

BRENT T. ROBINSON
KELLY ARTHUR ANTHON
MICHAEL P. TRIBE
MATTHEW C DARRINGTON
BRETT C. ANTHON

ROBINSON, ANTHON & TRIBE
ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

RECEIVED

APR 26 2011

DEPARTMENT OF
WATER RESOURCES

April 25, 2011

Sandy Hemenway
Senior Water Resource Agent
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83720-0098

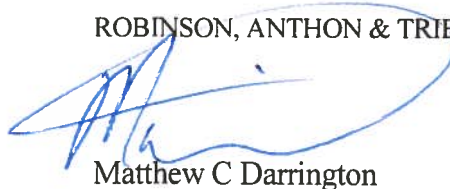
RE: **Eldon Adams – Petition for Reconsideration for License 45-7683**

Dear Ms. Hemenway:

This is in response to your letter of April 18, 2011 to Eldon Adams regarding his above-mentioned license. In your letter, you requested additional information from Mr. Adams. I have enclosed copies of documents from the county assessor's office as well as the NRCS office regarding the cropland Mr. Adams irrigates, and records from the watermaster indicating historical flows from Marsh Creek and release dates to Mr. Adams' property. Thank you again for your review of this matter.

Sincerely

ROBINSON, ANTHON & TRIBE



Matthew C Darrington

MCD/jb

encs

pc: client

Office Use Only

Inspected by _____

Twp _____ Rge _____ Sec _____

_____ 1/4 _____ 1/4 _____ 1/4

Lat: _____ Long: _____

1. WELL TAG NO. D 0016695
 DRILLING PERMIT NO. 722-225
 Other IDWR No. _____

2. OWNER:
Name Eldon Adams
Address 1060 E 900 S
City Albion Id State Id Zip 83311

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

II
 Twp. 13 North ☐ or South ☒
 Rge. 25 East ☒ or West ☐
 Sec. 6 SW 1/4 SW 1/4 SW 1/4
 Gov't Lot _____ County Cass ^{10 acres} ^{40 acres} ^{160 acres}
 Lat. : : Long. : :
 Address of Well Site _____
 City _____
 (Give at least name of road, if known. Road _____)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement, etc.)

☐ New Wall ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other:

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Bags or Pounds	
Bentonite +	0	-		Temp casing
Puddling clay		3	4	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☐ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Line	Welded	Threaded
8" from	+1	119	5'	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method Torch
Screens Screen Type 220

From	To	Slot Size	Number	Diameter	Material	Cauling	Lines
87	117	3/16	638			☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

63 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: 14 1/2" x 14 1/2"

11. WELL TESTS:

☐ Pump ☒ Bailer

Yield gal./min.	Drawdown	Pumping Level	Time
20	2'	65	$\frac{1}{2}$ hr.

Water Temp. 53° Bottom soil temp.

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Depth first Water Encounter //

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12"	0	2	Top soil		
12	2	11	Tan clay + boulders		
12	11	20	Tan clay, gravel & boulders		
10	20	30	Tan sandy clay, gravel & boulders		
8	30	95	Brown clay		
	95	140	Hard packed brown sand		
	140	205	Hard packed sand - white + gray		
	205		Packed sand - yellow + brown (40% coarse)		
8	218	219	Gray clay		

RECEIVED
FEB 13 2002
Department of Water Resources
Southern Region

Completed Depth 219'

Date Started 11/28/01

(Measurable)

Completed 1/30/02

13. DRILLER'S CERTIFICATION

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

Company Name MacKenzie Well Drilling Firm No. 37

Firm Official Tom MacKaye Date 1/30/02

Driller or Operator _____ Date _____

Sign once it's an Official & General

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Inspected by

Twp _____ Rge _____ Sec _____

$$\frac{1}{4} \quad \frac{1}{4} \quad \frac{1}{4}$$

Lat: : : Long: : :

☐ Pump ☒ Bailer☐ Air ☐ Flowing Artesian

1. WELL TAG NO. D 0016693
 DRILLING PERMIT NO. - - - 772-725
 Other IDWR No. _____

2. OWNER:

Name Eldon Adams
Address 1060 E 900 S
City Albion Id State Id Zip 83311

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.


 Twp. 12 North ☐ or South ☒
 Rge. 20 East ☒ or West ☐
 Sec. 6 SW 1/4 SW 1/4 SW 1/4
10 acres 40 acres 160 acres
 Gov't Lot _____ County Cass
 Lat: : : Long: : :
 Address of Well Site _____
 City _____
 (Give at least name of road + Distance to Road or Landmark)

Lt. Blk. Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER		PACK		AMOUNT	METHOD
Material	From	To	Sacks or Pounds		
Bestonite & Pudding clay	0	-	4	-	
		3		Temp casing	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☐ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8 1/8" OD	+1	119	1/2"	ST-1	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method Torch
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
88	117	3/16"	38			☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

13 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: 100' W. H. C.

11. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time
20	2	65	1/2 hr.

Water Temp. 53° Bottom hole temp.

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	0	2	Top soil.		--
12	2	11	Tan clay + boulders		✓
12	11	20	Tan clay, gravel & boulders	✓	
10	20	30	Tan sandy clay, gravel & boulders	✓	
8	30	95	Brown clay		✓
	95		Hard packed brown sand		
		140	Hard packed sand - white + gray	✓	
	140	205	Packed sand - yellow + brown (40% curcum)	✓	
8	218	219	Gray clay		✓

Completed Depth 219 (Measurable)

Date: Started 11/28/01 Completed 1/30/02

13. DRILLER'S CERTIFICATION

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

Company Name MacKenzie Well Drilling Firm No. 57

Firm Official Long Han Han Date 1/30/02

and

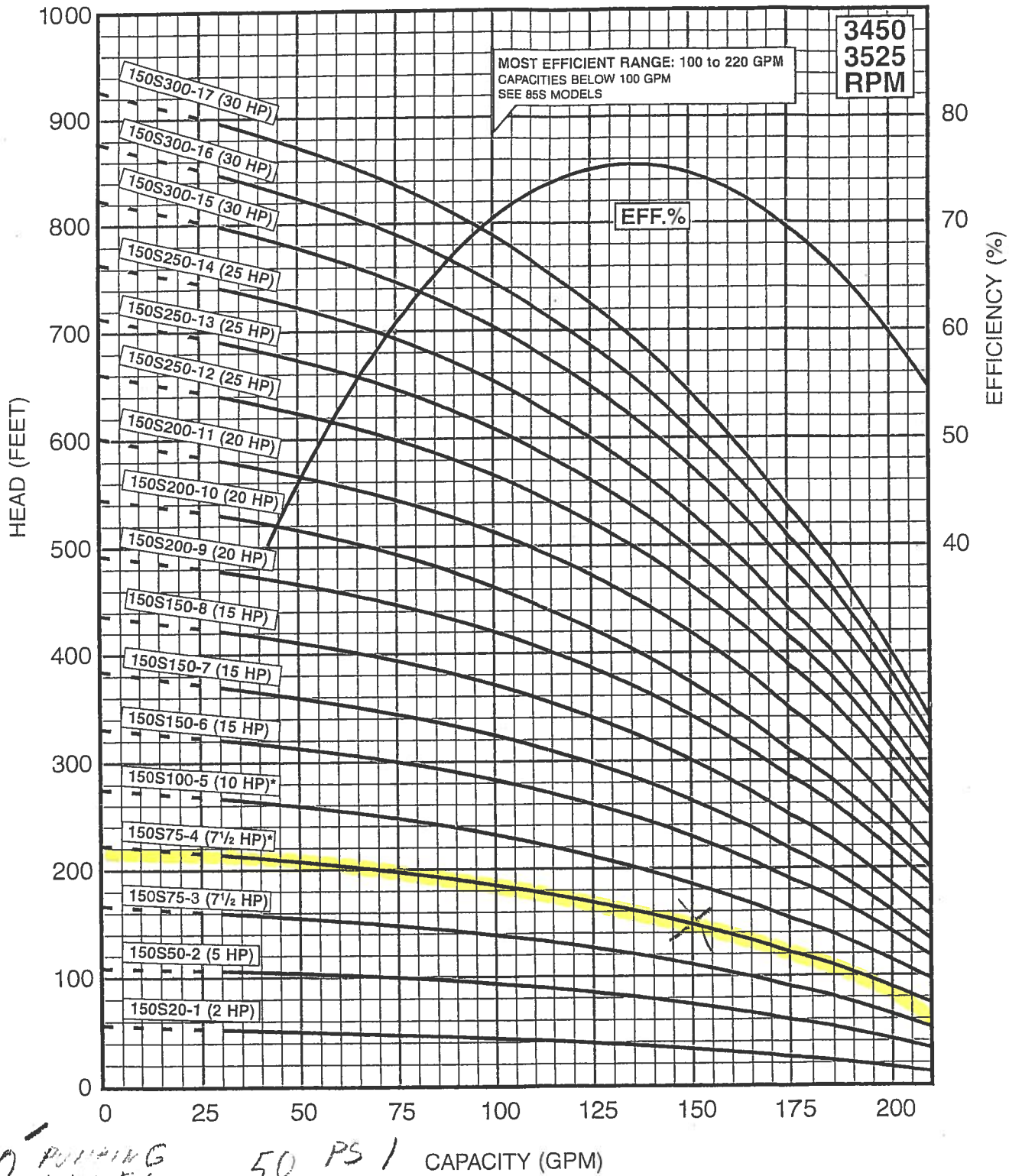
Driller or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FLOW RANGE: 30 -220 GPM

OUTLET SIZE: 3" NPT

NOMINAL DIA. 6"



SPECIFICATIONS SUBJECT TO CHANGE WITHOUT NOTICE.

4" MOTOR STANDARD, 2-10 HP/3450 RPM

6" MOTOR STANDARD, 7.5-60 HP/3450 RPM.

8" MOTOR STANDARD, 75 HP/3525 RPM.

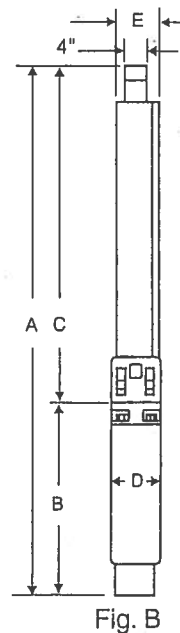
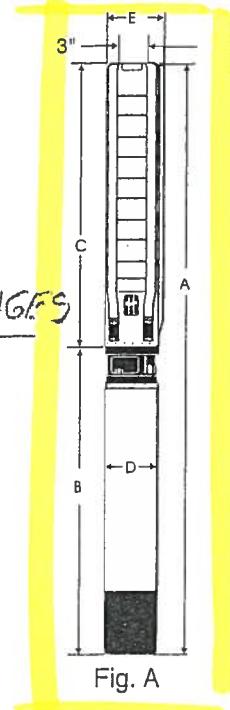
* Alternate motor sizes available.

Performance conforms to ISO 9906 Annex A
@ 5 ft. min. submergence.

*PUMP CURVE IS CONSERVATIVE
OVER PUMPS CURVE BY 15 %*

DIMENSIONS AND WEIGHTS

MODEL NO.	FIG.	HP	MOTOR SIZE	DISCH. SIZE	DIMENSIONS IN INCHES					APPROX. SHIP WT.
					A	B	C	D	E	
30S20-1B	A	2	4"	3" NPT	29.7	15.1	14.6	3.8	5.7	44
30S30-1A	A	3	4"	3" NPT	38.2	23.6	14.6	3.8	5.7	55
30S50-1	A	5	4"	3" NPT	44.2	29.6	14.6	3.8	5.7	65
30S50-2AB	A	5	4"	3" NPT	48.5	29.6	18.9	3.8	5.7	71
30S75-2	A	7.5	4"	3" NPT	48.5	29.6	18.9	3.8	5.7	88
30S75-2	A	7.5	6"	3" NPT	43.0	24.2	18.9	5.4	5.7	124
30S75-3BB	A	7.5	4"	3" NPT	53.5	29.6	23.9	3.8	5.7	96
30S75-3BB	A	7.5	6"	3" NPT	48.1	24.2	23.9	5.4	5.7	96
30S100-3	A	10	4"	3" NPT	67.8	43.9	23.9	3.8	5.7	146
30S100-3	A	10	6"	3" NPT	49.3	25.4	23.9	5.4	5.7	140
30S100-4BC	A	10	4"	3" NPT	72.3	43.9	28.4	3.8	5.7	147
30S100-4BC	A	10	6"	3" NPT	53.8	25.4	28.4	5.4	5.7	147
30S150-4	A	15	6"	3" NPT	56.4	28.0	28.4	5.4	5.7	161
30S150-5B	A	15	6"	3" NPT	60.8	28.0	32.8	5.4	5.7	165
30S200-5	A	20	6"	3" NPT	63.4	30.6	32.8	5.4	5.7	167
30S200-6	A	20	6"	3" NPT	67.8	30.6	37.3	5.4	5.7	186
30S200-7C	A	20	6"	3" NPT	67.8	30.6	37.3	5.4	5.7	202
30S250-7	A	25	6"	3" NPT	74.9	33.1	41.7	5.4	5.7	202
30S250-8B	A	25	6"	3" NPT	79.3	33.1	46.2	5.4	5.7	209
30S250-8	A	25	6"	3" NPT	79.3	33.1	46.2	5.4	5.7	209
30S250-9BB	A	25	6"	3" NPT	83.8	33.1	50.6	5.4	5.7	228
30S300-9	A	30	6"	3" NPT	86.3	35.7	50.6	5.4	5.7	228
30S400-10*	A	40	6"	3" NPT	95.9	40.81	55.1	5.4	5.7	234
30S400-11*	A	40	6"	3" NPT	100.3	40.81	59.5	5.4	5.7	273
30S400-12*	A	40	6"	3" NPT	104.8	40.81	64.0	5.4	5.7	279
30S400-13*	A	40	6"	3" NPT	109.2	40.81	68.4	5.4	5.7	284
30S500-14*	A	50	6"	3" NPT	130.7	57.83	72.9	5.4	5.7	388
30S500-15*	A	50	6"	3" NPT	135.2	57.83	77.3	5.4	5.7	393
30S500-16*	A	50	6"	3" NPT	139.6	57.83	81.8	5.4	5.7	399
30S600-17*	A	60	6"	3" NPT	151.2	63.83	87.4	5.4	5.7	438
30S600-18*	A	60	6"	3" NPT	155.6	63.83	91.8	5.4	5.7	445
30S600-19*	A	60	6"	3" NPT	160.1	63.83	96.3	5.4	5.7	449
30S600-17	A	60	8"	3" NPT	129.2	41.79	87.4	7.5	7.6	544
30S600-18	A	60	8"	3" NPT	133.6	41.79	91.8	7.5	7.6	551
30S600-19	A	60	8"	3" NPT	138.0	41.79	96.3	7.5	7.6	555
30S750-20**	B	75	8"	4" M-NPT	154.7	47.41	107.3	7.5	7.6	634
30S750-22**	B	75	8"	4" M-NPT	163.6	47.41	116.2	7.5	7.6	681

4
STAGES

TES: All models suitable for use in 6" wells, unless equipped with 8" motor.
 ights include pump end with motor in lbs.
 ternate motor sizes available.
 built into sleeve, 4" NPT, 8" motor required.

STATEMENT

Tom Mackenzie
P.O. Box 43
Albion Fd 83311

TO Eldon Adams
1060 E 900 S
Albion Fd 83311

TERMS

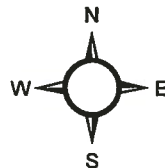
DATE 1/30/02

200 feet 8" drilling				
@ 16 ⁰⁰ per foot			\$3200 ⁰⁰	
120 feet 8 ⁵ / ₈ OD X .250				
Casing @ 8 ⁰⁰ per foot			\$960 ⁰⁰	
Drilling permit			75 ⁰⁰	
Total			\$4235 ⁰⁰	
Paid			\$4300 ⁰⁰	
T/M				



Farm
Tract 9495

Prepared by Cassia County FSA



April 25, 2011

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CDA 020 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

MAKE CHECK PAYABLE TO:
GAYLE EREKSON
CASSIA COUNTY TAX COLLECTOR
1459 OVERLAND PH:878-7202
BURLEY, ID 83318

2010 TAX BILL/RECEIPT

BILL# 1318
CODE AREA 38-0000

PARCEL NUMBER
RP12S25E066001A
LAND
IMPROVEMENT

18,814
500

1ST HALF DUE

2ND HALF DUE

FULL DUE

TAX 42.36
LATE
INT
COST
TOT

TAX 42.36
LATE
INT
COST
TOT

TAX 84.72
LATE
INT
COST
TOT

TOT MKT 19,314
HO EXEMPT 6,900
NET MKT 12,414
WASTE ACRES .280
TOT ACRES 14.370

ADAMS ELDON
1060 EAST 900 SOUTH
ALBION ID 83311

CASSIA COUNTY TAX COLLECTOR

DEC 03 2010

1ST HALF _____ 2ND HALF _____
FULL 85

T 4509, T 8090 (S1/2SW)
S 6 T 12 R 25

1060 E 900 S 83311

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

TO PAY BY CREDIT CARD CALL
1-888-827-4240 OPT. 5 OR VISIT
WWW.OFFICIALPAYMENTS.COM

TAXING DISTRICT	RATE	
COUNTY	.003295163	40.90
SCH DIST 151	.000000000	
#151 BOND #1	.001516441	18.82
#151 PLANT FAC	.000573046	7.10
#151 SUPP	.000512516	6.36
ALBION HWY	.000188318	2.34
ALBION CEM	.000154479	1.92
ALBION FIRE	.000587606	7.28
AMOUNT DUE	.006827569	84.72



WATER DISTRICT 140
2011 ANNUAL ASSESSMENT NOTICE

March 1, 2011

ELDON ADAMS
1060 E 900 S
ALBION ID 83311

DIVERSION NAME	POD No.	SITE TAG	DIVERSION AMOUNT* (Acre-feet)	2011 Pro-rata charge
----------------	---------	----------	----------------------------------	-------------------------

1000207 \$0.00

Sum of diversion charges: \$0.00
Total number of diversion locations: 1

Assessment Rates

(1) Pro-rata cost factors =
\$0.122 / acre-foot, consumptive uses

Minimum diversion charge = \$25. Total diversion charges
less than the minimum rate of \$25, will be assessed at the
minimum charge.

(2) 2011 Measurement and Reporting Charge: \$75 per device/report filed

Your Assessment

(1) Total diversion charges or minimum charge: \$25.00
(2) Measurement and Reporting charge: \$75.00

2011 assessment (1) + (2): \$100.00

DUE DATE April 1, 2011

Assessments not paid by April 15, 2011 shall bear a penalty in the amount of 10% of the total assessment, plus interest from the date due until paid at the rate of one percent (1%) per month.
*The water diversion amounts shown in this invoice reflect average diversions during the years 2005-2009, as reported by the water user or as determined by Water District 140. We have carefully tried to describe your points of diversion and diversion amounts without duplication or error. If you feel there is a mistake, please contact the Water District office at (208) 522-0399.

KiGun's Rancho Por La Vida 11

From: "KiGun's Rancho Por La Vida 11" <gundy@safelink.net>
To: "Allen Merritt" <allen.merritt@idwr.idaho.gov>; "Jeff Cooper, Sr Water Resource Agent" <Jeff.Cooper@idwr.idaho.gov>
Cc: "Brian Higgs, WD140 Water Master" <Brian@waterwellconsultants.com>
Sent: Friday, April 22, 2011 1:26 PM
Attach: 1MCWD45F Eldon Adams Doc from Wm D. Gunderson.xlsx
Subject: Emailing: 1MCWD45F Eldon Adams Doc from D. Gunderson, WaterMaster 45F
Gentlemen,

I have submitted my attachment pertaining to the request made from Mr. Eldon Adams from the letter submitted from Sandy Hemenway referring too "Petition for Reconsideration for License 45-7683, Request for Additional Information".

Line Item #5 Records from the Watermaster WD140, (should of read Watermaster WD45F) indicating historical flow from Marsh Creek surface water source, indicating flow released to your property, and dates.

Due to the short notice of being informed, I have supplied Monthly CFS Summary of water issued from 2002 through 2011 (April call).... Followed up with yearly CFS for the years of 1998 through 2001 from my Five Year Projection actual useage for the surface water right 45-317A which associates with the well (s) on said license 45-7683.

Any questions, I can be reached by e-mail gundy@safelink.net or phone 208.312.5359..... In the future, I'd like to be include on your CC: since it is dealing with my Water District and it involves me!

Thank you,

*Don G. Gunderson, Watermaster 45F
Marsh Creek Water District 45F*

Your message is ready to be sent with the following file or link attachments:
1MCWD45F Eldon Adams Doc from Wm D. Gunderson

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

4/22/2011

MARSH CREEK WATER DISTRICT 45-F

Report # 1 Prep. by: Don Gunderson

Run Date: 4/22/2011

Special Watermaster Log by Month

Diversion

PrepDate: 4/21/2011

2002 - 2011 (1998-2001)

Point:

NAME:	March	April	May	June	July	August	Sept.	Oct.	Other CFS Months	Monthly Consistatd	Captured	Year:	45-317A	PLS
<u>Consolidated CFS</u>									JaFbNvDec	Totals				
Adams, Eldon 45-317	0	4.36	5.4	1.37	0	0	0	0	0	11.13	2002	2002	11.13	
Adams, Eldon 45-317	0	2.1	3.61	0	0	0	0	0	0	5.71	2003	2003	5.71	
Adams, Eldon 45-317	0.6	5.1	2.85	3.5	0	0	0	0	0	12.05	2004	2004	12.05	T12SR25Es06SWNNWNE
Adams, Eldon 45-309	3.48	2.17	2.29	2.54	1.16	0	0	0	0	11.64				T12SR25Es06SWNNWNE
Adams, Eldon 45-317	6.35	2.52	1.09	8.1	0	0	0	0	0	18.06	2005	2005	18.06	
Adams, Eldon 45-309	0	2.77	0.58	1.73	2.92	0	0	3.45	0	11.45				
Adams, Eldon 45-317	0	0	11.23	3.2	0	0	0	0	0	14.43	2006	2006	14.43	
Adams, Eldon 45-309	0	0	1.6	3.03	0.8	0	0	0	0	5.43				
Adams, Eldon 45-317A	2.59	0	4	0	0	0	0	0	0	6.59	2007	2007	6.59	
Adams, Eldon 45-13568	0	0	2.33	2.51	0.21	0.2	0	0	0	5.25				
Adams, Eldon 45-317A	0	0	3.2	1.6	0	0	0	0	0	4.8	2008	2008	4.8	
Adams, Eldon 45-13568	0	1.6	0.8	3.4	1.6	0	0	0	0	7.4				
Adams, Eldon 45-317A	0	2	2.1	0	2.8	0	0	0	0	6.9	2009	2009	6.9	
Adams, Eldon 45-13568	0	1.5	3.3	0.7	3.77	0	0	0.74	0	10.01				
Adams, Eldon 45-317A	1.52	8.5	3.92	7.17	0	0	0	0	0	21.11	2010	2010	21.11	
Adams, Eldon 45-13568	0	1.2	3.99	1.2	6.58	0	0	4.69	0	17.66				
Adams, Eldon 45-317A	2.1	0.53	0	0	0	0	0	0	0	2.63	2011	2011	2.63	
Adams, Eldon 45-13568	0	0	0	0	0	0	0	0	0	0				
Total CFS USED:	16.64	34.35	52.29	40.05	19.84	0.20	0.00	8.88	0.00	172.25				103.11

Note: Eldon's two water rights change as the purchase of 45-309 was farther brokendown when other portions of the original Crayforth Ranch was sold off. Therefore, 45-13568 was created. The Decreed Priority date is 8/08/1875

Note: Eldon's original right 45-317 (A) has a Priority Date of 8/01/1881. Which pertains to the ground in question....both rights are set-up on a Rotation, which varies due to their call among the Users.

As the Watermaster of MCWD45F, I Don G. Gunderson generated these records from my computer files from 2002 through 2011 as far as going back any further due to time element of this request, I don't have the time for further reaserching of my paper files. But I did go to my Proposed Budget Report dealing with my Five Year Projections and I could cover back to 1998 the totals for 45-317A are:

<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
15.1	8.19	10.96	8.99

43.24
146.65 Total CFS 45-317A

IDWR has data on file!

I was informed of this problem request on the 21 of Apr. 2011 at approximately 12:10. I therefore had a meeting with IDWR personnel, Alan Merritt and Jeff Cooper that afternoon stating what information I had for Mr. Eldon Adams meeting Monday with IDWR. The above Report Data was what I indicated that I would prepare per the letter RE: *Petition for Reconsideration for License 45-7683, request for Additional Information.* Item #5 Referencing on the Historical surface water rights. As it is, the User (Mr. Adams) makes the call for his Beneficial Use as it is with rotation. Any further questions, I can be reached at gundy@safelink.net or telephone at 208.312.5359.

Thank you,

Don G. Gunderson,

Watermaster 45F