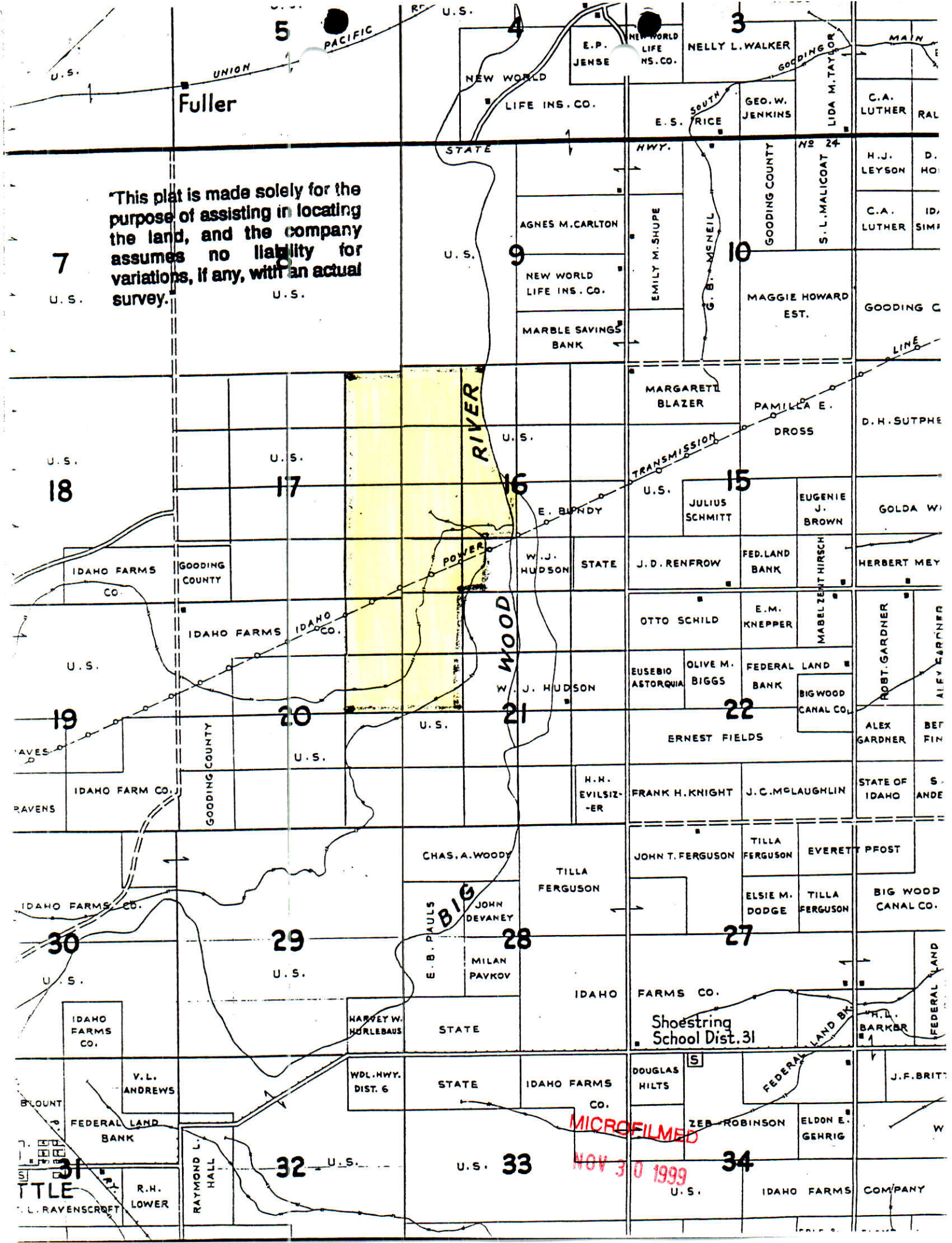
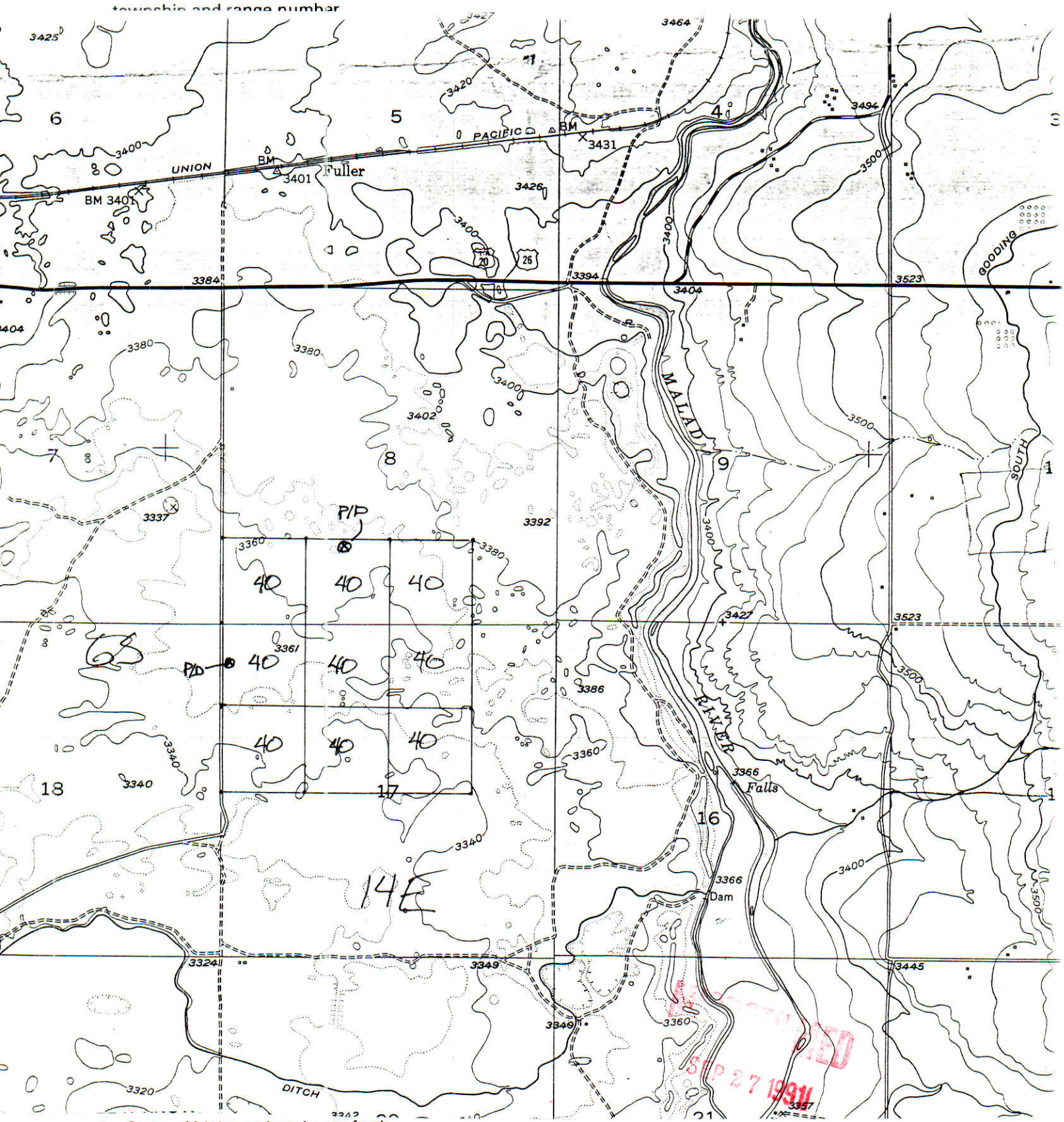

"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."
Fuller
UNION PACIFIC
STATE HWY. No 24
MAIN
SOUTH
GOODING
BIG WOOD RIVER
POWER
TRANSMISSION LINE
NEW WORLD LIFE INS. CO.
E.P. JENSE
NELLY L. WALKER
E.S. PRICE
GEO. W. JENKINS
LIDA M. TAYLOR
C.A. LUTHER
H.J. LEYSON
S.L. MALICOAT
GOODING COUNTY
AGNES M. CARLTON
EMILY M. SHUPE
G.B. MCNEIL
MAGGIE HOWARD EST.
MARBLE SAVINGS BANK
MARGARETT BLAZER
PAMILLA E. DROSS
D.H. SUTPHE
JULIUS SCHMITT
EUGENIE J. BROWN
GOLDA W
E. BLONDY
W.J. HUDSON
STATE
J.D. RENFROW
FED. LAND BANK
HERBERT MEY
IDAHO FARMS CO.
GOODING COUNTY
OTTO SCHILD
E.M. KNEPPER
MABEL ZENT HIRSCH
ROBT. GARDNER
EUSEBIO ASTORQUIA
OLIVE M. BIGGS
FEDERAL LAND BANK
BIG WOOD CANAL CO.
ERNEST FIELDS
ALEX GARDNER
STATE OF IDAHO
H.H. EVILSIZER
FRANK H. KNIGHT
J.C. MCLAUGHLIN
CHAS. A. WOODY
TILLA FERGUSON
JOHN T. FERGUSON
EVERETT PFOST
ELSIE M. DODGE
JOHN DEVANEY
E.B. PAULS
MILAN PAVKOV
IDAHO FARMS CO.
HARVEY W. HURLEBAUS
Shoestring School Dist. 31
H.L. BARKER
FEDERAL LAND BK.
V.L. ANDREWS
WDL. HWY. DIST. 6
DOUGLAS HILTS
ZEB ROBINSON
ELDON E. GEHRIG
J.F. BRITT
FEDERAL LAND BANK
R.H. LOWER
RAYMOND L. HALL
L. RAVENSCROFT
IDAHO FARMS COMPANY
U.S.
MICROFILMED
NOV 30 1999

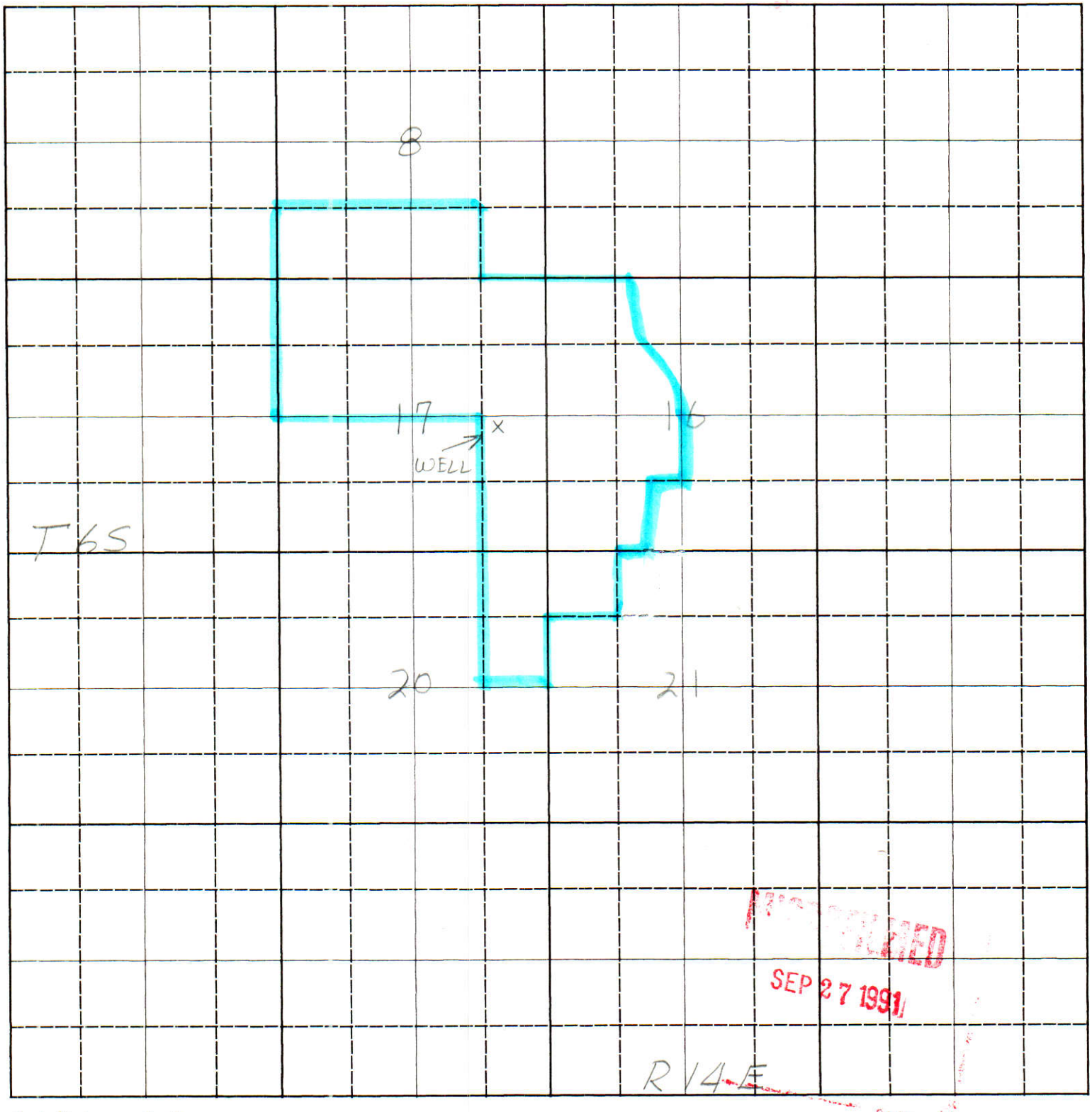
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.




the State of Idaho as herein set forth.

John D. Lyre MGR. OF LOS CABALLEROS LTD.
(Applicant)

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.




RECEIVED
SEP 27 1991

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Los Caballeros, LTD
by Villelli Enterprises, Inc General Partner
by Richard A. Villelli Pres

(Applicant)

# AFFIDAVIT of PUBLICATION

RECEIVED
AUG 23 1991
Department of Water Resources

State of Idaho } ss.
County of Gooding }

Patty Spence, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14th day of Aug., 1991, and the date of the last publication was on the 21st day of Aug., 1991.

Patty Spence

Subscribed and sworn to before me this 22nd day of Aug., 1991.

(SEAL)

Vince Landiago
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

## COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

| | | | |
|---|---|---|---|
| _____ | Lines tabular at | _____ | 6¢/Pica |
| 337.5 | Lines straight at | 16.88 | 5¢/Pica |
| _____ | Subsequent lines at | 13.50 | 4¢/Pica |
| | TOTAL COST | 30.38 | |

## COPY OF NOTICE

(Paste Here)

Not. Appl. Trust Wat. Rt.
TITLE OF NOTICE
Los Caballeros. Ltd
36-08321
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Water Res.
BILL TO

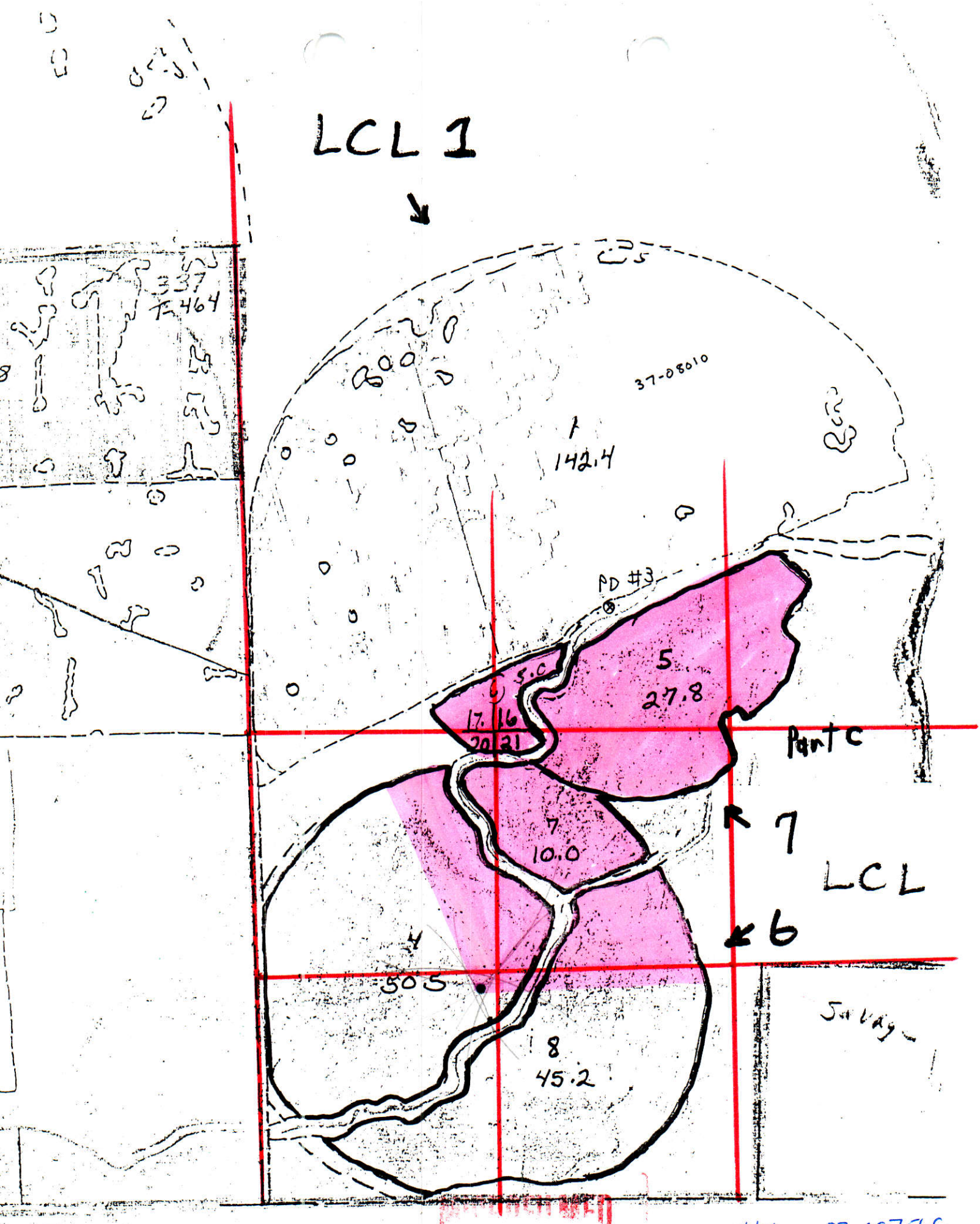
**NOTICE OF APPLICATION FOR TRUST WATER RIGHT**
**36-08321**
**LOS CABALLEROS LTD.**
**1126 U.S. 26**
**BLISS, ID 833140000**
**Source: GROUNDWATER**
**Diversion Pt: SESW Sec 8 T 06S R 14E**
**NWNW Sec 17 T 06S R 14E**
**Use: IRRIGATION (7.200 CFS)**
**Total Diversion: (7.200 CFS)**
**Date Filed: 2/4/1987**
**In: T06S R14E S08 SWSW SESW SWSE S17 NWNE SWNE NENW NWNW SWNW SENW**
**360.0 ACRES TOTAL**
**The permit(s) will be subject to all prior water rights. Protests may be submitted on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before SEIPTEMBER 3, 1991.**
**-s- R. Keith Higginson, Director**
**Pub: 8-14, 21** **G7889**

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive insertions.....4¢/Pica

OK
TJL
8-26-91

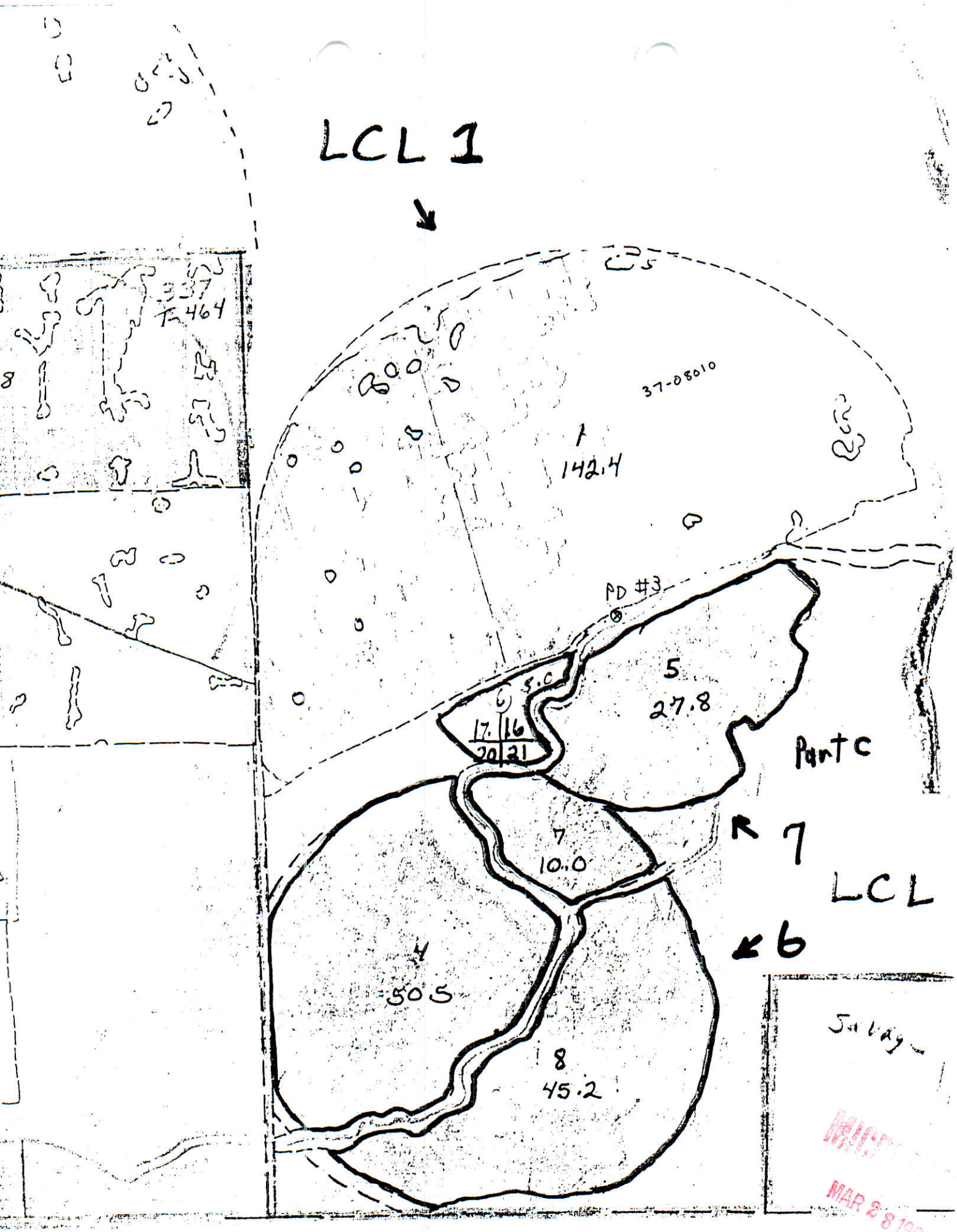
RECEIVED
SEP 27 1991
5116

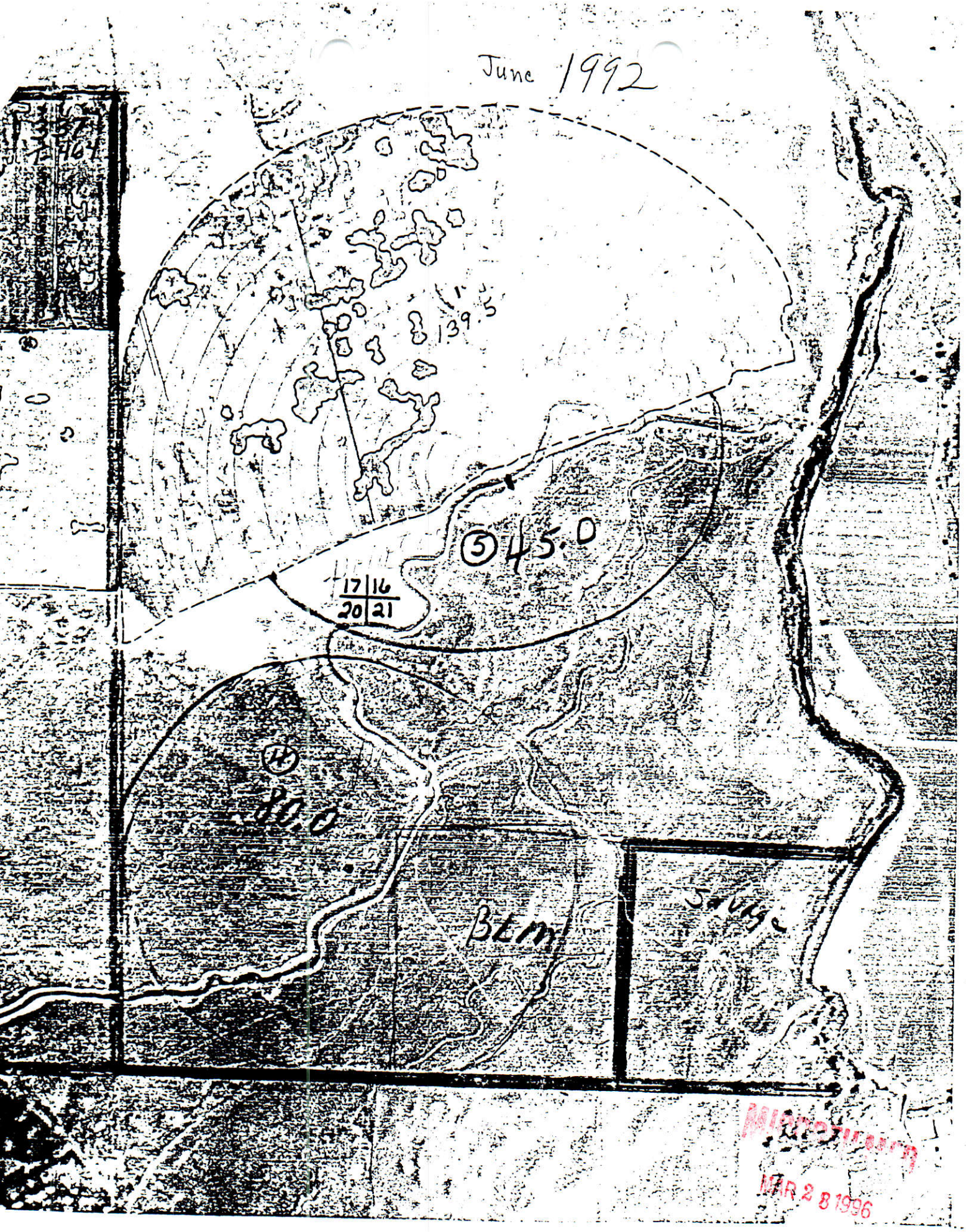
7889

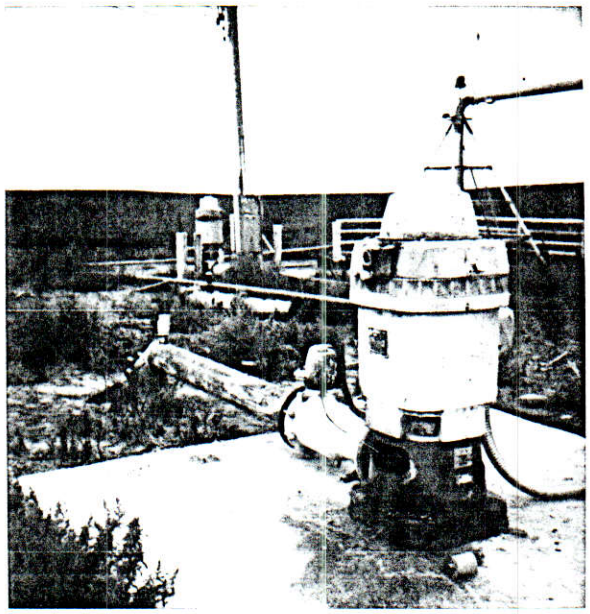



MAR 2 8 1996

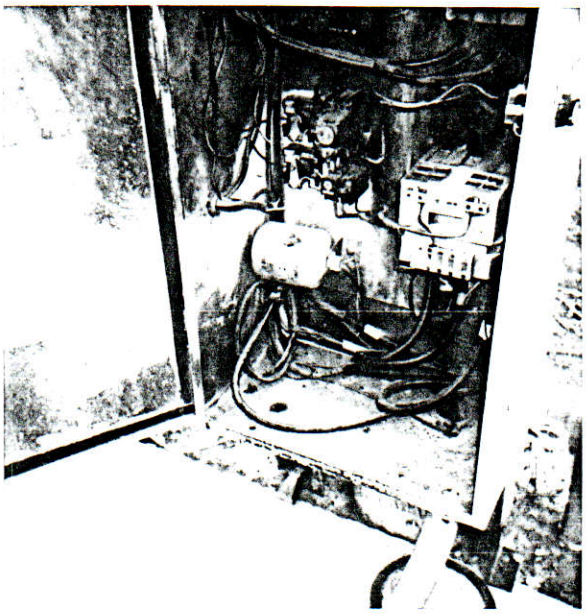
2/6/96 37-08756C
S.W. Kee


LCL 1
337
T-464
37-08010
1
142.4
PD #3
5
27.8
5.0
17
16
20
21
Part C
7
10.0
LCL 7
LCL 6
4
50.5
8
45.2
MAR 2 8 1995


June 1992
337
464
139.5
545.0
17 16
20 21
80.0
Btm
Swg
MAR 2 8 1996



P/D Part C

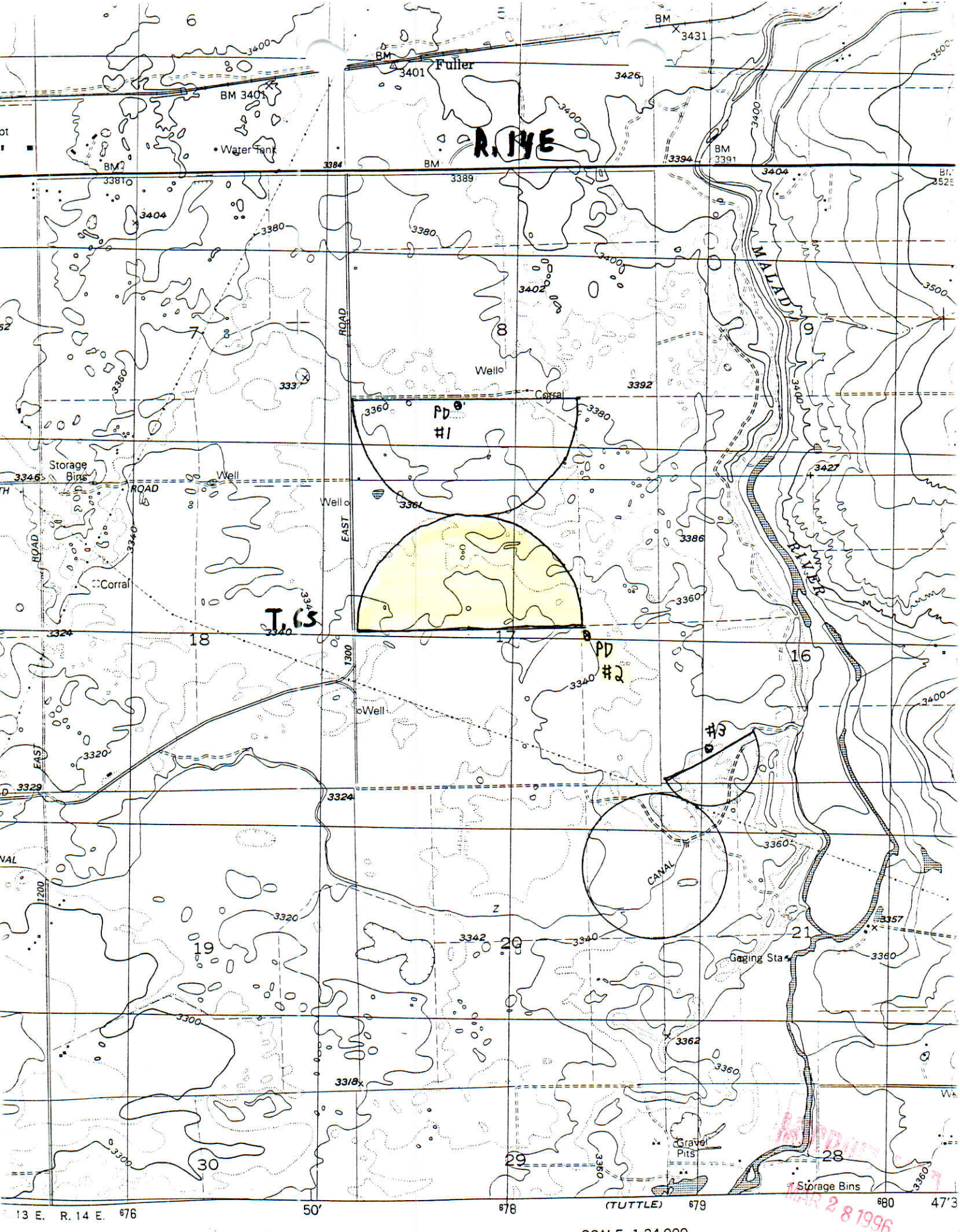


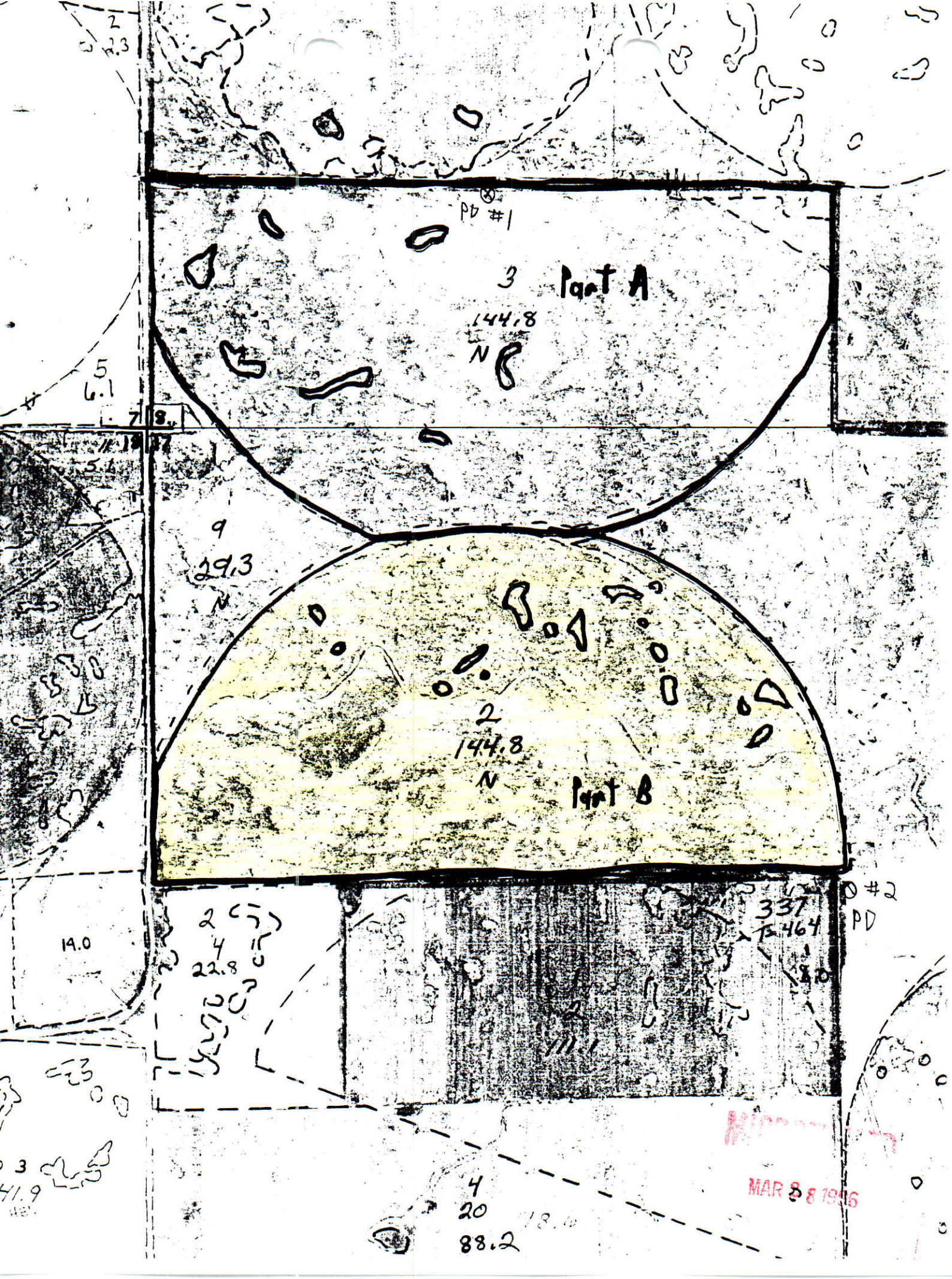
Power Box (Power Cables Disconnected)

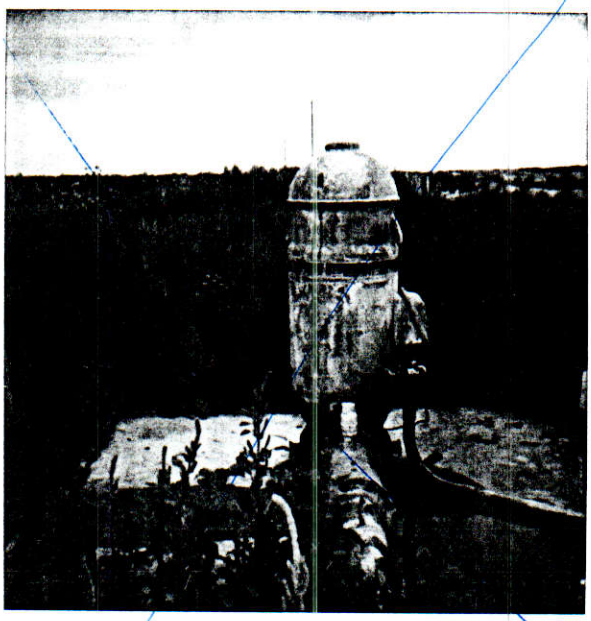
Small Pivot
Pump from Canal



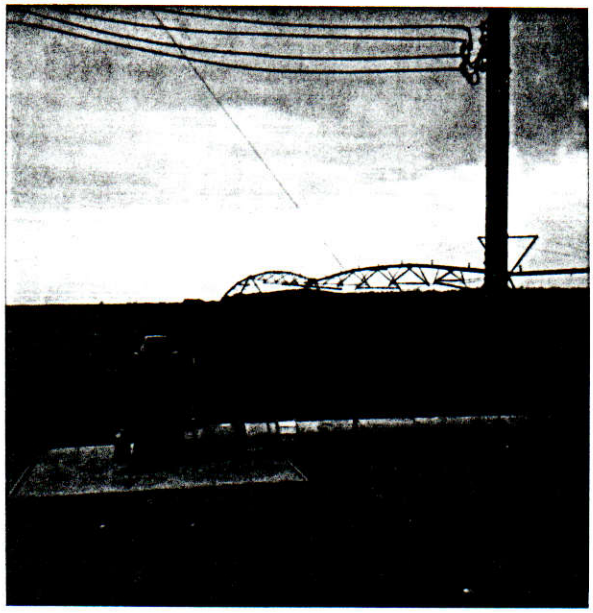
MAR 2 8 1996


R. 14 E
T. 6 S
PD #1
PD #2
#3
Fuller
BM 3401
Water Tank
BM 3431
BM 3394
BM 3391
BM 3389
BM 3384
Wello
Corral
Storage Bins
Well
Well
Corral
Well
Gaging Sta
Gravel Pits
Storage Bins
MALADY
RIVER
CANAL
ROAD
EAST
ROAD
ROAD
EAST
(TUTTLE)
13 E.
R. 14 E.
SCALE 1:24 000
MAR 28 1996

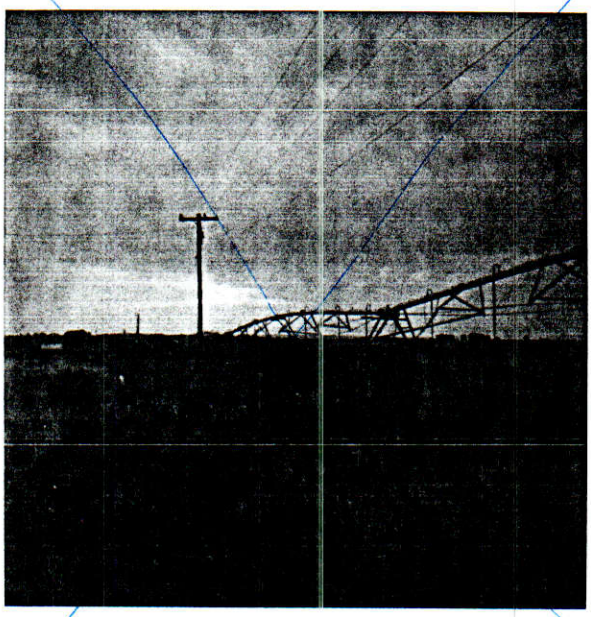

2
2.3
PD #1
3
Part A
144.8
N
5
6.1
7
8
9
29.3
N
2
144.8
N
Part B
#2
337
L=464
PD
14.0
2
4
22.8
3
41.9
4
20
88.2
MAR 8 8 1996

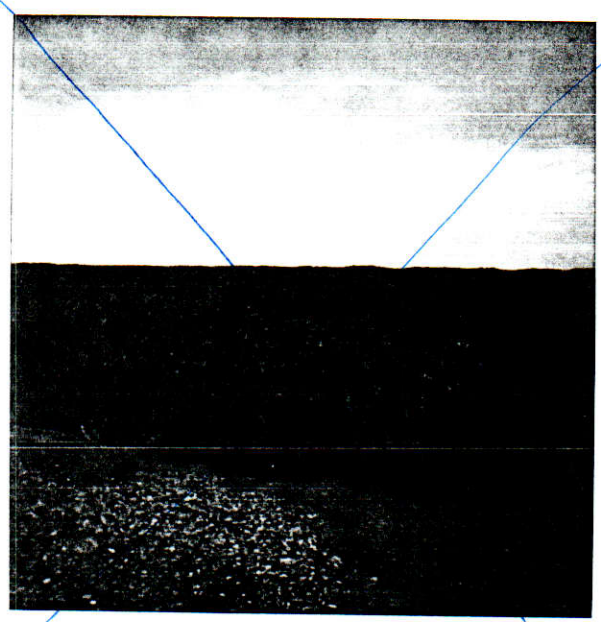


Part A Well



Part B Well (Pivot In Background)

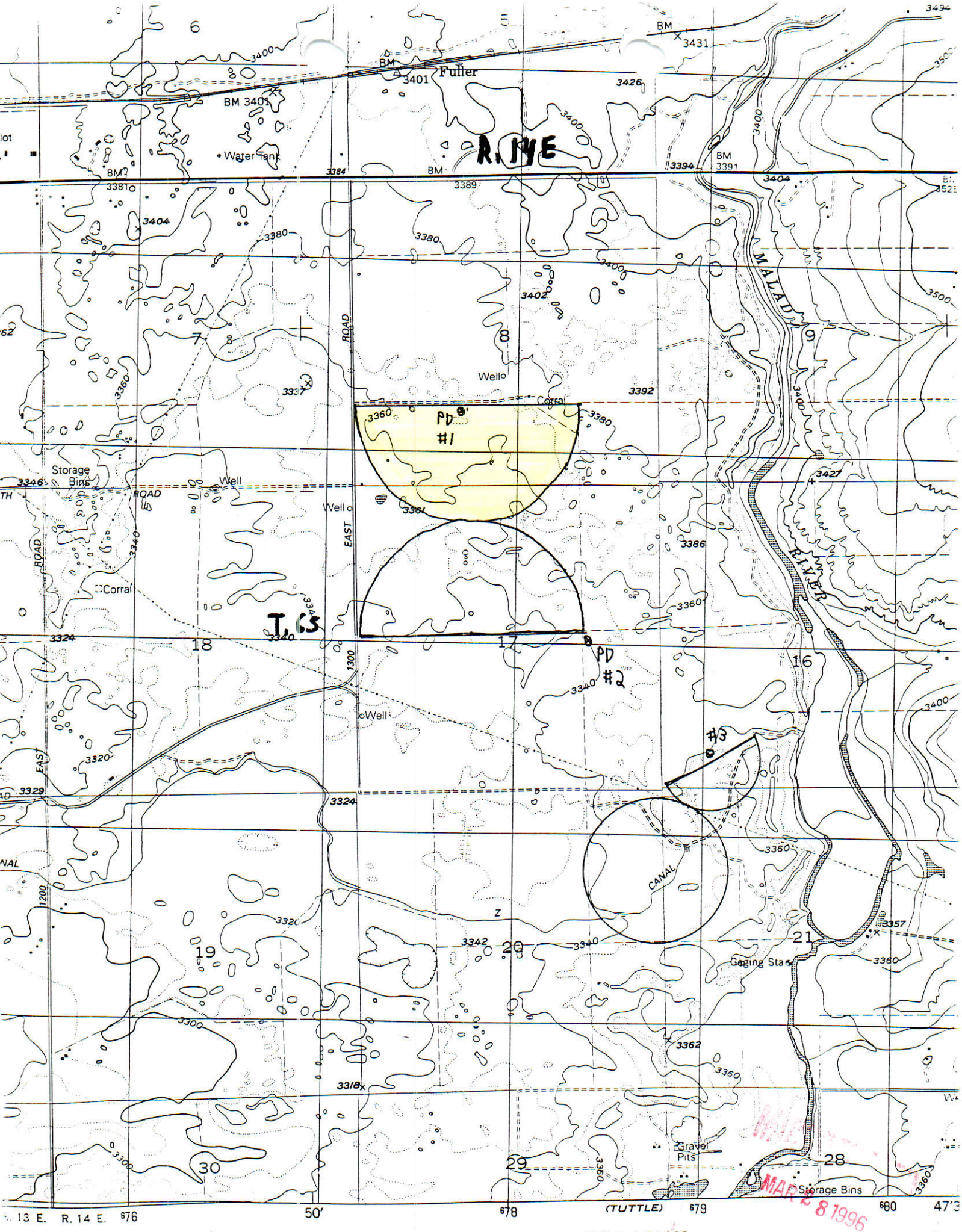


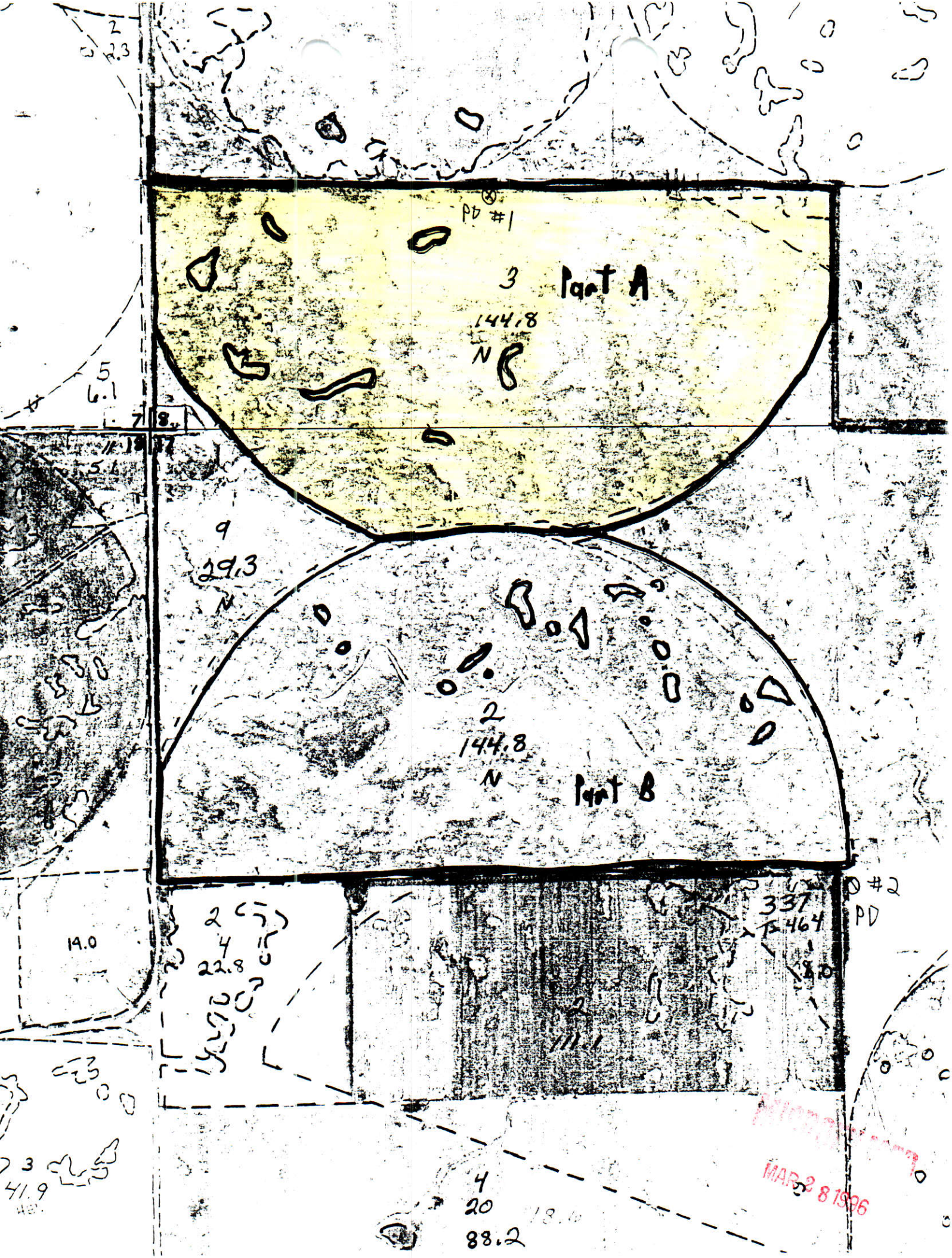


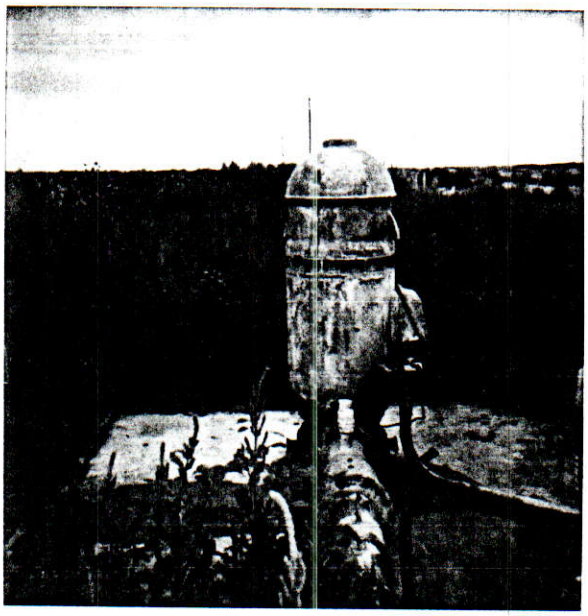
MAR 2 8 1996

Part A P/U

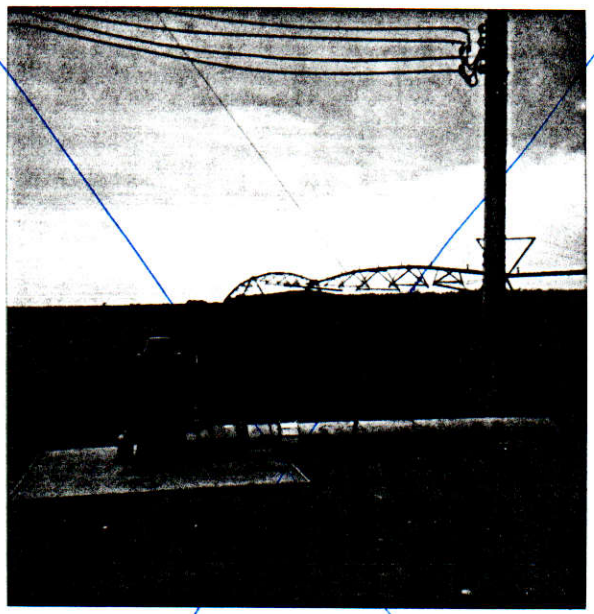
37-8756


R. 14 E.
T. 6 S.
PD #1
PD #2
#3
Fuller
BM 3401
Water Tank
Wello
Corral
Storage Bins
Well
ROAD
EAST
MALAD
RIVER
CANAL
Gaging Sta
Gravel Pits
Storage Bins
(TUTTLE)
50'
SCALE 1:24 000
MAR 2 8 1996

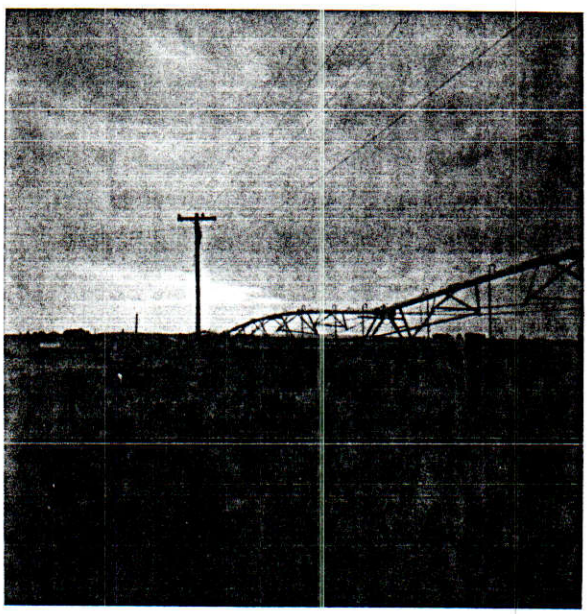

PD #1
3
Part A
144.8
N
5
6.1
9
29.3
N
2
144.8
N
Part B
#2
PD
337
464
19.0
2
4
22.8
3
41.9
4
20
88.2
MAR 28 1996



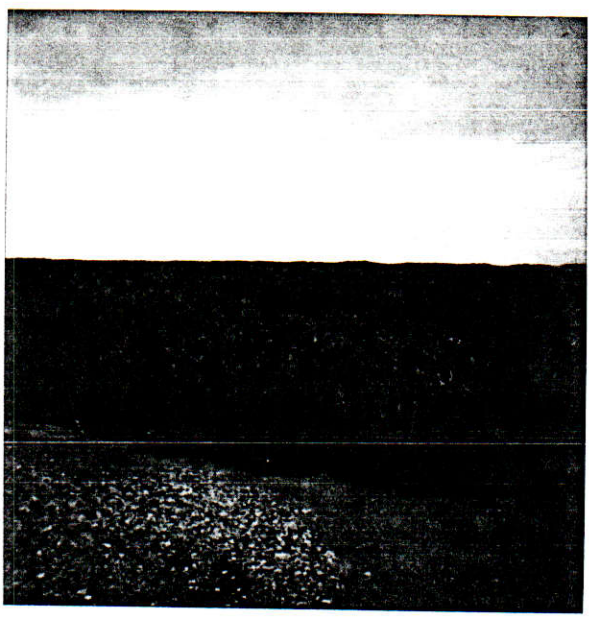
Part A Well



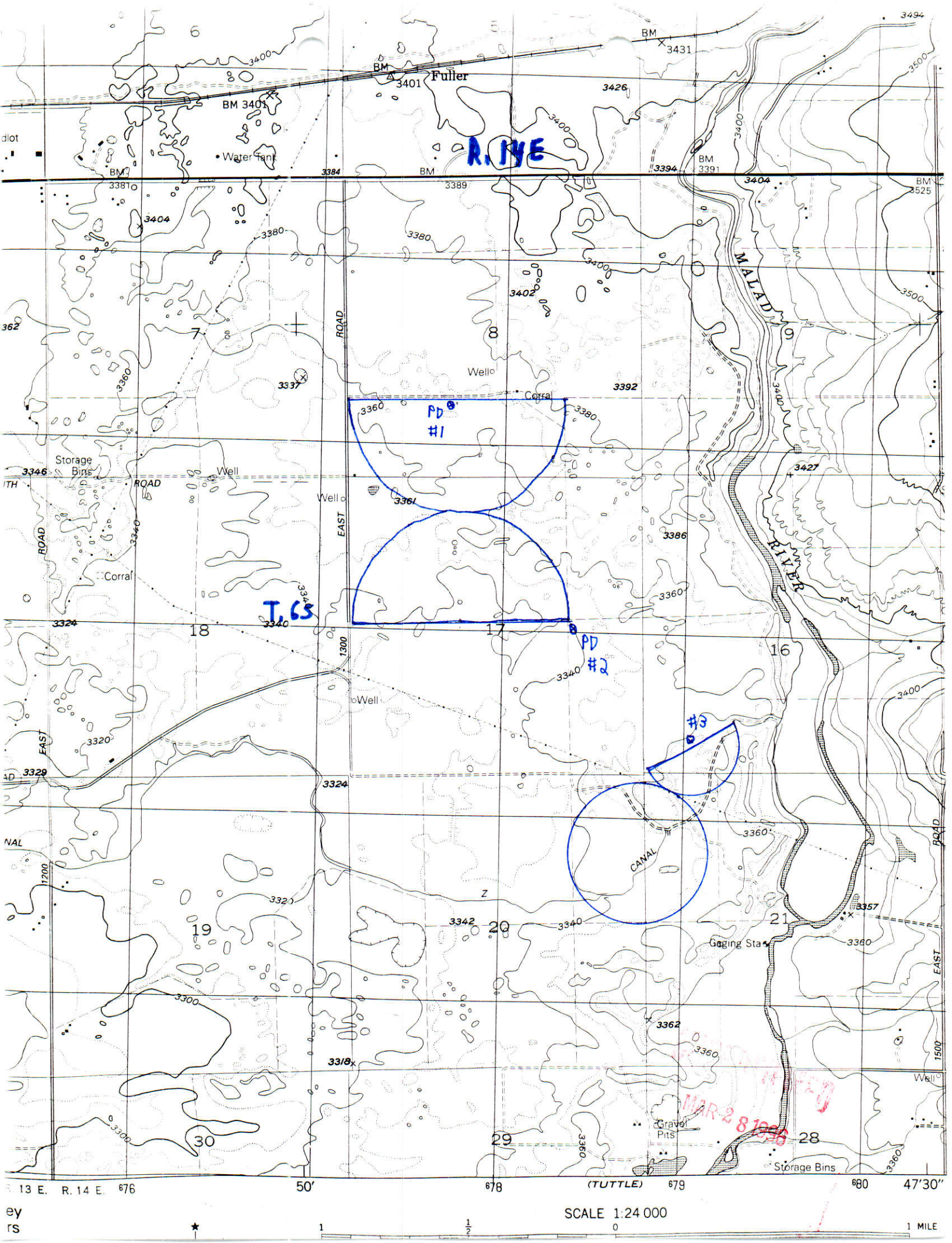
Part B Well (Pivot In Background)

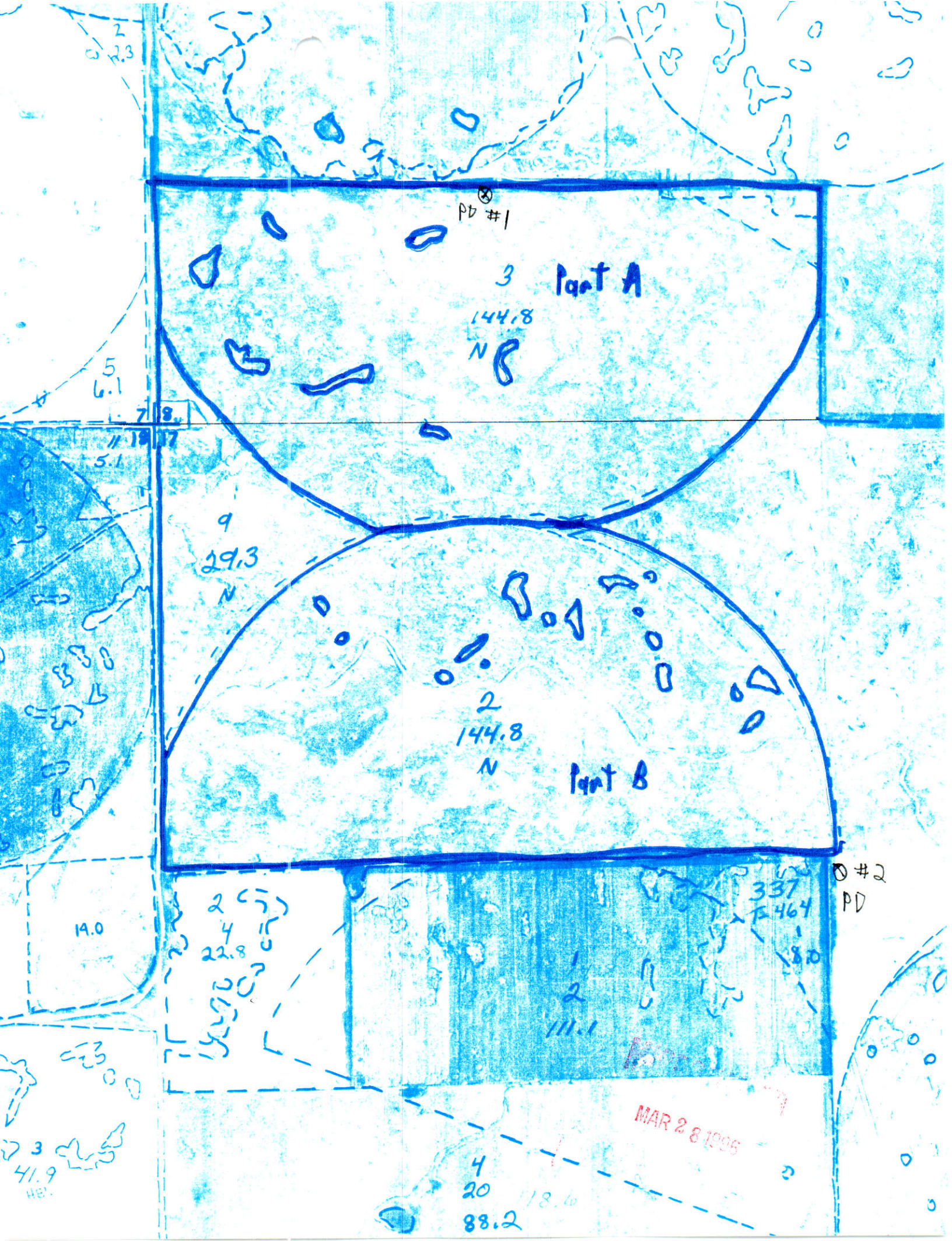


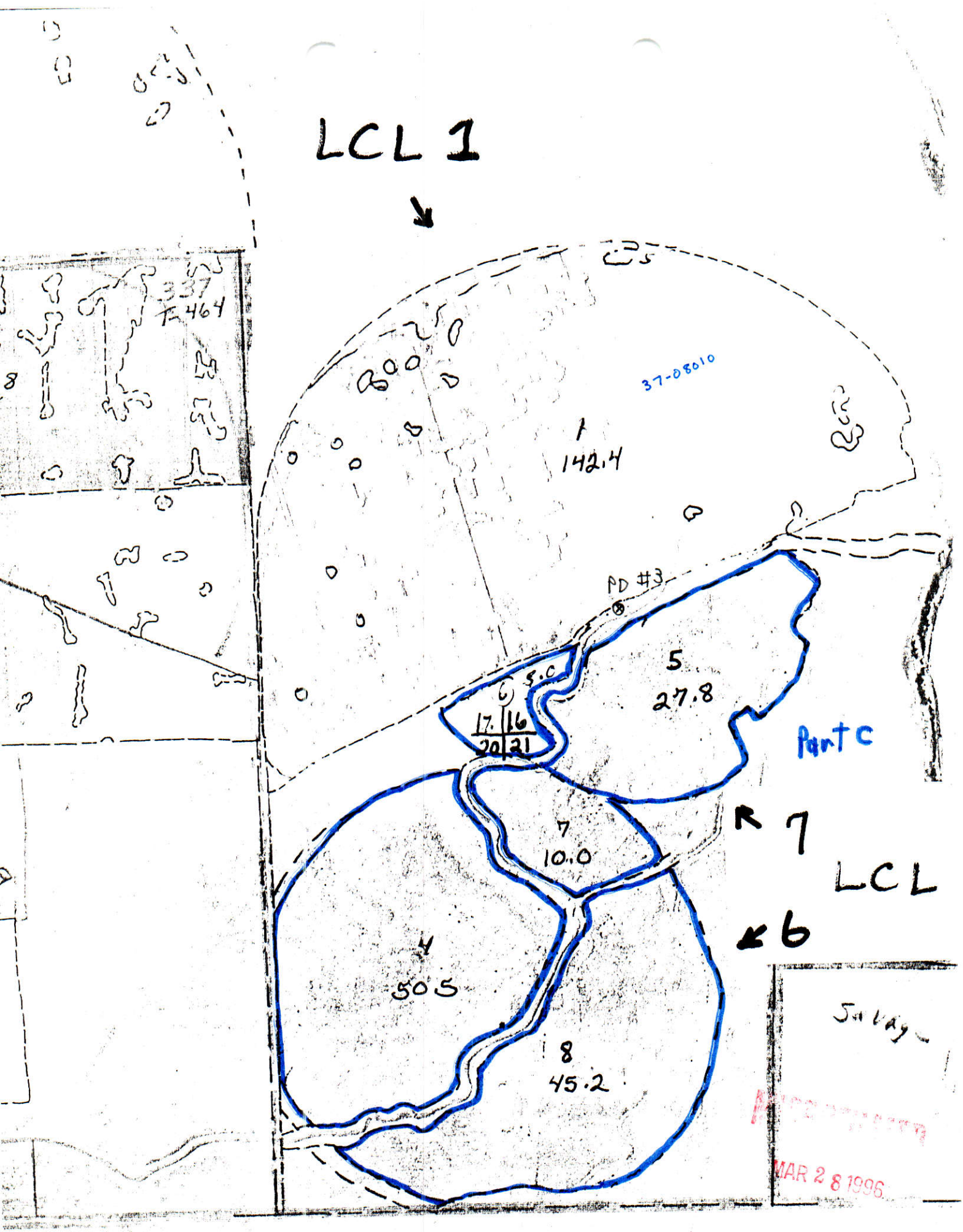
Part A P/U



MAR 2 8 1996


R. 14 E.
T. 6 S.
PD #1
PD #2
#3
Fuller
BM 3401
Water Tank
MALADY
RIVER
CANAL
ROAD
EAST
Well
Corral
Storage Bins
Gaging Sta
Gravel Pits
(TUTTLE)
SCALE 1:24 000
1 MILE
50'
47'30"
13 E.
R. 14 E.


PD #1
3
Part A
144.8
N
5
6.1
7
8
11
17
5.1
9
29.3
N
2
144.8
N
Part B
PD #2
PD
337
F 464
180
14.0
2
4
22.8
2
111.1
MAR 28 1995
3
41.9
4
20
88.2
18.6


LCL 1
337
T-464
37-08010
1
142.4
PD #3
5
27.8
6
5.0
17
16
20
21
Part C
7
10.0
LCL
6
4
50.5
8
45.2
MAR 2 8 1996


June 1992
139.5
⑤45.0
17 16
20 21
④
Btm
MICROFILMED
MAR 2 8 1996



Part A Well



Part B Well (Pivot In Background)



Part A P/U



MAR 2 8 1996

37-8756



P/D Part C



Power Box (Power Cables Disconnected)



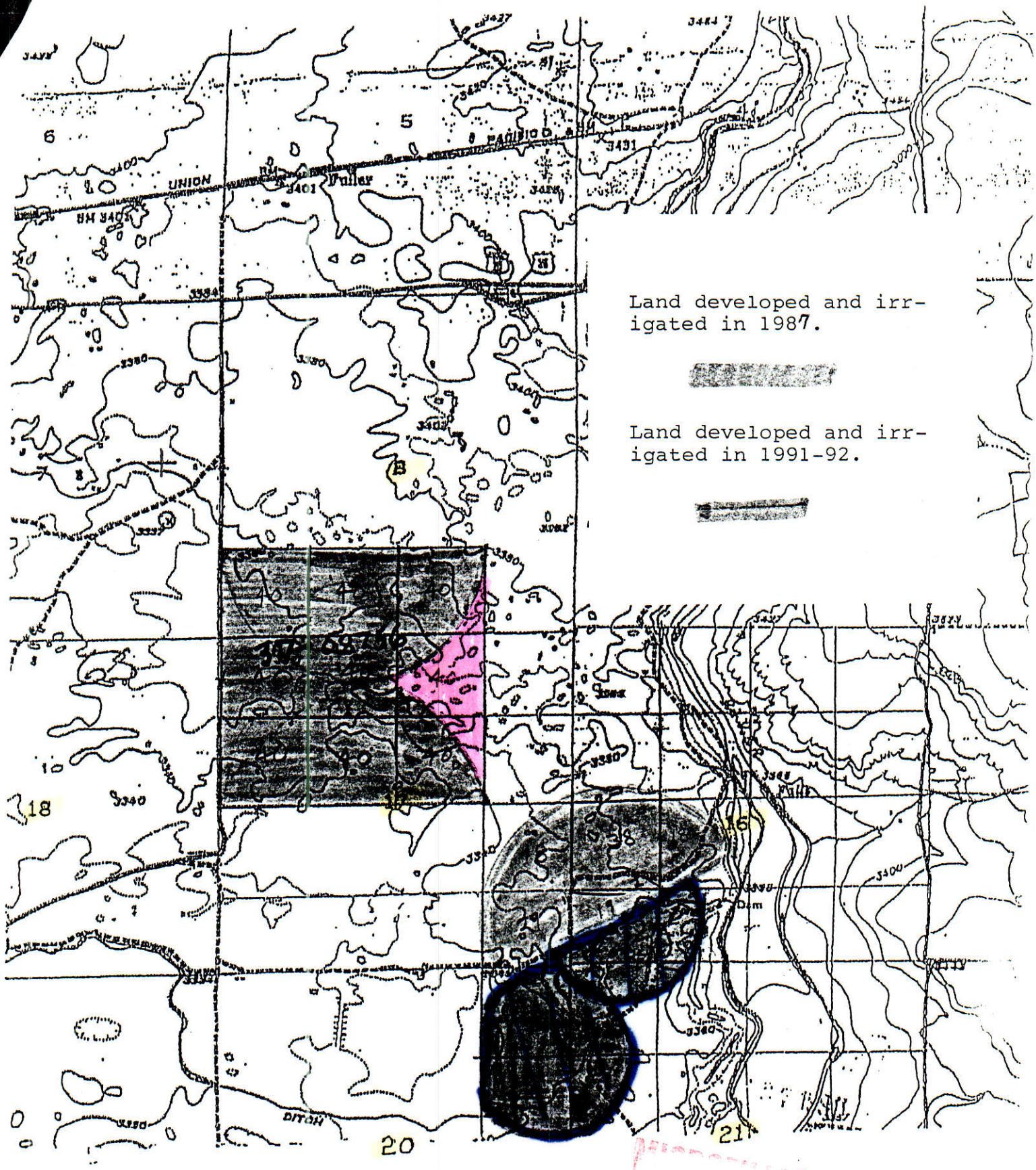
Small Pivot,
Pump From Canal

MICROFILMED

MAR 2 8 1996

37-8756

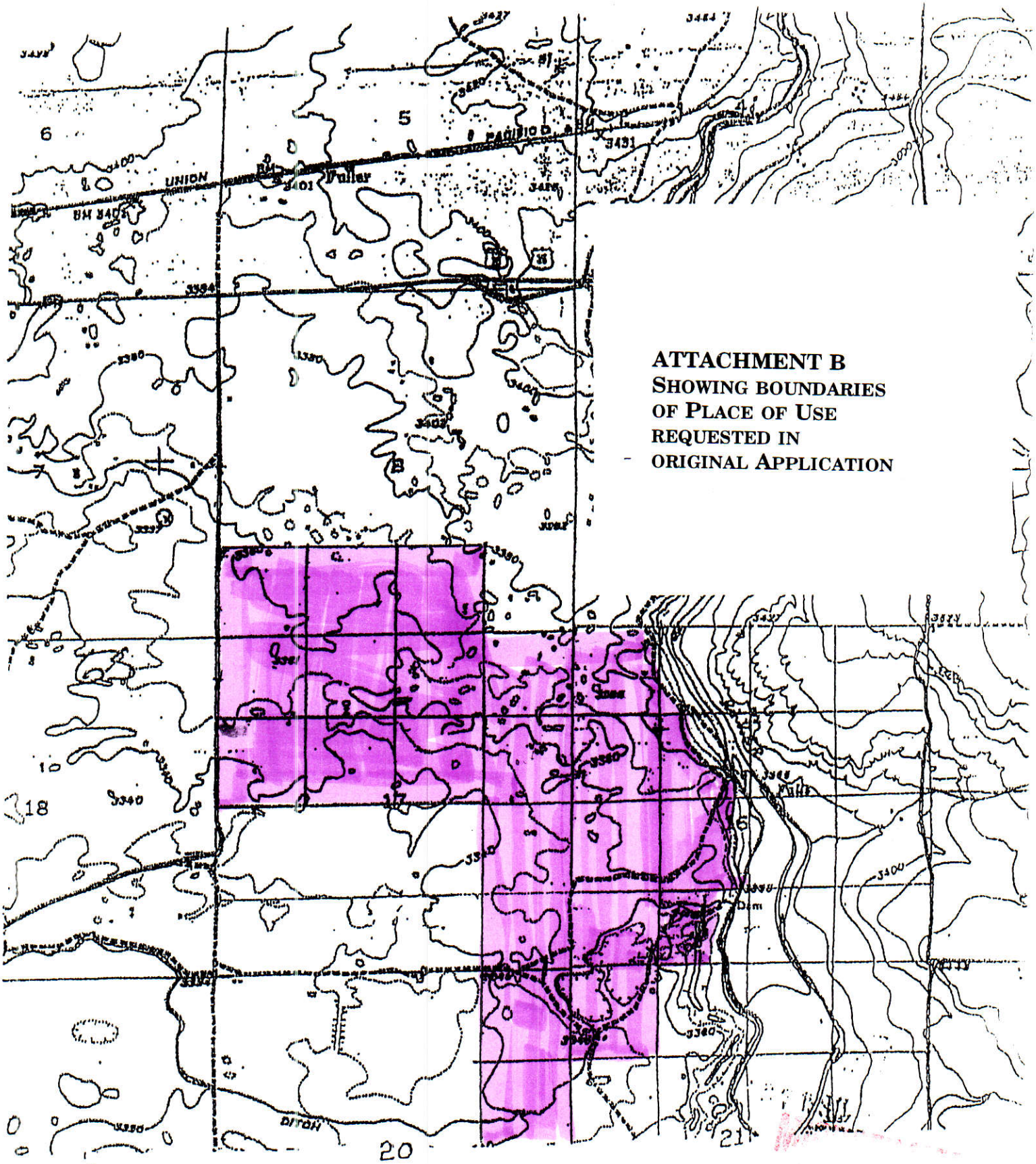
RIDER FIELD




T 6 S R 14 E Sections 8,16,17,20,21

MAR 2 8 1996

RIDER FIELD

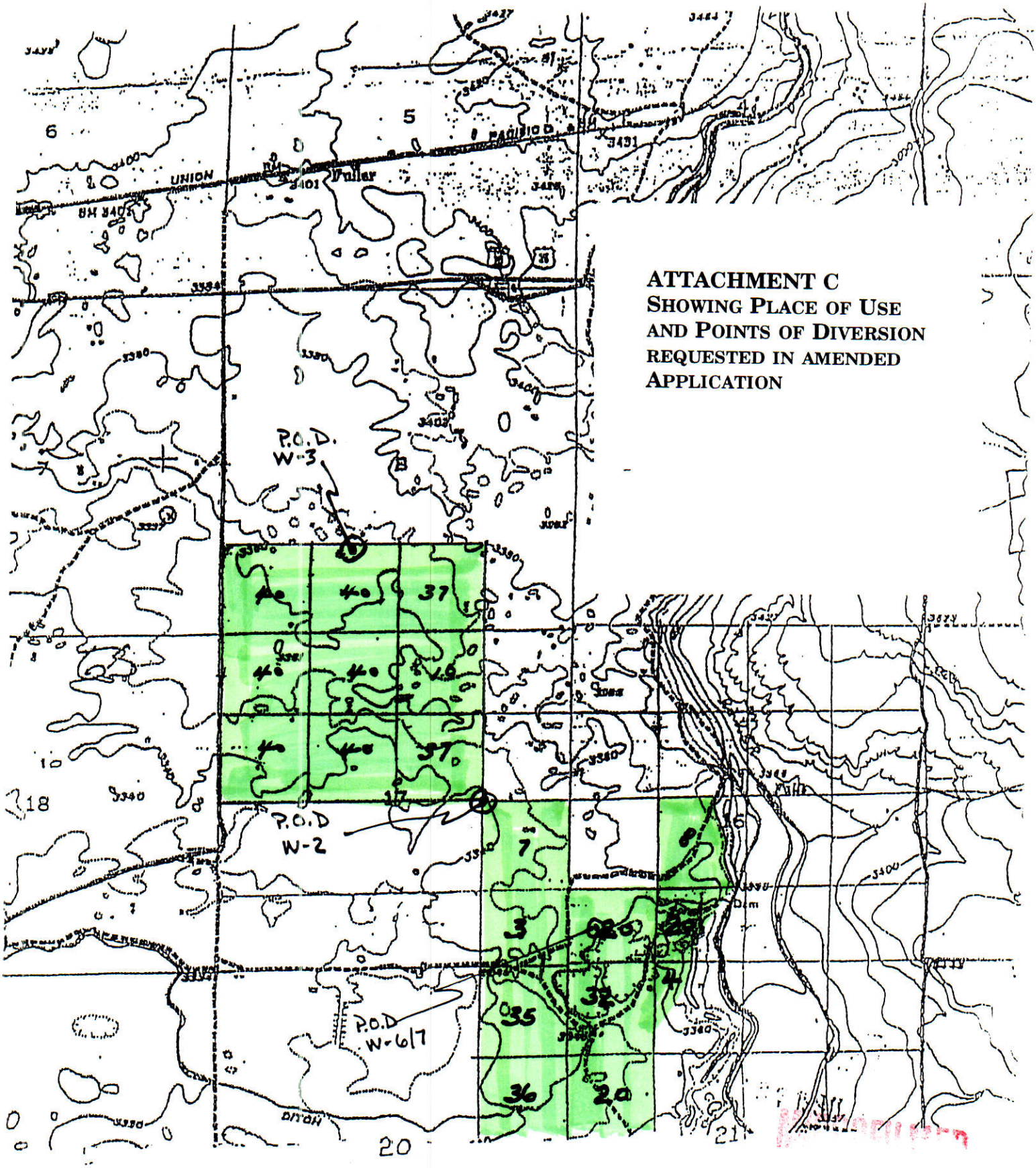



T 6 S R 14 E Sections 8,16,17,20,21

MAR 28 1996

**ATTACHMENT B TO AMENDED APPLICATION OF LOS CABALLEROS, LTD.**

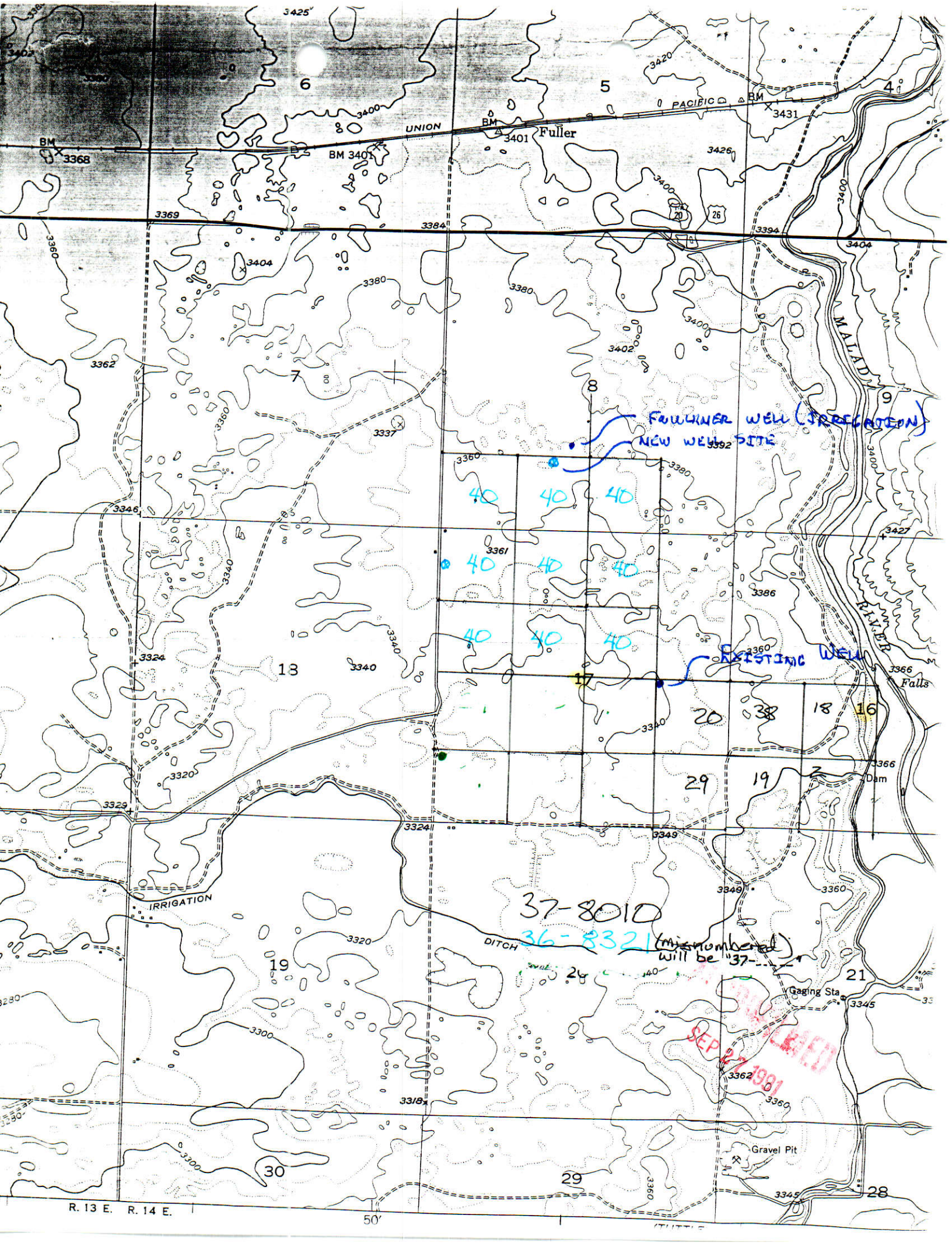
RIDER FIELD




T 6 S R 14 E Sections 8,16,17,20,21

MAR 2 8 1996

**ATTACHMENT C TO AMENDED APPLICATION OF LOS CABALLEROS, LTD.**


FAULKNER WELL (IRRIGATION)
NEW WELL SITE
EXISTING WELL
37-8010
36-8321 (misnumbered) will be "37-
RECEIVED
SEP 27 1991
Fuller
UNION PACIFIC
BM 3368
BM 3401
BM 3431
MALAD RIVER
Falls
Dam
Gaging Sta
Gravel Pit
IRRIGATION DITCH
R. 13 E.
R. 14 E.
50'

Form 42-248/42-1409(6) February 3, 1997

RECEIVED
AUG 19 1998
Department of Water Resources
Southern Region

RECEIVED
AUG 17 1998
Department of Water Resources

RECEIVED
OCT 20 1999
Department of Water Resources

# STATE OF IDAHO
# IDAHO DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

1. Water Right No(s).: # 37-8756C, # A37-08810

   Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: LOS CABALLEROS, VILLELI ENTERPRISES INC.

4. New Owner/Claimant(s): OPPIO FAMILY LIMITED PARTNERSHIP
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: P.O. Box 381
   City, State and ZIP Code: GOODING IDAHO 83330
   New Telephone Number: (208) 934-9474

5. Date you acquired the property: MAR 6 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes _____ Other uses _____

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Alan Oppio

   _____

   (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED
NOV 30 1999

# WARRANTY DEED

#G-26276

For Value Received

LOS CABALLEROS, A CALIFORNIA LIMITED PARTNERSHIP, VILLELLI ENTERPRISES, INC., MANAGING GENERAL PARTNER

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

OPPIO FAMILY LIMITED PARTNERSHIP
Address: 7900 PYRAMID HIGHWAY, SPARKS, NEVADA 89436

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

SEE ATTACHED SCHEDULE A

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 25, 1998

LOS CABALLEROS, A CALIFORNIA LIMITED PARTNERSHIP,
VILLELLI ENTERPRISES, INC., GENERAL PARTNER

BY: Richard A Villelli Pres
RICHARD A. VILLELLI, PRESIDENT

RECEIVED
AUG 19 1998
Department of Water Resources
Southern Region

STATE OF IDAHO )
) ss.
COUNTY OF GOODING )

On this 25 day of FEBRUARY, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD A. VILLELLI, known or identified to me to be the PRESIDENT OF VILLELLI ENTERPRISES, INC., A partner or one of the partners in the Partnership of LOS CABALLEROS, A LIMITED CALIFORNIA LIMITED PARTNERSHIP, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.

Notary Public

BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO

Gooding County, Idaho
Commission Expires 3-22-2000

174556

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.
01 min. past 4 o'clock P m. this 16th
of March 19 98 900
Penny Archibald Deputy

MICROFILMED
NOV 30 1999

CONTINUATION

SCHEDULE A

RECEIVED
AUG 19 1998
Department of Water Resources
Southern Region

Order Number: G-26276

PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 16: N½SW¼; SW¼SW¼; W½SE¼SW¼;

NW¼, EXCEPTING THEREFROM a tract of land described as follows:

Commencing at the Northeast corner of said E½NW¼;
Thence South on the North and South centerline of said Section, 2200 feet;
Thence North 28° West, 2300 feet following the center of Malad River;
Thence North 25° East, 250 feet to a point in the North boundary line in said Section;
Thence East 940 feet to THE PLACE OF BEGINNING.

Section 17: E½NE¼; E½SE¼;

Section 20: E½NE¼;

Section 21: NW¼NW¼, EXCEPTING THEREFROM deeded to the North Side Canal Company, Limited by Warranty Deed recorded April 2, 1954 in Book 46 Page 78 as Instrument Number 123922, Gooding County records, described as follows:

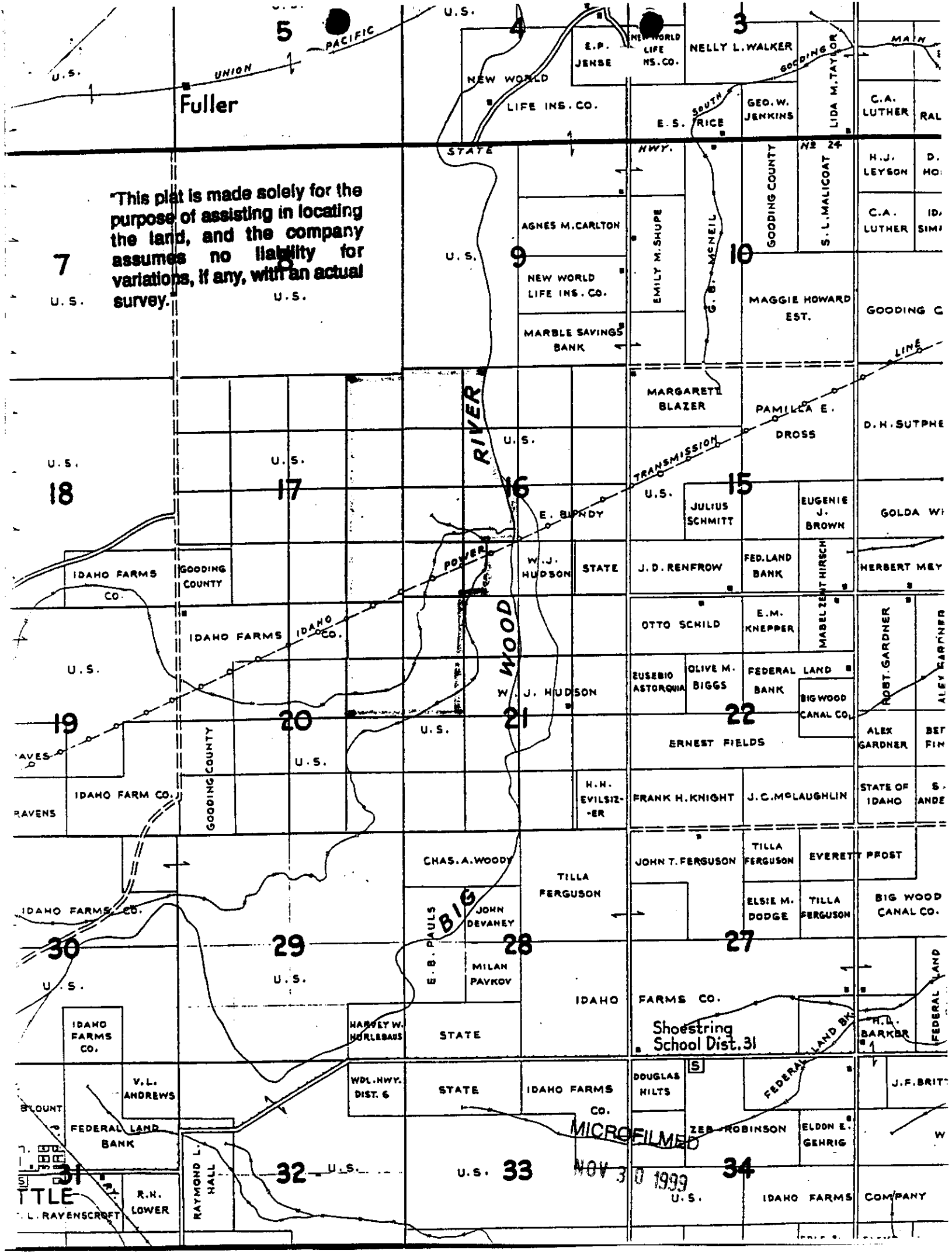
Beginning at a point from which the Northwest corner of Section 21, Township 6 South, Range 14, East Boise Meridian, bears North 19°10' West a distance of 1109.1 feet;
Thence North 89°46' East a distance of 311.0 feet;
Thence South 00°14' East a distance of approximately 272.4 feet to the South boundary of the NW¼NW¼;
Thence Westerly along said South boundary a distance of 311.0 feet;
Thence North 00°14' West a distance of approximately 272.4 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: SW¼NW¼.

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NOV 30 1999


This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey.
Fuller
UNION PACIFIC
U.S.
STATE HWY.
NEW WORLD LIFE INS. CO.
E.P. JENSE
NELLY L. WALKER
GOODING
MAIN
SOUTH
E.S. RICE
GEO. W. JENKINS
LIDA M. TAYLOR
C.A. LUTHER
H.J. LEYSON
S.L. MALICOAT
GOODING COUNTY
AGNES M. CARLTON
NEW WORLD LIFE INS. CO.
MARBLE SAVINGS BANK
EMILY M. SHUPE
G.B. MCNEIL
MAGGIE HOWARD EST.
GOODING C
MARGARETTE BLAZER
PAMILLA E. DROSS
D.H. SUTPHE
TRANSMISSION LINE
RIVER
POWER
WOOD
E. BUNDY
W.J. HUDSON
STATE
JULIUS SCHMITT
EUGENIE J. BROWN
GOLDA WI
J.D. RENFROW
FED. LAND BANK
HERBERT MEY
IDAHO FARMS CO.
GOODING COUNTY
OTTO SCHILD
E.M. KNEPPER
MABEL ZENT HIRSCH
ROBT. GARDNER
EUSEBIO ASTORQUIA
OLIVE M. BIGGS
FEDERAL LAND BANK
BIG WOOD CANAL CO.
ERNEST FIELDS
ALEX GARDNER
FRANK H. KNIGHT
J.C. MCLAUGHLIN
STATE OF IDAHO
H.H. EVILSIZER
CHAS. A. WOODS
TILLA FERGUSON
JOHN T. FERGUSON
EVERETT FROST
ELSIE M. DODGE
JOHN DEVANEY
E.B. PAULS
MILAN PAVKOV
IDAHO FARMS CO.
Shoestring School Dist. 31
H.L. BARKER
HARVEY W. HURLEBAUS
V.L. ANDREWS
WDL. HWY. DIST. 6
DOUGLAS HILTS
ZEB ROBINSON
ELDON E. GEHRIG
J.F. BRITT
FEDERAL LAND BANK
R.H. LOWER
RAYMOND L. HALL
L. RAVENSCROFT
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MICROFILMED
NOV 30 1999

FURNISHED BY Land Title and Escrow Inc.

# QUITCLAIM DEED

**For Value Received**

LOS CABALLEROS, A CALIFORNIA LIMITED PARTNERSHIP, Villelli Enterprises, Inc., General Partner

**Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto**

OPPIO FAMILY LIMITED PARTNERSHIP

**Hereinafter called the grantee, the following described premises, in** GOODING **County, Idaho to-wit:**

Water right Nos. #37-8756C and #A37-08010

Licensed with the State of Idaho Department of Water Resources

RECEIVED

AUG 19 1993

Department of Water Resources
Southern Region

**TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.**

Dated: February 25, 1998

Richard A. Villelli, President

Individual

STATE OF IDAHO, COUNTY OF GPPDOMG

On this 25th day of FEBRUARY, 19 98 before me, a Notary Public in and for said State, personally appeared RICHARD A. VILLELLI, PRESIDENT OF VILLELLI ENTERPRISES, INC. as General Partner of Los Caballeros,, a California Limited Partnerhsip known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as said President of said corporation.

Notary Public, Idaho

Residing at Gooding Co

Commission expires 3-29-2000

BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO

Gooding County, Idaho
Commission Expires 3-29-2000

174557

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

02 min. past 4 o'clock P.m. this 16th

of March 19 98 6.00

By Penny Archuleta Deputy

SCHEDULE A

Order Number: G-26276

PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 16: N½SW¼; SW¼SW¼; W½SE¼SW¼;

NW¼, EXCEPTING THEREFROM a tract of land described as follows:

Commencing at the Northeast corner of said E½NW¼;
Thence South on the North and South centerline of said Section, 2200 feet;
Thence North 28° West, 2300 feet following the center of Malad River;
Thence North 25° East, 250 feet to a point in the North boundary line in said Section;
Thence East 940 feet to THE PLACE OF BEGINNING.

Section 17: E½NE¼; E½SE¼;

Section 20: E½NE¼;

Section 21: NW¼NW¼, EXCEPTING THEREFROM deeded to the North Side Canal Company, Limited by Warranty Deed recorded April 2, 1954 in Book 46 Page 78 as Instrument Number 123922, Gooding County records, described as follows:

Beginning at a point from which the Northwest corner of Section 21, Township 6 South, Range 14, East Boise Meridian, bears North 19°10' West a distance of 1109.1 feet;
Thence North 89°46' East a distance of 311.0 feet;
Thence South 00°14' East a distance of approximately 272.4 feet to the South boundary of the NW¼NW¼;
Thence Westerly along said South boundary a distance of 311.0 feet;
Thence North 00°14' West a distance of approximately 272.4 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: SW¼NW¼.

TOGETHER WITH 20 shares capital stock in Northside Canal Company, Ltd.

MICROFILMED
NOV 30 1999

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Assessments of the American Falls Reservoir District No.2 and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Los Caballeros, Ltd., to Idaho Power Company, a corporation, dated February 7, 1992, recorded May 28, 1992 as Instrument Number 148876, Gooding County records, affecting the E½SE¼ of Section 17, Township 6 South, Range 14 East, Boise Meridian, Gooding County, Idaho.

Reservations and exceptions set forth in Patent by and between the United States of America, as Grantor, and Los Caballeros, a California Limited Partnership, as Grantee, dated October 21, 1976, recorded February 16, 1993, as Instrument Number 151658, Gooding County records.

Right of Way Deed by and between the State of Idaho, acting through the State Board of Land Commissioners, party of the first part, and the Idaho Power Company, a corporation, dated March 2, 1923, recorded June 30, 1942 in Book 2 Page 121 as Instrument Number 84818, Gooding County records, granting an easement or right of way through and across a portion of Section 16, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Leo Rice and May H. Rice, husband and wife, to Idaho Power Company, a corporation, dated December 7, 1960, recorded January 7, 1961 as Instrument Number 142739, Gooding County records, affecting the SW¼SE¼ of Section 2; N½NE¼, SE¼NE¼ of Section 11, both in Township 6 South, Range 13, East Boise Meridian, SE¼SE¼ of Section 17; NE¼NE¼ of Section 20; and NW¼NW¼ of Section 21, all in Township 6 South, Range 14, East Boise Meridian.

MICROFILMED
NOV 30 1999

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 37-08756C**

**Priority:** February 4, 1987 Maximum Diversion Rate: 1.34 CFS

This is to certify, that LOS CABALLEROS LTD
C/O RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 83805 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 4, 1987; and has submitted Proof of Beneficial Use on July 10, 1992. An examination indicates that the works have a diversion capacity of 2.980 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | ANNUAL VOLUME |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 1.34 CFS | |

**LOCATION OF POINT(S) OF DIVERSION:** SWSW , Sec. 16, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 16 | SWSW | 16 | SESW | 7 | | 23 |
| | | 17 | SESE | 1.5 | | | | 1.5 |
| | | 20 | NENE | 11.3 | SENE | 0.7 | | 12 |
| | | 21 | NWNW | 28 | SWNW | 2.5 | | 30.5 |

Total number of acres irrigated: 67

## CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 268.0 af for the lands above.

MAR 2 8 1996

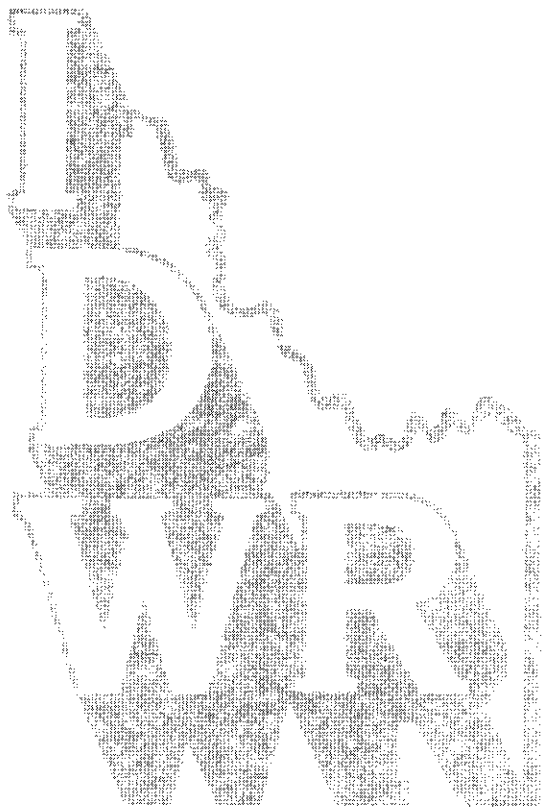
State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 37-08756C**

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19TH day of MARCH, 1996.

Acting for KARL J. DREHER, Director



MAR 28 1996

State of Idaho
Department of Water Resources

**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
**WATER RIGHT NO. 37-08756C**

**Date of Priority:** February 4, 1987 Maximum Diversion Rate: 1.34 CFS

Comes now LOS CABALLEROS LTD
C/O RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 83805 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08756C, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | ANNUAL VOLUME |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 1.34 CFS | |

**LOCATION OF POINT(S) OF DIVERSION:** SWSW , Sec. 16, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 16 | SWSW | 16 | SESW | 7 | | 23 |
| | | 17 | SESE | 1.5 | | | | 1.5 |
| | | 20 | NENE | 11.3 | SENE | 0.7 | | 12 |
| | | 21 | NWNW | 28 | SWNW | 2.5 | | 30.5 |

Total number of acres irrigated: 67

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Bonners Ferry ID, this 26th day of February, 1996.

Los Caballeros, Ltd, by Villelli Enterprises, Inc.
by Richard Villelli
(Signature)

State of Idaho
Department of Water Resources

**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
**WATER RIGHT NO. 37-08756C**

**********

**FOR DEPARTMENT USE ONLY**

Preliminary check by ____ Fee = 50.00 Receipted by JWyatt # C035067 Date 3/15/96

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08756C with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 268.0 af for the lands above.

Witness my hand this 19TH day of MARCH, 1996.

Acting for KARL J. DREHER, Director

RECEIVED
MAR 28 1996

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 37-08756B**

**Priority:** February 4, 1987 — Maximum Diversion Rate: 2.41 CFS; Maximum Diversion Volume: 586.0 AF

This is to certify, that LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 83805 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 4, 1987; and has submitted Proof of Beneficial Use on July 10, 1992. An examination indicates that the works have a diversion capacity of 3.330 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | ANNUAL VOLUME |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 2.41 CFS | 586.0 AF |

**LOCATION OF POINT(S) OF DIVERSION:** NESE , Sec. 17, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 17 | NWNE | 8 | SWNE | 36 | NENW | 19 | |
| | | | NWNW | 8 | SWNW | 36 | SENW | 39.5 | 146.5 |

Total number of acres irrigated: 146.5

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MAR 2 8 1996

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 37-08756B

## CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 586.0 afa for the lands described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19th day of MARCH, 1996.

Acting for KARL J. DREHER, Director

MAR 28 1996

State of Idaho
Department of Water Resources

# APPLICATION FOR AMENDMENT

(For Licensing Purposes)

**WATER RIGHT NO. 37-08756B**

**Date of Priority:** February 4, 1987 Maximum Diversion Rate: 2.41 CFS
Maximum Diversion Volume: 586.0 AF

Comes now LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 83805 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08756B, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | ANNUAL VOLUME |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 2.41 CFS | 586.0 AF |

**LOCATION OF POINT(S) OF DIVERSION:** NESE , Sec. 17, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 17 | NWNE | 8 | SWNE | 36 | NENW | 19 | |
| | | | NWNW | 8 | SWNW | 36 | SENW | 39.5 | 146.5 |

Total number of acres irrigated: 146.5

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Bonners Ferry ID, this 26 day of February, 1996.

Los Caballeros Ltd. by Willett Reynolds
by Richard Willett President
(Signature)

MAR 28 1996

State of Idaho
Department of Water Resources

**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
**WATER RIGHT NO. 37-08756B**

**********

**FOR DEPARTMENT USE ONLY**

Preliminary check by ____ Fee = 50.00 Receipted by JWyatt # C035067 Date 3/15/96

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08756B with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 586.0 afa for the lands described above.

Witness my hand this 19TH day of MARCH, 1996.

Acting for KARL J. DREHER, Director

MAR 28 1996

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 37-08756A**

**Priority:** February 4, 1987 — Maximum Diversion Rate: 2.41 CFS; Maximum Diversion Volume: 586.0 AF

This is to certify, that LOS CABALLEROS LTD
PO BOX 3
BONNERS FERRY ID 83805 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 4, 1987; and has submitted Proof of Beneficial Use on July 10, 1992. An examination indicates that the works have a diversion capacity of 3.610 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | ANNUAL VOLUME |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 2.41 CFS | 586.0 AF |

**LOCATION OF POINT(S) OF DIVERSION:** SESW , Sec. 8, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 8 | SWSW | 36 | SESW | 39 | SWSE | 36 | 111 |
| | | 17 | NWNE | 8 | NENW | 19.5 | NWNW | 8 | 35.5 |

Total number of acres irrigated: 146.5

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

RECEIVED
MAR 28 1996

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

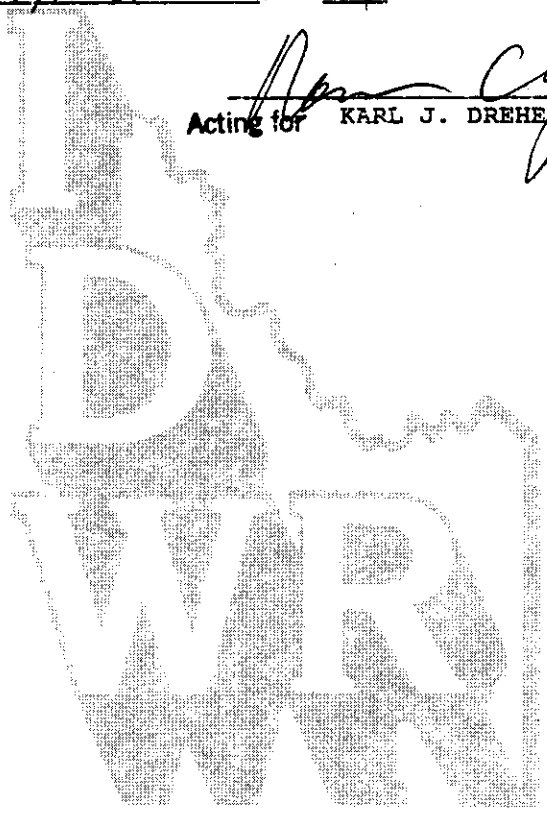
**WATER RIGHT NO. 37-08756A**

**CONDITIONS OF APPROVAL AND REMARKS**

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 586.0 afa for the lands described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19TH day of MARCH, 1996.

Acting for KARL J. DREHER, Director



MAR 28 1996

Form 217

RECEIVED
JUL 10 1992
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 275.00
Date 7-10-92
Receipt No. C024877
Receipt by

**STATE OF IDAHO**
**DEPARTMENT OF WATER RESOURCES**

# PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08756 Telephone No. (208)-352-4240
2. Name(s) of Permit Holder(s): LOS CABALLEROS LTD.
3. Mailing Address: 1126 U.S. 26 BLISS, ID. 83314
4. Source of Water: groundwater

   If **GROUNDWATER**, Well Driller's Name: EATON DRILLING WENDELL, ID. Date Drilled: 10/91

   *OPTIONAL:*
   Pump horsepower: 250 Pressure (psi): 80 Dynamic pumping level (ft.): 140'
5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 360 A (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 7.2 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   **OR**

   Flow Measurement Port: Required? ✓ Yes ___ No Installed? ___ Yes ___ No
8. Fee Enclosed: $ 275.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   JOHN D. YORE 352-4240 DAY 934-4826 NIGHT
   Name Telephone No.

   1126 U.S. 26 BLISS, ID. 83314
   Address
10. 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.

MICROFILMED
JUL 27 1992

7/7/92 LOS CABALLEROS LTD. BY: John Lyre MGR.
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

# Permit To Appropriate Water

NO. 37-08756

**Proposed Priority:** February 4, 1987 Maximum Diversion Rate: 7.20 CFS
This is to certify, that **LOS CABALLEROS LTD**
1126 US 26
BLISS ID 833140000
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION |
|---|---|---|
| IRRIGATION | 03/15 to 11/15 | 7.20 CFS |

**LOCATION OF POINT(S) OF DIVERSION:**
NWNW Sec. 17, Township 06S, Range 14E
SESW Sec. 8, Township 06S, Range 14E
GOODING County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 06S | 14E | 8 | SWSW | 40 | SESW | 40 | SWSE | 40 | 120 |
| | | 17 | NWNE | 40 | SWNE | 40 | NENW | 40 | |
| | | | NWNW | 40 | SWNW | 40 | SENW | 40 | 240 |

Total number of acres irrigated: 360

**CONDITIONS/REMARKS:**

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1992.**
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

SEP 27 1991

State of Idaho
Department of Water Resources

# Permit To Appropriate Water

NO. 37-08756

**CONDITIONS/REMARKS:**

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17th day of September, 1991.

for R. Keith Higginson, Director

27 1991

RECEIVED
JUL 02 1991

Form 202
6/85 Department of Water Resources

Ident. No. 37-8756

**STATE OF IDAHO**
**DEPARTMENT OF WATER RESOURCES**

# AMENDED APPLICATION FOR PERMIT

**To appropriate the public waters of the State of Idaho**

1. Name of applicant Los Caballeros, Ltd Phone 352-4240
   Post office address 1126 US 26 Bliss, ID 83314
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ ¼ of SE ¼ of SW ¼, Govt. Lot _____
   Sec. 8 Township 6S Range 14E B.M. Gooding County; additional
   points of diversion if any: NW NW S17 T6S R14E
4. Water will be used for the following purposes:
   Amount 7.20 (cfs or acre-feet per annum) for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) 7.20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. 2 wells, pumps, mainlines, pivots, handlines to corners
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
   c. Proposed well diameter @ 12 inches; proposed depth of well is 150 feet @.
   d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (*minimum 1 year*).

SEP 27 1991

8. Description of proposed uses (*if irrigation only, go to item 9*):

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6S | 14E | 8 | | | | | | | | | | | 40 | 40 | | | 40 | | 120 |
| | | 17 | | 40 | 40 | | 40 | 40 | 40 | 40 | | | | | | | | | 240 |
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Total number of acres to be irrigated 360

10. Describe any other water rights used for the same purposes as described above. —

11. a. Who owns the property at the point of diversion? Applicants

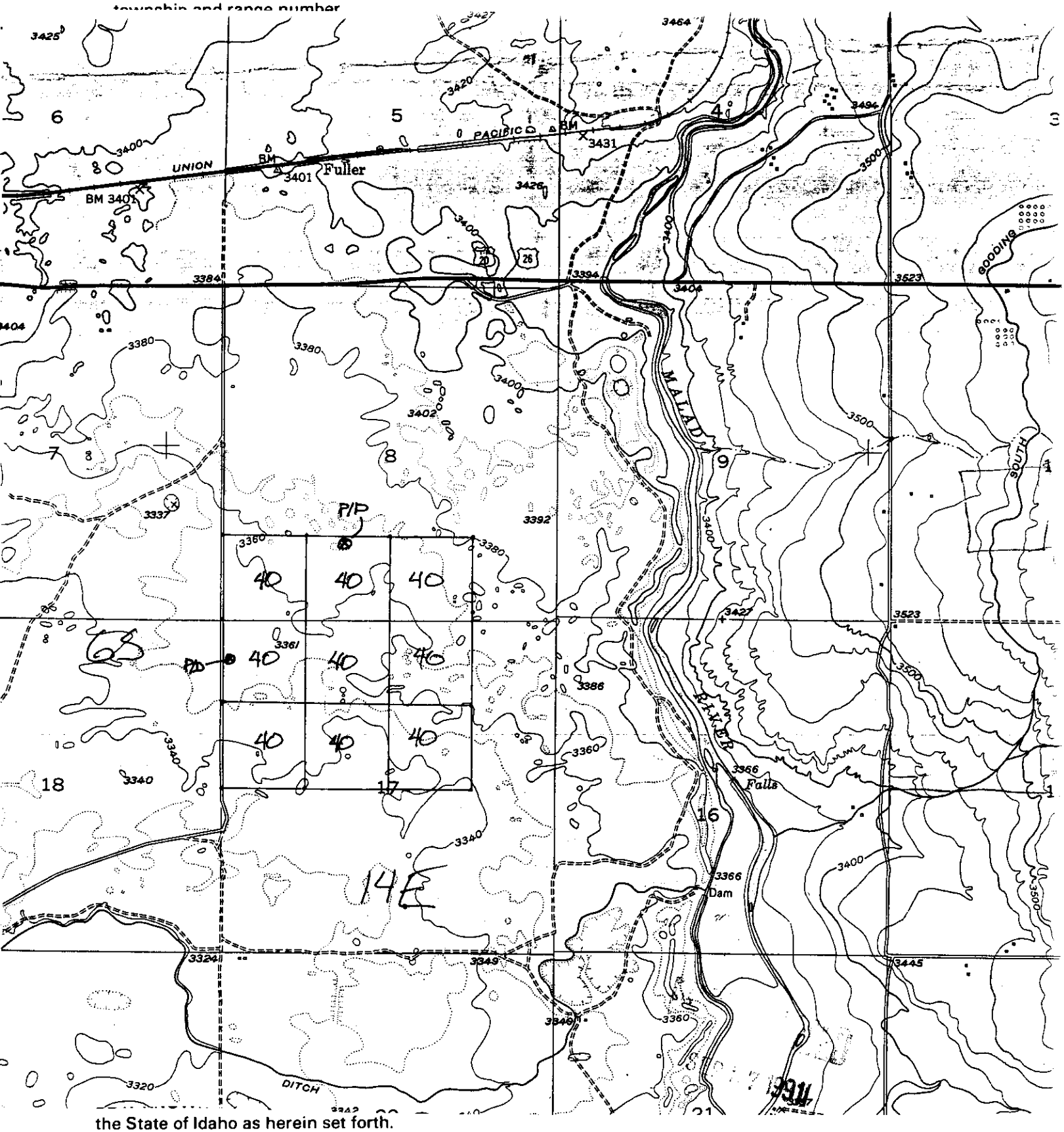
    b. Who owns the land to be irrigated or place of use? Applicants

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

SEP 27 1991

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number




the State of Idaho as herein set forth.

John D. Ure, Mgr. of Los Cabaneros Ltd.
(Applicant)

Received by DRJ Date 6/27/91 Time 11 AM Preliminary check by _____

Fee $ _____ Receipted by _____ # _____ Date _____

Publication prepared by BLM Date 8-7-91 Published in Gooding County Leader

Publication approved _____ Date _____

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

FILED

SEP 27 1991

Form 202
6/85

Ident. No. ~~36-8321~~ 37-8756

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
# AMENDED APPLICATION FOR PERMIT AMENDED.

**To appropriate the public waters of the State of Idaho**

1. Name of applicant LOS CABALLEROS LTD Phone 352-4240

   Post office address 1126 US 26 BLISS, ID 83314

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is NW ¼ of NE ¼ of SE ¼, Govt. Lot _____

   Sec. 17 Township 6S Range 14E B.M. GOODING County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 6.4 (cfs or acre-feet per annum) for ~~Irrigation~~ purposes from 3/15 to 11/15 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) 6.4 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. EXISTING WELL (CAPPED). ~~A~~ CENTER PIVOT SYSTEM & LANDLINES

   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet.

   d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (*minimum 1 year*).

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SEP 27 1991

8. Description of proposed uses (*if irrigation only, go to item 9*):

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6S | 14E | 8 | | | | | | | | | | | 40 | 40 | | | | | 80 |
| | | 16 | | | | | | | | | | | | | | | | | |
| | | 17 | | 40 | 40 | | 40 | 40 | 40 | 40 | | | | | | | | | 240 |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 320

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicant

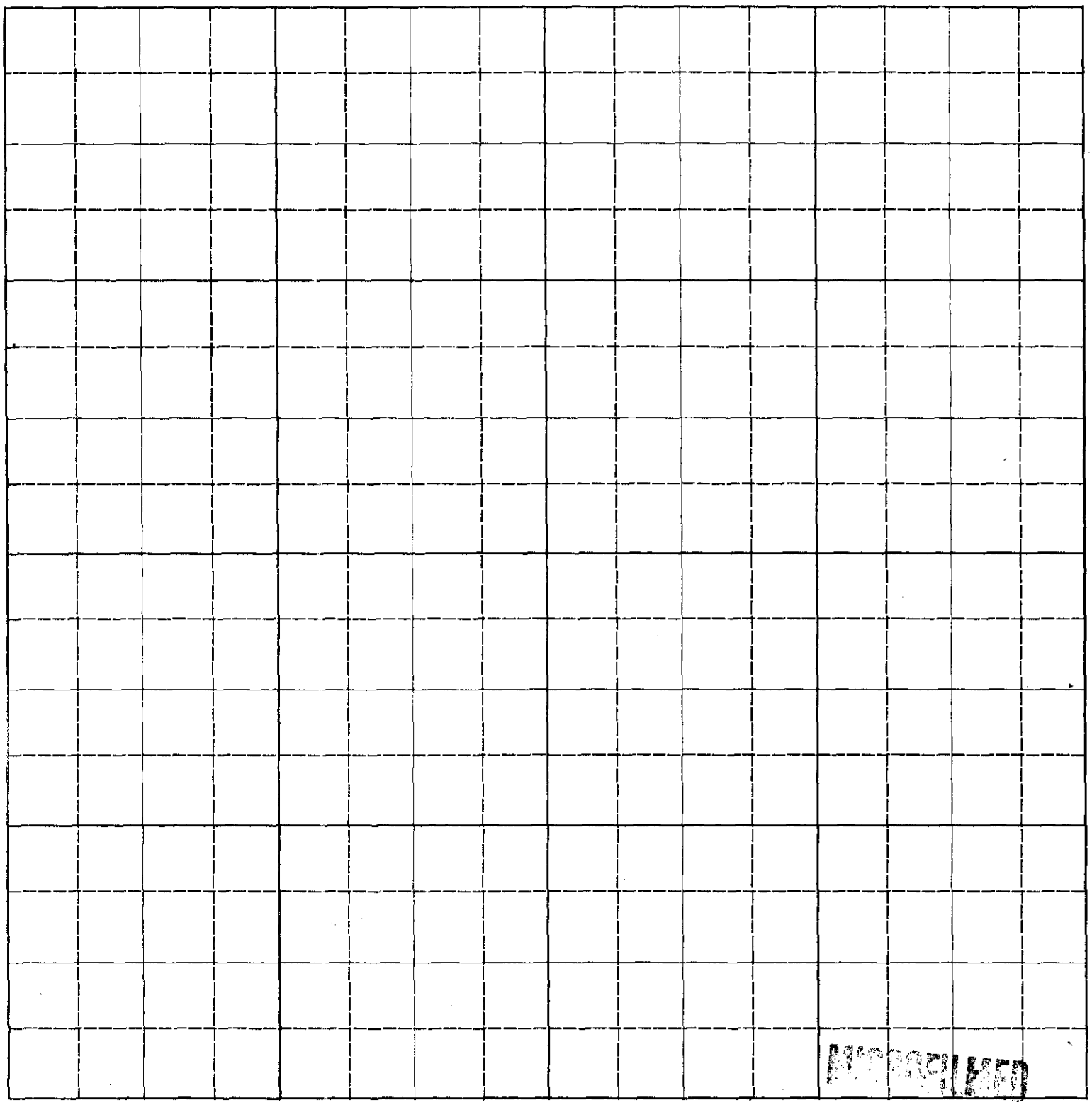
    b. Who owns the land to be irrigated or place of use? Applicant

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

SEP 27 1991

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

SEP 27 1991

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Los Caballeros Ltd
(Applicant)
John Lyon, Mgr.

Proposed Priority: 2-4-1987
Amended: 3-26-91

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee $ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

MICROFILMED

SEP 27 1991

RECEIVED
FEB 04 1987
Department of Water Resources

RECEIVED
FEB 5 1987
Department of Water Resources
Southern Region Office

Form 202
6/85

Ident. No. 36-8321

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
# APPLICATION FOR PERMIT

**To appropriate the public waters of the State of Idaho**

1. Name of applicant LOS CABALLEROS LTD. Phone 352-4240

   Post office address H.C. 60 BOX 1545, Bliss, ID. 83314

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is NW ¼ of NE ¼ of SE ¼, Govt. Lot _____

   Sec. 17 Township 6S Range 14E B.M. GOODING County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   L.C.L.D 3.4, 3.80
   3/26/91 ~~17.84~~

   Amount ~~17.84~~ for Irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
   (cfs or acre-feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) ~~17.84~~ 3.8 and/or (b) 8705
   cubic feet per second acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. deep well, pump, mainline, sprinklers

   b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total

   reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:

   _____ to _____ inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet.

   d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

   5 years (*minimum 1 year*).

SEP 27 1991

8. Description of proposed uses (*if irrigation only, go to item 9*):

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| ~~6S~~ | ~~14E~~ | ~~8~~ | | | | | | | | | | | ~~40~~ | ~~40~~ | | | ~~40~~ | | ~~120~~ |
| 6S | 14E | 16 | | | | | ~~5~~ | ~~40~~ | ~~40~~ | ~~27~~ | ~~40~~ 40 | ~~40~~ 40 | ~~40~~ 20 | ~~20~~ 10 | | | | | ~~252~~ 110 |
| 6S | 14E | 17 | ~~40~~ | ~~40~~ | ~~40~~ | ~~40~~ | ~~40~~ | ~~40~~ | ~~40~~ | ~~40~~ | | | | | 40 | | | 40 | ~~400~~ 80 |
| ~~6S~~ | ~~14E~~ | ~~20~~ | ~~40~~ | | | ~~40~~ | | | | | | | | | | | | | ~~80~~ |
| ~~6S~~ | ~~14E~~ | ~~21~~ | | | | | | ~~40~~ | | | | | | | | | | | ~~40~~ |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated ~~892~~ 190

L.C.LTD BY J.Y. 3-26-91

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? LOS CABALLEROS LTD.

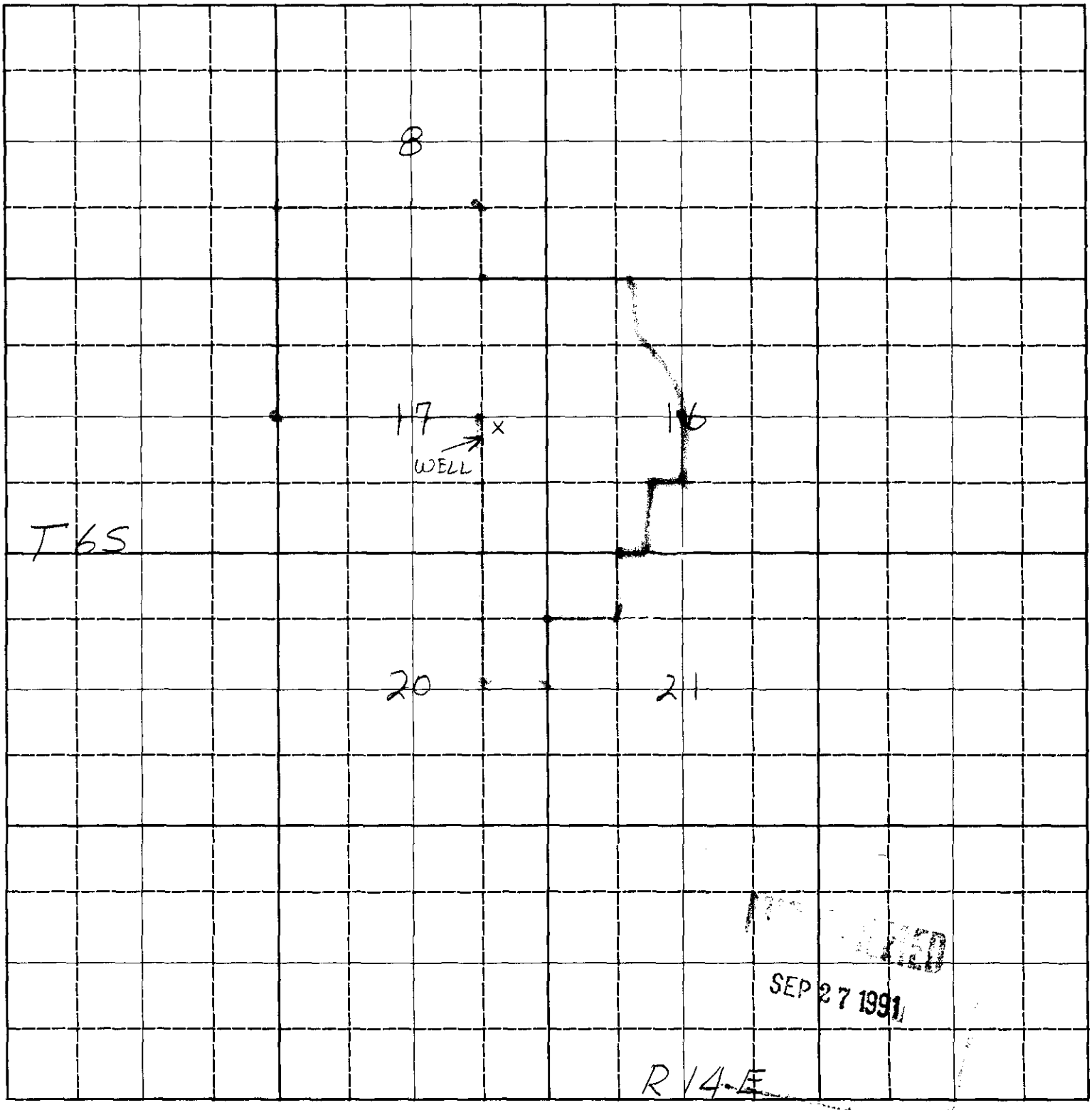
    b. Who owns the land to be irrigated or place of use? LOS CABALLEROS LTD.

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

SEP 27 1991

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.




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SEP 27 1991

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Los Caballeros, LTD
by Udell Enterprises, Inc. General Partner
by Richard W. Udell Pres

(Applicant)

MB 2/6/87

Received by ___ Date 2-4-87 Time 8:25 Preliminary check by JBlau

Fee $ 385.00 Receipted by M. Baldwin # 40672 Date 2/6/87

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

SEP 27 1991

# AFFIDAVIT of PUBLICATION

RECEIVED
AUG 23 1991
Department of Water Resources

State of Idaho } ss.
County of Gooding }

Patty Spence, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14th day of Aug., 19 91, and the date of the last publication was on the 21st day of Aug., 19 91.

Patty Spence

Subscribed and sworn to before me this 22nd day of Aug., 19 91.

(SEAL)

Vince Landaiza
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

## COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

| | | | |
|---|---|---|---|
| _____ | Lines tabular at | _____ | 6¢/Pica |
| 337.5 | Lines straight at | 16.88 | 5¢/Pica |
| _____ | Subsequent lines at | 13.50 | 4¢/Pica |
| | TOTAL COST | 30.38 | |

## COPY OF NOTICE

(Paste Here)

Not. Appl. Trust Wat. Rt.
TITLE OF NOTICE
Los Caballeros. Ltd
36-08321
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Water Res.
BILL TO

NOTICE OF APPLICATION FOR TRUST

LOS CABALLEROS LTD.
1120 S.E. 28
BLISS, ID 83314[illegible]
Source: GROUNDWATER
Diversion Pt: SESW Sec 8 T 06S R 14E
NWNW Sec 17 T 06S R 14E
Use: IRRIGATION (7.200 CFS)
Total Diversion: (7.200 CFS)
Date Filed: 2/4/1987
In: T06S R14E S08 SWSW SESW SWSE S17 NWNE SWNE SENW NWNW SWNW SENW
368.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, [illegible] Boise, Idaho 83720 on or before SEPTEMBER 3, 1991.
R. Keith Higginson, Director
Pub: 8-14, 21 [illegible]

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|---|---|
| 7-8 pt. per line tabular | 6¢/Pica |
| 7-8 pt. per line straight | 5¢/Pica |
| 7-8 pt. per line successive insertions | 4¢/Pica |

OK
EJL
8-26-91

SERIAL 5116

7889

36-8321

STATE OF IDAHO

**Department of Water Resources**

**No 40672**

Boise, Idaho, February 6, 1987

RECEIVED FROM Los Caballeros of C.A.; Bliss, ID $ 490.00

Four hundred ninety and no/100 DOLLARS

| | | |
|---|---|---|
| FOR app permit - 17.84 cfs | $ 385 | 00 |
| app. Permit - 3.2 cfs | $ 105 | 00 |
| | $ | |
| ck # 1744 | $ | |
| Bk # 16-77 | $ | |
| TOTAL - - - | $ | |

} $490.00

SEP 87 1987

M. Baldwin

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

October 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

OPPIO FAMILY LIMITED PARTNERSHIP
PO BOX 381
GOODING ID 83330

RE: Water Right 37-08756C

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
NOV 30 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

# MEMORANDUM

**To:** Governor Philip E. Batt **Date:** July 16, 1996

**From:** Karl J. Dreher **cc:** File No. 37-08756

**Subject:** Constituent Affairs Tracking Memo - Richard A. Villelli

This memorandum is provided in response to your request for a report and background information on a water right filing, Permit No. 37-08756, in the name of Los Caballeros, Ltd. owned in part by Mr. Richard Villelli. I have spent a considerable amount of time researching and reviewing this matter because of Mr. Villelli's concern that the Department of Water Resources (the "Department") has not given his problem fair treatment or has not afforded him all of the administrative consideration that could have been made. Pertinent copies of previous correspondence between former Governor Cecil Andrus and former Director R. Keith Higginson concerning this situation are attached for your reference.

The property for which Los Caballeros has been seeking permanent water rights is located within the Eastern Snake River Plain Area which is subject to a moratorium issued May 15, 1992. The moratorium was established to protect existing water rights in Idaho from the reduction in available water supplies which developed during and following the drought, which began in 1987 and lasted through 1994. Amendments to the moratorium have been made to allow processing of applications for new uses if the effects are mitigated, determined to be insignificant, or if the project is necessary for an overriding public purpose. By statute enacted in 1994 (§ 42-1806, Idaho Code), the moratorium will remain in place until at least December 31, 1997.

The letter dated September 20, 1995 from former Director Higginson accurately describes past activities regarding Permit No. 37-08756. Mr. Villelli, as general partner of Los Caballeros, originally filed an application on February 6, 1987, to appropriate 17.84 cfs of ground water for irrigating 892 acres. Processing of Los Caballeros' application was slowed because of the Swan Falls water right dispute with Idaho Power Company and the subsequent settlement agreement. In the meantime, Mr. John Yore, as farm manager for Los Caballeros, filed an amended application reducing the diversion rate and acreage to be irrigated to 7.2 cfs and 360 acres, respectively. On February 24, 1994, the Department received a letter from Los Caballeros' attorney advising the Department that Los Caballeros had only recently become aware of the 1991 amendment to the permit application, and that Mr. Yore did not have the authority to amend the application. The letter also requested that "because the [amended] Application was not signed by Los Caballeros' general partner ... the Department ... disregard the 1991 amendment and allow Los Caballeros the opportunity to Amend

MICROFILMED
NOV 30 1999

its 1991 Permit." However, the Department had advertised the application in August of 1991, as amended by Mr. Yore, and issued Permit No. 37-08756 on the basis of that public notice.

Mr. Villelli apparently believes that the Department should have known that the farm manager for Los Caballeros, Mr. Yore, was not authorized to amend the application for permit filed on behalf of Los Caballeros by Mr. Villelli. However, Mr. Yore clearly represented that he had such authority by signing the amended application on behalf of Los Caballeros as its manager. The department was not legally obligated to contact another representative of Los Caballeros to confirm whether Mr. Yore as Los Caballeros' farm manager had the authority to amend the permit just as the Department was not obligated to confirm whether Mr. Villelli had the authority to file the original application for permit. If Los Caballeros has been harmed by misrepresentations of Mr. Yore, it is Mr. Yore who is responsible not the Department of Water Resources.

Assuming Mr. Yore did not have the authority to amend the application for permit, I share Mr. Villelli's frustration with this matter. However, simply amending Permit No. 37-0876 to restore the diversion amount and irrigated acreage to the quantities for which application was originally made, as requested by Mr. Villelli's attorney, would deny other potentially affected water rights owners due process and would be in direct violation of § 42-1806, Idaho Code, which requires the continuance of the existing moratorium until at least December 31, 1997. The Department's inability to grant Los Caballeros the rights to water which Mr. Villelli believes are needed and should be granted is not a matter of bureaucratic insensitivity. There is simply no legal authority for the Department to increase the quantities contained in the application as amended.

On March 19, 1996, the Department issued water right licenses to Los Caballeros based on beneficial use under Permit No. 37-0876. The water right was split into three components corresponding to three separate points of diversion as follows:

| Water Right No. | Point of Diversion | Rate of Diversion | Irrigated Acreage |
|---|---|---|---|
| 37-08756A | Sec 8, T6S, R14E | 2.41 cfs | 146.5 acres |
| 37-08756B | Sec 17, T6S, R14E | 2.41 cfs | 146.5 acres |
| 37-08756C | Sec 16, T6S, R14E | 1.34 cfs | 67.0 acres |
| | Totals: | 7.16 cfs | 360.0 acres |

Los Caballeros is irrigating an additional 149 acres using leased surface water supplies. Los Caballeros can continue to irrigate the additional acreage using leased supplies. Alternatively, Los Caballeros can purchase a valid existing water right and pursue transferring the place of use, as outlined in Mr. Higginson's letter dated September 20, 1994, or apply for a permit to appropriate additional water providing mitigation as outlined in the most recent amended order from the Department continuing the moratorium in the East Snake Plain Aquifer.

MICROFILMED
NOV 3 0 1999

Attachments (4)

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1996

LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NOS. 37-08756A/B/C

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Watten Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAR 28 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 1996

LOS CABALLEROS LTD
RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 83805-1278

RE: APPLICATION FOR AMENDMENT FEES

Dear Water Right Holder(s):

I have received your signed Applications for Amendment of Water Right Nos. 37-08756B and 37-08756C. However, I have not received the application fee of $100.00 ($50.00 per amendment). In case you have misplaced the original letter of 2/12/96, which requests the filing fee, I am enclosing a copy for you.

I will hold your amendments and file until March 20, 1996. Please submit your filing fees by that date.

If you have any questions, you may contact me directly at (208) 327-7946.

Respectfully,

Shelley Walter Keen
Water Right Supervisor

SK:rl

MAR 2 8 1996

**State of Idaho**
**DEPARTMENT OF WATER RESOURCES**
**1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000**
**Phone: (208) 327-7900 FAX: (208) 327-7866**

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1996

LOS CABALLEROS LTD
C/O RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NO. 37-08756B and 37-08756C

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to depict your water rights as they have actually been developed.

The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendments reflect a change in the location of the point(s) of diversion and the place(s) of use descriptions. Please review carefully and if you concur, sign the amendments and return with the $100.00 ($50.00 each) filing fee within 14 days.

The last page of the Application for Amendment forms contain a list of CONDITIONS/REMARKS proposed for the licenses when they are issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley Watter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

# MEMORANDUM

**DATE:** February 13, 1996

**TO:** File 37-08756C

**FROM:** Shelley W. Keen SWK

**RE:** Recommendation to License 37-08756C

==========

On Monday, February 5, 1996, Lewis Davenport met with me to discuss the licensing proposal for 37-08756. Mr. Davenport felt that because 37-08756A & B are to total only 293 acres (a figure we agreed on after reviewing the file), 67 acres remained available for coverage of the development of about 138 acres that occurred to the south. He explained to me how the development occurred and was then curtailed when Los Caballeros learned permit 37-08756 covered only 360 acres. The examiner verified that the development of the 138 acres occurred within the authorized development period for the permit. Mr. Davenport said he would try to alleviate my concerns by designating for licensing a specific 67 acres within the larger development. He said Los Caballeros will continue to pursue acquisition of a water right for the remaining land.

I do not believe 37-08756C should be conditioned as supplemental to surface water because the surface water used there now was leased only when it was learned that the groundwater permit did not cover the land. As far as I can tell, no surface water was used on the lands prior to the groundwater development.

01/96

# B/U FIELD EXAM REVIEW

*Cindy Zimmerman*

Permit #: 37-21560 Name: Los Caballeros Date: 2/9/96 ✓Lots ____

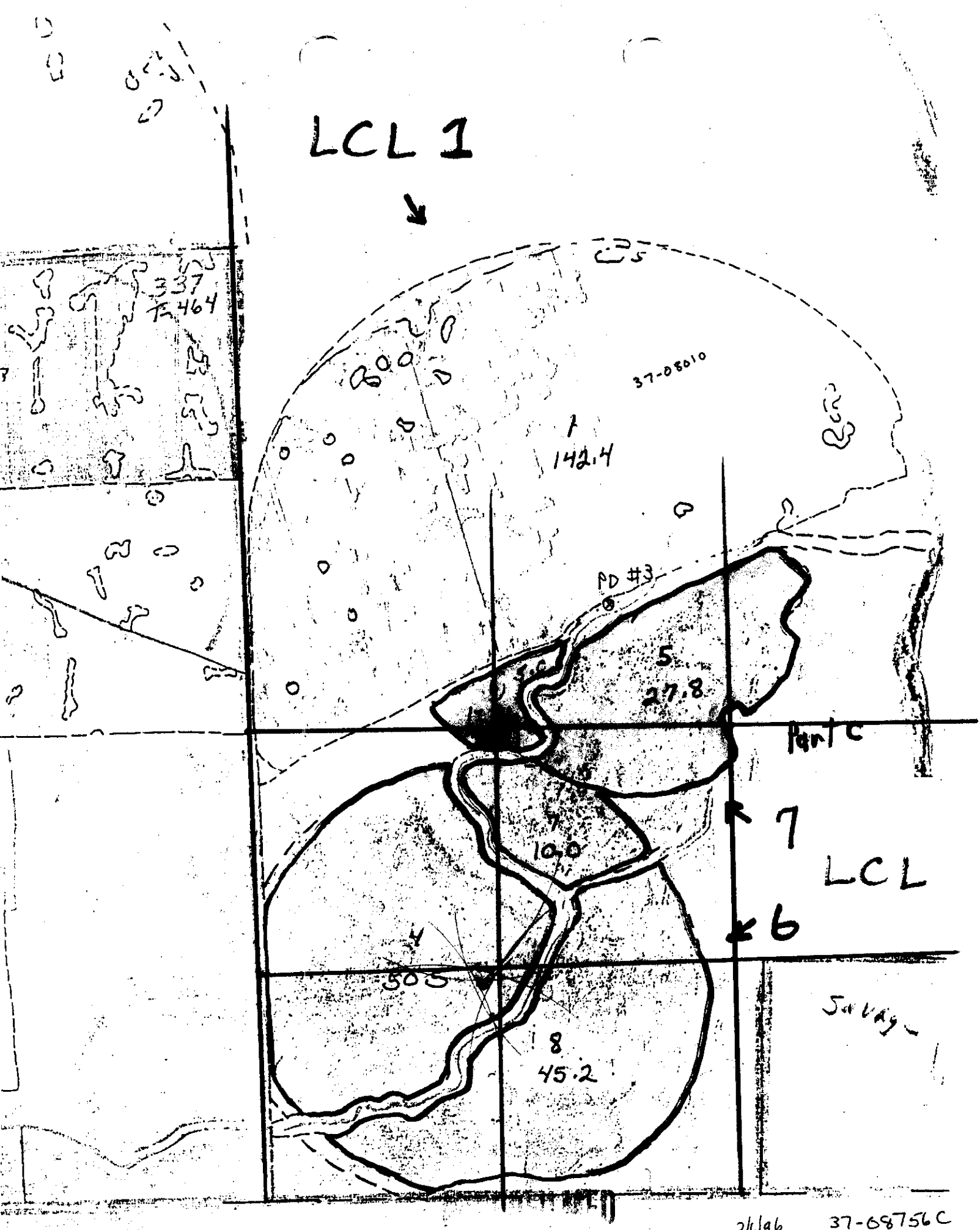
| | Chng | Same | |
|---|---|---|---|
| NAME | ___ | ✓ | Or Address Change? |
| SOURCE | ___ | ✓ | Clarify source ____ |
| | ___ | | Prelim. Order to Void - Source change. |
| P/D | ✓ | ___ | Amendment Needed? SWSW, S16 **P39** |
| | | | Overlap(s) none |
| | | | add new: 65,145; 616 - SWSW(16); SESW(7); S17 SESE(1.5); S20-NENE(11.3); SENE(0.7); 621 - NWNW(28); SWNW(2.5) = total 67.0 acres. |
| P/U | ✓ | ___ | Amendment Needed? **P41** |
| | | | Overlap(s) Canal Water |
| | | | (Gov't special ¶'s) *P/D & P/U Amend? **P37** |
| **RATE** | ___ | ✓ | Permit/fee limits: 7.2 / 7.2 |
| | ___ | ✓ | Measured Q= ____ cfs/Theoretical Q= 2.98 cfs |
| | | | 67.0 ac x 0.02 cfs/ac = 1.34 cfs |
| | | | (HP) 8.8 x 0.70 x 125 / 85 + (2.31 x 75) = 770 / 258.25 = 2.98 cfs. |
| | ✓ | ___ | Recommended capacity 2.98 cfs |
| | ✓ | ___ | **Recommended rate** 1.34 cfs |
| **VOLUME** | ✓ | ___ | Season of Use: (C/4.0) 4/1 - 10/31 = 214 days |
| | | | Calculations: 67.0 ac x 4.0 AF/ac = 268.0 AFA |
| | | | Flow limit: 1.34 x 214 x 1.9835 = 568.8 AF |
| | ✓ | ___ | **Recommended volume** 268.0 AF |
| USES | ___ | ✓ | Same Nature of Use? ____ **P46** |
| | ___ | ___ | Amendment Needed? ____ |
| REMARKS | | ___ | Multiple p/d's in ¼¼? W32 ____ |
| | | ___ | ① WB8 ② WB7 |
| CONDITIONS | | ___ | Measuring *(R01)*/Locking *(R02)* Devices |
| | | ___ | Watermaster Control *(R04)* - WD # ____ |
| | | Remark | Irrigation rate/volume overlap |
| | | ___ | GW irrigation replaces surface water *(050)* |
| | | 065 | GW irrigation suppliments surface water *(065)* |
| | | ✓ | Water Quality/Other R55, R56, 053 (Trust) |

PRIORITY App Rcd 2/4/87 Due 9/1/92 Rc'd 7/10/92
Receipt# 0024877 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/(No) Done? ____
If Yes, Advanced? Yes/No to: ____
Priority 2/4/87 Examined 8/24/95

COMMENTS: ____

| USE | CFS | DIV VOL |
|---|---|---|
| Irr. 67A | 1.34 | remark |
| | | |
| | | |
| TOTAL | 1.34 | |

*SRBA Overlap* ✓
*Adjustment Memo* ___
LICENSE LTR: **P49**
#1 AMEND LTR: **P37/P38**
#2 AMEND LTR: **P42/P47**




2/6/96 37-68756C
S.W. Kee

MAR 2 8 1996

Form 219
6/86

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OCT 0 2 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

## A. GENERAL INFORMATION

Permit No. 37-08756 PART C

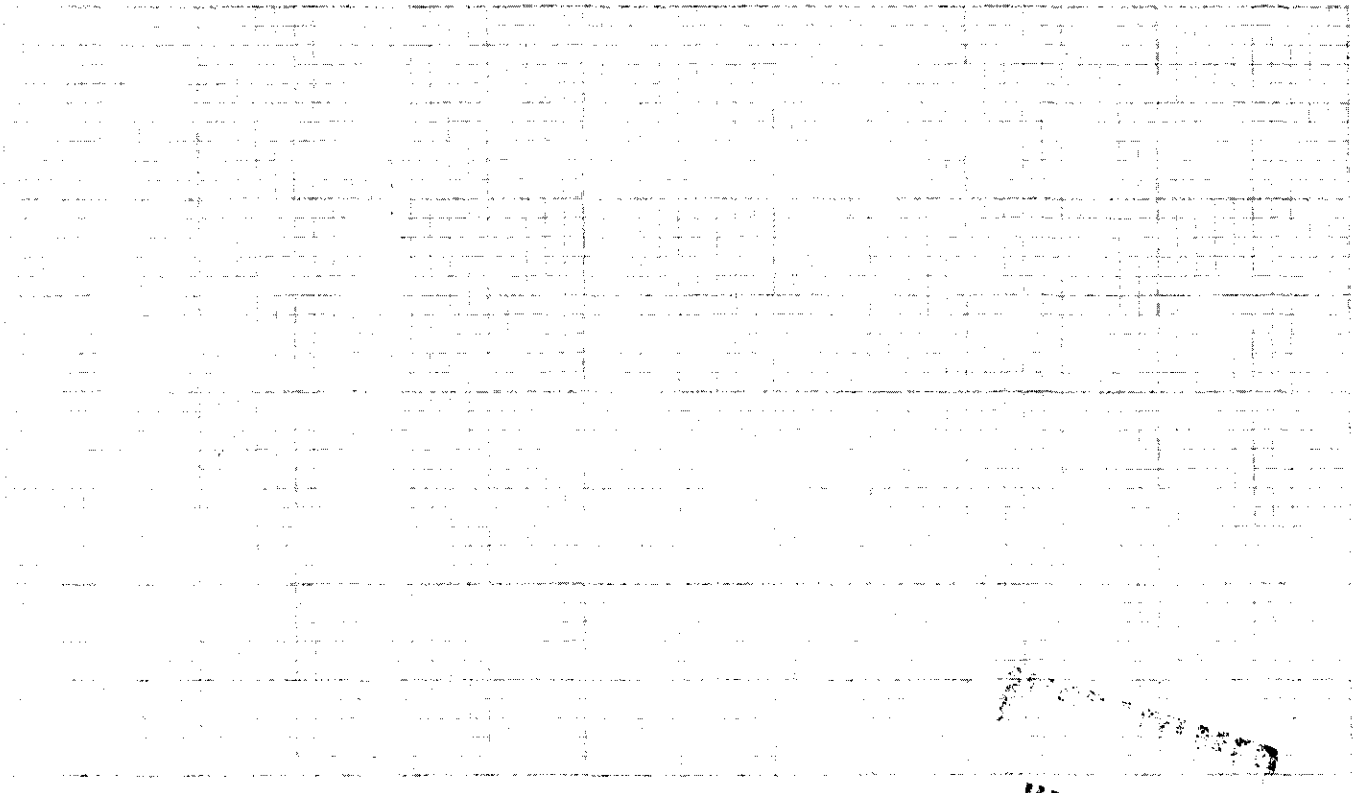
1. Owner: Los Caballeros Ltd. Phone No. 267-5595
   Current Address: c/o Richard Villelli, Box S, Bonners Ferry, ID 83805
2. Accompanied by: Lewis Davenport EXAM. DATE: 8-24-95
   Address: 1737-A E 1800 S, Gooding, ID Phone No. 934-5600
   Relationship to Permit Holder: partner, farm operator
3. Source: Groundwater tributary to _____

## B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

## C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



MAR 2 8 1996

***Scale: 1" = _____.***

2. ☒ Copy of U.S.G.S. 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 or more).
   ☒ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

***System Description (continued)***

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Three separate wells, pumps, mainlines. Wells #1 & 2 each serve a 14-tower pivot. Well #3 serves a 6-tower & a 9-tower pivot. According to Mr. Davenport, Well #3 was used in 1992 & 1993, as they thought they had water rights for this ground. But this ground was amended off of this permit by an employee. When this was discovered, they disconnected power to this pump. All components are still in place, but the two pivots are now run with canal water.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| 1 | Newman | 150 | 444TP/DD37 | Layne & Bowler | LP 92029 |
| | Allis-Chalmers ↳ | | 82PB | | |
| 2 | ↳ | 150 | 51-347-505 | " | LP 92035 |
| 3 | US Motors | 125 | H1415889 | " | LP 92216 |

**Code to correspond with No. on map and aerial photo*

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | NE | SE | SW | 8 | 6S | 14E | Gooding | Part A well |
| 2 | | NE | NW | SE | 17 | " | " | " | Part B well |
| 3 | | | SW | SW | 16 | " | " | " | Part C well |
| | | | | | | | | | |

6. **Place(s) of Use:** Indicate Method of Determination ASCS photos

| | Twp. | Rge. | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| A) | 6S | 14E | 8 | | | | | | | | | | | 36 ~~24.5~~ | 39 | | | 37.3 | | 112 |
| | | | 17 | | 8 | | | 20.5 | 8 | | | | | | | | | | | 36 |
| | | | | | | | | | | | | | | | | | | | | 148 |
| B) | 6S | 14E | 17 | | 8 | 3.5 | 0.5 | 31.9 | 8 | 37 | 39.5 | | | | | | | | | 148 |
| | | | | | | | | | | | | | | | | | | | | |
| C) | 6S | 14E | 16 | | | | | | | | | | | 15.2 | 7.5 | | | | | 22.7 |
| | | | 17 | | | | | | | | | | | | | | | | 1.5 | 1.5 |
| | | | 20 | 27 | | | 30 | | | | | | | | | | | | | 57.0 |
| | | | 21 | | | | | 0.3 | 29 | 28 | | | | | | | | | | 57.3 |
| | | | | | | | | | | | | | | | | | | | | 138.5 |

MAR 2 8 1996

***Do not use this space***

*Do not use this space*

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**
Not measured. Theoretical capacity of Wells 1 & 2 exceeds design capacity of sprinklers. Recommend licensing for design capacity on these wells. This totals 4.82 cfs, leaving 2.38 cfs that can be licensed for Well #3. However, only 64 acres of the permit are left after licensing Parts A & B, so only 1.28 cfs can be licensed under Part C.

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

## F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = A+B) 148 x 4 = 592 C) ~~138.5~~ x 4 = ~~554~~ 256 (64)

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = A+B) 2.41 x 214 x 1.98 = 1023 C) ~~1059~~ 509

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = A+B) 592 AFA C) ~~554~~ 256

2. Volume Calculations for Other Uses:

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## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Recommend license be issued in 3 separate parts, as there are 3 separate water systems. Well #3, although not used now, was drilled & in use before the proof date - well log, ASCS records, inspection date on power box confirm this. Well #3 will be used if water rights are obtained. Recommend Well #3 & associated land be licensed as a permissable place of use, as there is not enough land & water left over from the rest of the permit to fully cover the system. There is a second well ~~on the same slab~~ close to as Well #3, but the 2 are not related. Well #3 is the south well. ~~on the slab.~~

The ASCS photo does not match the standard 660 scale, so it required a lot of effort to figure out the acreages for the two large pivots.

License conditions for Part C - PPU not to exceed 64 acres per annum. Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on these lands.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| A) Irrigation | 4-1 | 10-31 | 2.41 | 592 |
| B) " | " | " | 2.41 | 592 |
| C)* " | " | " | Totals: ~~2.38~~ 1.28* ~~6.10~~ 6.1 | ~~554~~ 256* ~~1440~~ 1440 |

### 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

## J. AUTHENTICATION

Field Examiner's Name: J E Stanton

Signature: J E Stanton

Certification Date:

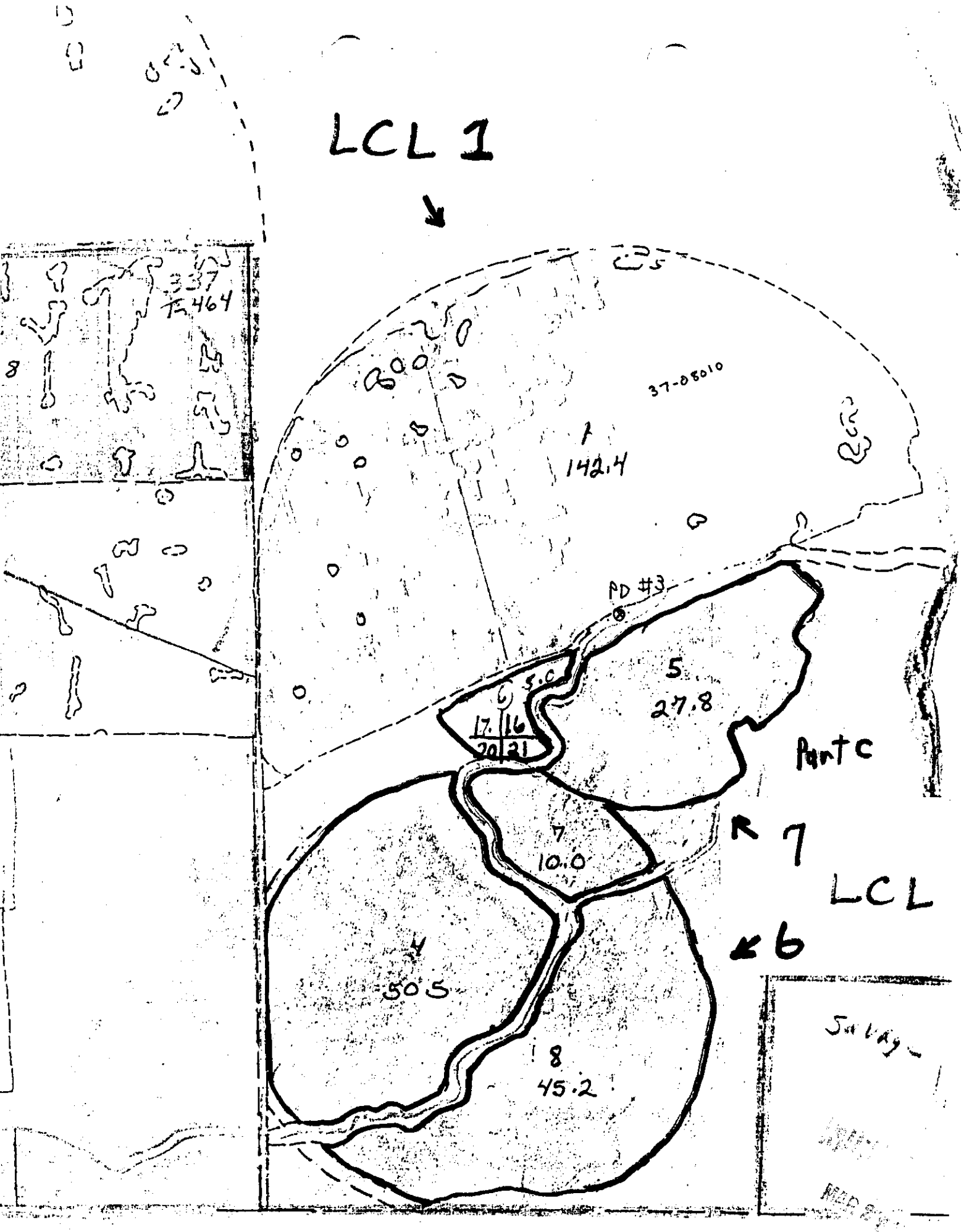
Field Report Preparation Date: 9-26-95

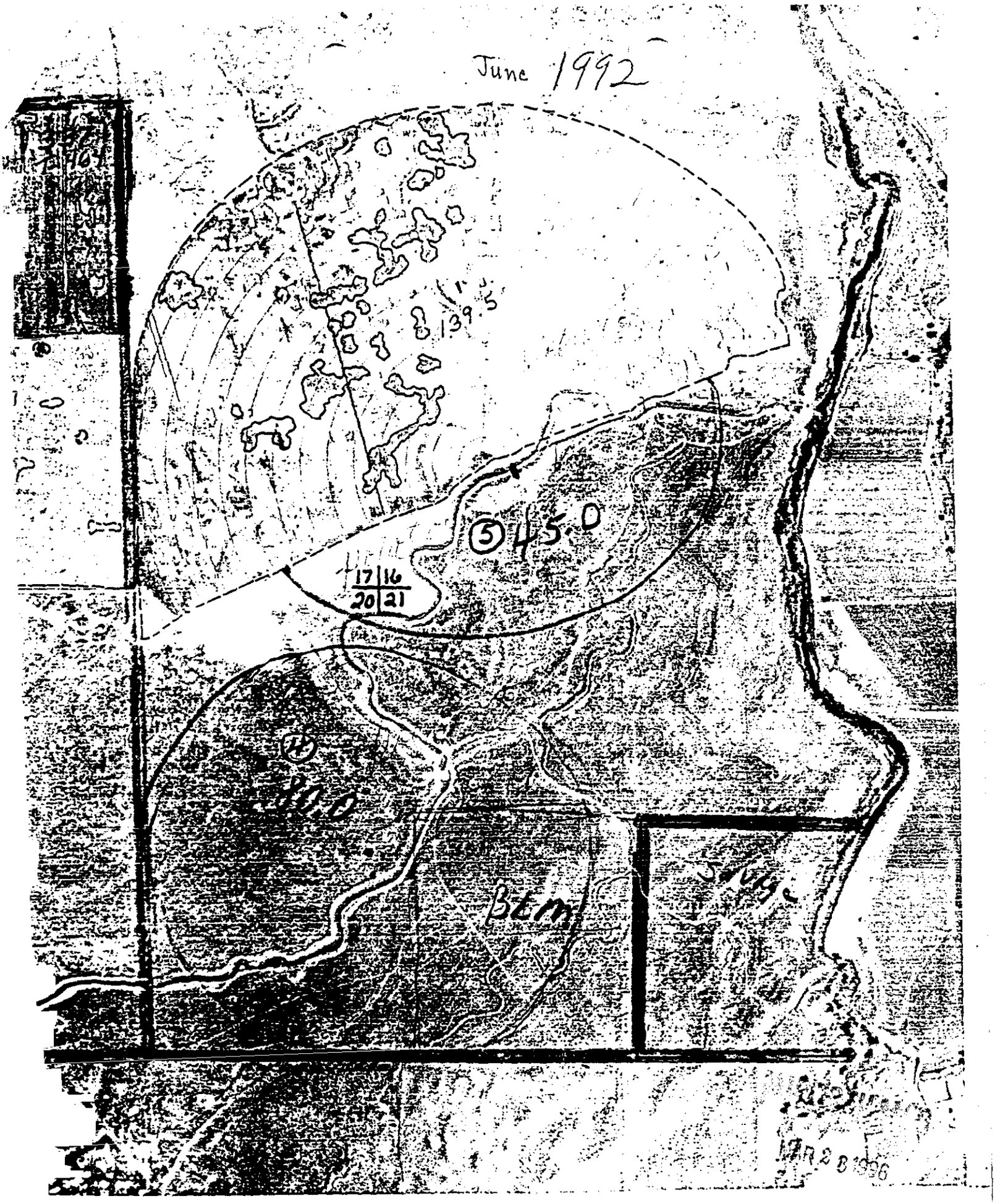
CONSULTANT SEAL

**K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**

*Adjustments made during the review of this right for license approval. See memo for additional information.* cmb 12/29/95

MAR 28 1996


LCL 1
337
T-464
37-05010
1
142.4
PD #3
5.0
17
16
20
21
5
27.8
Pant c
7
10.0
7
LCL
6
4
50.5
8
45.2


June 1992
139.5
345.0
17 16
20 21
Btm
MAR 2 8 1996

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-08756C
DATE: 9-28-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8) \quad (\ldots 125 \ldots) \quad (0.70)}{[\ (\ldots 85 \ldots) + (\ldots 75 \ldots \text{ X } 2.31)\ ]} = 2.98$$

| LIFT FROM: | PSI FROM: | NOTES ON PUMP: |
|---|---|---|
| measurement ( ) | measurement ( ) | Motor Make, Serial or ID |
| owner ( ) | owner ( ) | |
| area estimate ( ) | estimate ( ) | Pump Make, Serial or ID, rating |
| well logs ( ) | owner gage ( ) | |

Booster (Y) (N)

REMARKS Well #3. 6-tower + 9-tower pivots rated at 340 gpm + 975 gpm = 1315 gpm = 2.93 cfs, ~~Recommend license for system capacity~~

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

$$\text{POTENTIAL} = \frac{(\ldots\ldots\ldots) \times (1.98) \times (\ldots\ldots\ldots)}{(\ldots\ldots\ldots\ldots)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

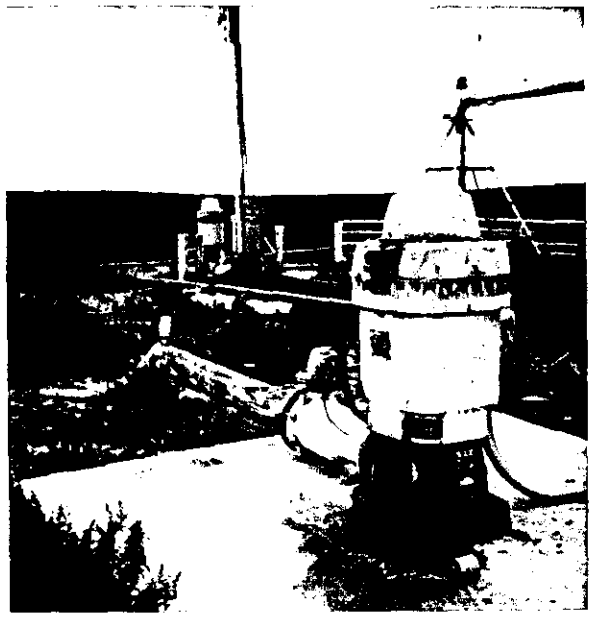
MAR 2 8 1996

PD #3

U.S. Motors 125 H14/5889 Layne & Bowler pump LP92216
85' lift
power box installed 6-9-92 75 psi
pump used for '92 & '93 crop years
PD SW/SW disconnected for 94 & 95 crop years - rented canal
8.16 shares
65 14C runs 6-tower & 9-tower pivots 9-tower 975 gpm
6-tower 340 gpm
170 psi
waters 138.5 ac.
pivots shown on June '92
ASCS photo
NSCC shares except BLM & 40 in SE per
of 6-tower pivot. all farmed
'93

GE 200 hp BLJ2/9107 Layne & Bowler pump LP92036
44 psi on pressure gauge 37-8157

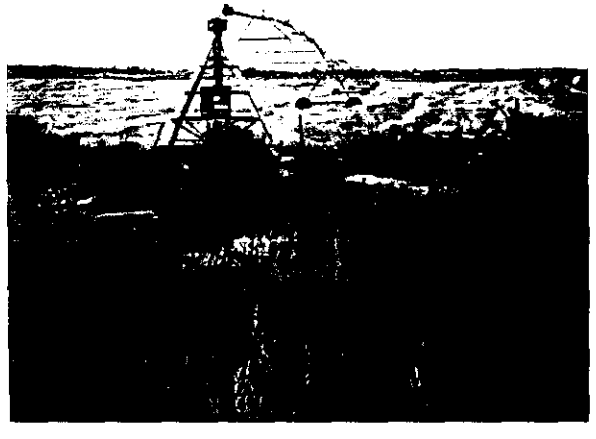
MAR 2 8 1996



P/D Part C

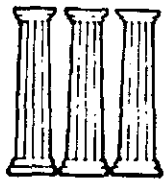


Power Box (Power Cables Disconnected)



Small Pivot
Pump From Canal

MAR 2 8 1996



villelli
enterprises
inc.

April 28, 1999

To: Shelley W. Keen
Department of Water Resources

VIA FACSIMILE ONLY: 208-327-7866

From: Los Caballeros Ltd.
Richard A. Villelli

RE: Water Right No. 37-08757 * see also

Would you please change the address for Los Caballeros Ltd for the above water rights and all other water rights our have registered under our name. Thank you.

Old Address

PO box S
Bonners Ferry ID 83805

New Address
Los Caballeros Ltd
HCR 61, Box 169
Bonners Ferry, Id 83805

Sincerely,
Los Caballeros Ltd.
Villelli Enterprises Inc., General Partner

Richard A. Villelli, President

* 37- ~~08785~~
37 - 087564
37 - 08756B

WR 2 updated for each right.
Kari Lyons
4.29.99

HCR 61 Box 169, Bonners Ferry, Idaho 83805 • Phone & FAX (208) 267-7625
Offices in Colorado, Idaho & Washington

MICROFILMED
NOV 30 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1996

LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NOS. 37-08756A/B/C

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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MAR 28 1996

villelli
enterprises
inc.

REALTOR®

RECEIVED

MAR 0 1 1996

Department of Water Resources

February 26, 1996

Department of Water Resources
Attention: Shelley Keen
1301 N Orchard St.
Statehouse Mail,
Boise, Idaho 83720-9000

RE: Water right No. 37-08756B and 37-08756C

Dear Mr Keen:

Thank you for your help in above referenced water rights. As per our discussions we are enclosing the two Applications for Amendment and understand that water right No. 37-08756 will remain in place.

Sincerely,
Los Caballeros Ltd.
Villelli Enterprises Inc. General Partner

Richard Villelli

Richard A. Villelli, President

MAR 2 8 1996

1001 W. Whittier Blvd., La Habra, California 90631-3796 / (213) 691-3237 / (714) 526-2291 / Fax (714) 526-0212
5966 County Road 234, Durango, Colorado 81301 / (303) 247-2713 • P.O. Box "S", Bonners Ferry, Idaho 83805-1278 / (208) 267-5595
Jefferson 400 Building, So. 400 Jefferson, Spokane, Washington 99204 / (509) 455-3756

# State of Idaho
# DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR


March 5, 1996

LOS CABALLEROS LTD
RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 83805-1278

RE: APPLICATION FOR AMENDMENT FEES

Dear Water Right Holder(s):

I have received your signed Applications for Amendment of Water Right Nos. 37-08756B and 37-08756C. However, I have not received the application fee of $100.00 ($50.00 per amendment). In case you have misplaced the original letter of 2/12/96, which requests the filing fee, I am enclosing a copy for you.

I will hold your amendments and file until March 20, 1996. Please submit your filing fees by that date.

If you have any questions, you may contact me directly at (208) 327-7946.

Respectfully,

Shelley Walter Keen
Water Right Supervisor

SK:rl

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1996

LOS CABALLEROS LTD
C/O RICHARD VILLELLI
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NO. 37-08756B and 37-08756C

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to depict your water rights as they have actually been developed.

The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendments reflect a change in the location of the point(s) of diversion and the place(s) of use descriptions. Please review carefully and if you concur, sign the amendments and return with the $100.00 ($50.00 each) filing fee within 14 days.

The last page of the Application for Amendment forms contain a list of CONDITIONS/REMARKS proposed for the licenses when they are issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAR 2 8 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 2, 1996

LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NO. 37-08756B

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the $50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
JAN 8 1996

# B/U FIELD EXAM REVIEW

*Cindy Zimmerman*

Permit #: 37-08756B Name: Los Caballeros. Date: 12/7/95
App Rcd 2/4/87 Priority 2/4/87 Examined 8/24/95 ✓Lots 7

| | Chng | Same | |
|---|---|---|---|
| NAME | ___ | ✓ | Or Address Change? |
| SOURCE | ___ | ✓ | Clarify source _____ |
| | ___ | | Prelim. Order to Void - Source change. |
| P/D | ✓ | ___ | Amendment Needed? add NESE S17 **P39** |
| | | | Overlap(s) none |
| | | | reduce permitted to NWNE(8), SWNE(36), NENW(19), NWNW(6), SWNW(7), SENW(29.5) |
| P/U | ✓ | ___ | Amendment Needed? add SENE (0.5) S17 **P41** =148 ac. S17 |
| | | | Overlap(s) none |
| | | | (Gov't special ¶'s) *P/D & P/U Amend? **P37** |
| RATE | ___ | ✓ | Permit/fee limits: 7.2 / 7.2 |
| | ___ | ✓ | Measured Q= _____ cfs/Theoretical Q= 3.33 cfs |
| | | | 1080 gallons/min = 2.41 cfs |
| | | | (HP) $\frac{8.8 \times 0.70 \times 150}{204 + (2.31 \times 75)} = \frac{924}{277.25} = 3.33$ cfs |
| | ✓ | ___ | Recommended capacity 3.33 cfs |
| | ___ | ✓ | Recommended rate 2.41 cfs |
| VOLUME | ✓ | ___ | Season of Use: (C/4.0) 4/1-10/31 = 214 days |
| | | | Calculations: 148 ac x 4.0 AF/ac. = 592.0 AF |
| | | | Flow limit: 2.41 x 214 x 1.9835 = 1023.0 AF |
| | ___ | ✓ | Recommended volume 592.0 AF |
| USES | ___ | ✓ | Same Nature of Use? _____ **P46** |
| | ___ | ___ | Amendment Needed? _____ |
| REMARKS | | ___ | Multiple p/d's in ¼¼? W32 _____ |
| | | W31 | 2.41 / 592.0 |
| CONDITIONS | | ___ | Measuring *(R01)*/Locking *(R02)* Devices |
| | | ___ | Watermaster Control *(R04)* - WD #____ |
| | | ~~R31~~ | Irrigation rate/volume overlap |
| | | ___ | Irrigation water overlap *(065)* (If gw use sw) no surface water available |
| | | ___ | Water Quality/Other _____ |

PRIORITY Due 9/1/02 Rc'd 7/10/92 Receipt# 0024877 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/(No) Done? _____
If Yes, Advanced? Yes/No to: _____

COMMENTS: original permit split ~~by~~ 3 systems into 3 parts.

| USE | CFS | DIV VOL |
|---|---|---|
| Irr. /148A. | 2.41 | 592.0 |
| | | |
| | | |
| TOTAL | 2.41 | 592.0 |

*SRBA Overlap* ✓
*Adjustment Memo* ___
LICENSE LTR: **P49**
#1 AMEND LTR: **P37**/**P38**
#2 AMEND LTR: **P42**/**P47**

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 0 2 1995
Department of Water Resources

## A. GENERAL INFORMATION

Permit No. 37-08756 PART B

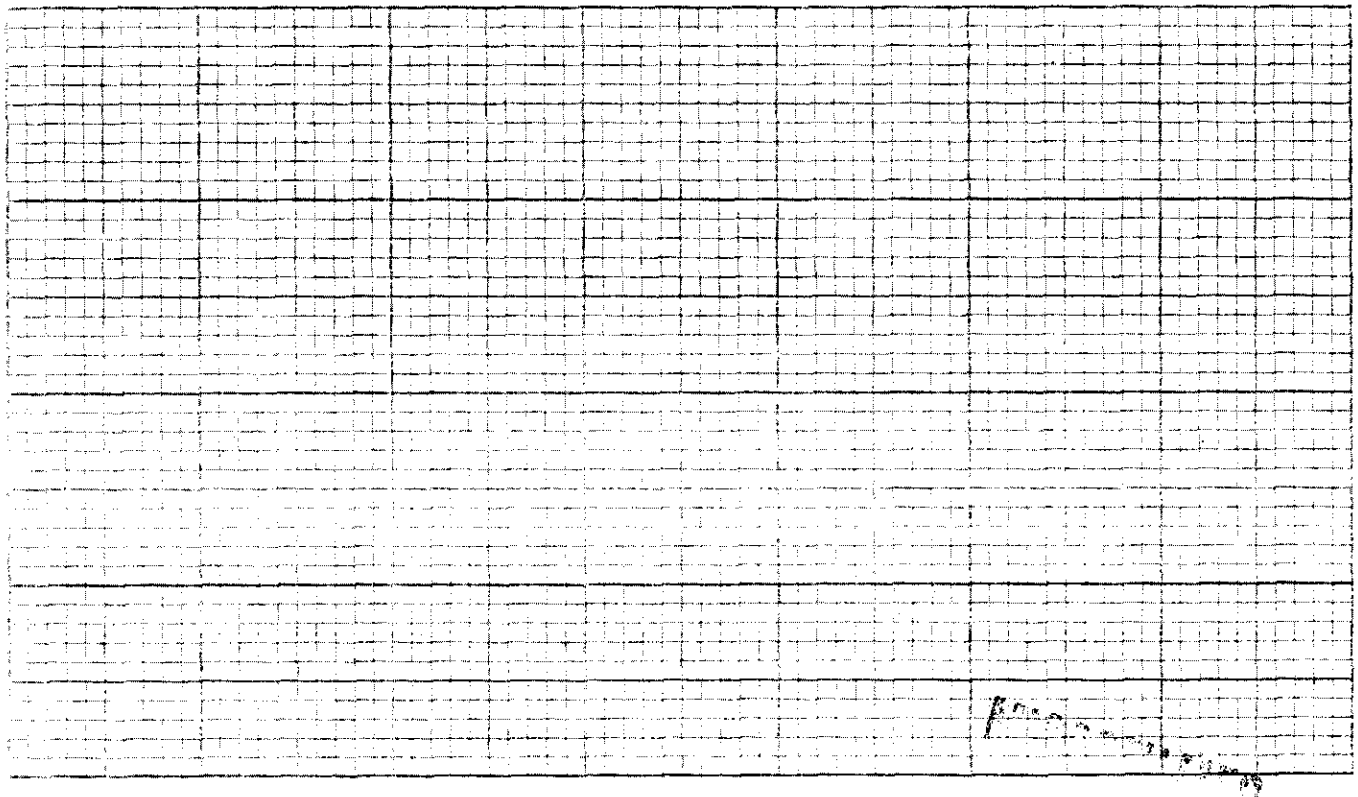
1. Owner: Los Caballeros Ltd. Phone No. 267-5595
   Current Address: c/o Richard Villelli, Box S, Bonners Ferry, ID 83805
2. Accompanied by: Lewis Davenport EXAM. DATE: 8-24-95
   Address: 1737-A E 1800 S, Gooding, ID Phone No. 934-5600
   Relationship to Permit Holder: partner, farm operator
3. Source: Groundwater tributary to _____

## B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

## C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



***Scale: 1" = _____.***

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2. ☒ Copy of U.S.G.S. 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 or more).
   ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

***System Description (continued)***

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Three separate wells, pumps, mainlines. Wells #1 & 2 each serve a 14-tower pivot. Well #3 serves a 6-tower & a 9-tower pivot. According to Mr. Davenport, Well #3 was used in 1992 & 1993, as they thought they had water rights for this ground. But this ground was amended off of this permit by an employee. When this was discovered, they disconnected power to this pump. All components are still in place, but the two pivots are now run with canal water.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| 1 | Newman | 150 | 444TP/DD37 | Layne & Bowler | LP 92029 |
| | Allis-Chalmers | ↳ | 82PB | | |
| 2 | ↳ | 150 | 51-347-505 | " | LP92035 |
| 3 | US Motors | 125 | H1415889 | " | LP 92216 |

**Code to correspond with No. on map and aerial photo*

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | NE | SE | SW | 8 | 6S | 14E | Gooding | Part A well |
| 2 | | NW | NW | SE | 17 | " | " | " | Part B well |
| 3 | | | SW | SW | 16 | " | " | " | Part C well |
| | | | | | | | | | |

6. **Place(s) of Use:** Indicate Method of Determination ASCS photos

| | Twp. | Rge. | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| A) | 6S | 14E | 8 | | | | | | | | | | | 36 ~~24.5~~ | 39 | | | 37.5 | | 112 |
| | | | 17 | | 8 | | | 20.5 | 8 | | | | | | | | | | | 36 |
| | | | | | | | | | | | | | | | | | | | | 148 |
| B) | 6S | 14E | 17 | | 8 | 3.5 | 0.5 | 31.5 | 8 | 37 | 39.5 | | | | | | | | | 148 |
| | | | | | | | | | | | | | | | | | | | | |
| C) | 6S | 14E | 16 | | | | | | | | | | | 15.2 | 7.5 | | | | | 22.7 |
| | | | 17 | | | | | | | | | | | | | | | | 1.5 | 1.5 |
| | | | 20 | 27 | | | 30 | | | | | | | | | | | | | 57.0 |
| | | | 21 | | | | | 0.3 | 29 | 28 | | | | | | | | | | 57.3 |
| | | | | | | | | | | | | | | | | | | | | 138.5 |

***Do not use this space***

*Do not use this space*

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**
Not measured. Theoretical capacity of Wells 1 & 2 exceeds design capacity of sprinklers. Recommend licensing for design capacity on these wells. This totals 4.82 cfs, leaving 2.38 cfs that can be licensed for Well #3. However, only 64 acres of the permit are left after licensing Parts A & B, so only 1.28 cfs can be licensed under Part C.

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

## F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = A+B) 148 x 4 = 592 C) ~~138.5~~ cd x 4 = ~~554~~ 256

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = A+B) 2.41 x 214 x 1.98 = 1023 C) ~~1028~~ 509

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = A+B) 592 AFA C) ~~554~~ 256

2. Volume Calculations for Other Uses:

MAR 28 1996

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Recommend license be issued in 3 separate parts, as there are 3 separate water systems. Well #3, although not used now, was drilled & in use before the proof date - well log, ASCS records, inspection date on power box confirm this. Well #3 will be used if water rights are obtained. Recommend Well #3 & associated land be licensed as a permissable place of use, as there is not enough land & water left over from the rest of the permit to fully cover the system. There is a second well ~~on the same slab as~~ close to Well #3, but the 2 are not related. Well #3 is the south well. ~~on the slab.~~

The ASCS photo does not match the standard 660 scale, so it required a lot of effort to figure out the acreages for the two large pivots.

License conditions for Part C - PPU not to exceed 64 acres per annum. Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on these lands.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| A) Irrigation | 4-1 | 10-31 | 2.41 | 592 |
| B) " | " | " | 2.41 | 592 |
| C) " | " | " | ~~2.58~~ 1.28 | ~~554~~ 256 |
| | | Totals: | ~~6.10~~ 6.1 | ~~1348~~ 1440 |

### 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

## J. AUTHENTICATION

Field Examiner's Name: J E Stanton

Signature: J E Stanton

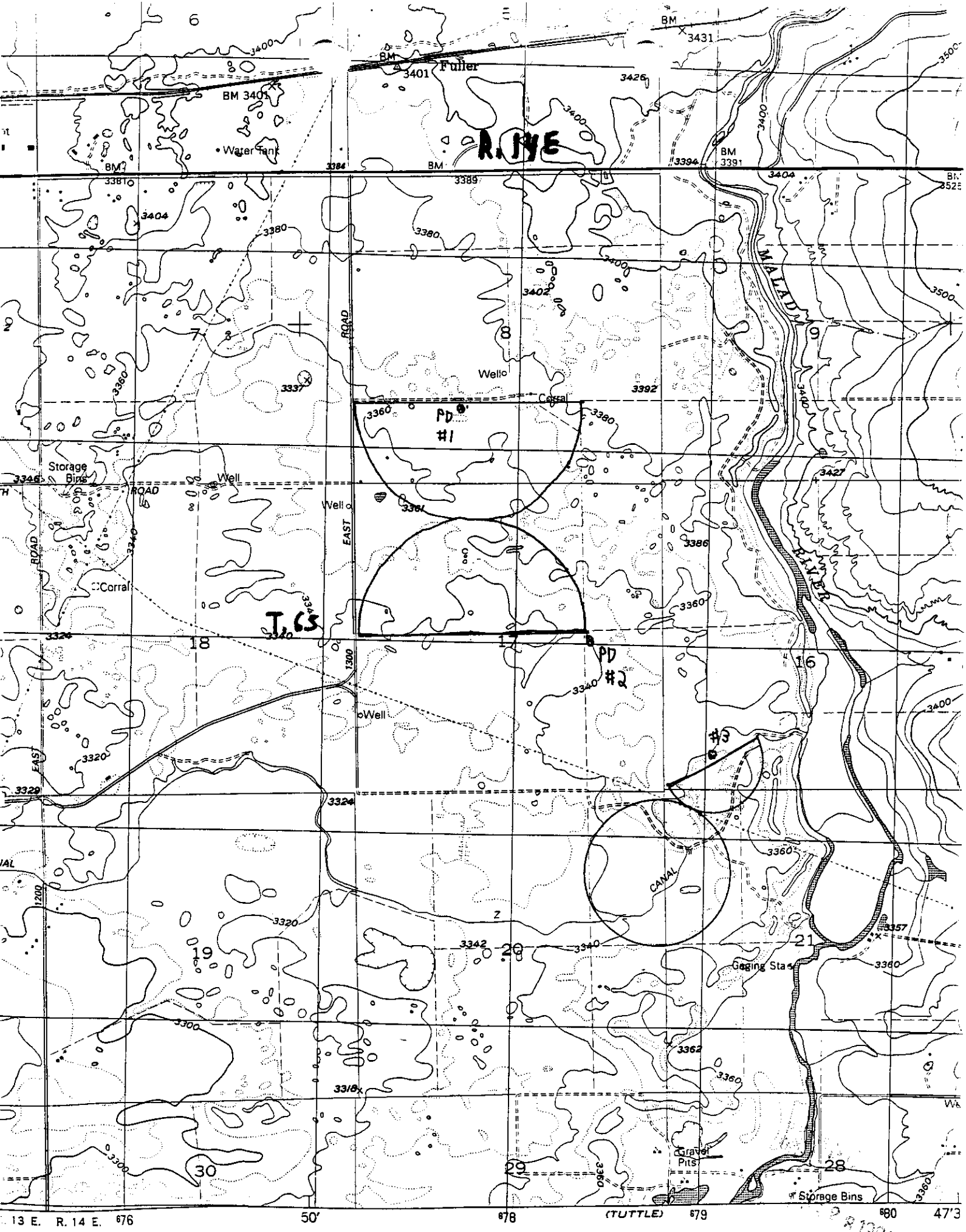
Certification Date:

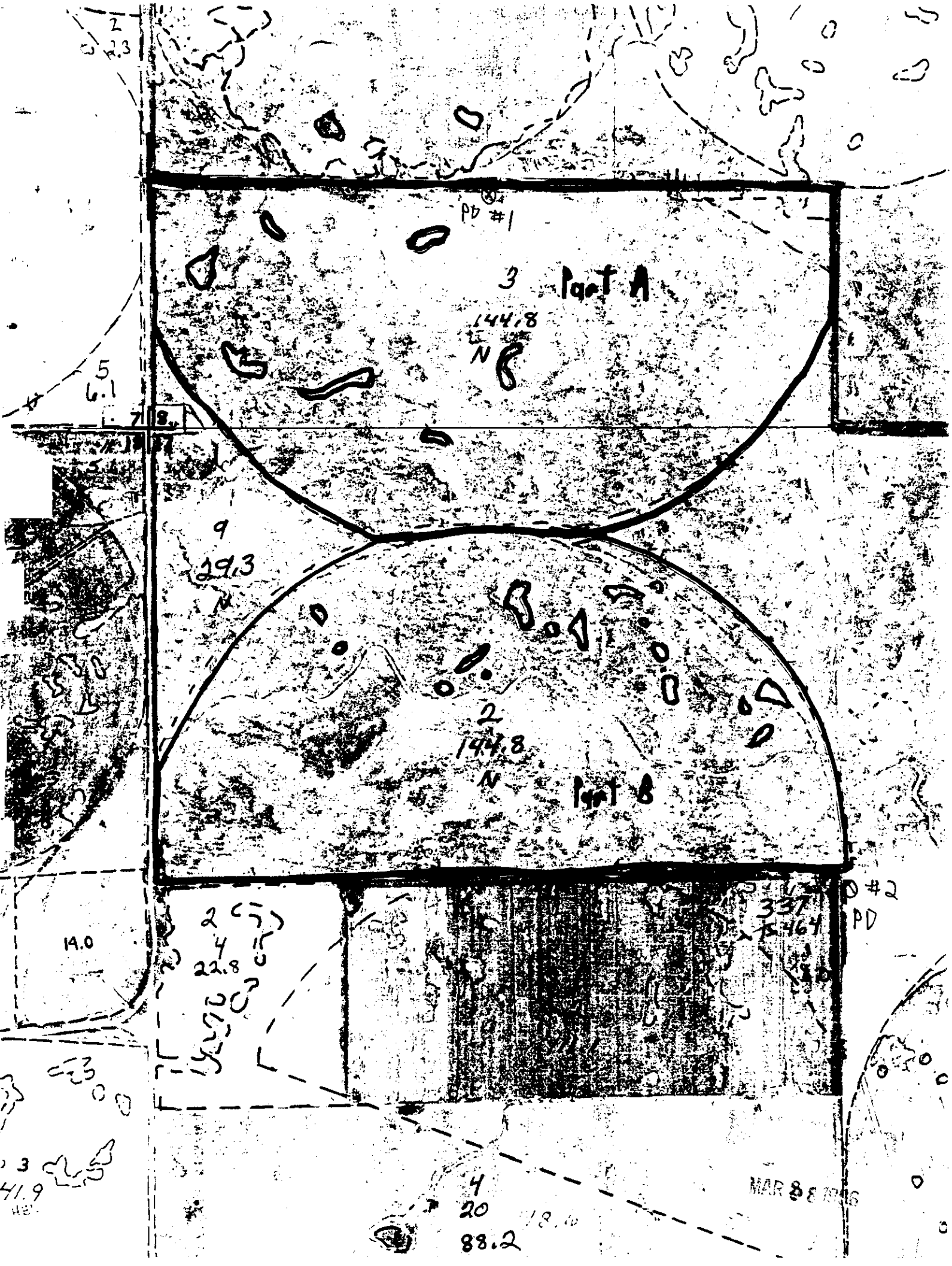
Field Report Preparation Date: 9-26-95

CONSULTANT SEAL

RECEIVED
MAR 28 1996

**K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**


R. 14 E.
T. 6 S.
PD #1
PD #2
#3
MALADN
RIVER
CANAL
EAST ROAD
Fuller
Water Tank
Well
Corral
Storage Bins
Gaging Sta
Gravel Pits
(TUTTLE)
SCALE 1:24 000


PD #1
3
Part A
144.8
N
5
6.1
9
29.3
N
2
144.8
N
Part B
14.0
2
4
22.8
PD #2
337
464
4
20
88.2
MAR 8 E

S E N N I N G E R  I R R I G A T I O N
6416 Old Winter Garden Rd.
Orlando, Florida 32835
(407) 293-5555 FAX 293-5740



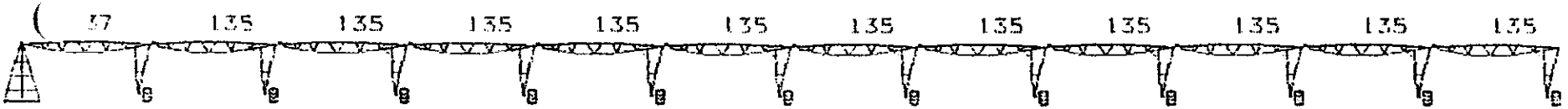
MAR 2 8 1995

SENNINGER PRINT OUT NO. 01-7031
SLIMAN & BUTLER IRRIGATION
GOODING, ID

CUSTOMER: LOS CABALLEROS
(CIRCLE #3)
ZIMMATIC GEN II

| | | |
|---|---|---|
| TOTAL WATER FLOW (GPM) | - | 1080.00 |
| PIVOT PRESSURE (PSI) | - | 48.00 |
| END PIPE PRESSURE (PSI) | - | 33.79 |
| ENDGUN WATER FLOW (GPM) | - | 103.11 |
| NUMBER OF TOWERS | - | 14 |
| TOTAL LENGTH (FT) | - | 1927.12 |

( 190) SENNINGER LO-PRESSURE WOBBLERS ON 8.0 FT DROP PIPES (1) SR-100T (3.0 HP BOOSTER PUMP)
( 190) REGULATORS AT 8.0 FT BELOW THE MAIN LINE
8.000 OD X 947 FT 6.625 OD X 945 FT 5.560 OD X 33 FT




C = 140




FIELD + 0
ELEV - 0

north pivot Sec 7.

CAUTION

! LOW GPM/ACRE! REQUIRES GOOD WATER MANAGEMENT! STILL MAY NOT PROVIDE ENOUGH WATER ESPECIALLY ON SANDY SOIL WITH HIGH-MOISTURE CROP, DURING HOT-DRY SEASON!

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-8756 A
DATE: 7-26-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8) \quad (\ldots 150 \ldots) \quad (0.70)}{[\ (\ldots 90 \ldots) + (\ldots 75 \ldots \text{ X } 2.31)\ ]} = 3.51 \text{ cfs}$$

| LIFT FROM: | PSI FROM: | NOTES ON PUMP: |
|---|---|---|
| measurement ( ) | measurement ( ) | Motor Make, Serial or ID |
| owner (X) | owner (X) | |
| area estimate ( ) | estimate ( ) | Pump Make, Serial or ID, rating |
| well logs (X) | owner gage ( ) | |

Booster (Y) (N)

REMARKS Well #2 - 14-tower pivot designed for 1080 gpm (2.41 cfs)

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

$$\text{POTENTIAL} = \frac{(\ldots\ldots\ldots) \times (1.98) \times (\ldots\ldots\ldots)}{(\ldots\ldots\ldots\ldots)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

MAR 2 8 1996

Well #27

Form 238-7
8/90

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

# WELL DRILLER'S REPORT

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

**1. WELL OWNER** Region Office
Name Las Caballeros LTD
Address 1126 US 26, Bliss Id 83314
Drilling Permit No. 37-91-S-163 ac
Water Right Permit No. 37-8756

**2. NATURE OF WORK**
☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

**3. PROPOSED USE**
☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

**4. METHOD DRILLED**
☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

**5. WELL CONSTRUCTION**
Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

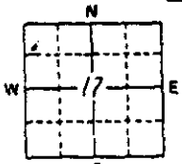
| Thickness | Diameter | From | To |
|---|---|---|---|
| _____ inches | _____ inches + | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

| Number | From | To |
|---|---|---|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ 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 _____ Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☒ Cemented between strata
Describe access port Welded pipe

**6. LOCATION OF WELL**
Sketch map location must agree with written location.




Subdivision Name _____
Lot No. _____ Block No. _____
County Gooding
NW ¼ NW ¼ Sec. 17 T. 6 N ☐ S ☒ R. 14 E ☒ W ☐

**7. WATER LEVEL**
Static water level 94 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ~55°F. Quality _____
Describe artesian or temperature zones below

**8. WELL TEST DATA**
☒ Pump ☐ Bailer ☒ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**9. LITHOLOGIC LOG**

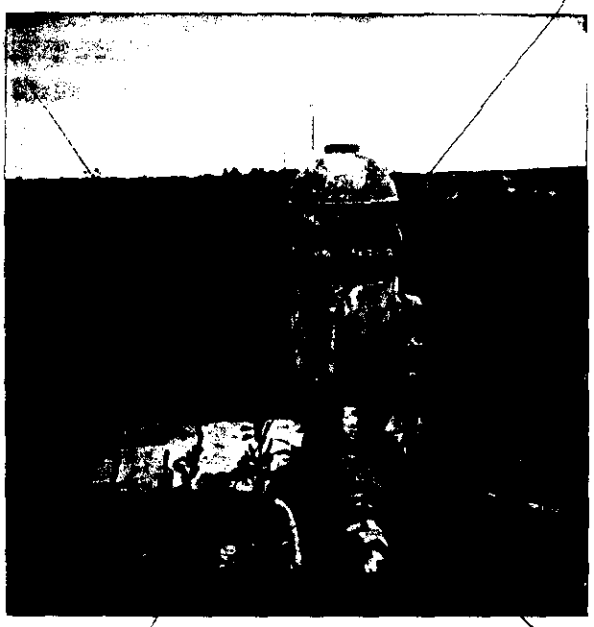
| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 15" | 190 | 200 | Hard No returns | X | |
| | 200 | 220 | Soft With Sand | | |
| | 220 | 236 | Hard | | |
| | 236 | 239 | Soft | | |
| | 239 | 241 | Hard | | |
| 250' | 241 | 261 | Soft | | |
| 10" | 261 | 277 | Hard | | |
| | 277 | 281 | Crevasse + Sand | | |
| | 281 | 290 | Soft | | |
| | 290 | 293 | Crevasse | | |
| | 293 | 302 | Soft | | |
| | 302 | 313 | Hard | | |
| | 313 | 315 | Crevasse | | |
| | 315 | 327 | Clay | | |

**10.** Work started 1-12-92 finished 1-19-92

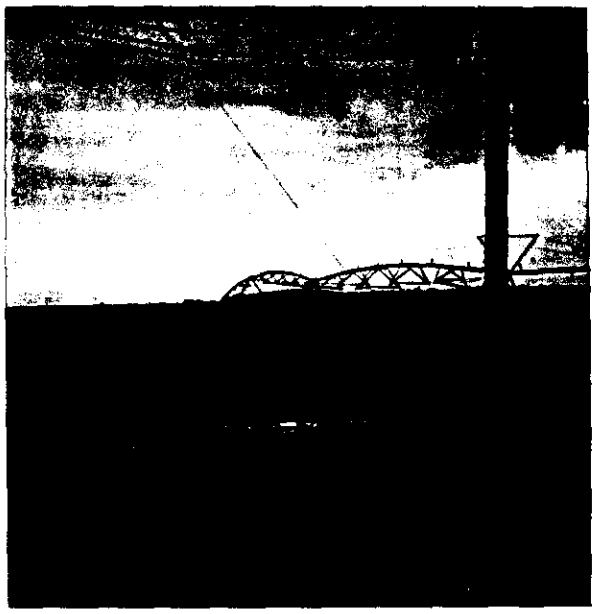
**11. DRILLERS CERTIFICATION**
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name Eaton drilling Firm No. 26
Address 285 S Id Wendell Date 1-26-92
Signed by (Firm Official) Jay Wilson
and
(Operator) Dave Crosby

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

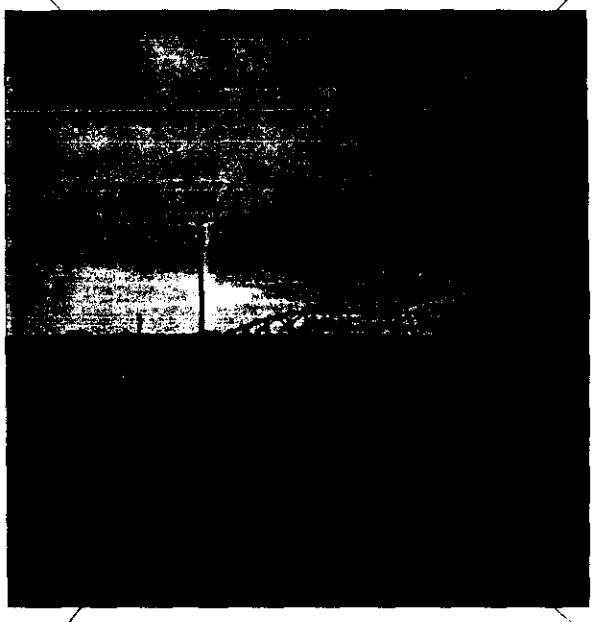
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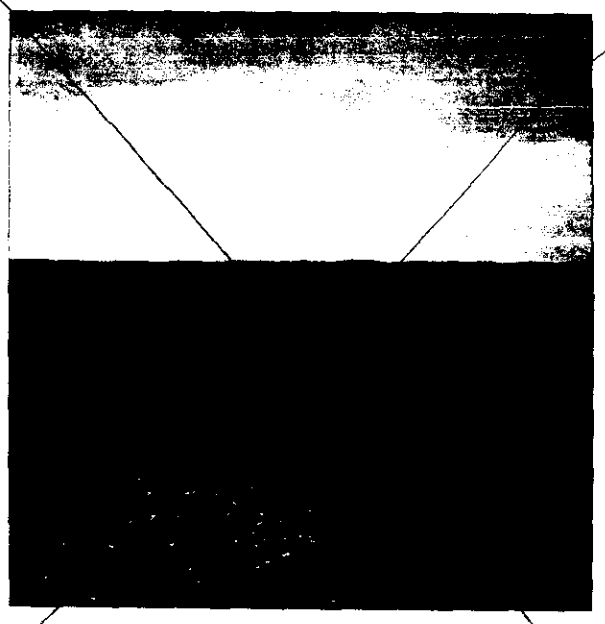


Part A Well



Part B Well (Pivot In Background)

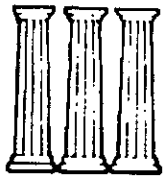




MAR 2 8 1996

Part A P/U

37-8756



villelli
enterprises
inc.

April 28, 1999

To: Shelley W. Keen
Department of Water Resources

VIA FACSIMILE ONLY: 208-327-7866

From: Los Caballeros Ltd.
Richard A. Villelli

RE: Water Right No. 37-08757 ✓ * see also

Would you please change the address for Los Caballeros Ltd for the above water rights and all other water rights our have registered under our name. Thank you.

Old Address

PO box S
Bonners Ferry ID 83805

New Address
Los Caballeros Ltd
HCR 61, Box 169
Bonners Ferry, Id 83805

Sincerely,
Los Caballeros Ltd.
Villelli Enterprises Inc., General Partner

Richard A. Villelli, President

* 37- ~~08785~~
37 - 08756A ✓
37 - 08756B ✓

WR 2 updated for each ✓ right.
Kari Lynn
4.29.99

HCR 61 Box 169, Bonners Ferry, Idaho 83805 • Phone & FAX (208) 267-7625
Offices in Colorado, Idaho & Washington

MICROFILMED
NOV 30 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1996

LOS CABALLEROS LTD
PO BOX S
BONNERS FERRY ID 838050000

RE: WATER RIGHT NOS. 37-08756A/B/C

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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# B/U FIELD EXAM REVIEW
*Cindy Zimmerman*

Permit #: 37-8756A Name: Ros Caballeros Date: 12/5/95
App Rcd 2/4/87 Priority 2/4/87 Examined 8/24/95 ✓Lots J

| | Chng | Same | |
|---|---|---|---|
| NAME | ___ | ✓ | Or Address Change? Box 5 Bonners Ferry 83805 |
| SOURCE | ___ | ✓ | Clarify source ___ |
| | ___ | | Prelim. Order to Void - Source change. |
| P/D | ___ | ✓ | Amendment Needed? SB, SESW only **-P39,P38** |
| | | | Overlap(s) None |
| | | | reduce to: SWSW(36); SESW(39), SWSE(37); SB =148Ac. |
| P/U | ___ | ✓ | Amendment Needed? NWNE(8), NENW(20), NWNW(8); S17 **-P41,P38** |
| | | | Overlap(s) None |
| | | | *P/D & P/U Amend? **P37,P38** |
| | | | (See paragraph list for governmental agencies) |
| RATE | ___ | ✓ | Permit/fee limits: 7.2 / 7.2 |
| | ___ | ___ | Measured Q=_____ cfs/Theoretical Q= 3.61 cfs |
| | | | 1080 gpm = 2.41 |
| | | | (HP) $\frac{8.8 \times 0.70 \times 150}{155 + (2.31 \times 48)} = \frac{924}{255.88} = 3.61$ |
| | ___ | ✓ | Recommended capacity 3.61 cfs |
| | ___ | ✓ | Recommended rate 2.41 cfs (0.01628 cfs/Ac.) |
| VOLUME | ✓ | ___ | Season of Use: (C/40) 4/1-10/31 = 214 days |
| | | | Calculations: 148A x 4.0 AF/ac. = 592.0 AF |
| | | | Flow limit: 2.41 x 214 x 1.9835 = 1023.0 AF |
| | ___ | ✓ | Recommended volume 592.0 AF |
| USES | ___ | ✓ | Same Nature of Use? ___ **-P46** |
| | ___ | ___ | Amendment Needed? ___ |
| REMARKS | --- | | Multiple p/d's in ¼¼? ___ |
| | W31 | | 2.41/592.0 |
| CONDITIONS | --- | | Measuring *(R01)*/Locking *(R02)* Devices |
| | ___ | | Watermaster Control *(R04)* - WD #_____ |
| | ~~R31~~ | | Irrigation rate/volume overlap |
| | ___ | | Irrigation water overlap *(065)* (If gw use sw) no surface water available |
| | ✓ | | Water Quality/Other IW. R55, R56, 053 |

PRIORITY Due 9/1/92 Rc'd 7/10/92 Receipt# 6024877 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/(No) Done? ___
If Yes, Advanced? Yes/No to: ___

COMMENTS: original permit split into 3 systems.

| USE | CFS | DIV VOL |
|---|---|---|
| Irr /148 | 2.41 | 592.0 |
| | | |
| TOTAL | 2.41 | 592.0 |

*Adjustment Memo* ___
LICENSE: (P49)
#1 AMEND LTR: **P46** or **P39/P41/P37 & P38**
#2 AMEND LTR: **P42/P47**

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

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Department of Water Resources

## A. GENERAL INFORMATION

Permit No. 37-08956 PART 'A'

1. Owner: Los Caballeros Ltd. Phone No. 267-5595
   Current Address: c/o Richard Villelli, Box S, Bonners Ferry, ID 83805
2. Accompanied by: Lewis Davenport EXAM. DATE: 8-24-95
   Address: 1737-A E 1800 S, Gooding, ID Phone No. 934-5600
   Relationship to Permit Holder: partner, farm operator
3. Source: Groundwater tributary to

## B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

## C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



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***Scale: 1" =*** _____ .

2. ☒ Copy of U.S.G.S. 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 or more).
   ☒ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

***System Description (continued)***

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Three seperate wells, pumps, mainlines. Wells #1 & 2 each serve a 14-tower pivot. Well #3 serves a 6-tower & a 9-tower pivot. According to Mr. Davenport, Well #3 was used in 1992 & 1993, as They thought they had water rights for this ground. But this ground was amended off of this permit by an employee. When this was discovered, they disconnected power to this pump. All components are still in place, but the two pivots are now run with canal water.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| 1 | Newman | 150 | 444TP/DD37 | Layne & Bowler | LP 92029 |
| | Allis-Chalmers ↳ | | 82PB | | |
| 2 | ↳ | 150 | 51-347-505 | " | LP 92035 |
| 3 | US Motors | 125 | H1415889 | " | LP 92216 |

**Code to correspond with No. on map and aerial photo*

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | ~~NE~~ | SE | SW | 8 | 6S | 14E | Gooding | Part A well |
| 2 | | ~~NW~~ | NE | SE | 17 | " | " | " | Part B well |
| 3 | | | SW | SW | 16 | " | " | " | Part C well |
| | | | | | | | | | |

6. **Place(s) of Use:** Indicate Method of Determination ASCS photos

| | Twp. | Rge. | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| A) | 6S | 14E | 8 | | | | | | | | | | | ~~36~~ 39 | 39 | | | 37.5 | | 112 |
| | | | 17 | | 8 | | | 30.5 | 8 | | | | | | | | | | | 36 |
| | | | | | | | | | | | | | | | | | | | | 148 |
| B) | 6S | 14E | 17 | | 8 | 3.5 | 0.5 | 31.5 | 8 | 37 | 39.5 | | | | | | | | | 148 |
| | | | | | | | | | | | | | | | | | | | | |
| C) | 6S | 14E | 16 | | | | | | | | | | | 15.2 | 7.5 | | | | | 22.7 |
| | | | 17 | | | | | | | | | | | | | | | | 1.5 | 1.5 |
| | | | 20 | 27 | | | 30 | | | | | | | | | | | | | 57.0 |
| | | | 21 | | | | | 0.3 | 29 | 28 | | | | | | | | | | 57.3 |
| | | | | | | | | | | | | | | | | | | | | 138.5 |

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***Do not use this space***

*Do not use this space*

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**

Not measured. Theoretical capacity of Wells 1 & 2 exceeds design capacity of sprinklers. Recommend licensing for design capacity on these wells. This totals 4.82 cfs, leaving 2.38 cfs that can be licensed for Well #3. However, only 64 acres of the permit are left after licensing Parts A & B, so only 1.28 cfs can be licensed under Part C.

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

## F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = A+B) 148 x 4 = 592 C) ~~130.5~~ 64 x 4 = ~~554~~ 256

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = A+B) 2.41 x 214 x 1.98 = 1023 C) ~~1050~~ 509

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = A+B) 592 AFA C) ~~554~~ 256

2. Volume Calculations for Other Uses:

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## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Recommend license be issued in 3 separate parts, as there are 3 separate water systems. Well #3, although not used now, was drilled & in use before the proof date - well log, ASCS records, inspection date on power box confirm this. Well #3 will be used if water rights are obtained. Recommend Well #3 & associated land be licensed as a permissable place of use, as there is not enough land & water left over from the rest of the permit to fully cover the system. There is a second well ~~on the same slab as~~ close to Well #3, but the 2 are not related. Well #3 is the south well. ~~on the slab.~~

The ASCS photo does not match the standard 660 scale, so it required a lot of effort to figure out the acreages for the two large pivots.

License conditions for Part C - PPU not to exceed 64 acres per annum. Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on these lands.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| A) Irrigation | 4-1 | 10-31 | 2.41 | 592 |
| B) " | " | " | 2.41 | 592 |
| C) " | " | " | Totals: ~~2.38~~ 1.28 / ~~7.20~~ 6.1 | ~~554~~ 256 / ~~1888~~ 1440 |

### 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

## J. AUTHENTICATION

Field Examiner's Name: J E Stanton

Signature: J E Stanton

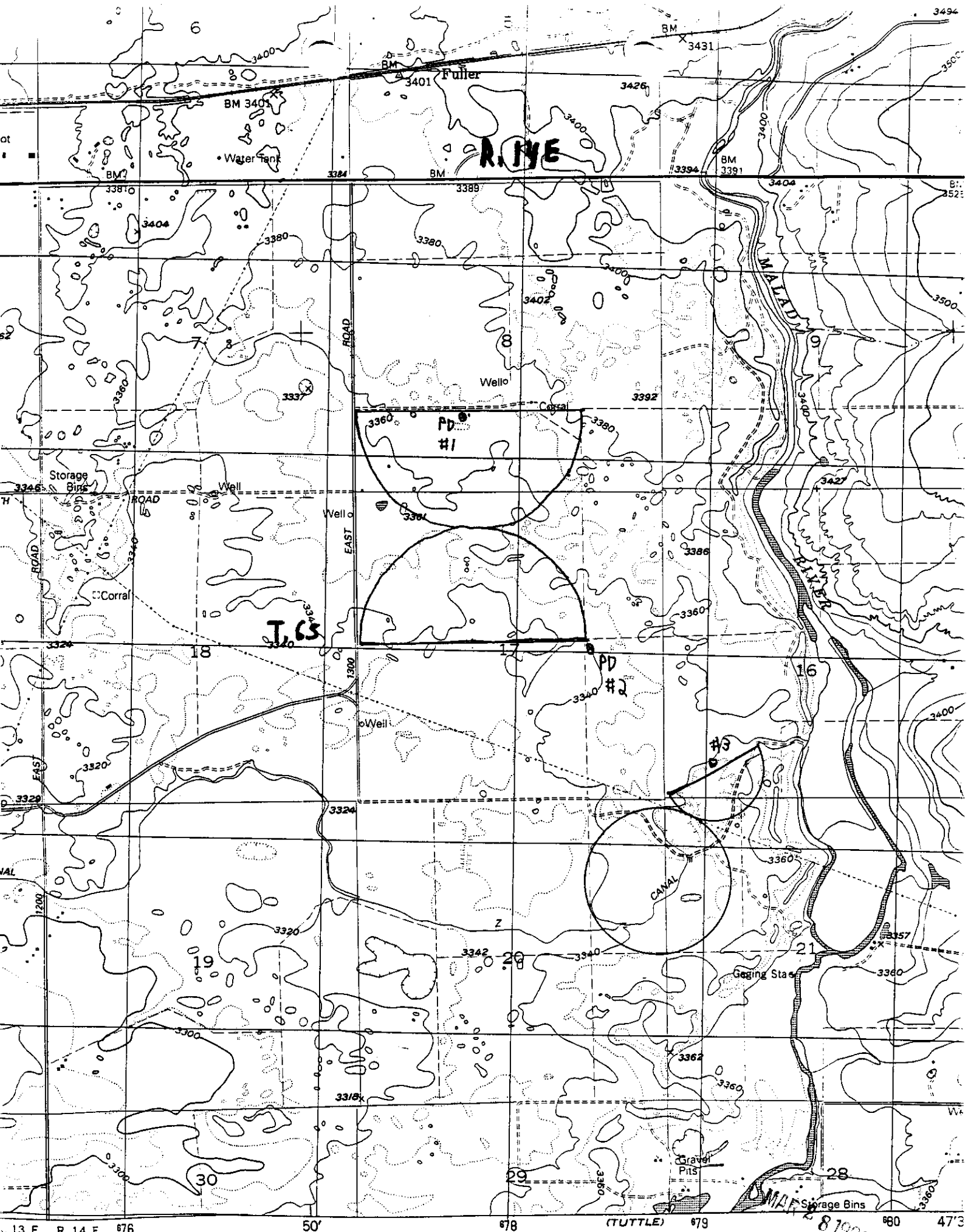
Certification Date:

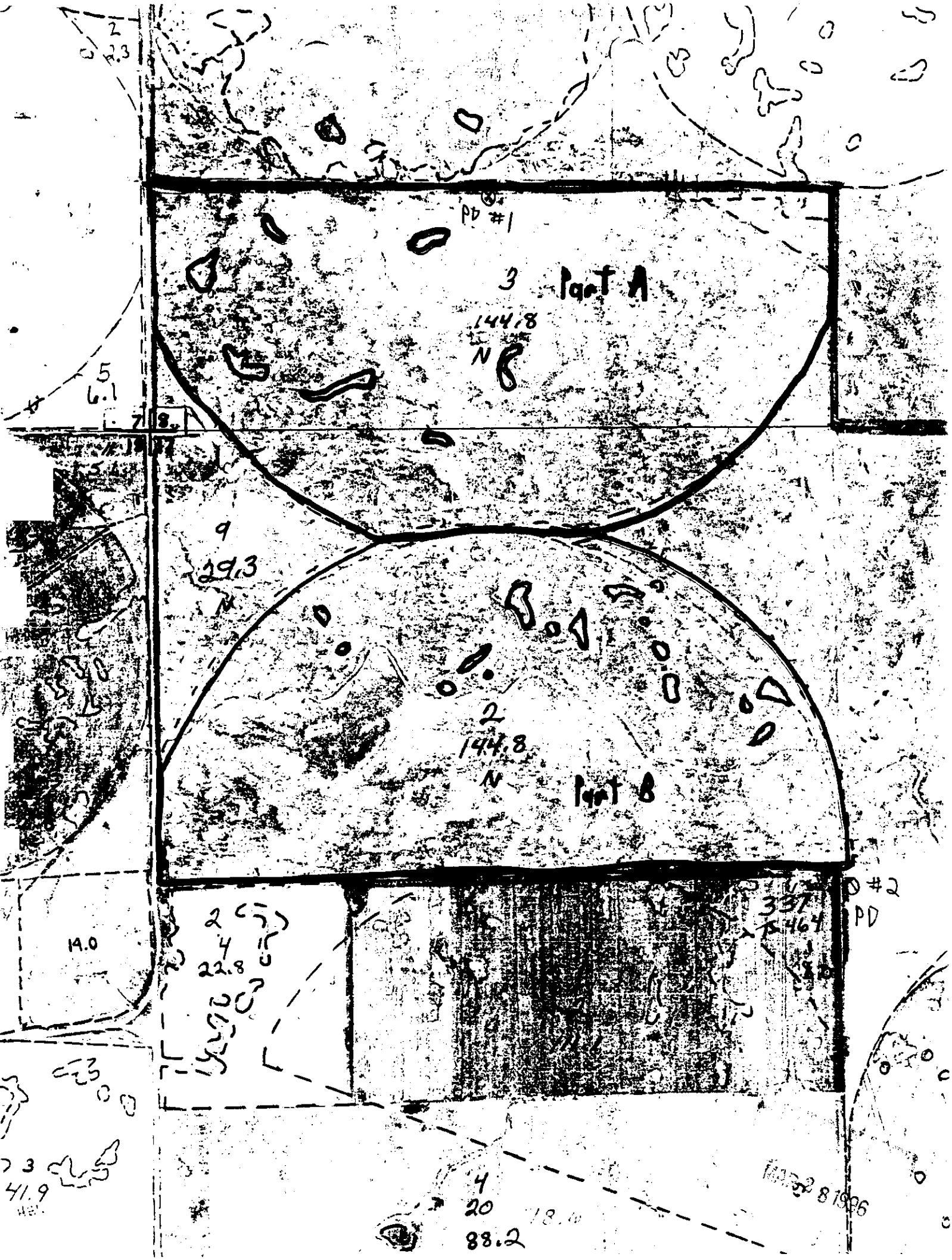
Field Report Preparation Date: 9-26-95

CONSULTANT SEAL

MAR 28 1996

**K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**


R. RYE
PD #1
PD #2
#3
T. 6S
MALADY
RIVER
CANAL
EAST ROAD
Fuller
Water Tank
Well
Corral
Storage Bins
Gaging Sta.
Gravel Pits
(TUTTLE)
SCALE 1:24 000


PD #1
3
Part A
144.8
N
5
6.1
9
29.3
N
2
144.8
N
Part B
#2
PD
337
464
19.0
2
4
22.8
4
20
88.2
3
41.9
8 1996

S E N N I N G E R  I R R I G A T I O N
6416 Old Winter Garden Rd.
Orlando, Florida 32835
(407) 293-5555 FAX 293-5740



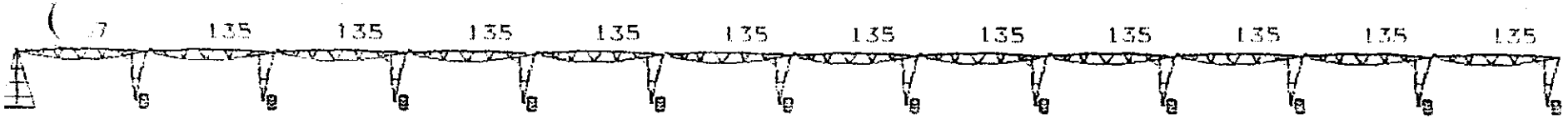
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SENNINGER PRINT OUT NO. 01-7031
SLIMAN & BUTLER IRRIGATION
GOODING, ID

CUSTOMER: LOS CABALLEROS
(CIRCLE #3)
ZIMMATIC GEN II

| | | |
|---|---|---|
| TOTAL WATER FLOW (GPM) | - | 1080.00 |
| PIVOT PRESSURE (PSI) | - | 48.00 |
| END PIPE PRESSURE (PSI) | - | 33.79 |
| ENDGUN WATER FLOW (GPM) | - | 103.11 |
| NUMBER OF TOWERS | - | 14 |
| TOTAL LENGTH (FT) | - | 1927.12 |

( 190) SENNINGER LO-PRESSURE WOBBLERS ON 8.0 FT DROP PIPES (1) SR-100T (3.0 HP BOOSTER PUMP)
( 190) REGULATORS AT 8.0 FT BELOW THE MAIN LINE
8.000 OD X 947 FT 6.625 OD X 945 FT 5.560 OD X 33 FT




C = 140




FIELD + 0
ELEV - 0

north pivot Sec 7

CAUTION

1. LOW GPM/ACRE! REQUIRES GOOD WATER MANAGEMENT! STILL MAY NOT PROVIDE ENOUGH WATER ESPECIALLY ON SANDY SOIL WITH HIGH-MOISTURE CROP, DURING HOT-DRY SEASON!

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-8756A
DATE: 9-26-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8) \quad (\ldots 150 \ldots) \quad (0.70)}{[\ (\ldots 145 \ldots) + (\ldots 48 \ldots \text{ X } 2.31)\ ]} = \frac{61}{3.8 \text{ cfs}}$$

| LIFT FROM: | PSI FROM: | NOTES ON PUMP: |
|---|---|---|
| measurement ( ) | measurement ( ) | Motor Make, Serial or ID |
| owner ( ) | owner (X) | |
| area estimate ( ) | estimate ( ) | Pump Make, Serial or ID, rating |
| well logs (X) | owner gage ( ) | |

Booster (Y) (N)

REMARKS Well #1. Low-pressure pivot designed for 1080 gpm (2.41 cfs)

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

POTENTIAL = $\frac{(\ldots\ldots\ldots) \times (1.98) \times (\ldots\ldots\ldots)}{(\ldots\ldots\ldots\ldots)}$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

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FEB 07 1992

Department of Water Resources
Southern Region Office

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.

USE TYPEWRITER OR BALLPOINT PEN

Well #1

## 1. WELL OWNER

Name Los Caballeros LTD,

Address 1126 1526 Blvd, Id 83314

Drilling Permit No. 37-91-S-182 or

Water Right Permit No. 37-8256

## 2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

## 3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

## 4. METHOD DRILLED

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

## 5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| .25 inches | 16" inches | + 1 feet | 10 feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |

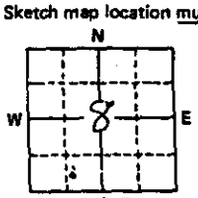
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

| Number | | From | To |
|---|---|---|---|
| _____ | perforations | _____ feet | _____ feet |
| _____ | perforations | _____ feet | _____ feet |
| _____ | perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ 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 10' Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port Welded pipe

## 6. LOCATION OF WELL

Sketch map location must agree with written location.




Subdivision Name _____
Lot No. _____ Block No. _____
County Gooding
SE ¼ SW ¼ Sec. 8 T. 6 N ☐ S ☒ R. 14 E ☒ W ☐

SE/SW T 6 S R 14 E 8

## 7. WATER LEVEL

Static water level 145 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
Describe artesian or temperature zones below.

## 8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

## 9. LITHOLOGIC LOG

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 12" | 1 | 12 | Top Soil | | X |
| 15" | 12 | 12 | bl Lava | | |
| | 12 | 14 | Red + bl Lava | | |
| | 14 | 50 | bl Lava | | |
| | 50 | 51 | Crevasse | | |
| | 51 | 62 | bl + Red Lava | | |
| | 65 | 121 | bl Lava | | |
| | 121 | 138 | Cinders no returns | | |
| | 138 | 161 | Soft | | |
| | 161 | 163 | Crevasse | | |
| | 163 | 204 | Hard | | |
| | 204 | 209 | Real Soft | | |
| | 209 | 210 | Crevasse | | |
| | 210 | 227 | Hard | | |
| | 227 | 229 | Crevasse | | X |
| | 229 | 248 | Soft | X | |
| | 248 | 254 | Hard | | |
| | 254 | 262 | " | | |
| | 262 | 271 | Crevasse | | |
| | 271 | 314 | Hard | | |
| | 314 | 315 | Crevasse | | |
| V | 315 | 329 | Clay | | |
| 8" | 329 | 348 | " | | |

## 10.

Work started 12-23-91 finished 1-10-92

## 11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton Drilling Firm No. 26
Address Wendell Date 1-12-92
Signed by (Firm Official) Larry Eaton
and
(Operator) Dave Cody 2 87006

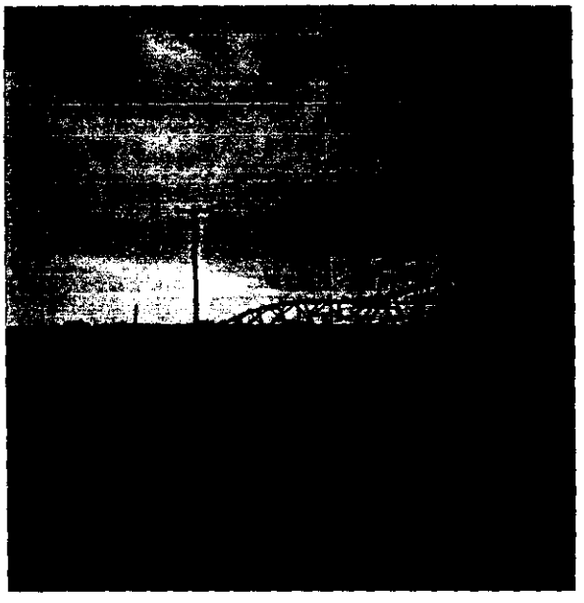
USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT



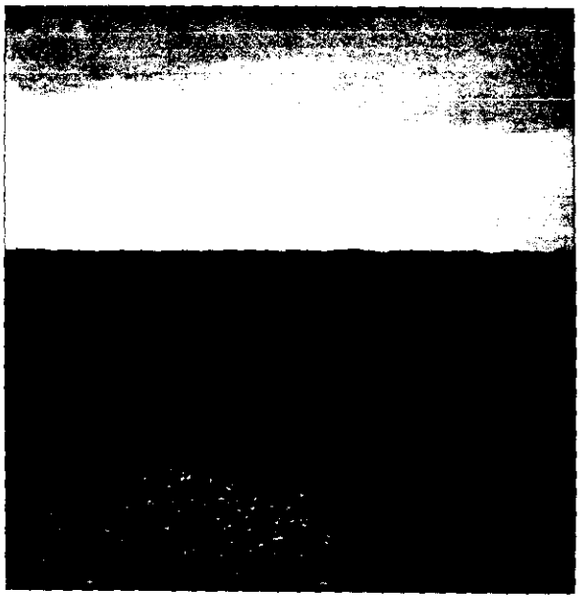
Part A Well



~~Part B Well (Pivot In Background)~~



Part A P/U



MAR 2 8 1996 37-8756

# MEMORANDUM

DATE: December 29, 1995

TO: File No. 37-08756

FROM: Cindy Zimmerman CZ.

SUBJECT: Review of Beneficial Use Field Report

This permit is for irrigation use of 7.2 cfs on 360 acres from groundwater. The examination identified three independent systems irrigating 434.5 acres.

System A is the northerly most half-circle pivot with a capacity of 2.41 cfs on 148.0 acres, the p/d and p/u are located on land identified on the permit. System A is recommended to be licensed.

System B is the middle half-circle pivot with a capacity of 2.41 cfs on 148.0 acres, the p/d is not identified on the permit but the p/u is located on land identified on the permit. System B requires an amendment prior to licensing.

System C is the southerly most system consisting of a full circle pivot on 105.7 acres and a half-circle pivot on 32.8 acres, a total of 138.5 acres. The p/d and p/u are located on lands that are not identified on the permit. Upon learning that Permit No. 37-08756 is insufficent to cover the 138.5 acres of system C, the right holder discontinued the use of groundwater for this system. The pivots in this system are operated using canal water. ~~System C is not being recommended for licensing.~~ CZ. 2/9/96

Received

MAR 28 1996

Form 219
6/86

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OCT 0 2 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

## A. GENERAL INFORMATION

Permit No. 37-08756

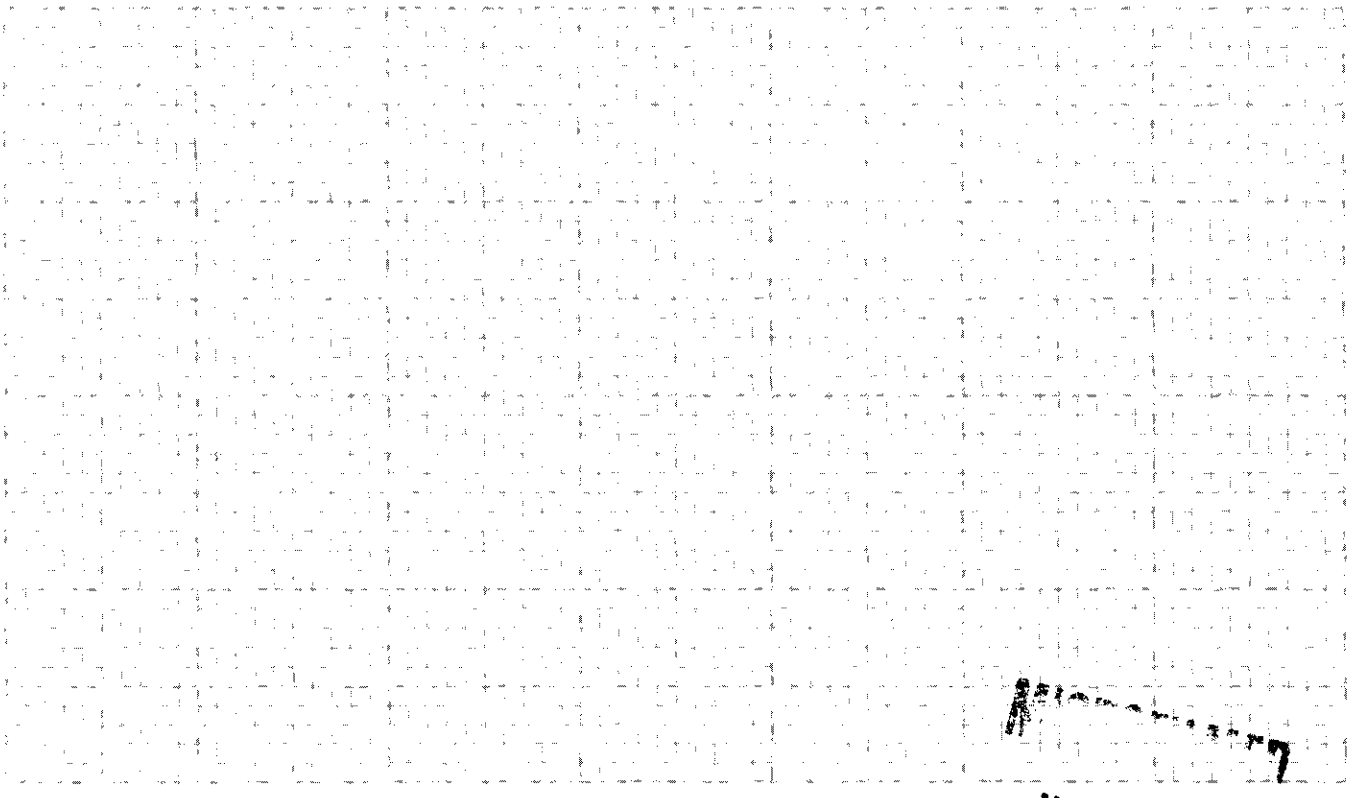
1. Owner: Los Caballeros Ltd. Phone No. 267-5595
   Current Address: c/o Richard Villelli, Box S, Bonners Ferry, ID 83805
2. Accompanied by: Lewis Davenport EXAM. DATE: 8-24-95
   Address: 1737-A E 1800 S, Gooding, ID Phone No. 934-5600
   Relationship to Permit Holder: partner, farm operator
3. Source: Groundwater tributary to _____

## B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

## C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



MAR 2 8 1996

***Scale: 1" = _____.***

2. ☒ Copy of U.S.G.S. 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 or more).
   ☒ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

***System Description (continued)***

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Three separate wells, pumps, mainlines. Wells #1 & 2 each serve a 14-tower pivot. Well #3 serves a 6-tower & a 9-tower pivot. According to Mr. Davenport, Well #3 was used in 1992 & 1993, as They thought they had water rights for this ground. But this ground was amended off of this permit by an employee. When this was discovered, they disconnected power to this pump. All components are still in place, but the two pivots are now run with canal water.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| 1 | Newman | 150 | 444TP/DD37 | Layne & Bowler | LP 92029 |
| | Allis-Chalmers | ↳ | 82PB | | |
| 2 | ↳ | 150 | 51-347-505 | " | LP 92035 |
| 3 | US Motors | 125 | H1415889 | " | LP 92216 |

**Code to correspond with No. on map and aerial photo*

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | NE | SE | SW | 8 | 6S | 14E | Gooding | Part A well |
| 2 | | NE | NE | SE | 17 | " | " | " | Part B well |
| 3 | | | SW | SW | 16 | " | " | " | Part C well |
| | | | | | | | | | |

6. **Place(s) of Use:** Indicate Method of Determination ASCS photos

| | Twp. | Rge. | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| A) | 6S | 14E | 8 | | | | | | | | | | | 36 39 | | | | 37.5 | | 112 |
| | | | 17 | | 8 | | | 20.5 | 8 | | | | | | | | | | | 36.5 |
| | | | | | | | | | | | | | | | | | | | | 148 |
| B) | 6S | 14E | 17 | | 8 | 3.5 | 0.5 | 31.5 | 8 | 37 | 39.5 | | | | | | | | | 148 |
| | | | | | | | | | | | | | | | | | | | | |
| C) | 6S | 14E | 16 | | | | | | | | | | | 15.2 | 7.5 | | | | | 22.7 |
| | | | 17 | | | | | | | | | | | | | | | | 1.5 | 1.5 |
| | | | 20 | 27 | | | 30 | | | | | | | | | | | | | 57.0 |
| | | | 21 | | | | | 0.3 | 29 | 28 | | | | | | | | | | 57.3 |
| | | | | | | | | | | | | | | | | | | | | 138.5 |

MEMORIALIZED

MAR 28 1996

***Do not use this space***

***Do not use this space***

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**
Not measured. Theoretical capacity of Wells 1 & 2 exceeds design capacity of sprinklers. Recommend licensing for design capacity on these wells. This totals 4.82 cfs, leaving 2.38 cfs that can be licensed for Well #3. However, only 64 acres of the permit are left after licensing Parts A & B, so only 1.28 cfs can be licensed under Part C.

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

## F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = A+B) 148 x 4 = 592 C) ~~138.5~~ 64 x 4 = ~~554~~ 256

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = A+B) 2.4 / x 2.14 x 1.98 = 1033 C) ~~1035~~ 509

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = A+B) 592 AFA C) ~~554~~ 256

2. Volume Calculations for Other Uses:

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## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Recommend license be issued in 3 separate parts, as there are 3 separate water systems. Well #3, although not used now, was drilled & in use before the proof date - well log, ASCS records, inspection date on power box confirm this. Well #3 will be used if water rights are obtained. Recommend Well #3 & associated land be licensed as a permissable place of use, as there is not enough land & water left over from the rest of the permit to fully cover the system. There is a second well ~~on the same slab~~ close to as Well #3, but the 2 are not related. Well #3 is the south well. ~~on the slab.~~

The ASCS photo does not match the standard 660 scale, so it required a lot of effort to figure out the acreages for the two large pivots.

License conditions for Part C - PPU not to exceed 64 acres per annum. Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on these lands.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| A) Irrigation | 4-1 | 10-31 | 2.41 | 592 |
| B) " | " | " | 2.41 | 592 |
| C)* " | " | " | | |
| Totals: | | | ~~2.38~~ 1.28* ~~6.10~~ 6.1 | ~~554~~ 256* ~~1440~~ 1440 |

### 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

## J. AUTHENTICATION

Field Examiner's Name: J E Stanton

Signature: J E Stanton

Certification Date:

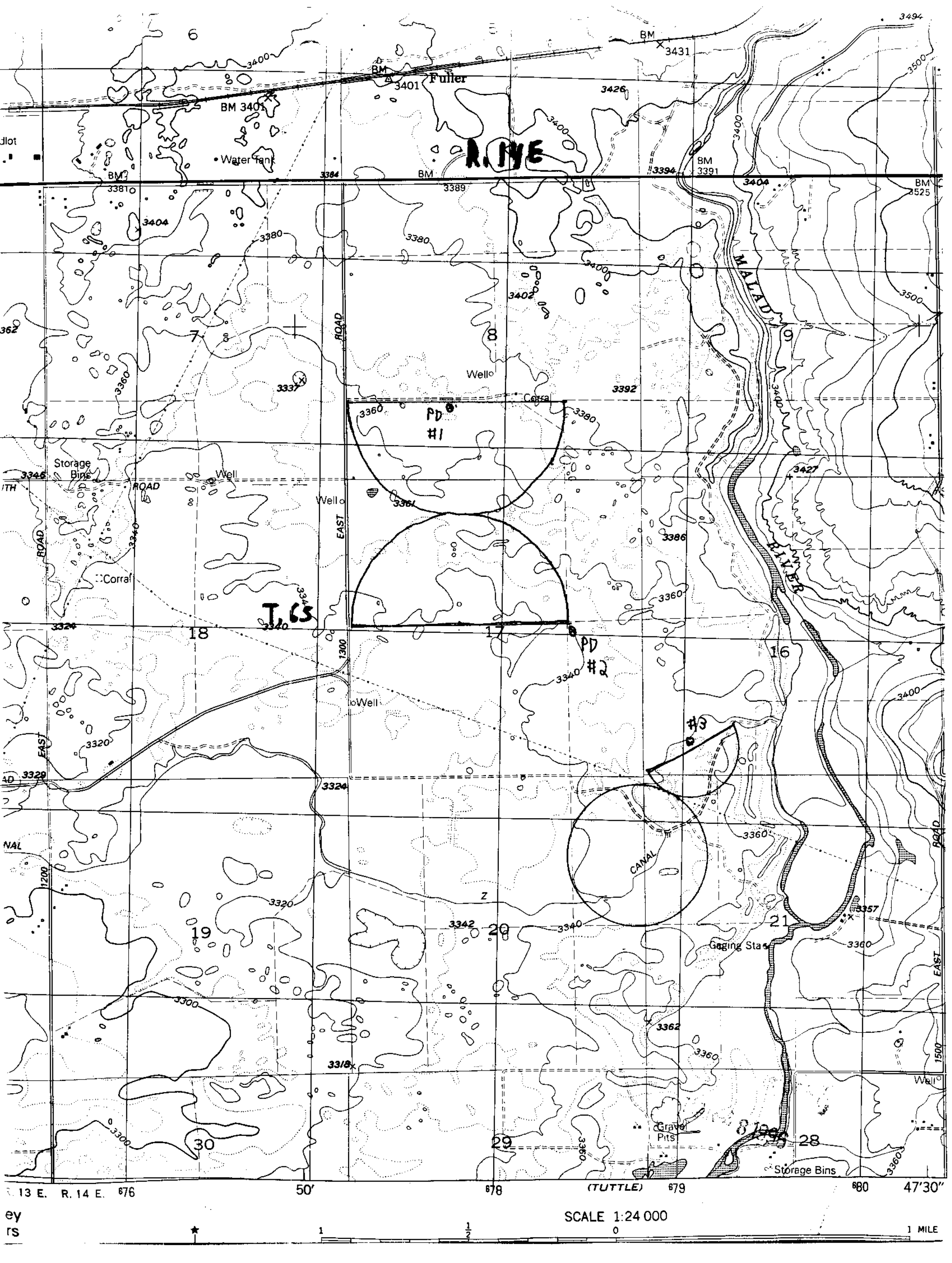
Field Report Preparation Date: 9-26-95

CONSULTANT SEAL

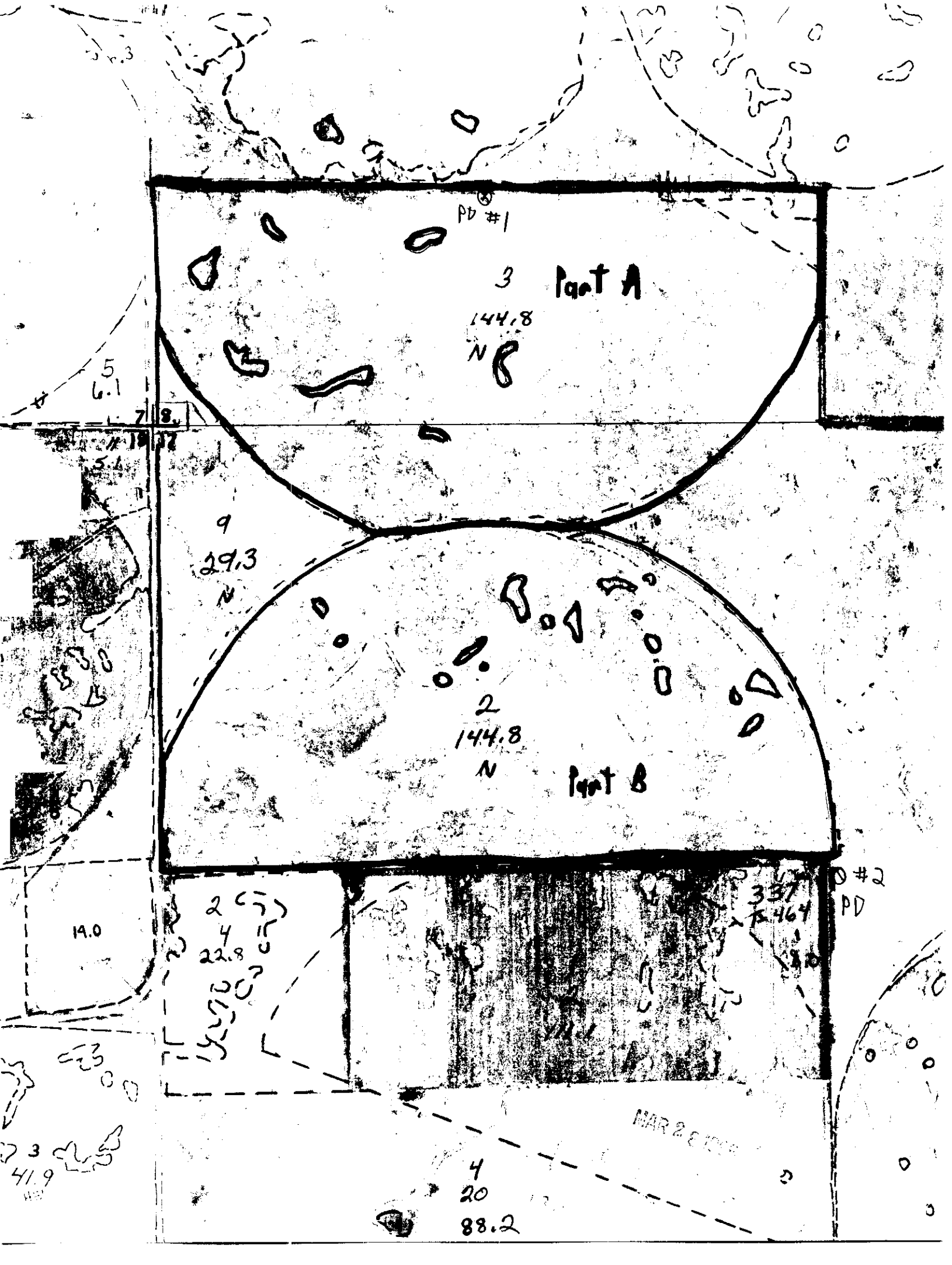
**K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**

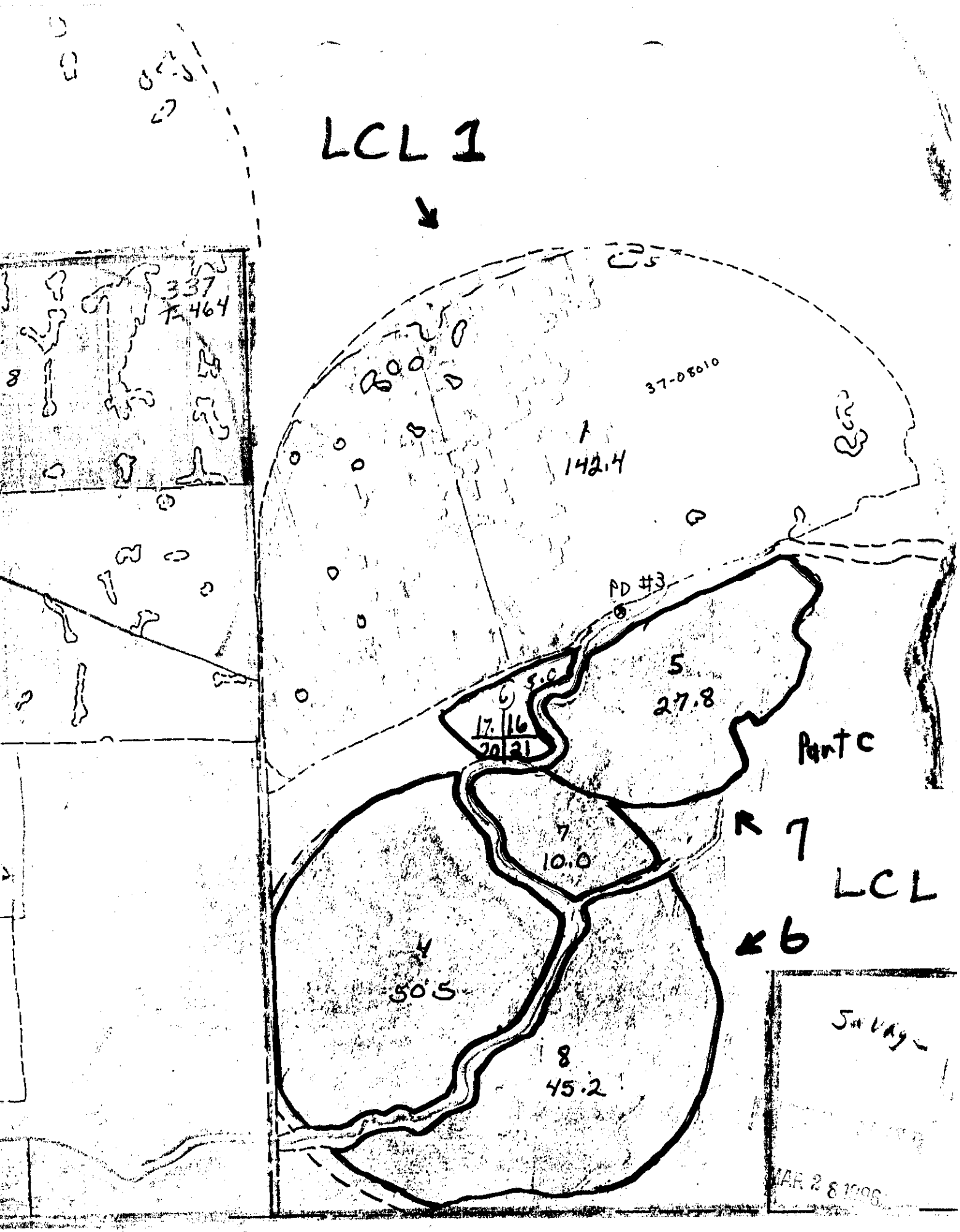
* *Adjustments made during the review of this right for license approval. See memo for additional information.* cmb 12/28/95

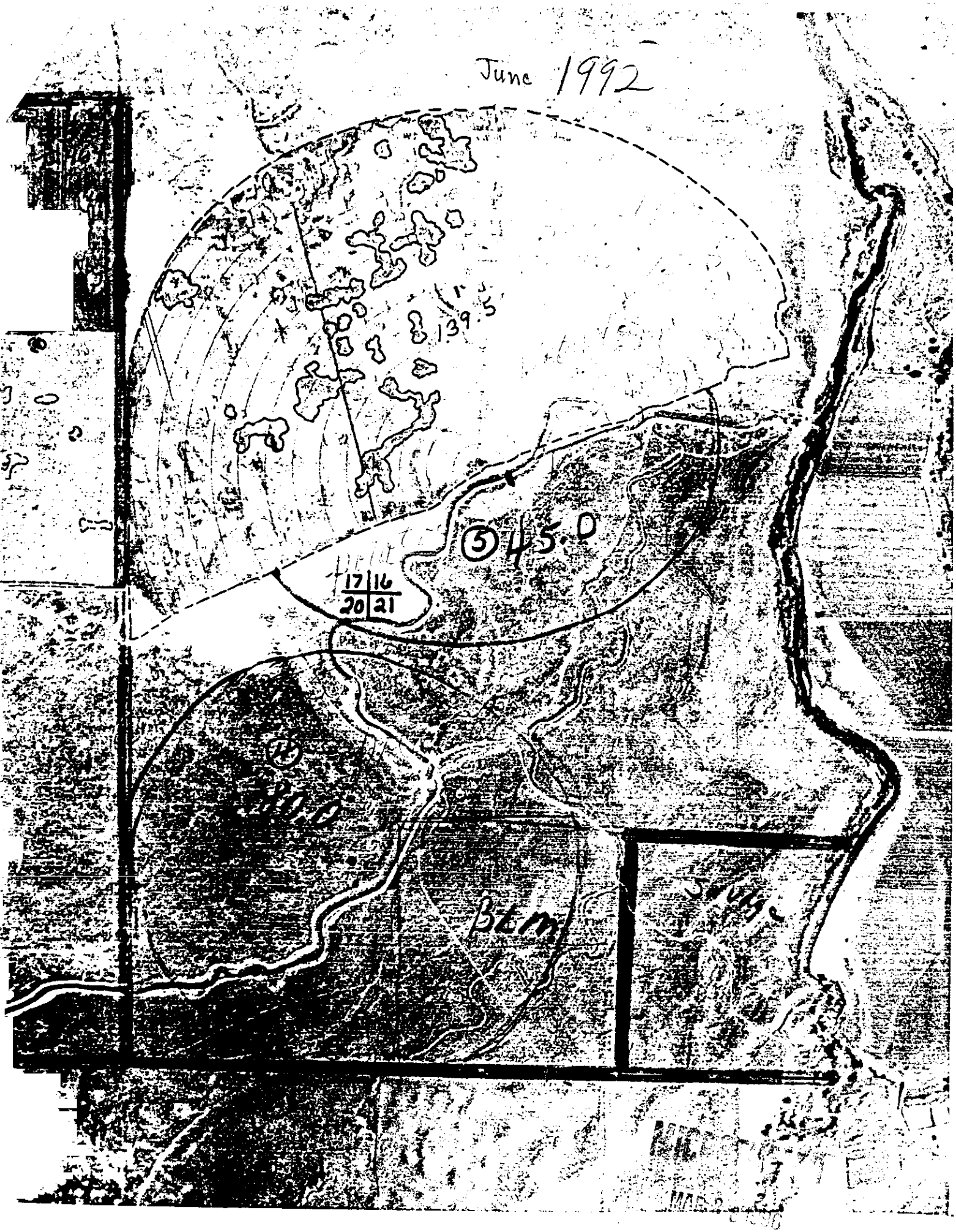
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R. 14 E
T. 6 S
PD #1
PD #2
#3
Fuller
BM 3401
Water Tank
MALAD RIVER
CANAL
Storage Bins
Corral
Well
Gaging Sta
Gravel Pits
ROAD
EAST
(TUTTLE)
R. 13 E.
R. 14 E.
676
50′
678
679
680
47′30″
SCALE 1:24 000
1 MILE


PD #1
3
Part A
144.8
N
5
6.1
7
8
9
29.3
N
2
144.8
N
Part B
#2
PD
337
K 464
19.0
2
4
22.8
MAR 2 8 1990
4
20
88.2
3
41.9


LCL 1
337
T-464
37-08010
1
142.4
PD #3
5
27.8
5.0
17
16
20
21
Part C
7
10.0
LCL
6
4
50.5
8
45.2
Survey
MAR 2 8 1996


June 1992
139.5
345.0
17 16
20 21
Rio
Blm
Jvg.

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-8756A
DATE: 9-26-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8) \quad (\ldots 150 \ldots) \quad (0.70)}{[\ (\ldots 145 \ldots) + (\ldots 48 \ldots \text{ X } 2.31)\ ]} = \frac{61}{\text{MAR } 3.\text{[illegible]} \text{ cfs}}$$

| LIFT FROM: | PSI FROM: | NOTES ON PUMP: |
|---|---|---|
| measurement ( ) | measurement ( ) | Motor Make, Serial or ID |
| owner ( ) | owner (X) | |
| area estimate ( ) | estimate ( ) | Pump Make, Serial or ID, rating |
| well logs (X) | owner gage ( ) | |

Booster (Y) (N)

REMARKS Well #1. Low-pressure pivot designed for 1080 gpm (3.41 cfs)

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

$$\text{POTENTIAL} = \frac{(\ldots\ldots\ldots) \times (1.98) \times (\ldots\ldots\ldots)}{(\ldots\ldots\ldots\ldots)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

[illegible]

MAR 2 8 1996

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-8756 B
DATE: 1-26-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8) \times (150) \times (0.70)}{[(90) + (75 \times 2.31)]} = 3.51 \text{ cfs}$$

LIFT FROM:
measurement ( )
owner (X)
area estimate ( )
well logs ( )

PSI FROM:
measurement ( )
owner (X)
estimate ( )
owner gage ( )

NOTES ON PUMP:
Motor Make, Serial or ID

Pump Make, Serial or ID, rating

Booster (Y) (N)

REMARKS Well #2 - 14-tower pivot designed For 1080 gpm (2.41 cfs)

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(DAYS\ IN\ SEASON) \times (1.98) \times (Q)}{(RECOMMENDED\ ACRES\ IRRIGATED)}$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

POTENTIAL = $\frac{(\quad) \times (1.98) \times (\quad)}{(\quad)}$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

MAR 2 8 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
**********

FILE: 37-08756C
DATE: 9-28-95
BY: JE Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [ (LIFT) + (PSI X 2.31) ]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [ 0 ])

$$Q = \frac{(8.8)\ (\ldots 125 \ldots)\ (0.70)}{[\ (\ldots 85 \ldots) + (\ldots 75 \ldots \text{ X } 2.31)\ ]} = 2.98$$

LIFT FROM:
measurement ( )
owner ( )
area estimate ( )
well logs ( )

PSI FROM:
measurement ( )
owner ( )
estimate ( )
owner gage ( )

NOTES ON PUMP:
Motor Make, Serial or ID

Pump Make, Serial or ID, rating

Booster (Y) (N)

REMARKS Well #3. 6-tower + 9-tower pivots rated at 340 gpm + 975 gpm = 1315 gpm = 2.93 cfs. ~~Recommend limiting to system capacity~~

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

| (season) | (days) |
|---|---|
| 3/15 - 11/15 | 246 |
| 4/1 - 11/1 | 215 |
| 4/15 - 10/15 | 184 |
| 3/1 - 12/1 | 276 |

$$\text{POTENTIAL} = \frac{(\ldots\ldots\ldots) \times (1.98) \times (\ldots\ldots\ldots)}{(\ldots\ldots\ldots\ldots)}$$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
***NOTE that this is NOT Consumptive use***

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

[illegible] 8 1996

4-9-95

S E N N I N G E R  I R R I G A T I O N
6416 Old Winter Garden Rd.
Orlando, Florida 32835
(407) 293-5555 FAX 293-5740



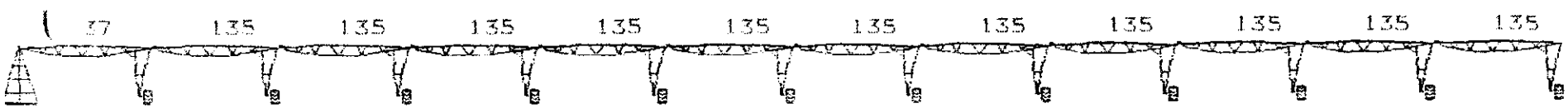
**SENNINGER PRINT OUT NO. 01-7031**
SLIMAN & BUTLER IRRIGATION
GOODING, ID

CUSTOMER: LOS CABALLEROS
(CIRCLE #3)
ZIMMATIC GEN II

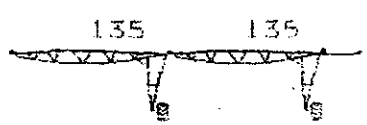
| | | |
|---|---|---|
| TOTAL WATER FLOW (GPM) | - | 1080.00 |
| PIVOT PRESSURE (PSI) | - | 48.00 |
| END PIPE PRESSURE (PSI) | - | 33.79 |
| ENDGUN WATER FLOW (GPM) | - | 103.11 |
| NUMBER OF TOWERS | - | 14 |
| TOTAL LENGTH (FT) | - | 1927.12 |

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( 190) SENNINGER LO-PRESSURE WOBBLERS ON 8.0 FT DROP PIPES (1) SR-100T (3.0 HP BOOSTER PUMP)
( 190) REGULATORS AT 8.0 FT BELOW THE MAIN LINE
8.000 OD X 947 FT 6.625 OD X 945 FT 5.560 OD X 33 FT




C = 140




FIELD + 0
ELEV - 0

north pivot sec 7

CAUTION

1 LOW GPM/ACRE! REQUIRES GOOD WATER MANAGEMENT! STILL MAY NOT PROVIDE ENOUGH WATER ESPECIALLY ON SANDY SOIL. WITH HIGH-MOISTURE CROP, DURING HOT-DRY SEASON!

Form 238-7
8/90

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FEB 07 1992
Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

# WELL DRILLER'S REPORT

Well #1

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

**1. WELL OWNER**

Name I-S Caballeros LTD,
Address 1126 US 26 Blvd, Id 83314
Drilling Permit No. 37-91-S-182 or
Water Right Permit No. 37-8256

**2. NATURE OF WORK**

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

**3. PROPOSED USE**

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

**4. METHOD DRILLED**

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| .25 inches | 16" inches + | 1 feet | 10 feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |

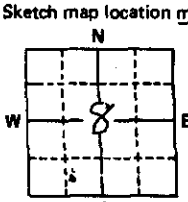
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

| Number | | From | To |
|---|---|---|---|
| _____ | perforations | _____ feet | _____ feet |
| _____ | perforations | _____ feet | _____ feet |
| _____ | perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ 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 10' Material used in seal: ☒ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port Welded pipe

**6. LOCATION OF WELL**

Sketch map location must agree with written location.




Subdivision Name _____
Lot No. _____ Block No. _____
County Gooding
SE ¼ SW ¼ Sec. 8, T. 6 N ☐ S ☒ R. 14 E ☒ W ☐

**7. WATER LEVEL**

Static water level 145 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
*Describe artesian or temperature zones below.*

**8. WELL TEST DATA**

☑ Pump ☐ Bailer ☐ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**9. LITHOLOGIC LOG**

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 12" | 1 | 10 | Top Soil | | X |
| 15" | 10 | 12 | bl Lava | | |
| | 12 | 14 | Red + bl Lava | | |
| | 14 | 50 | bl. Lava | | |
| | 50 | 51 | Crevasse | | |
| | 51 | 65 | bl + Red Lava | | |
| | 65 | 121 | bl Lava | | |
| | 121 | 138 | Cinders no returns | | |
| | 138 | 161 | Soft | | |
| | 161 | 163 | Crevasse | | |
| | 163 | 204 | Hard | | |
| | 204 | 209 | Real Soft | | |
| | 209 | 210 | Crevasse | | |
| | 210 | 227 | Hard | | |
| | 227 | 229 | Crevasse | | X |
| | 229 | 248 | Soft | X | |
| | 248 | 254 | Hard | | |
| | 254 | 262 | " | | |
| | 262 | 271 | Crevasse | | |
| | 271 | 314 | Hard | | |
| | 314 | 315 | Crevasse | | |
| | 315 | 329 | Clay | | |
| 8" | 329 | 348 | " | | |

**10.** Work started 12-23-91 finished 1-10-92

**11. DRILLERS CERTIFICATION**

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton Drilling Firm No. 26
Address Wendell Date 1-12-92
Signed by (Firm Official) Larry Nelson
and (Operator) Dave Crosby

MAR 2 1992

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

SE/SW S8 T6S R14E

Well #27

Form 238-7
8/90

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

# WELL DRILLER'S REPORT

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

**1. WELL OWNER** Region Office

Name Los Caballeros LTD

Address 1126 US 26, Bliss Id 83314

Drilling Permit No. 37-91-S-163 or

Water Right Permit No. 37-8756

**2. NATURE OF WORK**

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

**3. PROPOSED USE**

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

**4. METHOD DRILLED**

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| _____ inches | _____ inches + | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |

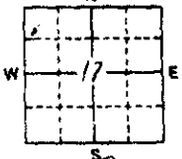
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

| Number | From | To |
|---|---|---|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ 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 _____ Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port Welded pipe

**6. LOCATION OF WELL**

Sketch map location must agree with written location.




Subdivision Name _____
Lot No. _____ Block No. _____
County Gooding
NW ¼ NW ¼ Sec. 17 T. 6 N ☐ S ☒ R. 14 E ☒ W ☐

**7. WATER LEVEL**

Static water level 94 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 85 °F. Quality _____
*Describe artesian or temperature zones below.*

**8. WELL TEST DATA**

☒ Pump ☐ Bailer ☒ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**9. LITHOLOGIC LOG**

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 15" | 190 | 200 | Hard No returns | X | |
| | 200 | 220 | Soft, With Sand | | |
| | 220 | 236 | Hard | | |
| | 236 | 239 | Soft | | |
| | 239 | 241 | Hard | | |
| 250' | 241 | 261 | Soft | | |
| 10" | 261 | 277 | Hard | | |
| | 277 | 286 | Grey Basse + Sand | | |
| | 286 | 290 | Soft | | |
| | 290 | 293 | Grey Basse | | |
| | 293 | 308 | Soft | | |
| | 308 | 313 | Hard | | |
| | 313 | 325 | Grey Basse | | |
| | 325 | 327 | Clay | | |

**10.** Work started 1-12-92 finished 1-19-92

**11. DRILLERS CERTIFICATION**

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton drilling Firm No. 26

Address 285 S Id Wendell Date 1-26-92

MAR 2 6 1992

Signed by (Driller or Official) Jay Wilson

and

(Operator) Dave Crosby

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

PD #3

U.S. Motors 125 #14/5889 Layne & Bowler pump LP92216
85' lift
75 psi

power box installed 6-9-92
pump used for '92 & '93 crop years
disconnected for 94 & 95 crop years - rented canal shares

PD SW/SW
S. 16
65 14C

runs 6-tower & 9-tower pivots

9-tower 975 gpm 73 psi
6-tower 340 gpm
170 psi

waters 138.5 ac.

pivots shown on June '92 ASCS photo
except BLM ± 40 in SE part of 9-tower pivot. all farmed in '93

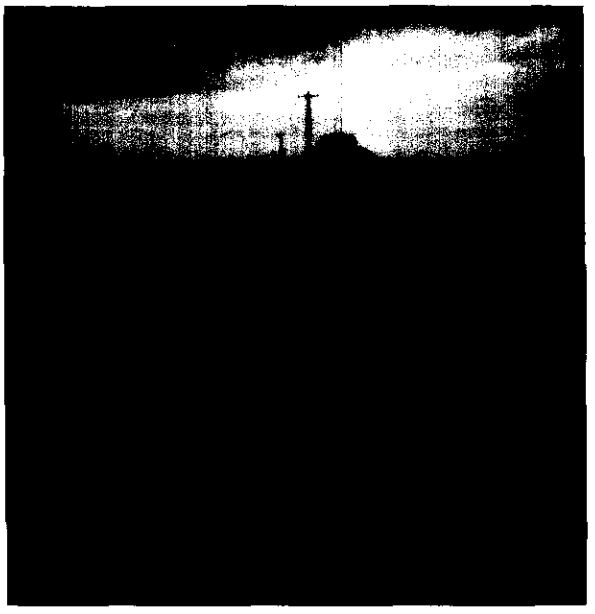
NSCC shares

GE 200 hp BLJ219109 Layne & Bowler pump LP92036

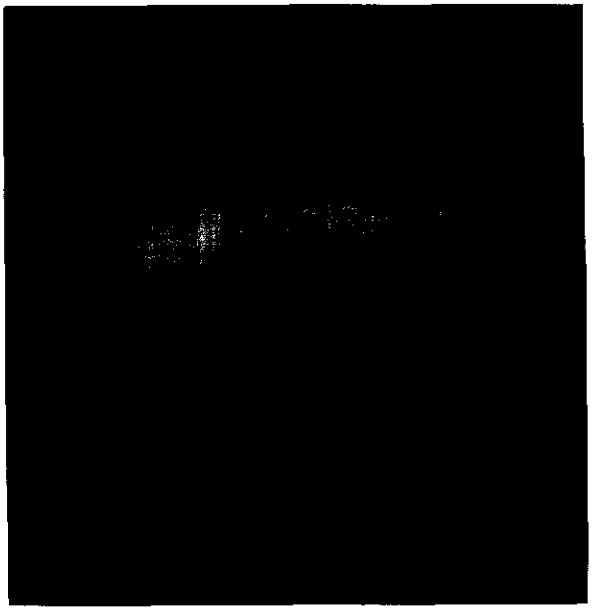
44 psi on pressure gauge

37-8757

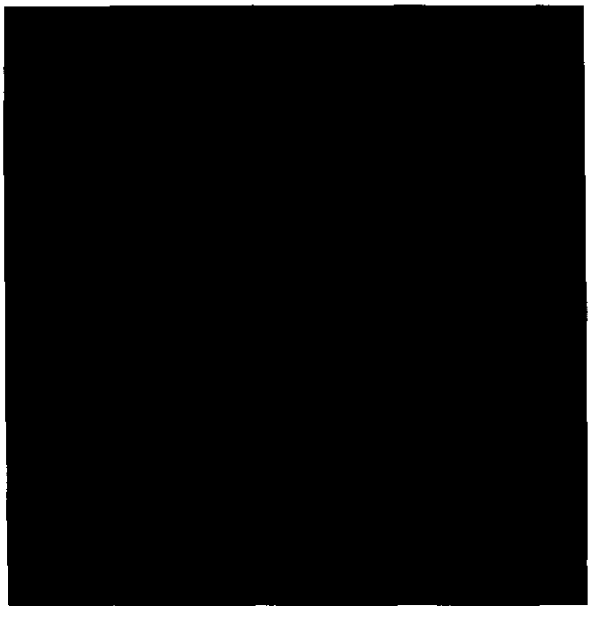
MAR 2 8 1996



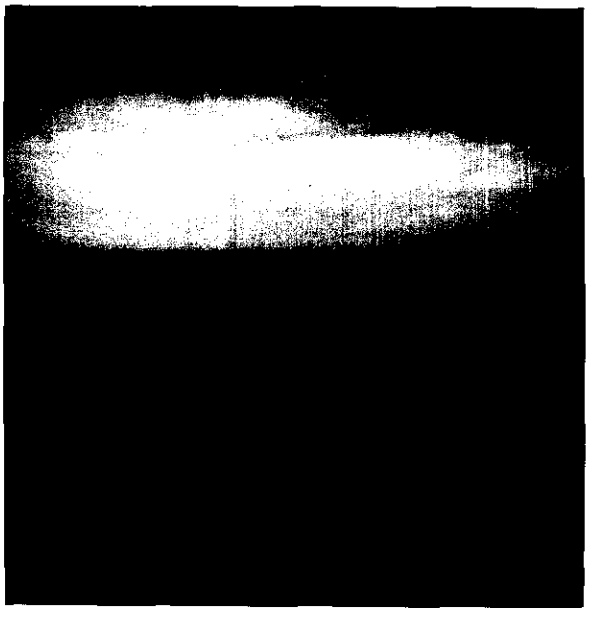
Part A Well



Part B Well (Pivot In Background)

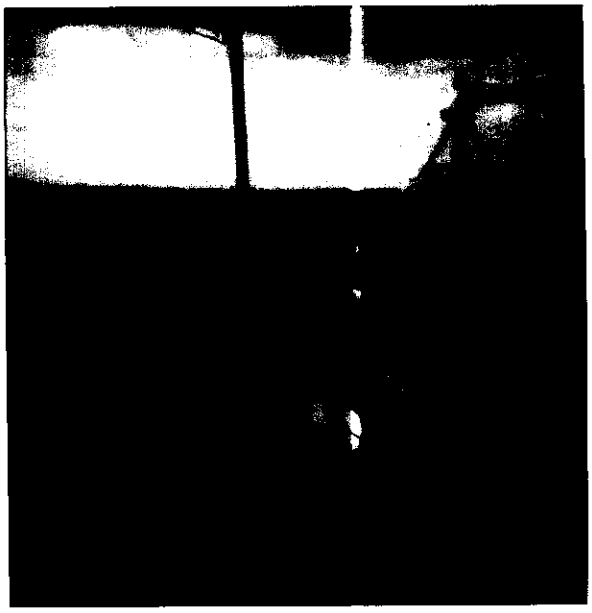


Part A P/U



MAR 2 8 1996

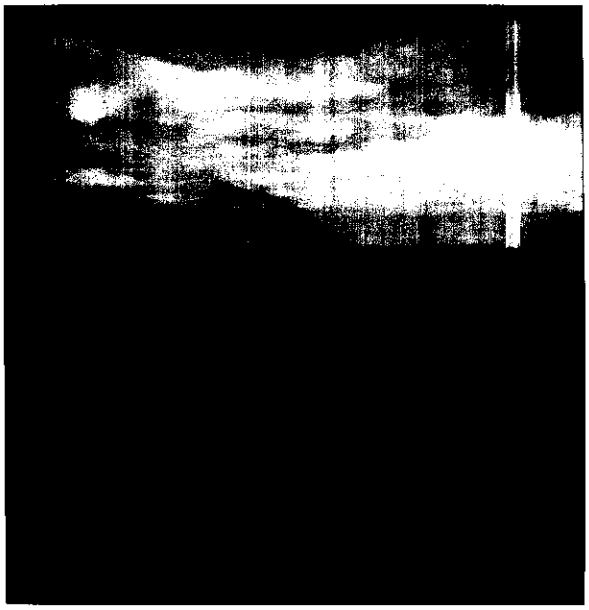
37-8756





P/D Part C

Power Box (Power Cables Disconnected)



Small Pivot,
Pump From Canal

37-8756

**MEMORANDUM**

To: File 37-08756

From: L. Glen Saxton

**RE: MEETING WITH A LOS CABALLEROS REPRESENTATIVE**

Date: October 6, 1994

Today, I met with Louis Davenport representing Los Caballeros (permit holder) concerning potential amendment of permit no. 37-08756 for which proof was filed on July 10, 1992.

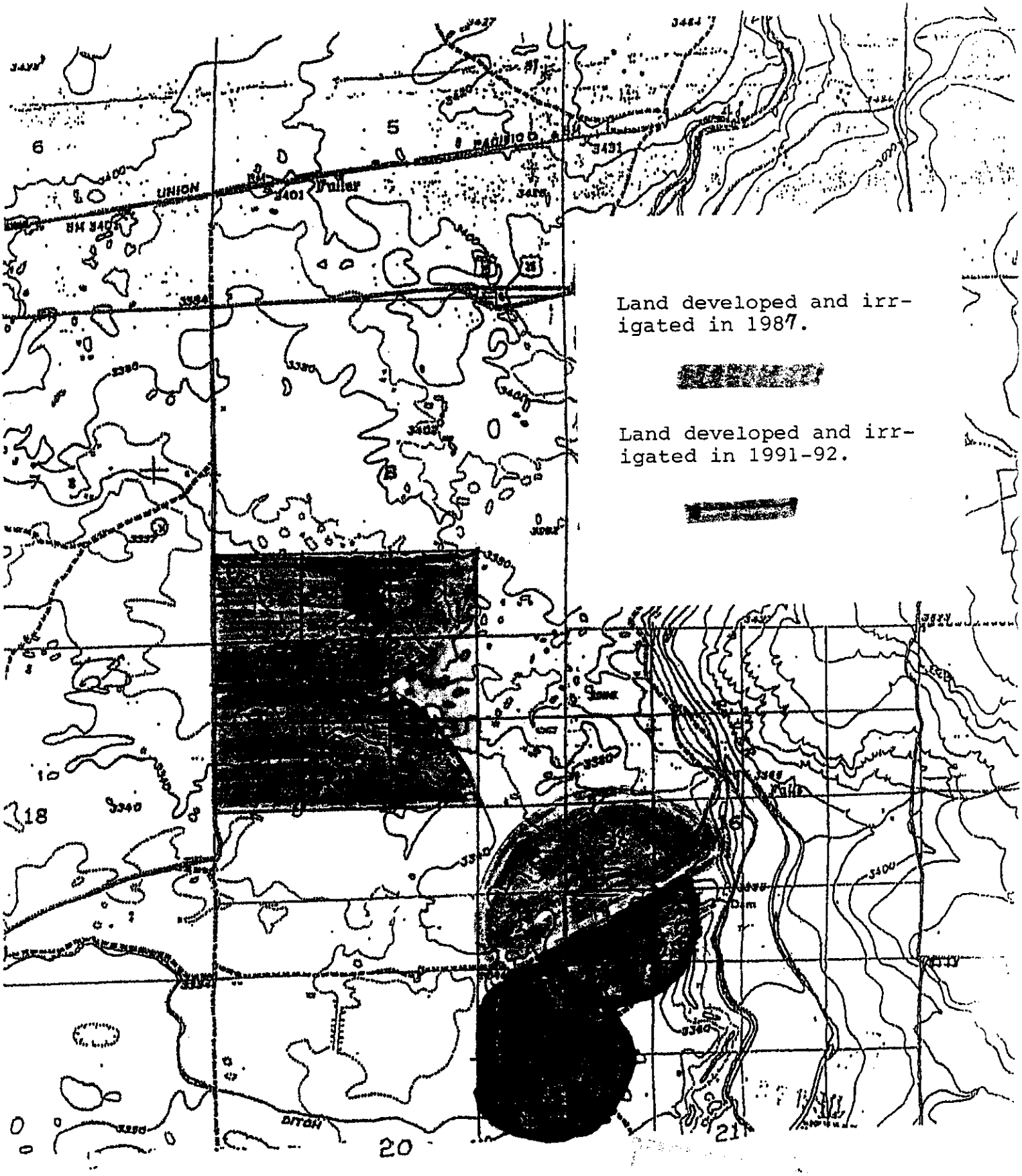
Permit holder represented that all of the permitted land (less the pink shaded area shown on the attachment) and the land outlined in blue was developed at the same time. Proof was filed for all of the land permitted. Permit holder now intends to submit an application for amendment changing the place of use of the pink shaded area to a portion of the area outlined in blue. In addition, the amendment will need to show an additional point of diversion for the blue shaded land.

Permit holder then will need to acquire some other water right for the portion of the blue shaded area which is not covered with a water right. We discussed the transfer procedure and some options to obtain a water right.

Such an amendment appears reasonable to me, since the two tracts of land were developed at the same time.

RECEIVED
MAR 2 8 1996

RIDER FIELD




T 6 S R 14 E Sections 8,16,17,20,21

8 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 20, 1994

Governor Andrus
Statehouse Mail
Boise, ID

RE: WATER RIGHT INQUIRY - LOS CABALLEROS, LTD.

Dear Governor Andrus:

I have reviewed the letter dated August 31, 1994, which you received from Richard Villelli in connection with a cattle and farming operation near Bliss, Idaho which operates as Los Caballeros, Ltd.

I have reviewed the department's water right files and have determined that there are a number of water right filings in the name of Los Caballeros, Ltd. including nine (9) Snake River Basin Adjudication claims and three (3) water right permits identified as 37-08756, 37-08757 and 37-08685. The questions raised by Mr. Villelli appear to be in connection with Permit No. 37-08756.

The water right file for Permit No. 37-08756 shows the following:

- The application for permit was filed on February 6, 1987, proposing the diversion of 17.84 cfs of ground water for the irrigation of 892 acres of land. Since the application proposed the appropriation of "trust water", processing and consideration of the application was slowed due to the processing of prior applications which had been held up due to the Swan Falls water right controversy.

- In June 1991, John Yore, the farm manager for Los Caballeros amended the application to show the diversion of 7.2 cfs of ground water for the irrigation of 360 acres. Based on the reduction in amount, the department refunded $220 of the original filing fee paid by Los Caballeros. The stated reason by the farm manager for the amendment was to save approximately $25,000 to $30,000 for Los Caballeros, since power was immediately adjacent to the new well site.

- In August 1991, the department advertised the application and on September 17, 1991 issued a permit for the diversion of 7.2 cfs of ground water for the irrigation of 360 acres as was proposed by

MAR 2 8 1996

the amended application. One condition of permit approval was that the permit holder submit proof of beneficial use and application of water to beneficial use to the department on or before September 1, 1992.

- On July 10, 1992, the farm manager filed the required proof of beneficial use for Los Caballeros showing the diversion of 7.2 cfs of water for the irrigation of 360 acres.

- On February 23, 1994, Timothy J. Stover of the law firm of Rosholt, Robertson, et al. advised the department that the farm manager had amended the application without the permission of Los Caballeros and of the problem to Los Caballeros caused by the amendment.

- On March 4, 1994, I corresponded with Mr. Stover about the matter. Enclosed is a copy of my letter in which I have highlighted certain information.

- On April 1, 1994, two (2) members of my staff met with two (2) representatives of Los Cabelleros and Mike Creamer of the law firm of Givens, Pursley et al. concerning the matter. The results of the meeting was that as a short term solution, Los Caballeros would explore obtaining water from the North Side Canal Co. and from the Upper Snake River rental pool and as a long term solution might submit an application to amend the permit. (Note: An application to amend a permit is different than an amended application for a permit).

In connection with the proposed amendment, the department advised that a) an amended application would be subject to existing moratoriums and would be held without action similar to a new application for permit and b) an amendment to the permit could not enlarge the existing permit. The department advised Los Caballeros that even in view of these limitations, Los Caballeros could obtain a formal ruling on the matter by filing one or the other with the department.

- On May 20, 1994, Los Caballeros submitted an amended application to the department. After legal review, the department advised Los Caballeros that on its face, an amended application was not the proper form and would be held without action or would be rejected out of hand. (An amendment to the permit would result in action depending on what the amendment proposed). Los Caballeros now needs to decide whether it wants to file and in what form.

- My staff has subsequently explained the options to Mike Creamer who presently represents Los Caballeros.

In summary, the department responds to this matter as follows:

1. The department did discuss some possibilities with Los Caballeros as potential solutions to their problem but did not recommend a procedure, since there was not a clear solution.

MAR 2 8 1996

2. The department did not and does not acknowledge that the amendment of the application by the farm manager in June 1991 should never have happened nor that the farm manager was an unauthorized agent for Los Caballeros. As described in my March 4, 1994 letter, the department corresponded with Los Caballeros at the Bliss, Idaho, address listed on the application for permit. If Mr. Villelli desired that the department correspond with Los Caballeros at a different address, it was his responsibility to provide that information. In addition, the farm manager took numerous other actions on behalf of Los Caballeros to maintain the validity of the application and the permit.

3. The application was reduced in scope by amendment prior to its advertisement and a portion of the original filing fee has been refunded to Los Caballeros.

The Snake Plain Aquifer from which Los Caballeros obtains its ground water has been subject to about eight (8) years of drought which has resulted in the declaration by the department of a moratorium against the approval of new appropriations of water and has resulted in a "call" against all ground water users with a priority later than 1948. Allowing additional new development at this point would further aggravate the water supply and water distribution problems in the aquifer.

The most plausible long term solution for Los Caballeros to pursue appears to be to seek to obtain a valid existing water right and pursue the process of a transfer to make appropriate changes to the existing right. If Los Caballeros potentially finds such a right, the department is willing to review the validity of the right before the right is actually purchased or otherwise acquired.

If I can provide additional information, please contact me.

Sincerely,

R. KEITH HIGGINSON
Director

c: IDWR - S. Region
Water Alloc Bur

MAR 2 8 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 4, 1994

Timothy J. Stover
Rosholt, Robertson & Tucker
142 3rd Ave North
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: PERMIT NO. 37-08756

Dear Mr. Stover:

The department has reviewed your letter dated February 23, 1994 together with the water right permit file referenced above. Your letter asks that the department not recognize the June 27, 1991 amendment to Application for Permit No. 37-08756 because John Yore, the farm manager for the applicant lacked the authority to act as agent for Los Caballeros Ltd in this respect.

The department file for Permit No. 37-08756 shows that at all times, the department corresponded with Los Caballeros Ltd at the Bliss, Idaho, address listed on the application for permit form signed by Richard Villelli, President of Villelli Enterprises, Los Caballeros' general partner. If Mr. Vinelli desired that the department correspond with Los Caballeros at a different address, it was his responsibility to provide that information to the department.

The department file further shows that John Yore, as Los Caballeros' farm manager, took numerous actions as agent for Los Caballeros which were necessary to maintain the validity of the application and the permit. These include responding to the Trust Water Information Questionnaire on January 9, 1991; filing the application for drilling permit on September 30, 1991; and filing the Proof of Beneficial Use on July 10, 1992. It would not appear appropriate that Los Caballeros be allowed to benefit from these numerous actions taken by John Yore as its agent and at the same time be allowed to reject those action which it may now desire to change.

The department file also shows that the application was reduced in scope by amending the applicaion prior to its advertisement. Hence the department refunded a portion of the filing fee originally submitted by the applicant.

MAR 2 8 1996

Based on these facts, the department is not authorized to approve an amendment to enlarge the permit as you have requested in your letter.

A potential solution for your client is to obtain an existing water right and apply to change its place of use. Based on concerns of water users in the Hagerman Valley area, however, any amendment proposing the use of ground water which could diminish spring discharge in the valley likely would be protested. Without an approved water right, your client is not authorized to irrigate more than 360 acres under terms of Permit No. 37-08756.

Sincerely,

R. KEITH HIGGINSON
Director

c: IDWR - S. Region



MAR 2 8 1996

CONSTITUENT AFFAIRS TRACKING MEMO
OFFICE OF THE GOVERNOR
Cecil D. Andrus

RECEIVED
SEP 15 1994
Department of Water Resources

Number: 19976 Date:09/06/94
Name:Villelli, Richard A Class:SW
Org:Villelli Enterprises, Inc Type:Letter
Address:HCR 61, Box 169 Phone:(208)267-7625 SSN:
Address: Phone:( ) Case:
Zip:83805 City:Bonners Ferry State: County:Boundary

| Assigned To | | Current Referral | |
|---|---|---|---|
| Andy Brunelle | Date:09/06/94 | Keith Higginson | Date:09/13/94 |
| Org.:Governor's Office | | Org.:Water Resources | |
| Phone:(208)334-2100 | Due:10/06/94 | Phone:(208)327-7910 | Due:09/27/94 |

Subject

regarding request to reinstate original water permit

Notes

09/13/94 4:04 PM Tracking memo:Report to Governor on Your Letter Head.
09/13/94 Referred to Water Resources, Keith Higginson

**********

ACTION:
Please look into the attached matter and send a report directly to the Governor on your department's letterhead, bearing in mind that the Governor may send it on to the constituent with his own letter and return this form and all documentation to the Governor's office.

SEP 28 1996

villelli
enterprises
inc.

RECEIVED
SEP 06 1994
SW
OFFICE OF GOVERNOR

REALTOR

August 31, 1994

Cecil D. Andrus, Governor
OFFICE OF THE GOVERNOR
STATE OF IDAHO
State Capitol
Boise, ID. 83720

Dear Governor Andrus:

Sorry to have missed your golf tournament. Most of all, Marie and I dearly missed harassing you!

If you have a moment, I need your help.

Our cattle and farming operation, Los Caballeros, Ltd., operating out of Bliss, Idaho, has a problem that perhaps only you can help solve.

In 1991, we applied for a Water Permit and subsequently developed over 500 acres in pivots at a cost in excess of $650,000. We operated that farm for two years and in late 1993 discovered, quite by accident, that our permit had been reduced to acreage substantially less than we had developed.

We immediately inquired with the Department of Water Resources and found that an employee, without my direction or knowledge, had gone to the department and reduced the amount of land under our permit.

We don't want to be rewarded for doing what is right, but I would like you to understand I think our effort to immediately correct this problem was exemplary. We secured the services of Givens, Pursley, and Huntley Law Office in Boise as water right specialists to present our problem to the department. The department recommended a procedure to correct the error which they acknowledged should never have happened because they allowed an unauthorized applicant to alter and execute documents on our behalf. And, they never informed me of the change in our permit.

Cecil, many thousands of dollars later, after following the recommendations of the department, we have been turned down in our request to reinstate our original permit.

A disgruntled employee should not be allowed to change our permit, no different than a ranch hand working for you or for Keith Higginson, should be able to give up your water rights.

MAR 28 1996

1001 W. Whittier Blvd., La Habra, California 90631-3796 / (213) 691-3237 / (714) 526-2291 / Fax (714) 526-0212
5966 County Road 234, Durango, Colorado 81301 / (303) 247-2713 • HCR 61, Box 169, Bonners Ferry, Idaho 83805 / (208) 267-7625

So, there is my story. I have lots of amended permits, affidavits, and hundreds of pages of paper work, and they are all that is left of trying to do things the right way.

I NEED YOUR HELP!

I have never asked a governor for a favor before, so please excuse my lack of protocol. I never purported to have no learnin'; just integrity.

CAN YOU HELP? 1-800-307-3051.

I will be happy to fly down and meet with you.

Thanks for your time.

Sincerely,

LOS CABALLEROS, LTD.
By: VILLELLI ENTERPRISES, INC.
General Partner

Dick

Richard A. Villelli

RAV/ja

MAR 2 8 1996

TO: GLEN

FROM: NORM

RE: CONVERSATION WITH MIKE CREAMER - LOS CABALLEROS

DATE: JUNE 14, 1994

---

I returned Creamer's call to respond to his concern that IDWR was not willing to process the amended application. He feels that we agreed to do so at the earlier meeting. I explained that my understanding was that he was trying to initiate immediate action to address the matter. An amended application would be subject to the present moratorium just as a new application. Thus, even if we agreed that the amended application was appropriate, it would simply be held without action.

We talked about the applicability of an amendment to the permit, noting that while processing could proceed, IDWR would not be able to approve additional water or land. Of course it is Mike's contention that it is not an expansion of the project originally applied for and actually developed.

Mike will consider the matter further and advise how he wants to proceed. Let's hold the amended application for no more than 10 days, to give him a chance to get back to us.

**MEMORANDUM**

To: Norman C. Young

From: L. Glen Saxton LGS

**RE: PHONE CONVERSATION WITH MIKE CREAMER**

Date: June 14, 1994

Yesterday Mike Creamer called to determine the status of the Los Caballeros, Ltd. (permit holder) amended application for permit which he submitted to the department on May 20, 1994. After reviewing the matter, Phil Rassier agrees that the amended application is not the proper document and should be returned.

I called Creamer and advised that the amended application was not acceptable and described the options as I saw them which are as follows:

> The permit holder could withdraw the amended application for permit and request return of the fee. The permit holder then could file either an application for permit for the difference in acreage or file an application for transfer if the permit holder has located a water right to transfer. The problem with an application for permit is that the department can not approve it due to the moratorium and it takes 6 to 8 weeks to process an app for transfer.
>
> If the applicant chooses not to withdraw the amended application for permit, the department should reject the amended application for permit in a written decision and should return the fee. Creamer can then appeal the decision if he so chooses.

Creamer was not pleased with what I told him and wants to discuss the matter with you. He says he feels he left the April 1, 1994 meeting with a committment from the departmnet that an amended application for permit was the way to go and that the department would have no problem with such a filing. I told him that I certainly did not feel the department had made a committment of any kind and read to him my April 1, 1994 memo which is in the file.

At any rate, Phil and I do not see a solution to the problem. Creamer likely will call you today concerning the matter.

NORM / GLEN 6/13/94

While I empathize with the applicants they find themselves in, I don't believe it would be permissible for the dept. to accept this partial application for amendment.

A possible solution may be to forego the benefits of the permit for the 360 acres and start over with the processing of the newly amended application for 509 acres. Phil

**MEMORANDUM**

To: Norm Young

From: L. Glen Saxton LGS

**RE: AMENDED APPLICATION - 37-08756 - LOS CABALLEROS, LTD**

Date: May 23, 1994

The attached amended application for permit form appears to be the wrong document to file, since Section 42-211, I.C., specifies the filing of an "Application for Amendment" form if a permit has already been issued (as is the case here). The fee for filing an application for amendment is $20.

The fee which has been submitted ($105) is intended to be the difference in fee between the permitted rate of 7.2 cfs and the 10.18 cfs shown on the amended application for permit form. The difference in fee for this type of filing, however, should be $85.

I called Creamer about both of these matters. He advised that he would like us to consider that he is amending the part of the application which was not included in the permit we issued. ??????? He is willing to file different documents in order that the department will not just reject the proposal since the wrong form has been filed.

I'm not sure what to tell him, since I think the proper form to file is an application for permit which would (if approved) have a later in time priority than the original permit. Such a filing is stopped, however, by the moratorium.

Any ideas?

MAR 28 1996

GARY G. ALLEN
REBECCA W. ARNOLD
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
JOANN C. BUTLER
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT, III
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. McCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
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SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. McCLURE
OF COUNSEL

DAVID E. MABE
LEGISLATIVE SPECIALIST

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

May 20, 1994

RECEIVED
MAY 20 1994

Mr. Norman Young
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 37-8756 - Amended Application for Permit of Los Caballeros, Ltd.
Our File: 3995-1

Dear Mr. Young:

With this letter I am filing on behalf of Los Caballeros, Ltd., its Amended Application for Permit in the above-referenced matter, and a change of address form requesting that correspondence regarding Los Caballeros' Application and Amended Application be directed to its general partner Mr. Villelli. Also enclosed is Los Caballeros' application fee in the amount of $105 for the 3.7 cfs requested in the Amended Application to cover another 185 acres. This Amended Application is intended to remedy a situation in which Los Caballeros' original application for permit, which was filed on February 4, 1987, was mistakenly changed to omit a substantial portion of the lands Los Caballeros intended to develop pursuant to that original application.

Los Caballeros has proceeded diligently with its appropriation consistent with its original application, and it now has 509 acres of land capable of irrigation this season. Given that only 360 acres of the 509 currently are covered by a Department permit, Los Caballeros is working to lease an alternate water supply for the balance

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during the 1994 irrigation season. Los Caballeros continues to proceed in good faith towards resolving all issues surrounding the future irrigation of these lands.

Los Caballeros understands that although it did not authorize the earlier amendments that eliminated substantial portions of the requested place of use, the fact remains that 185 acres of Los Caballeros' present development were not subjected to public notice. Los Caballeros' Amended Application specifically identifies the location of those 185 acres so that they can be properly noticed and reviewed by the Department and the public. Because the balance of the lands described in the Amended Application were previously noticed, permitted and developed at substantial expense to Los Caballeros, Los Caballeros does not expect that those lands would be subject to further notice or opportunity for protest. They are referenced in this Amended Application to clarify the consistency of Los Caballeros' actual development with its original intentions as stated in the original application.

Los Caballeros is anxious that this matter proceed as quickly as possible. If the Department requires additional information or clarification of the Amended Application, please contact me immediately. I also would appreciate an opportunity to review the Department's proposed public notice prior to its submission to the newspapers if that is possible.

Sincerely,

Michael C. Creamer

MCC/mc
Enclosures

cc: Richard A. Villelli
Lewis Davenport
Bill Novinger

MAR 2 8 1996

Form 202
6/86

Ident. No. _____

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
# AMENDED APPLICATION FOR PERMIT

RECEIVED
MAY 20 1994
Department of Water Resources

**To appropriate the public waters of the State of Idaho**

1. Name of applicant Los Caballeros, Ltd. Phone 208-267-8305
   Attention: Richard Villelli
   Post office address Box S, Bonners Ferry, ID 83805

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE ¼ of SW ¼ of _____ ¼, Govt. Lot _____
   Sec. 8 Township 6 S Range 14E B.M. Gooding County; additional
   points of diversion if any: Please see Attachment A hereto

4. Water will be used for the following purposes:
   Amount 10.18 (cfs or acre-feet per annum) for irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) 10.18 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pumps, main line, sprinklers
   b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
   c. Proposed well diameter is 17 inches; proposed depth of well is 348 (W-3) feet.
   d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (*minimum 1 year*).

* Additional wells are: SW SW Section 16 = 17" x 130' (W-6/7)
SW SW Section 16 = 18.5" x 155' (W-1)
SW NE Section 17 = unknown dimensions (W-2)

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8. Description of proposed uses (*if irrigation only, go to item 9*):

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6S | 14E | 8 | | | | | | | | | | | 40 | 40 | | | 37 | | 117 |
| | | 16 | | | | | | | | | 8 | | 20 | 20 | | | | | 48 |
| | | 17 | | 10 | 37 | | 40 | 40 | 40 | 40 | | | | | 7 | | | 3 | 217 |
| | | 20 | 35 | | | 36 | | | | | | | | | | | | | 71 |
| | | 21 | | | | | 4 | 32 | 20 | | | | | | | | | | 56 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 509

10. Describe any other water rights used for the same purposes as described above. None. Please see Attachment A hereto.

11. a. Who owns the property at the point of diversion? Applicant

    b. Who owns the land to be irrigated or place of use? Applicant

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Please see attachment A hereto.

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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

PLEASE SEE ATTACHMENT C HERETO.

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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Los Caballeros
by Udall Enterprises, Inc.
By Richard W. Udall

(Applicant)

Received by dw Date 5/20/94 Time 3:25p Preliminary check by _____

Fee $ 105.00 Receipted by dw # C030342 Date 5/20/94

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

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**Attachment A to Amended Application for Permit Submitted by Los Caballeros, Ltd.**

Item 3 Additional Points of Diversion

NW1/4,NE1/4,SE1/4 Section 17
SW1/4,SW1/4 Section 16

Item 10 (continued). Describe any other water rights used for the same purposes as described above.

Los Caballeros, Ltd. ("Los Caballeros") currently irrigates 126 acres of land within the boundaries of the Rider Field pursuant to Water Right License No. 37-8010 issued May 31, 1988, as follows:

| | |
|---|---|
| Section 16: | NE1/4,SW1/4 (18 acres) |
| | NW1/4,SW1/4 (38 acres) |
| | SW1/4,SW1/4 (19 acres) |
| | SE1/4,SW1/4 ( 2 acres) |
| Section 17 | NE1/4,SE1/4 (20 acres) |
| | SE1/4,SE1/4 (29 acres) |

This Amended Application seeks a water right to irrigate other acres in the above-described locations that are not covered by License No. 37-8010, and to irrigate the lands described in section 9(a) of the Amended Application.

Los Caballeros currently rents water from the North Side Canal Company, whose canal runs through the Rider Field. This rented water is diverted from the North Side Canal by a headgate, and delivered through sprinklers to the place of use described in this Amended Application. This water is being rented on an emergency and temporary basis to provide irrigation water to the Rider Field.

Item 12. Remarks.

This Amended Application amends Los Caballeros' original Application for Permit ("Original Application"), which was filed with the Idaho Department of Water Resources ("Department") on February 4, 1987. The purposes of Los Caballeros' Amended Application are to: 1) clarify and affirm Los Caballeros' original intent, as indicated in its Original Application regarding development of land and water rights within the Rider Field; 2) more realistically reflect the irrigation



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capability of the project lands; and 3) reduce the total acres of the requested place of use to 509 acres, and reduce the requested total diversion rate to 10.18 cfs to coincide with such irrigation capability. This Amended Application includes 324 acres contemplated by the Original Application that have been previously authorized for development, and 185 acres which were contemplated by the Original Application, but have not yet been given public notice by the Department.

The Original Application initially was given identity number 36-8321 by the Department. The identity number was later changed by the Department to 37-8756 to reflect the actual location of the proposed points of diversion. In its Original Application, Los Caballeros requested a permit to appropriate groundwater to irrigate up to 892 acres of land which, subject to the limited exceptions described below, are located within the same boundaries of the place of use requested by Los Caballeros in this Amended Application. *See* Attachment B hereto, showing the boundaries of the place of use described in the Original Application, and Attachment C hereto, showing the boundaries of the place of use described in this Amended Application.

Through inadvertence, mistake and/or the unauthorized actions of a Los Caballeros employee, and without notice to Los Caballeros' principals, changes were made to the Original Application which had the effect of excluding all but 360 acres of the place of use originally requested for the Rider Field. The circumstances surrounding these changes to the Original Application are described in the Affidavit of Richard A. Villelli, attached hereto as Attachment D, and submitted in support of this Amended Application. Public notice of the proposed development of those 360 acres was published in the Gooding County Leader in August 14th and 21st, 1991, and development of those 360 acres was subsequently authorized under Water Right Permit No. 37-8756 on September 17, 1991. However, Los Caballeros did not learn that the remaining 532 acres inadvertently had been excluded from its Original Application, and from Permit No. 37-8756, until 1993, by which time, Los Caballeros already had developed and begun irrigating the lands described in this Amended Application.

Los Caballeros' intentions as stated in its Original Application were to develop to the extent feasible, up to 892 acres of farm ground in Gooding County. The Amended Application reflects the acres and place of use that Los Caballeros has actually developed consistent with its intentions, and the limitations of the lands proposed to be irrigated in the Original Application. As such, the Amended Application represents actual development of, and investment in, Los Caballeros' farm ground and irrigation system, some of which now has been in production since 1988. Los Caballeros therefore would not now require additional development or investment to complete this appropriation.

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The Amended Application reduces the acres requested as the place of use in the Original Application by 383 acres, and reduces the rate of diversion requested in the Original Application from 17.84 cfs to 10.18 cfs.

Although the Amended Application reduces the place of use as requested in the Original Application by 383 acres, it includes 24 acres that were not described in the Original Application. Twenty acres of land described in the Amended Application, and located in the SW1/4,NW1/4 Section 21 were purchased from the U.S. Bureau of Land Management ("BLM") after the filing of the Original Application, and are requested because they are covered by the sweep of an existing center pivot sprinkler installed on lands identified in the Original Application. Negotiations with the BLM to acquire this ground were in progress at the time the Original Application was filed. Four acres of land described in the Amended Application, and located in the NE1/4,NW1/4 Section 21 also are covered by the sweep of an existing center pivot sprinkler. These adjustments in place of use are necessary as a result of field conditions which dictated the actual siting of irrigation equipment after the filing of the Original Application.

The Amended Application excludes 160 acres located in the NE1/4,NE1/4 Section 17, SE1/4,NE1/4 Section 17, NW1/4,NW1/4 Section 16, SW1/4,NW1/4 Section 16 as a place of use for the requested water right. Development of these lands now is considered infeasible by Los Caballeros.

Los Caballeros' irrigation system uses four points of diversion described as "W-1", "W-2", "W-3" and "W-6/7", which denote the pivots that they serve. W-1 is the licensed point of diversion for water right no. 37-8010, and is used to irrigate the 126 acres of land authorized by that license as described in Item 10 above. The depth of well W-2 is unknown. Water from the wells are pressurized and delivered through efficient mainline and center pivot systems.

The Amended Application reflects that 324 acres actually have been developed within the 360 acres located in Sections 8 and 17 as authorized under Water Right Permit No. 37-8756. The quantity of water associated with this developed area equals 6.48 cfs out of the approved 7.2 cfs in Permit No. 37-8756. The Amended Application also includes 161 acres that Los Caballeros developed within the place of use requested in its Original Application, and the 24 acres discussed above which are covered by the sweep of the center pivot sprinklers. Because development of the 360 acres already has been noticed and permitted, Los Caballeros expects that this Amended Application would require public notice of the 3.7 cfs requested to irrigate the 185 acres (161 + 24). The legal description for these 185 acres is as follows:

| | | |
|---|---|---|
| Section 16: | NE1/4,SW1/4 | 8 acres |
| | SW1/4,SW1/4 | 20 |
| | SE1/4,SW1/4 | 20 |



MAR 2 8 1996

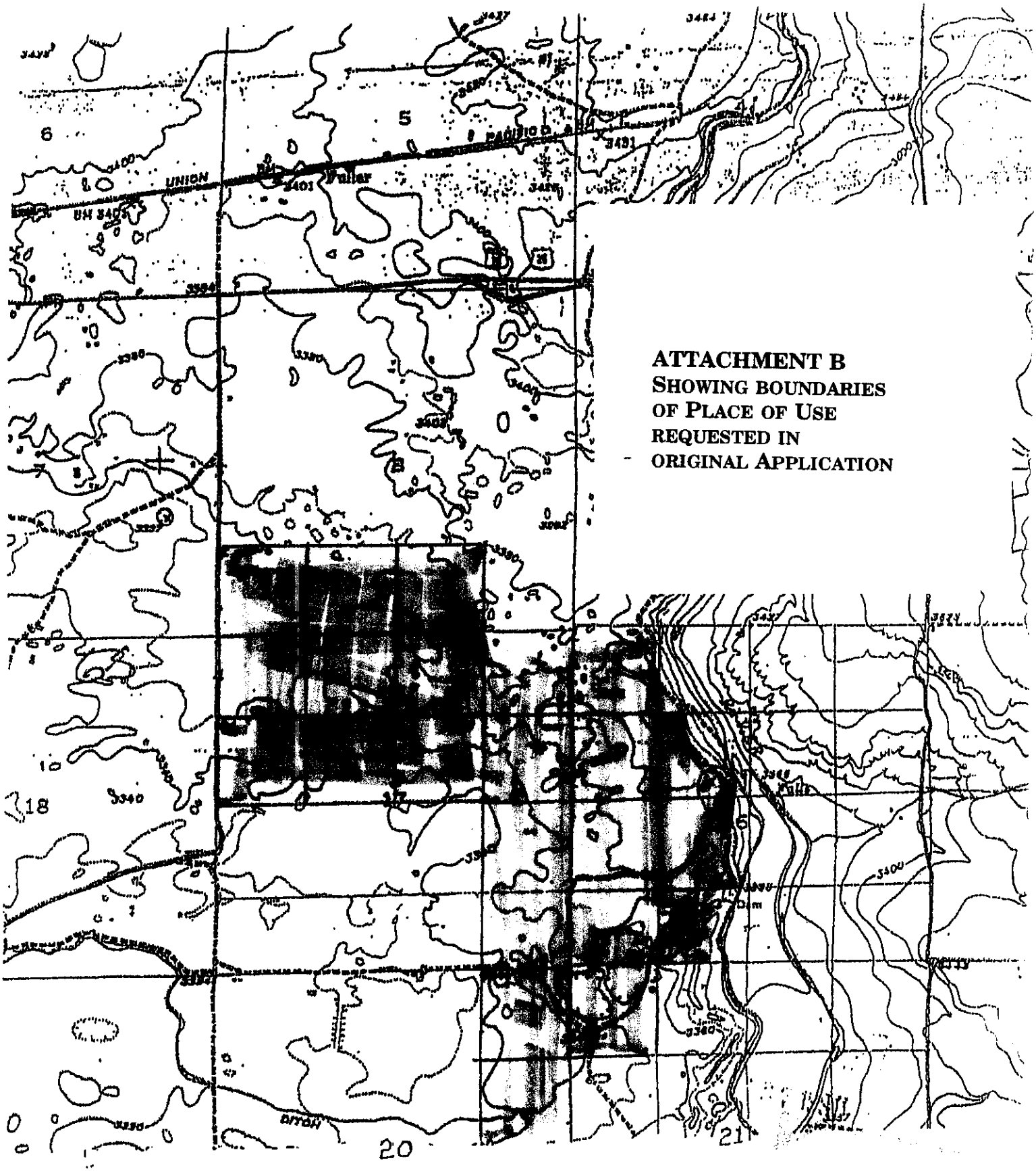
| | | |
|---|---|---|
| Section 17: | NE1/4,SE1/4 | 7 |
| | SE1/4,SE1/4 | 3 |
| Section 20: | NE1/4,NE1/4 | 35 |
| | SE1/4,NE1/4 | 36 |
| Section 21: | NE1/4,NW1/4 | 4 |
| | NW1/4,NW1/4 | 32 |
| | SW1/4,NW1/4 | 20 |
| | TOTAL ACRES | 185 |

Because the 324 acres in sections 8 and 17 already have been permitted, and have been developed at substantial cost, Los Caballeros does not believe that those acres should be subject to further public notice or reconsideration by the Department or other potential parties. They are included in this Amended Application to clarify the scope of the Rider Field and the intent of the Original Application. Because of the circumstances surrounding the unauthorized and mistaken changes to its Original Application, Los Caballeros requests that the priority date of the water right for the entire Rider Field as described in this Amended Application relate back to the February 4, 1987 filing date of the Original Application.



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RIDER FIELD

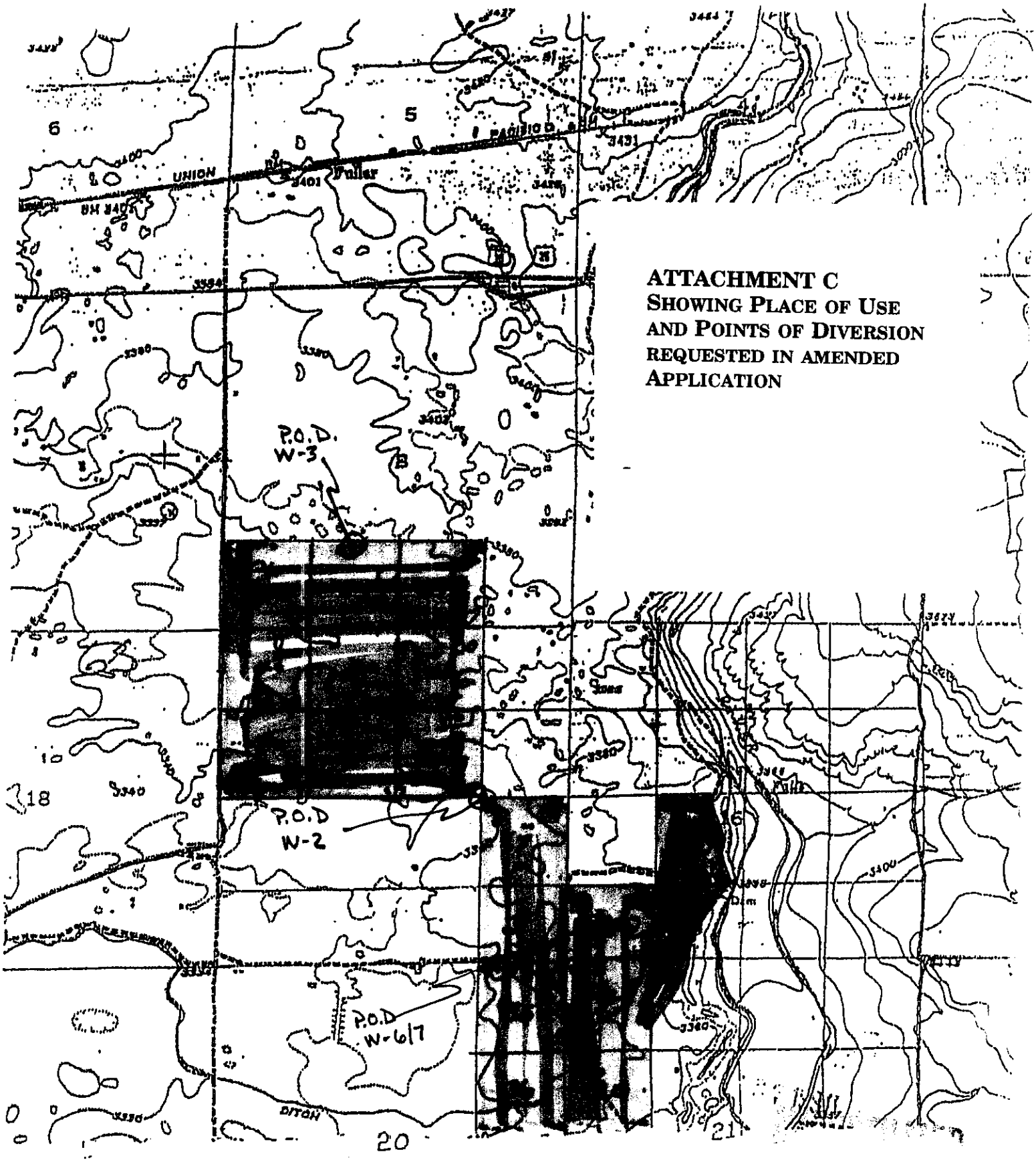



T 6 S R 14 E Sections 8,16,17,20,21

8 1996

**ATTACHMENT B TO AMENDED APPLICATION OF LOS CABALLEROS, LTD.**

RIDER FIELD




T 6 S R 14 E Sections 8,16,17,20,21

8 1996

**ATTACHMENT C TO AMENDED APPLICATION OF LOS CABALLEROS, LTD.**

Michael C. Creamer
GIVENS PURSLEY & HUNTLEY
P.O. Box 2720
277 No. 6th Street, Suite 200
Boise, Idaho 83701
Telephone: (208) 342-6571

Attorneys for Los Caballeros, Ltd.

BEFORE THE DIRECTOR

IDAHO DEPARTMENT OF WATER RESOURCES

| | | |
|---|---|---|
| IN THE MATTER OF APPLICATION FOR PERMIT NO. 37-8756 SUBMITTED IN THE NAME OF LOS CABALLEROS, LTD. | ) ) ) ) ) | AFFIDAVIT OF RICHARD A. VILLELLI |

STATE OF Idaho )
) ss.
County of Boundary )

RICHARD A. VILLELLI, being first duly sworn, deposes and states as follows:

1. My name is Richard A. Villelli. My current mailing address is Box S, Bonners Ferry, Idaho.

2. I am the President of Villelli Enterprises, Inc., a California corporation registered to do business in Idaho.

3. Villelli Enterprises, Inc. is the sole general partner in Los Caballeros, Limited ("Los Caballeros" or the "Partnership"), a California limited partnership which was formed on May 31, 1984 and is registered to do business in Idaho. The limited partners of Los Caballeros are Lewis M. Davenport, III; Richard A. Villelli, Trustee; Judy & Lee Deierling, Trustees, and Six Imperial, Ltd.

4. Under the terms of Los Caballeros' partnership agreement, I have, as the general partner of Villelli Enterprises, Inc., the sole authority to execute documents affecting Los Caballeros' rights and responsibilities and to otherwise bind the Partnership in matters affecting its interests.



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**Attachment D to Amended Appication of Los Caballeros Ltd.**

5. Los Caballeros was formed for the purposes of investing in agricultural real estate and developing and operating such real estate for production of income. In carrying out these purposes, Los Caballeros acquired by deed and/or lease, approximately 8,500 acres of land north of Bliss, Idaho, with the intent of producing beef cattle for market. Approximately 7,200 acres of this land, consisting primarily of leased BLM and deeded rangelands, have subsequently been disposed of by Los Caballeros. The lands retained by Los Caballeros, which approximates 1,300 acres, were intended to be developed as, and now are, irrigated farm ground and a cattle feedlot operation.

6. Los Caballeros' intention was to develop up to 892 acres of the above-referenced unimproved ground for irrigated agriculture as part of the Rider Field project ("Rider Project") using groundwater pumped from onsite wells. Los Caballeros also intended to develop other lands under its control in the future for irrigated agriculture using other ground and/or surface water sources. One such project is the Hulls Field project, which has been developed under a separate permit issued by the Department.

7. When Los Caballeros acquired the lands to be developed as part of the Rider Project, it entered into a management agreement ("Management Agreement") with four brothers, Mike, Tom, Dan and John Yore, by which they were employed to develop and operate the lands controlled by Los Caballeros. Among other things, the Management Agreement designated Mike Yore as the farm manager. As farm manager, Mike Yore had the authority to sign checks on behalf of the Partnership, subject to the countersignature of Mr. Davenport, to deposit payments to Los Caballeros directly into the farm account, and to deal with others on behalf of Los Caballeros to the extent he was given express authority to do so by the General Partner from time to time.

8. As the General Partner, I reviewed monthly, non-itemized statements of income and expenses prepared by Los Caballeros' accountant, but was not necessarily aware of the nature of every item of expense or income in the Los Caballeros accounts.

9. Tom, Dan and John Yore were employed by Los Caballeros as farm hands on Los Caballeros property.

10. The Management Agreement expired by its terms on June 1, 1989. Thereafter, each of the Yore brothers continued on in Los Caballeros' employment on an at-will basis. John Yore's employment by Los Caballeros ended in September, 1993. The Yore brothers currently lease and operate a feedlot owned by Los Caballeros.

11. On February 4, 1987, on behalf of Los Caballeros, and consistent with the authority granted to Villelli Enterprises, Inc. by the Partnership Agreement, I executed an Application for Permit to Appropriate the Public Waters of the



MAR 2 8 1996

State of Idaho, ("Application") which requested a permit from the Idaho Department of Water Resources ("Department") authorizing Los Caballeros to appropriate up to 17.84 cubic feet per second ("cfs") of groundwater for the irrigation of up to 892 acres of land under Los Caballeros' control within sections 8, 16, 17, 20 and 21, T6S,R14E, B.M..

12. By filing the Application, Los Caballeros intended, within the period allowed by statute, to develop up to 892 acres of irrigable farm ground, and to perfect a water right sufficient to water such acres.

13. Consistent with Los Caballeros' intent to develop up to 892 irrigated acres under the Application, John Yore was directed by Los Caballeros to monitor the status of the Partnership's Application, and to advise the Partnership of any additional actions that would be required by the Department for Los Caballeros to perfect its appropriation of the maximum amount of water allowable under the Application.

14. Los Caballeros routinely held business meetings which included myself, Mr. Davenport, Mike Yore and one or more of the other Yore brothers to discuss ongoing farm development and operations. From time to time at those business meetings, John Yore was instructed by me to monitor the status of Los Caballeros' water right Application at the Department, and to advise me of any actions that needed to be taken, or filings that needed to be made, by Los Caballeros to perfect a water right for the maximum number of irrigable acres, up to the 892 acres requested in the Application.

15. John Yore was never given express or implied authority from Los Caballeros at any business meeting, or otherwise, to take any action respecting the water right application that would result in the reduction, relinquishment, waiver, forfeiture or abandonment of any portion of the water right sought to be obtained by Los Caballeros by its Application.

16. John Yore was never given express or implied authority from Los Caballeros at any business meeting, or otherwise, to change the mailing address to which the Department was to direct all correspondence to Los Caballeros regarding the Application, from the original address indicated on the Application as executed by me.

17. John Yore was never given express or implied authority from Los Caballeros at any business meeting, or otherwise, to execute contracts or other documents that would bind the Partnership as to the disposition of any of the Partnership's property interests, including the Partnership's water rights.

18. Subsequent to my submission of the Application on behalf of Los Caballeros, I was never contacted by the Department regarding the Application. The Department never contacted me to inquire regarding Mr. Yore's authority to



MAR 2 8 1996

deal with the Department on matters affecting the substance of Los Caballeros' Application. I have never advised any Department employee that John Yore had authority to deal with the Department respecting Los Caballeros' Application.

19. I never received notice from the Department that changes or amendments to the Application had been made by John Yore at the Department's offices with the assistance of Department personnel, or that such changes or amendments subsequently might be construed by the Department as a relinquishment by Los Caballeros of a portion of the place of use and quantity of water originally requested in the Application. The Department never inquired of me whether Los Caballeros approved of such amendments.

20. I never received notice from the Department that notice of the Application would be published representing that Los Caballeros sought only sufficient water to irrigate 360 acres. I also never received a copy of the proof of publication of such public notice.

21. Prior to January 31, 1994, Los Caballeros never submitted a change of address form to the Department indicating that it wished correspondence to be directed to anywhere other than the address indicated in the Application. On January 31, 1994, at the direction of Los Caballeros, Mr. Lewis Davenport submitted a change of address form to the Department directing that all future correspondence regarding Los Caballeros' Application be mailed to Los Caballeros, Ltd., Attention: Richard Villelli, Box S, Bonners Ferry, Idaho.

22. Subsequent to my submission of the Application to the Department, Los Caballeros cleared, graded and otherwise prepared for cultivation, approximately 635 acres of land within the boundaries of the place of use described in the Application. 126 acres of these approximately 635 acres have been irrigated since 1987 pursuant to Water Right License No. 37-8010. Los Caballeros also drilled a well and purchased irrigation and other equipment necessary to provide irrigation water to the remaining 509 developed acres. Los Caballeros then proceeded to irrigate the lands with water from its wells during the 1992 and 1993 seasons. During this time, I never received a copy of the Permit issued by the Department which limited the allowable acres to be irrigated on the Rider Project to 360 acres.

23. I also was never informed by John Yore of the amendments that had been made to the Application, of the public notice published by the Department, the limitations placed in the Permit for the Rider Project, or of any of the other correspondence that had been directed to John Yore's address by the Department.

24. In approximately mid-January, 1994, and only as a result of an appraisal of Los Caballeros' property made by Key Bank, Mr. Davenport learned that the



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Department's water right files indicated that Los Caballeros' Permit only allowed irrigation of 360 acres of the 509 acres that actually had been developed by Los Caballeros. This was the first time that I or Mr. Davenport became aware that amendments had been made to Los Caballeros' Application.

25. Because I never received Department correspondence regarding the Application amendments, the public notice, and ultimately the permit to appropriate, I was unaware that changes had been made to the Application, and that the Department thereafter would contend that Los Caballeros was limited to irrigating only 360 of the originally requested 892 acres of land.

26. I have never ratified or agreed with Mr. Yore's acts amending the permits, and I have never acknowledged that Mr. Yore had any authority to reduce Los Caballeros' requested water right entitlement for the Rider Project. To the contrary, upon learning the facts, I took immediate steps on behalf of Los Caballeros to repudiate Mr. Yore's actions amending the Application.

27. Since learning the facts of the changes made to the Application by Mr. Yore, Los Caballeros has made an intensive effort to obtain an alternate temporary water supply to irrigate those lands that have been developed, but are not covered by the Permit. Los Caballeros believes that it will be able to secure this supply to get it through the 1994 irrigation season. It is imperative, however, that Los Caballeros obtain a permanent water supply for future years, or else its substantial financial investment in the Rider Project, which amounts to over $1,000.00, per acre, and which at this time involves over $650,000 for our entire project, will be jeopardized.

FURTHER YOUR AFFIANT SAYETH NOT.

DATED THIS 10th day of May, 1994.

RICHARD A. VILLELLI

SUBSCRIBED AND SWORN to before me this 10th day of May, 1994.

Notary Public for Idaho
Residing at Bonners Ferry
My Commission expires: 6/16/99

MAR 2 [illegible]

## CHANGE IN ADDRESS

[ ] Water Right Number (s): 37-8756

37-8757

[ ] Old Mailing Address: Los Caballeros Ltd.

1126 US 26

Bliss, ID 83314

[ ] New Mailing Address: Los Caballeros, Ltd. Attn: Richard Villelli

Box S

Bonners Ferry, ID 83805

New Telephone Number: ( 208 ) 267 - 5595

Signature Richard N. Villelli

Date: May 10, 1994

MAR 2 8 1996

3995\1\new-add.frm

| DATE | DESCRIPTION | INVOICE NO. | AMOUNT | DISCOUNT | DEDUCTIONS | NET AMOUNT |
|---|---|---|---|---|---|---|
| 5/20/94 | Application fee<br>3995-1 | | | | | 105.00 |

RECEIVED
MAY 20 1994
Department of Water Resources

MAR 28 1996

SCCC-617-3
PRINTED IN U.S.A.

**MEMORANDUM**

To: File 37-08756

From: L. Glen Saxton LGS

**RE: MEETING WITH MIKE CREAMER AND THE PERMIT HOLDERS**

Date: April 1, 1994

On this date, Norm Young and I met with Mike Creamer and two of his clients concerning past amendment of permit no. 37-08756 by farm manager John Yore who allegedly was not authorized to act for the permit holder.

The permit holders were concerned that their farm manager has amended their permits to a smaller amount than planned under the project and are seeking to obtain a water right for all of the approximate 508.2 acres irrigated since the permit provides for 360 acres.

After about an hour of discussion the following matters were determined:

- As a short term solution to the problem, the permit holder will explore obtaining water from the North Side Canal Co. and from the Upper Snake River rental pool.

- As a long term solution to the The permit holder may submit an application to amend the permit in order to obtain a department ruling on the matter.

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State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 4, 1994

Timothy J. Stover
Rosholt, Robertson & Tucker
142 3rd Ave North
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: PERMIT NO. 37-08756

Dear Mr. Stover:

The department has reviewed your letter dated February 23, 1994 together with the water right permit file referenced above. Your letter asks that the department not recognize the June 27, 1991 amendment to Application for Permit No. 37-08756 because John Yore, the farm manager for the applicant lacked the authority to act as agent for Los Caballeros Ltd in this respect.

The department file for Permit No. 37-08756 shows that at all times, the department corresponded with Los Caballeros Ltd at the Bliss, Idaho, address listed on the application for permit form signed by Richard Villelli, President of Villelli Enterprises, Los Caballeros' general partner. If Mr. Vinelli desired that the department correspond with Los Caballeros at a different address, it was his responsibility to provide that information to the department.

The department file further shows that John Yore, as Los Caballeros' farm manager, took numerous actions as agent for Los Caballeros which were necessary to maintain the validity of the application and the permit. These include responding to the Trust Water Information Questionnaire on January 9, 1991; filing the application for drilling permit on September 30, 1991; and filing the Proof of Beneficial Use on July 10, 1992. It would not appear appropriate that Los Caballeros be allowed to benefit from these numerous actions taken by John Yore as its agent and at the same time be allowed to reject those action which it may now desire to change.

The department file also shows that the application was reduced in scope by amending the applicaion prior to its advertisement. Hence the department refunded a portion of the filing fee originally submitted by the applicant.

MAR 2 8 1996

Based on these facts, the department is not authorized to approve an amendment to enlarge the permit as you have requested in your letter.

A potential solution for your client is to obtain an existing water right and apply to change its place of use. Based on concerns of water users in the Hagerman Valley area, however, any amendment proposing the use of ground water which could diminish spring discharge in the valley likely would be protested. Without an approved water right, your client is not authorized to irrigate more than 360 acres under terms of Permit No. 37-08756.

Sincerely,

R. KEITH HIGGINSON
Director

c: IDWR - S. Region



MAR 28 1996

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
FEB 24 1994
Department of Water Resources

February 23, 1994

R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Re: Los Caballeros' Application to Permit Number 37-08756

Dear Mr. Higginson:

This firm has been asked by Los Caballeros, Ltd., to contact you and your office regarding one of Los Caballeros' Applications for Permit to Appropriate Water. Prior to 1987, Los Caballeros began a project to develop land it owned in Gooding County. According to its 1987 Application, number 37-08756 (previously 36-08321), the project involved 892 acres and requested 17.84 cubic feet per second of ground water. The Application was made in Los Caballeros' name by Richard Villelli, President of Villelli Enterprises, Los Caballeros' general partner.

Sometime after the Application, two circumstances arose which led to confusion surrounding the Los Caballeros Application and the current problems Los Caballeros faces in developing its project. First, the Application was given identification number 36-08321. As this identification number indicated the wrong basin for the project, the Department changed the number to 37-08756. Secondly, correspondence regarding this Application was directed to Los Caballeros' farm manager, John Yore, instead of to its general partner. As a result, it was difficult for Los Caballeros to remain updated on its Application.

MAR 28 1996

In June of 1991, an amendment was made to Los Caballeros' Application number 37-08756. This amendment, which was reflected in Los Caballeros' 1991 Permit to Appropriate Water, reduced the irrigated acres from 892 to 360 and the amount of appropriated water from 17.84 to 7.20 cubic feet per second. Instead of coming from Los Caballeros' general partner, the amendment came from its farm manager, John Yore. According to Los Caballeros, John Yore did not have the authority to make such an amendment.

Throughout the process of filing Application number 37-08756 to present, Los Caballeros proceeded with the intention of developing a significant portion of the acres originally projected. The project currently encompasses 510.8 acres of land and will require approximately 10.2 cubic feet per second of water. All of theses 510.8 acres were developed in the winter of 1991 and spring of 1992. This fact alone leads to the conclusion that Los Caballeros was developing its project under the original Application and that it had no idea Application number 37-08756 had been amended.

The 1991 amendment to Los Caballeros' Application was clearly a mistake. Had the correspondence between the Department and Los Caballeros been directed to Los Caballeros' general partner or had the Department required the general partner's signature for any amendment, Los Caballeros would not be facing its current problems. As a result, Los Caballeros does not have sufficient water under its 1991 Permit to provide for its project.

It was not until recently that Los Caballeros became aware of the 1991 amendment. Immediately on learning of the amendment, Los Caballeros notified the Department of the problem. It did not wait for the Department to shut down that portion of the project not covered under amended Application number 37-08756. Los Caballeros is now coming to you to find a reasonable solution. Because John Yore was not authorized to amend Los Caballeros' original Application and because the Application was not signed by Los Caballeros' general partner, Los Caballeros requests that the Department recognize only the original 1987 Application, disregard the 1991 amendment and allow Los Caballeros the opportunity to Amend its 1991 Permit. Such a solution would allow Los Caballeros sufficient water for its project.

MAR 2 8 1994

Thank you for taking the time to review and respond to this matter. Should you have any questions or comments, please contact me.

Sincerely,

TIMOTHY J. STOVER

TJS:kb
02079406.TJS.94

cc: Los Caballeros, Ltd.

MAR 2

**CHANGE IN ADDRESS**

[ ] Water Right Number (s): 37-8756
37-8757

[ ] Old Mailing Address: Los Caballeros LTD
1126 U S 26
Bliss ID 83314

[ ] New Mailing Address: Los Caballeros LTD Attn: Richard Villelli
Box S
Bowmers Ferry ID 83805

New Telephone Number: (208) 267-5595

[ ] Signature

Date: 1-31-94

(Lewis Davenport)

RECEIVED
JAN 31 1994
Department of Water Resources
Southern Region Office

MAR 28 1996

July 13, 1992

LOS CABALLEROS LTD
1126 US 26
BLISS ID 833140000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08756

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
JUL 27 1992

Form 235-1
7/90

Drilling Permit No. 37-91-5-163

Water Right Permit No. 37-8756
Injection Permit No. _____

State of Idaho
Department of Water Resources extended to 3/15/92

# APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** Las Caballeros, Ltd C/o John Yore, Mgr
2. **Mailing Address** 1126 US 26, Bliss, ID 83314
   Telephone 352-4240
   (/) Well Owner ( ) Well Operator ( ) Other, specify _____
3. **Proposed well location** NW 1/4 NW 1/4, or Gov't Lot No. _____
   Sec. 17, Twp. 6S, Rge. 14E, County Gooding
   Street Address of Well Site _____
   Lot, block and subdivision _____
4. **Proposed use of well:**

   ( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

   Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

   (/) Non-Domestic: Any beneficial use not included within the definition of domestic.

   ( ) Injection

   ( ) Monitoring - A well bore schematic and map is required for each well.
   No. of proposed wells: _____

37-91-5-163

5. **Well construction information:**

   A. (/) New well ( ) Deepen ( ) Replace - See Condition 9

   B. Proposed Surface Diameter 15" Proposed Maximum Depth 150

   C. Anticipated bottom hole temperature:

   (/) 85°F or less (Cold water well)
   ( ) 85°F to 212°F (Low temp. geothermal well)
   ( ) 212° or more (Geothermal well)

MICROFILMED
JUL 27 1992

6. **Construction Start Date** 10/14/91
7. **Anticipated Well Driller** Easton
   NOTE: The actual well driller must be identified prior to drilling.
8. **Applicant's signature** John Yore Date 9/30/91
   Title Mgr.

(Owner, Firm P... (Date, Other)

ACTION OF : DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 10/1/91

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Karen O Harbison
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 0013740 Receipted by DF Fee $200 Date 9/30/91

RECEIVED
JUL 27 1992

EXTENSION OF DRILLING PERMIT

Extension approved by Karen O Harbison Approval Date 1/15/92

*This extension is good for 60 days beyond the above extension approval date.*

Form 238-7 8/90

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

# WELL DRILLER'S REPORT

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

**1. WELL OWNER** At time of Drilling

Name Los Caballeros LTD

Address 1126 US 26, Dlss Id 83314

Drilling Permit No. 37-91-S-163 or

Water Right Permit No. 37-8756

**2. NATURE OF WORK**

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

**3. PROPOSED USE**

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

**4. METHOD DRILLED**

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| _____ inches | _____ inches + | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |
| _____ inches | _____ inches | _____ feet | _____ feet |

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

| Number | From | To |
|---|---|---|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____ _____
Type _____ Model No. _____
Diameter ___ 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 _____ Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☒ Cemented between strata
Describe access port Welded pipe

**6. LOCATION OF WELL**

Sketch map location must agree with written location.




Subdivision Name _____
Lot No. _____ Block No. _____
Township Gooding
NW ¼ NW ¼ Sec. 17, T. 6 N ☐ S ☒, R. 14 E ☒ W ☐

**7. WATER LEVEL**

Static water level 94 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 85 °F. Quality _____
Describe artesian or temperature zones below

**8. WELL TEST DATA**

☑ Pump ☐ Bailer ☒ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**9. LITHOLOGIC LOG**

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 15" | 190 | 201 | Hard No returns | X | |
| | 201 | 220 | Soft With Sand | | |
| | 220 | 236 | Hard | | |
| | 236 | 239 | Soft | | |
| | 239 | 241 | Hard | | |
| 250" | 241 | 261 | Soft | | |
| 10" | 261 | 277 | Hard | | |
| | 277 | 281 | Crevasse + Sand | | |
| | 281 | 290 | Soft | | |
| | 290 | 293 | Crevasse | | |
| | 293 | 308 | Soft | | |
| | 308 | 313 | Hard | | |
| | 313 | 325 | Crevasse | | |
| | 325 | 328 | Clay | | |

**10.** Work started 1-12-92 finished 1-19-92

**11. DRILLERS CERTIFICATION**

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton drilling Firm No. 26
Address 285 S 3rd Wendell Date 1-26-92
Signed by (Firm Official) Ray Wilson
and
(Operator) Dave Crosby

JUL 27 1992

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

June 30, 1992

LOS CABALLEROS LTD
1126 US 26
BLISS ID 833140000

PROOF DUE NOTICE

RE: PERMIT NO. 37-08756

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

CERTIFIED MAIL
NO. 139140

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED
JUL 27 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 19, 1991

LOS CABALLEROS LTD
1126 US 26
BLISS ID 833140000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08756

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

SEP 27 1991

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE 37-8756 / 37-8757

RE: APP. NO. 36-8321 & 36-~~8322~~/Trust Water Processing

DATE: 9-5-91

---

The above applications are trust water filings which have been advertised and reviewed in sequence with other trust filings.

Acreage under both filings have not been developed with other rights or sources of water and thus all of the acrage shall count as trust acreage. Continued processing of this application is recommended. All trust water conditions are applicable.

Note: Both applications need to be renumbered since the points of diversion are actually located in basin no. 37.

RECEIVED
SEP 27 1991

S T A T E  O F  I D A H O
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

AUGUST 7, 1991

Gooding County Leader
442 Main Box 56
Gooding, ID 83330

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

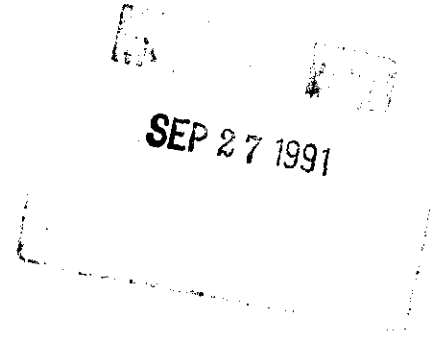
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 3, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.



NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08321

LOS CABALLEROS LTD.
1126 U.S. 26
BLISS, ID 833140000

Source: GROUNDWATER

Diversion Pt: SESW Sec 8 T 06S R 14E
NWNW Sec 17 T 06S R 14E

Use: IRRIGATION ( 7.200 CFS)
Total Diversion: ( 7.200 CFS)

Date Filed: 2/ 4/ 1987

In: T06S R14E S08 SWSW SESW SWSE
S17 NWNE SWNE NENW NWNW
SWNW SENW

360.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before SEPTEMBER 3, 1991.

R. Keith Higginson, Director

Published 8/14/1991 & 8/21/1991

SEP 27 1991

RECEIVED
JUL 18 1991
Department of Water Resources

LOS CABALLEROS, Ltd.
1126 U.S. 26
Bliss, Idaho 83314

ATTN: Tim Luke
IDAHO DEPARTMENT OF WATER RESOURCES

**AMENDMENT TO APPLICATION FOR PERMIT**

The reason for amending this application is to change the well location to a closer source of power. Power for the existing well is one mile away. Power is directly adjacent to the new well location. Moving this well site would save Los Caballeros, Ltd. approximately $25,000.00 to $30,000.00 depending on how much rock the Power Company encounters at the pole sites.

Rules that would be affected by this amendment are as follows: Rule 4,5,3,1,-2.

There is an irrigation well, owned by Faulkner Land and Livestock, which is located approximately 1/4 mile from our new well location. Los Caballeros, Ltd. discussed this matter with Faulkner and there will be no protest from Faulkner Land and Livestock. Location of this well, the new well site, and the existing well are shown on the accompanying map.

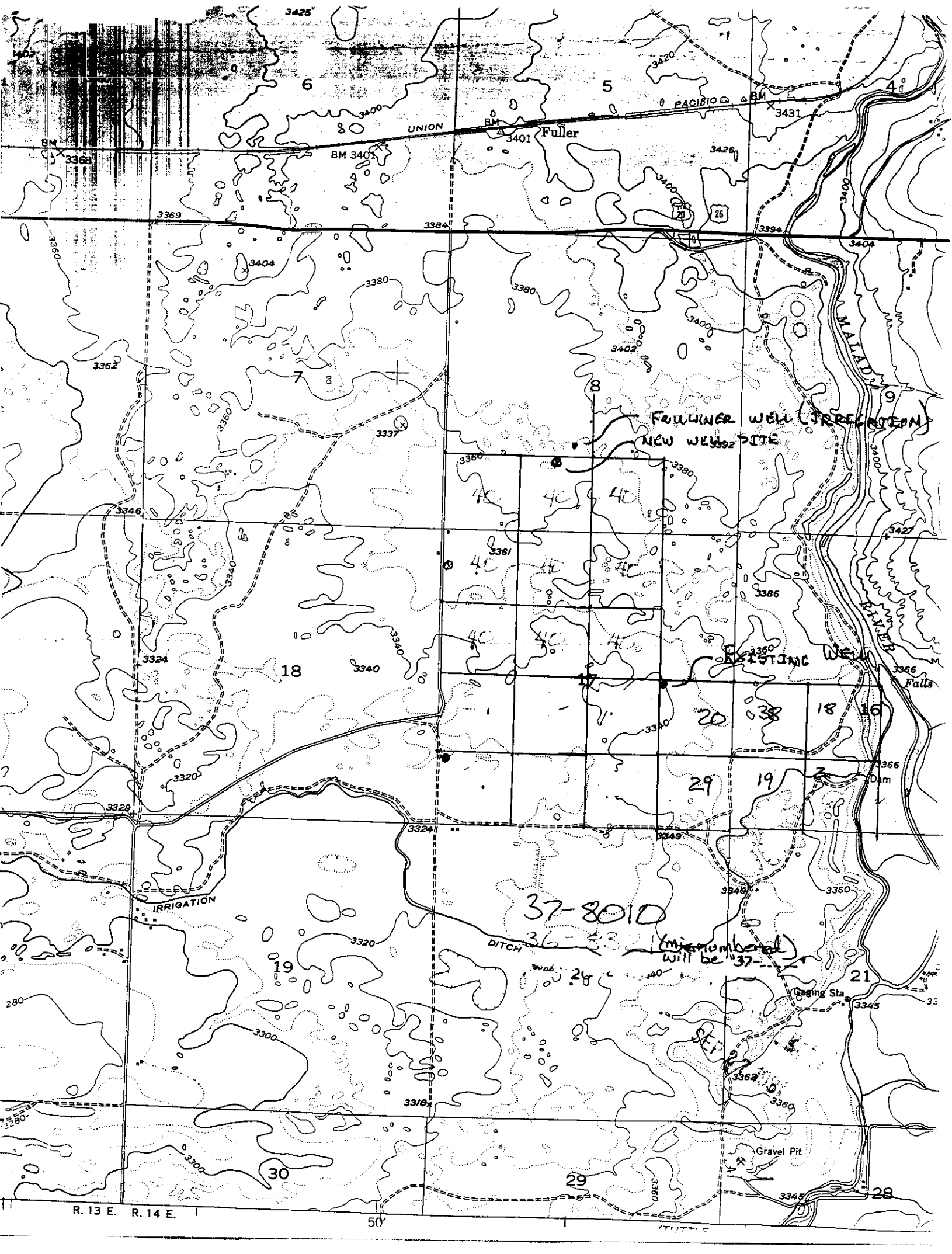
The rest of the information presented for application should not be affected by this amendment. If any additional information is required, please contact me at work (352-4240) or at home (934-4826).

FILED
SEP 27 1991

Tim,

CALL IF YOU NEED ANYTHING

JOHN YORE


Fuller
UNION PACIFIC
BM 3401
BM 3431
BM 3368
BM 3401
MALADY
RIVER
Falls
Dam
Gaging Sta
Gravel Pit
IRRIGATION
DITCH
FAULKNER WELL (IRRIGATION)
NEW WELL SITE
EXISTING WELL
37-8010
(misnumbered)
will be "37-
R. 13 E.
R. 14 E.
50'

YELLOW – Remittance Advice
PINK – State Auditor then Agency
GOLDENROD – Agency Copy

# EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

| Document No. | |
|---|---|
| Pre-Audit | Date |
| Warrant No. | |

AGENCY USE

| | |
|---|---|
| 566F | |
| Date | 07/01/91 |
| Code | 193002 |

**VENDOR:** If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

CHECK ONE:

( ) MISCELLANEOUS EXPENDITURE

( ) STATE CONTRACT

PAY TO

LOS CABELLEROS, LTD.
1126 US HIGHWAY 26
BLISS, ID 83314

( ) PURCHASE ORDER

PAYMENT: ( ) PARTIAL ( ) FINAL

Encumbrance Reference No.

( ) MISCELLANEOUS ENCUMBRANCE REQUISITION

| LINE No. | PROGRAM | FUND | ACCT. Maj | ACCT. Min | DESCRIPTION | LINE AMOUNT | AGENCY USE |
|---|---|---|---|---|---|---|---|
| 1 | 05 10 199 | 1238 | 8631 | | REFUNDS<br>PER TIM LUKE<br>WR #36-8321<br>RECEIPT #40672<br>6/21/91 220.00 | 220.00 | |

APPROVED
SEP 27 1991

TOTAL 220.00

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

Date Head of Agency or Institution

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

State Auditor

MEMORANDUM

TO: DEBBI ALLEN

FROM: TIM LUKE

RE: Partial Application Fee Refund
Application for Permit No. 36-8321

DATE: 6-21-91

==========

The applicants have made a significant amendment to the above referenced application which resulted in the rate of diversion being reduced by more than half the original rate. The fee for the new rate should be $165.00. The difference between this fee and the original fee of $385.00 based on the higher rate is $220.00 and should be refunded. The fee can be refunded since the application has never been advertised.

Please send refund of $220.00 to:

Los Cabelleros, LTD.
1126 US Highway 26
Bliss, ID 83314

SEP 27 1991

RECEIVED
JUN 19 1991
Department of Water Resources

Idaho Department of Water Resources
1301 No. Orchard St.
State House Mail
Boise, Idaho 83720-9000

Attention: Tim Luke

Tim-

This is the information requested for permit No. 36-8321. If you need any additional information please call me at one of the following numbers:

| | |
|---|---|
| Work | 352-4240 |
| Home | 934-4826 |
| Fax | 352-4648 |

Thank you-

John Yore
Los Caballeros, Ltd.

SEP 27 1991

LOS CABALLEROS, LTD. RIDER FIELD PROJECT

Rule 4, 5, 3, 1.

(1) N/A

(2) There are no existing wells within 1/2 mile radius of this well.

(3) We plan to use pivot irrigation for the proposed 320 acre project. Two 120 acre full-circle pivots and one 80 acre half-circle pivot. This project should not affect other users because the nearest other user is 3/4 to 1 mile away from this project.

Rule 4, 5, 3, 2.

(1) We project a peak usage of 3,600 G.P.M. The average use would be dependent on weather, type of crop, etc.
The soil type is a sandy loam, which lends itself very well to sprinkler irrigation.

(2) The water supply is ample for this project. The well was drilled in 1972 and tested by Lane Pump of Twin Falls, Idaho. Test results showed 5,500 + G.P.M. at a level of 62 feet. This should be a more than adequate water supply for this project.

Rule 4, 5, 3, 3.

(1) N/A

(2) N/A

Rule 4, 5, 3, 4.

(1) This project will be financed by the operating capital of Los Caballeros Ltd. The estimated cost of this project is approximately $500/acre. This includes well, power, and land preparation (covering rock, etc.). The method of irrigation is described in Rule 4, 5, 3, 1-3.

Rule 4, 5, 3, 5.

(1) This project should have no affect concerning public interest. It is not in an irrigation district. The project is surrounded by Los Caballeros Ltd private property. There will be no run-off from this property that will reach any public land or water-way. We feel that this project should be of little or no concern to public interest.

SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 36-8321/Trust Water Processing & Rule 4,5,3. Info

DATE: 6-21-91

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The above application is a trust water filing which is being processed sequentially with other trust filings.

The application proposes diversion of 6.4 cfs of groundwater for irrigation of 320 acres of land. There has been no prior development of these 320 acres and thus the acreage will count as trust acreage.

Applicants are required to submit information outlined under Water Appropriation rule 4,5,3. for projects which propose diversion of more than 5.0 cfs and/or irrigation of more than 200 acres. The applicant has submitted the rule 4,5,3. information pursuant to our request. The applicant has addessed all of the questions and the information submitted is acceptable. As per the applicant, the well which is intended for use with this project is an existing well drilled in the 1970's but had never been used. I believe the information submitted is in compliance with the rules. I recommend continued processing of this trust water filing.

SEP 27 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1991

Los Caballeros LTD.
C/O John Yore
1126 US Hwy. 26
Bliss, ID 83314

Re: Application for Permit No. 36-8321

Notice of Information Required by Water Appropriation Rule 4,5,3.

Dear Mr. Yore:

This is a reminder that you are still required to submit information pursuant to Water Appropriation Rule 4,5,3. According to the file, you last visited the office in connection with this application on March 26, 1991. At that time, you amended the original application from 17.8 cfs and 892 acres to 6.4 cfs and 320 acres. Since the project proposes diversion of more than 5.0 cfs of groundwater and includes more than 200 acres, it is subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached). A guideline for assisting you with submittal of the additional information is also enclosed. During your last visit, I notified you that I would allow you an additional 30 days in which to gather and submit the information.

Please submit the required information at your earliest convenience but within 30 days of the date of this notice. **Failure to submit the required information within the time period allowed may be cause for the Department to void the application.** The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5. I am holding a partial refund of the original application fee until such time as the information is submitted. The refund can not be remitted if the application is voided.

Sincerely,

Tim Luke

Tim Luke
Sr. Water Resource Spec.

RETURNED
SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 36-8321 & 36-8322/Trust Water
Processing & Rule 4,.5. Info

DATE: 3-26-91

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The farm manager for the applicant, John Yore, visited the office today concerning the above referenced applications. Mr. Yore had some questions about the applications which were resolved on this date. Application no. 36-8322 proposes diversion of 3.2 cfs of groundwater for irrigation of 160 acres. This project is separate and located about 2.5 miles away from the project proposed under application no. 36-8321, which proposes diversion of 6.4 cfs of groundwater for 320 acres.

I had previously requested that rule 4,5. information be submitted for both projects and had treated the two projects has one larger development. Upon realizing that the two projects are separate and not contiguous in any way, I recommend waiving the information requirements for application no. 36-8322. The applicant is still required to submit the additional information for application no. 36-8321. Upon Mr. Yore's request, I allowed a 30 day extension for submitting the information for application no. 36-8321. I will hold advertising of both filings until receiving the additional information.

RECEIVED
SEP 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 36-8321

**INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.**

**IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.**

1a. Are you the current owner of the land or place of use described under this application? Yes ✓ No ____
b. If you are not the propoerty owner, please descibe the arrangement enabling you to develop the proposed project.

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2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ____ No ✓
b. If yes, please describe the extent of development and number of acres irrigated.(Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

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3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 135

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

---

**Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)**

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Los Caballeros Ltd Date 1/9/91
R.A.V. By John Lyon

RECEIVED
SEP 27 1991

Tim

We drilled a well for this project in March, 1972. We signed a permit for this well brought to us by the well driller, Kenneth McClain of Wendell, Id. In May, 1972 McClain drowned while swimming in the Snake River below Bliss. We did not pursue completion of this project until 1985. We have cancelled checks for the drilling, but we don't have a permit copy. We would very much like to complete this project if we are permitted to use this well. It is presently capped. You may contact me during working hours at 352-4240 or evenings at 934-4826.

Los Caballeros Ltd

John Yore, Mgr.

SEP 27 1991

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

LOS CABALLEROS LTD
HC 60 BOX 1545
BLISS ID 83314

4. Article Number
33575

Type of Service:
- ☒ Registered
- ☒ Certified
- ☒ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

SEP 27 1991

6. Signature — Agent
X Theresa Ybarra

7. Date of Delivery

8. Addressee's Address *(ONLY if requested and fee paid)*

36-8321
36-8322
Allocation

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

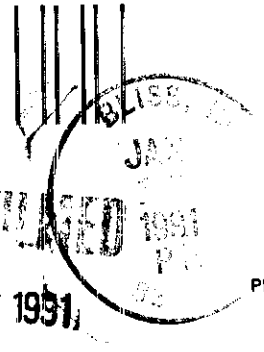
UNITED STATES POS SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.







PENALTY FOR PRIVATE USE, $300

RETURN TO: Print Sender's name, address, and ZIP Code in the space below.

RECEIVED
JAN 18 1991
Department of Water Resources

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83705

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 22, 1991

John Yore
Los Caballeros Ltd.
1126 US 26
Bliss, ID 83314

RE: Application for Permit No.s 36-8321 & 36-8322
Notice of Information Required by Water Appropriation Rule 4,5,3.

Dear Mr. Yore:

The Department acknowledges receipt of the Trust Water Information Questionnaire for the above referenced application. On behalf of the Department, I wish to thank you for your cooperation in returning the questionnaire.

A comment on one of the returned questionnaires stated that you wished to complete the project using a capped well that was completed in 1972. You asked whether the capped well could be used. You may indeed use the capped well. If you plan to deepen this existing well, or drill an additional well then you will need to obtain a drilling permit from the department. If no additional work is needed on the existing well other than installing a pump and making certain connections, then a drilling permit is not needed.

The returned questionnaire for application no. 36-8321 indicated that you wished to complete irrigation of only 135 acres. This application however was originally filed for the diversion of 17.84 cfs and irrigation of 892 acres. If you plan to develop only 135 acres under the application, then I would suggest that you amend the filing to reflect your actual plans. I have enclosed and application amendment form for your use.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5,3. if the undeveloped portion of any application exceeds 200 acres, or if the rate of diversion is more than 5.0 cfs. The projects proposed under your applications, whether you amend application no. 36-8321 or not, combine for a total of more than 5.0 cfs and 200 acres. The filings together therefore are subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached). A guideline for assisting you with submittal of the additional information is also enclosed.

SEP 27 1991

The information must be submitted within 30 days of the date of this notice. **Failure to submit the required information within the time period allowed may be cause for the Department to void the application.** The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing. Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

Tim Luke

Tim Luke
Sr. Water Resource Spec.

SEP 27 19

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 16, 1991

Los Caballeros Ltd.
HC 60. Box 1545
Bliss, ID 83314

RE: Application for Permit No. 36-8321

Dear Applicant(s):

**NOTICE OF PENDING ORDER VOIDING APPLICATION**

On February 4, 1987 you filed with the Department of Water Resources (Department) Application for Permit No. 36-8321 which proposed the diversion of 17.84 cubic feet per second of groundwater for irrigation of 892 acres.

The Department mailed a letter and questionnaire to you on December 10, 1990. The letter requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this notice is to provide a second and final opportunity for you to submit the requested information. Pursuant to Section 42-204, Idaho Code, the Department may void applications for which requested information is not submitted. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Section 42-204, Idaho Code.

If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. **Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.**

FILED
SEP 27 1991

Please feel free to contact me if you have questions concerning this matter.

Sincerely,

Tim Luke

TIM LUKE
Sr. Water Resource Agent

Enclosure
cc: Region

SEP 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

RE: APPLICATION FOR PERMIT NO. 36-8321

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

SEP 27 1991

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,

Tim Luke

TIM LUKE
Sr. Water Resource Agent

Enclosures

SEP 27 1991

State of Idaho

# DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

February 10, 1987

Los Caballeros, Ltd.
HC 60, Box 1545
Bliss, ID 83314

Re: Applications for Permit No.36-8321 & 36-8322

Gentlemen:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned identification Nos.36-8321 & 36-8322. Please refer to these numbers in all further correspondence.

Because your applications propose to appropriate water which has been identified as "trust water" in the Swan Falls agreement, they will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your applications.

Enclosed please find your receipt no.40672 for the amount of $490.00; filing fee of $385.00 for 36-8321 and filing fee of $105.00 for 36-8322.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P. E.
Southern Region Supervisor

LOH:mb

RECEIVED
SEP 27 1991