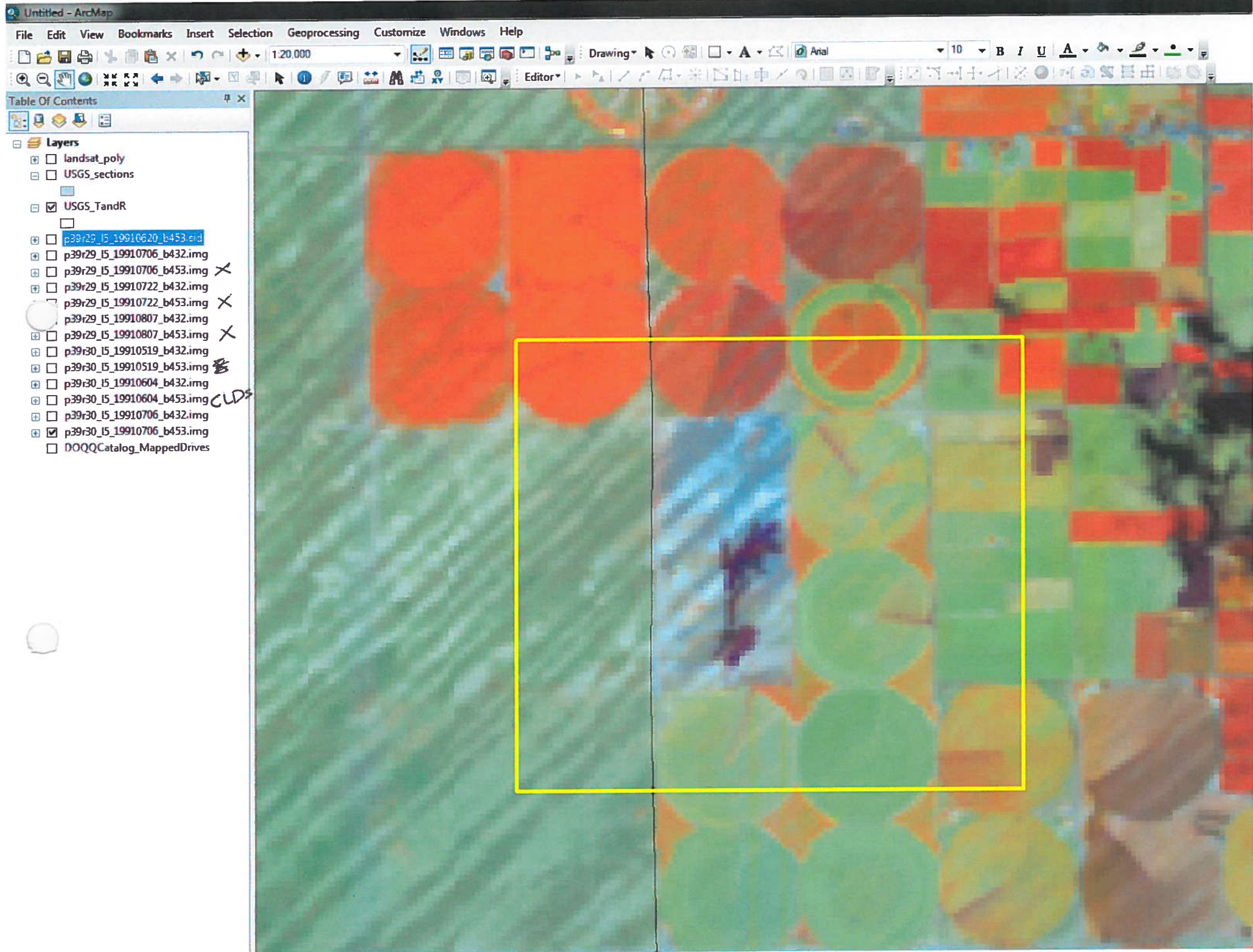
Rate measured by K Wilson in 2000 = 6.19 cfs

$$V_{IR} = 310 \times 3.5 = 1085 \text{ AFA}$$

$$V_{DR} = 6.19 \times 214 \times 1.9835 = 2627.5 \text{ AFA}$$

I recommend 6.19 cfs as the rate.

I recommend 1085 AFA as the volume.



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- ☐ USGS_sections
- ☒ USGS_TandR
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- ☐ p39r29_i5_19910706_b432.img
- ☐ p39r29_i5_19910706_b453.img
- ☐ p39r29_i5_19910722_b432.img
- ☐ p39r29_i5_19910722_b453.img
- ☐ p39r29_i5_19910807_b432.img
- ☐ p39r29_i5_19910807_b453.img
- ☐ p39r30_i5_19910519_b432.img
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- ☐ p39r30_i5_19910604_b453.img
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- ☐ p39r30_i5_19910706_b453.img
- ☐ DOQQCatalog_MappedDrives

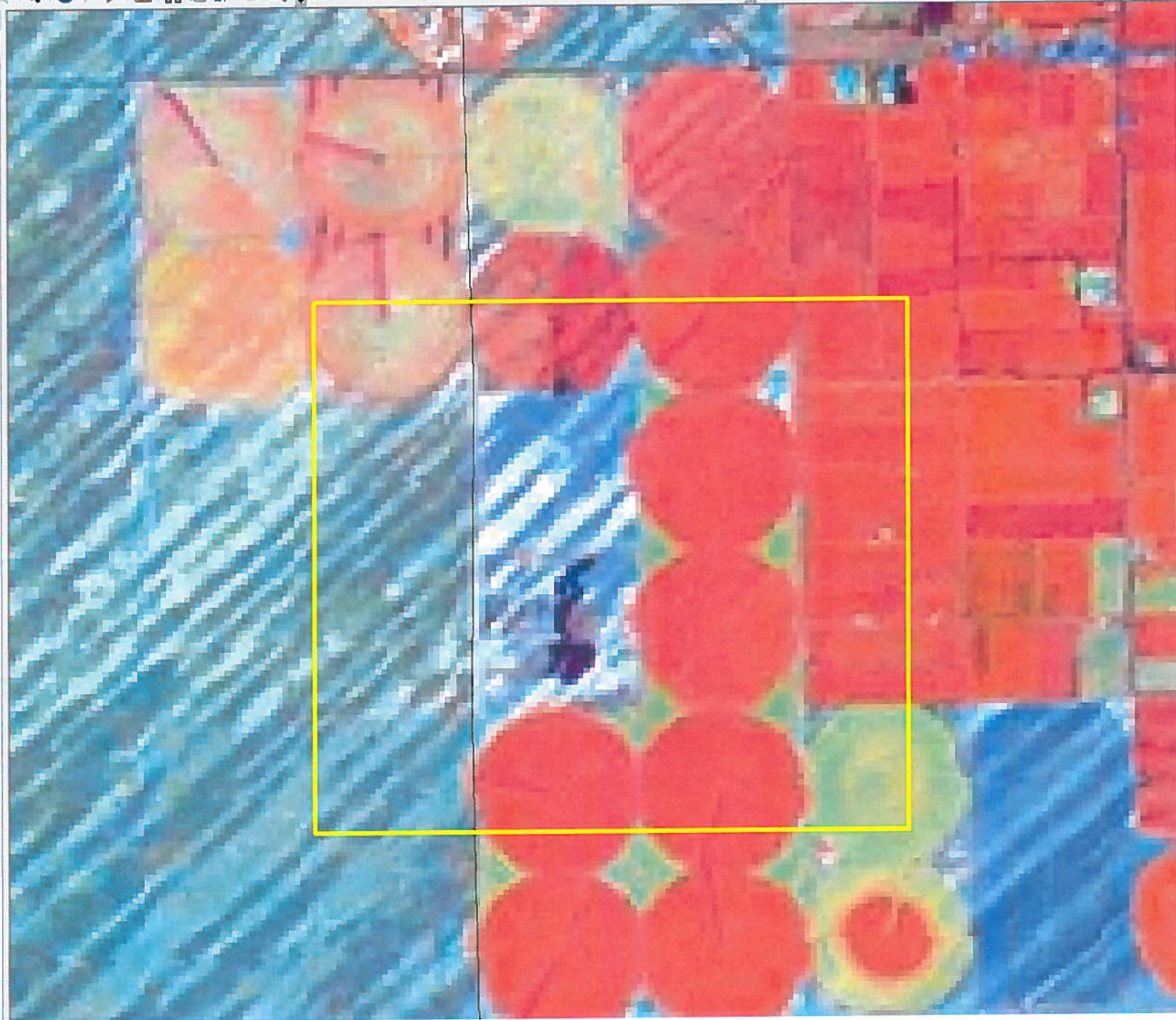
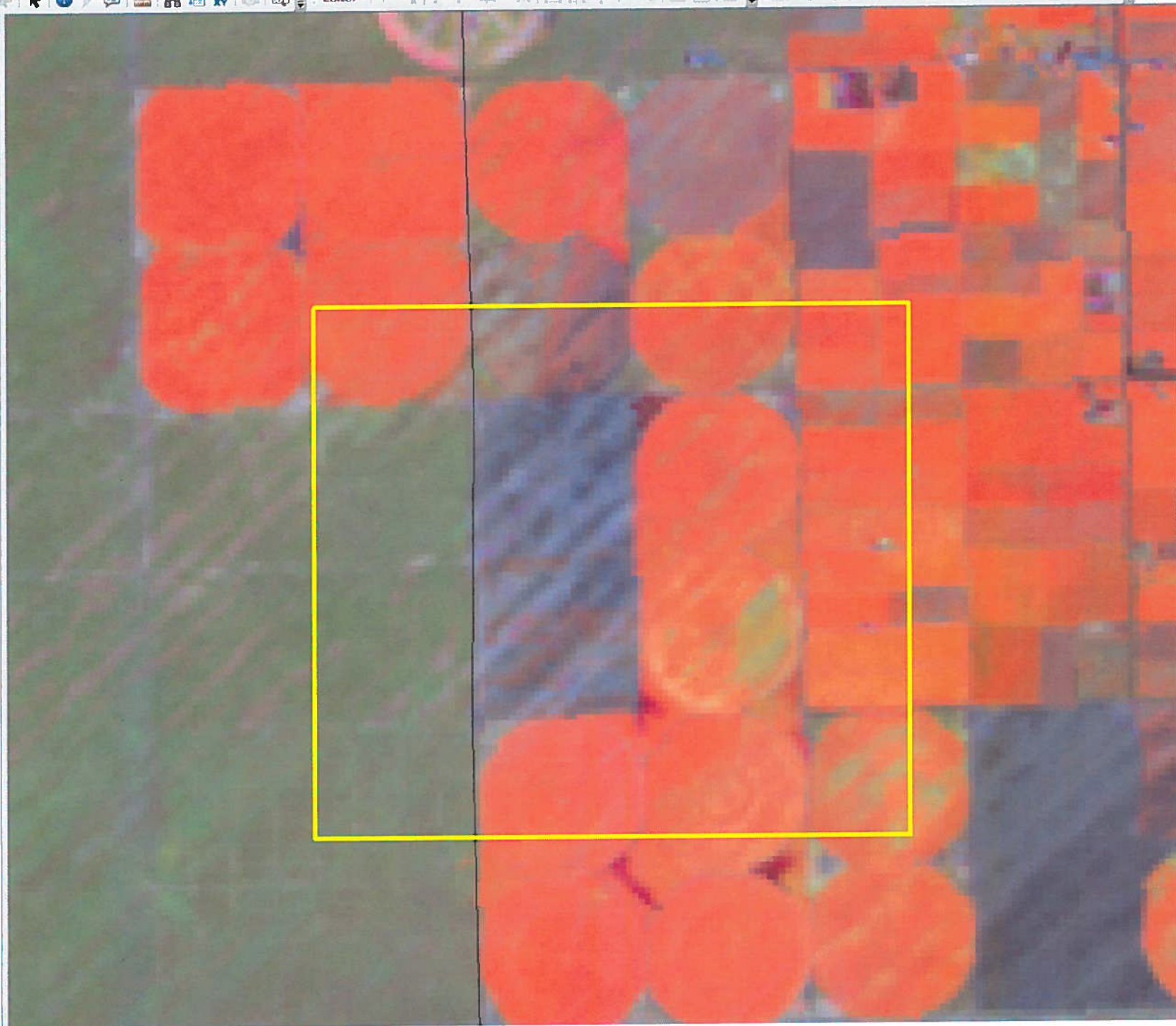
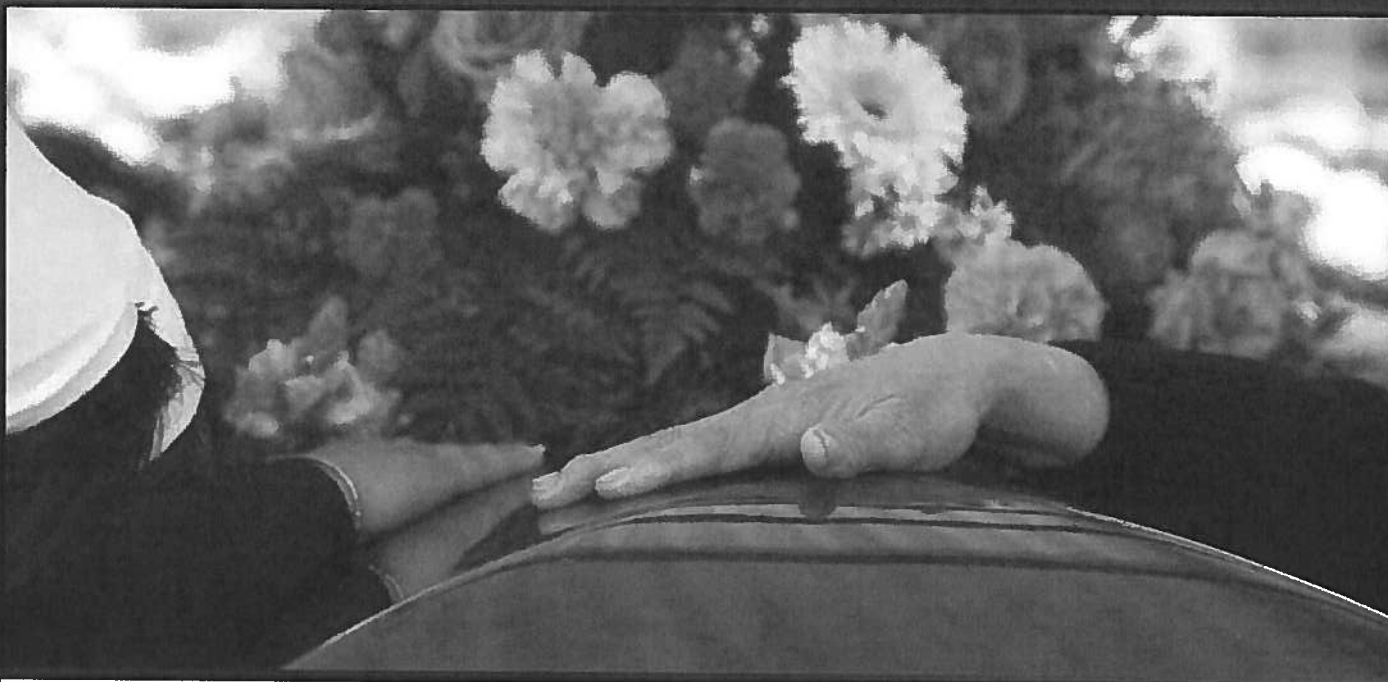


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- Layers
 - ☐ landsat_poly
 - ☐ USGS_sections
 - ☒ USGS_TandR
 - ☐ p39r29_i5_19910620_b453.sld
 - ☐ p39r29_i5_19910706_b432.img
 - ☐ p39r29_i5_19910706_b453.img
 - ☐ p39r29_i5_19910722_b432.img
 - ☐ p39r29_i5_19910722_b453.img
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 - ☐ p39r30_i5_19910706_b432.img
 - ☐ p39r30_i5_19910706_b453.img
 - ☐ DOQQCatalog_MappedDrives




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☒ Elmer R. Schwendiman - Bidwell Funeral Home of St. Anthony, Idaho



Clinton H. Peterson
Photo not yet available

Clinton H. Peterson, 91, of Wilford, ID. died Nov. 3, 2008 at the Madison Memorial Hospital from natural causes.

Clinton was born Aug. 10, 1917, in Driggs, ID. He was the oldest son of Hyrum Benjamin and Agnes Frida Schmidt Peterson. He went to school in Teton City, and Rexburg. He worked with his father on their family farm and sheep ranch until he graduated from high school. He has lived in Wilford since that time.

He married B. Alene Johnson on Dec. 20, 1940. They had three children and were later divorced. He has farmed in Wilford and Mud Lake and was an excellent machinist and welder. He owned Peterson Equipment, and served the community in repairing and making new farm machinery. He invented and patented the first crossover Bulk Potato Harvester.

On March 10, 1947, he married Elva May Jensen. Together, they continued operating Peterson Equipment until his health declined a few years ago. Clinton loved to dance, had a good singing voice and an engaging smile. He was generous with his time and means, enjoyed hunting and fishing. Clinton often approached problems with a new, creative, and innovative solution.

Clinton is survived by his wife, Elva of Wilford, 2 daughters Jenaye Folkman, Boise, ID.; Sandra Aschendbrenner, Idaho Falls. 4 Grandchildren, 5 Great Grandchildren and 3 Great Great Grandchildren. Friends and family may gather at the Bidwell Funeral Home on Wednesday, Nov. 5, 2008 at 1:30 p.m. prior to going to the Wilford Cemetery for interment.

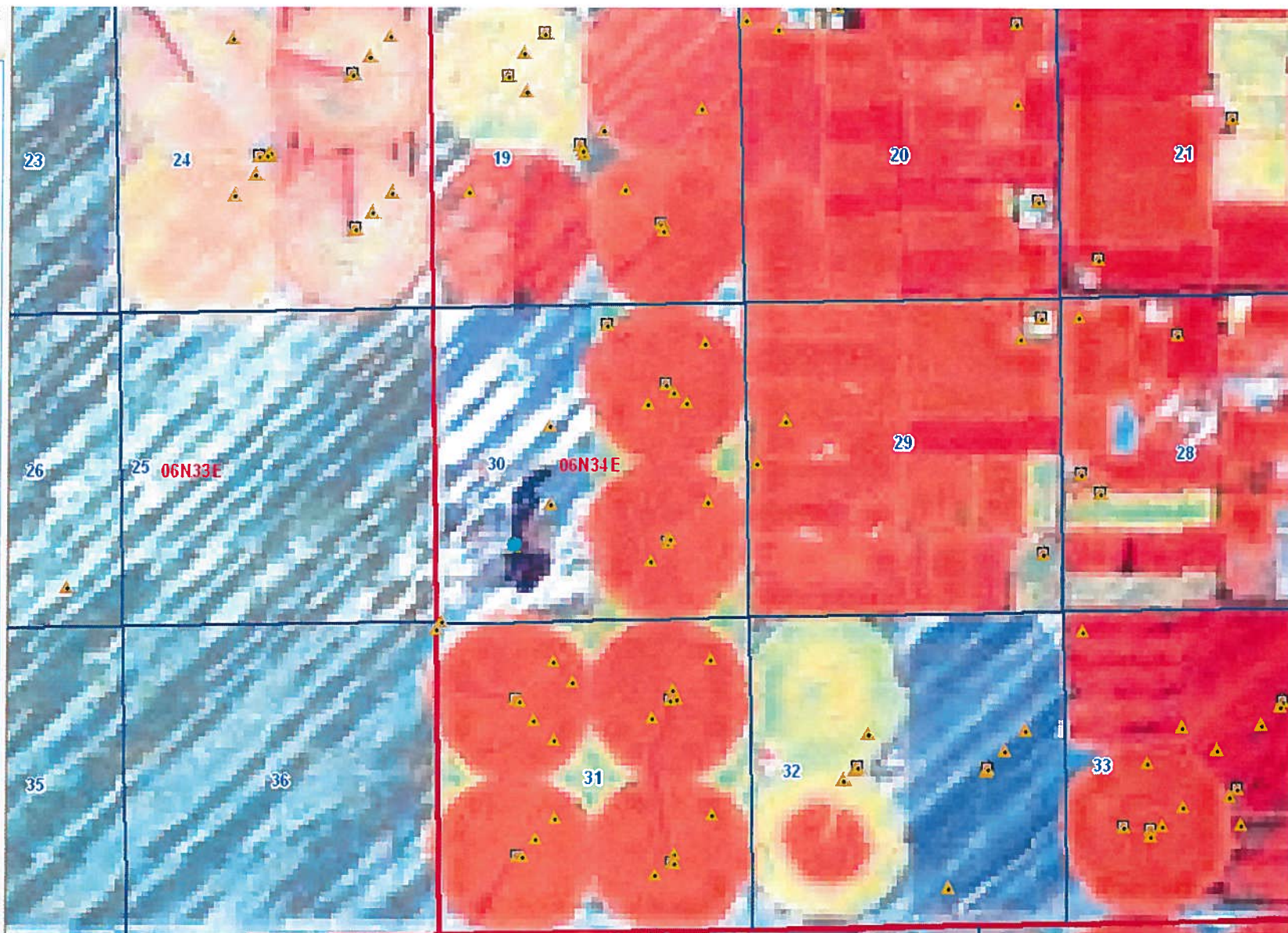
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Layers

- ☒ SpatialData
- ☒ Water Right POD
- ☐ Water Right POU
- ☐ Taxlots
- ☒ PLSS
 - ☒ Township/Range
 - ☒ Sections
 - ☒ QQ
- ☒ p39r29_15_19910620_b453.sid
 - RGB
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - DRG
 - ☒ Imagery
 - ☒ 1987
 - ☒ 1992-2000 (1 meter)
 - ☒ esri Imagery (1 foot)
 - ☐ 2011 (1 meter)
 - ☐ 2009 (1 meter)
 - ☐ 2006 (2 meter)
 - ☐ 2006 (1 meter)
 - ☐ 2004 (1 meter)



RECEIVED

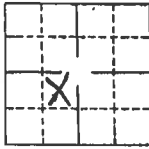
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

SEP 28 1983

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.

RECEIVED

Department of Water Resources 1. WELL OWNER Name <u>Clinton Peterson</u> Address <u>Wilford Idaho</u> Owner's Permit No. <u>347293</u>		7. WATER LEVEL Static water level <u>230</u> feet below land surface Flowing? ☐ Yes ☒ No Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>56</u> °F. Quality <u>good</u>																																																																																																																																																																																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Baller ☐ Air ☐ Other _____ <table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																																																																											
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>30</td><td>0</td><td>40</td><td>Clay w layers of Sand</td><td></td><td>X</td></tr> <tr><td></td><td>40</td><td>80</td><td>brown gumbo clay</td><td></td><td></td></tr> <tr><td></td><td>80</td><td>110</td><td>brown clay</td><td></td><td></td></tr> <tr><td></td><td>110</td><td>155</td><td>red black lava</td><td></td><td></td></tr> <tr><td></td><td>155</td><td>180</td><td>black lava with broken areas holding clay</td><td></td><td></td></tr> <tr><td></td><td>180</td><td>198</td><td>Firm hard black</td><td></td><td></td></tr> <tr><td></td><td>198</td><td>205</td><td>Soft black lava</td><td></td><td></td></tr> <tr><td></td><td>205</td><td>207</td><td>broken lava & clay</td><td></td><td></td></tr> <tr><td></td><td>207</td><td>211</td><td>hard lava</td><td></td><td></td></tr> <tr><td></td><td>211</td><td>245</td><td>Fractured lava, cynders & clay</td><td></td><td></td></tr> <tr><td></td><td>245</td><td>295</td><td>broken lava & bitumens 255</td><td></td><td>X</td></tr> <tr><td></td><td>295</td><td>333</td><td>hard lava black</td><td></td><td></td></tr> <tr><td></td><td>333</td><td>341</td><td>broken lava</td><td></td><td></td></tr> <tr><td></td><td>341</td><td>345</td><td>broken lava sand & clay</td><td></td><td></td></tr> <tr><td></td><td>345</td><td>355</td><td>Sand pressure pushed up well</td><td></td><td>X</td></tr> <tr><td></td><td>355</td><td>354</td><td>Clay brown</td><td></td><td></td></tr> <tr><td></td><td>354</td><td>394</td><td>lava black</td><td></td><td></td></tr> <tr><td></td><td>394</td><td>397</td><td>very hard basalt</td><td></td><td></td></tr> <tr><td></td><td>397</td><td>437</td><td>black lava</td><td></td><td></td></tr> <tr><td></td><td>437</td><td>460</td><td>broken lava cynders & clay & shale</td><td></td><td></td></tr> <tr><td></td><td>460</td><td>500</td><td>brown clay</td><td></td><td></td></tr> <tr><td></td><td>500</td><td>510</td><td>blue clay</td><td></td><td></td></tr> <tr><td></td><td>510</td><td>549</td><td>black lava</td><td></td><td></td></tr> <tr><td></td><td>549</td><td>563</td><td>hard rhyolite</td><td></td><td></td></tr> <tr><td></td><td>563</td><td>570</td><td>gravel & clay</td><td></td><td></td></tr> <tr><td></td><td>570</td><td>575</td><td>black lava</td><td></td><td></td></tr> <tr><td></td><td>575</td><td>578</td><td>cynders & clay</td><td></td><td>X</td></tr> <tr><td></td><td>578</td><td>620</td><td>cynders</td><td></td><td>X</td></tr> <tr><td></td><td>620</td><td>655</td><td>cynders with sandstone & shale</td><td></td><td>X</td></tr> <tr><td></td><td>655</td><td>658</td><td>hard lava</td><td></td><td></td></tr> </tbody> </table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	30	0	40	Clay w layers of Sand		X		40	80	brown gumbo clay				80	110	brown clay				110	155	red black lava				155	180	black lava with broken areas holding clay				180	198	Firm hard black				198	205	Soft black lava				205	207	broken lava & clay				207	211	hard lava				211	245	Fractured lava, cynders & clay				245	295	broken lava & bitumens 255		X		295	333	hard lava black				333	341	broken lava				341	345	broken lava sand & clay				345	355	Sand pressure pushed up well		X		355	354	Clay brown				354	394	lava black				394	397	very hard basalt				397	437	black lava				437	460	broken lava cynders & clay & shale				460	500	brown clay				500	510	blue clay				510	549	black lava				549	563	hard rhyolite				563	570	gravel & clay				570	575	black lava				575	578	cynders & clay		X		578	620	cynders		X		620	655	cynders with sandstone & shale		X		655	658	hard lava		
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____		10. Work started <u>April 1983</u> finished <u>Aug 1983</u>																																																																																																																																																																																															
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>30 inches</td> <td>11 feet</td> <td>112 feet</td> </tr> <tr> <td>261 inches</td> <td>24 inches</td> <td>312 feet</td> <td>323 feet</td> </tr> <tr> <td>250 inches</td> <td>30 inches</td> <td>358 feet</td> <td>540 feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>350</u> Material used in seal: ☒ Cement grout ☐ Puddling clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld Describe access port <u>2 1/2 inch Threaded pipe & Cap</u>		Thickness	Diameter	From	To	250 inches	30 inches	11 feet	112 feet	261 inches	24 inches	312 feet	323 feet	250 inches	30 inches	358 feet	540 feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Aaron Frandsen Well Drilling</u> Firm No. <u>394</u> Address <u>444 Gunnison Colorado</u> Date <u>Sept 7 1983</u> Signed by (Firm Official) <u>Aaron Frandsen</u> and <u>Aaron Frandsen</u> (Operator)																																																																																																																																																																			
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jefferson</u> <u>NE 1/4 SW 1/4 Sec. 30, T. 6 N, R. 34 E.</u>		7. WATER LEVEL Static water level <u>230</u> feet below land surface Flowing? ☐ Yes ☒ No Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>56</u> °F. Quality <u>good</u>																																																																																																																																																																																															

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT