

STARTING LEFT SIDE OF FILE

SCANNED
MAR 05 2008

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12450

Priority: May 04, 1998

Maximum Diversion Rate: 1.35 CFS

It is hereby certified that D MARK LYNN And/Or JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 04, 1998; and have
submitted Proof of Beneficial Use on October 02, 2002. An examination indicates that the works have a
diversion capacity of 5.35 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

1.35 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L2 (NW¼NE¼) Sec. 3, Twp 05N, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 01W 2						10.0	11.0										21.0
						L 4											
05N 01W 3	26.0	25.0	27.0	17.0	23.0		15.0		17.0								150.0
	L 1	L 2			L 3												
05N 01W 4				13.0									38.0	24.0	21.0	18.0	114.0
05N 01W 9		11.0															11.0
06N 01W 34													7.0		17.0	31.0	55.0
06N 01W 35									3.0	15.0							18.0

Total Acres: 369

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

MICROFILMED

JUN 02 2003

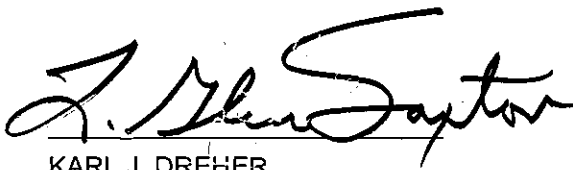
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12450

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 63-11995 and 63-11996 are also diverted through the point of diversion described above.
5. Rights 63-11995, 63-11996 and 63-12450 when combined shall not exceed a total annual maximum diversion volume of 1660.0 af at the field headgate, and the irrigation of 369 acres.
6. In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall only be diverted when water from the surface water rights cannot be delivered to the right holder, nor shall this right be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid. This right shall not be used if the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use.
7. The water right holder shall maintain a well acceptable to the Department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 mile of the production well, and the depth to water therein shall be monitored during March and October each year and the measurements provided to IDWR.
8. The right holder shall maintain in the irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the well.
9. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not directly lower the water level in any domestic well drilled and in use prior to 3/29/1978, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.
10. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.
11. Upon determination by the Director that prior down-gradient minimum stream flow is not being fully satisfied, the right holder shall either cease diversion of water pursuant to this right or shall provide water in an amount necessary to mitigate the ongoing diversion under this right for release into the stream in which the minimum stream flow is not being met.
12. The right holder shall maintain a measuring device on each point of diversion and shall annually report to the Department the amount of water diverted and the depth to water.

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

Signed and sealed this 22nd day of May, 2003.


for KARL J. DREHER
Director

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JUN 02 2003

RECEIVED

MAY 20 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 63-12450

Date of Priority: May 04, 1998

Maximum Diversion Rate: 1.35 CFS

Comes now D MARK LYNN And/Or JOY LYNN
4050 CHAPARRAL RD

EAGLE ID 83616 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. 63-12450, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

RATE OF DIVERSION

1.35 CFS

LOCATION OF POINT OF DIVERSION:

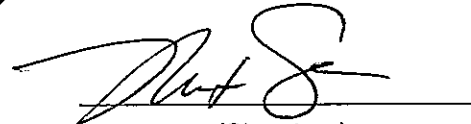
GROUND WATER L2 (NW¼NE¼) Sec. 3, Twp 05N, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 01W 2						10.0 L 4	11.0										21.0
05N 01W 3	26.0 L 1	25.0 L 2	27.0	17.0	23.0 L 3		15.0		17.0								150.0
05N 01W 4				13.0									38.0	24.0	21.0	18.0	114.0
05N 01W 9		11.0															11.0
06N 01W 34													7.0		17.0	31.0	55.0
06N 01W 35									3.0	15.0							18.0

Total Acres: 369

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 this 16 day of May, 2003.


(Signature)

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JUN 02 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12450

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee \$50⁰⁰ Received by JC # 0069178 Date 5/20/03

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. 63-12450 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 63-11995 and 63-11996 are also diverted through the point of diversion described above.
5. Rights 63-11995, 63-11996 and 63-12450 when combined shall not exceed a total annual maximum diversion volume of 1660.0 af at the field headgate, and the irrigation of 369 acres.
6. In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall only be diverted when water from the surface water rights cannot be delivered to the right holder, nor shall this right be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid. This right shall not be used if the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use.
7. The water right holder shall maintain a well acceptable to the Department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 mile of the production well, and the depth to water therein shall be monitored during March and October each year and the measurements provided to IDWR.
8. The right holder shall maintain in the irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the well.

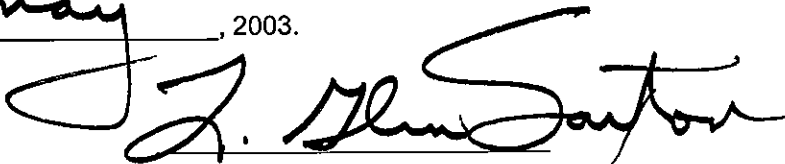
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JUN 02 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12450

9. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not directly lower the water level in any domestic well drilled and in use prior to 3/29/1978, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.
10. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.
11. Upon determination by the Director that prior down-gradient minimum stream flow is not being fully satisfied, the right holder shall either cease diversion of water pursuant to this right or shall provide water in an amount necessary to mitigate the ongoing diversion under this right for release into the stream in which the minimum stream flow is not being met.
12. The right holder shall maintain a measuring device on each point of diversion and shall annually report to the Department the amount of water diverted and the depth to water.

Witness my hand this 22nd day of May, 2003.


for **KARL J. DREHER**
Director

MICROFILMED
JUN 02 2003

FOR OFFICE USE ONLY
Amt. of Fee \$: 125
Receipt No. W029754
Receipt By: 6
Date Received: 10/2/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT - 3 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12450 Telephone No. 208-286-9533
2. Name of Permit Holder(s): D Mark Lynn and Joy Lynn
3. Mailing Address: 4050 Chaparral Road
City Eagle State ID Zip 83616
4. Source of Water: groundwater If **GROUNDWATER** (well), Date Drilled: mo. Apr / yr. 98
Well Driller: Riverside Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 378 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 1.5 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes X or No _____
Has the measuring device been installed? Yes X or No _____
8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Mark Lynn Telephone Number: 286-9533
Address: 4050 Chaparral Road
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: [Signature] Date: 10-1-02
(include your title, if on behalf of company or organization)

MICROFILMED
NOV 18 2002

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12450

Proposed Priority: May 4, 1998

Maximum Diversion Rate:

2.50 CFS

This is to certify, that D MARK LYNN

JOY LYNN

4050 CHAPARRAL RD

EAGLE ID 83616

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

2.50 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 3, Township 05N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
05N	01W	2	Lot 4 (NWNW)	15.0		SWNW	5.0		20.0
		3	Lot 1 (NENE)	26.0	Lot 2 (NWNE)	29.0	SWNE	25.0	
			SENE	10.0	Lot 3 (NENW)	20.0	SWNW	5.0	
			NWSW	20.0					135.0
		4	SWNE	2.0	SENE	15.0	NESW	40.0	
			NESE	30.0	NWSE	40.0	SWSE	1.0	
			SESE	30.0					158.0
06N	01W	34	NESE	5.0	SWSE	9.5	SESE	21.0	35.5
		35	SWSW	29.5					29.5

Total number of acres irrigated: 378.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 2004.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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AUG 09 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 63-12450

CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
8. In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall only be diverted when water from the surface water rights cannot be delivered to the right holder, nor shall this right be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid. This right shall not be used if the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use.
9. Prior to diversion and use under this approval, the water right holder shall provide a well acceptable to the department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 miles of the production well, and the depth to water therein shall be monitored during March and October each year and the measurements provided to the department.
10. Prior to diversion and use under this approval, the water right holder shall identify the location of two domestic wells for monitoring water levels. Water levels shall be measured in March and October each year. A report of water levels shall be submitted to the department annually.
11. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not directly lower the water level in any domestic well drilled and in use prior to March 29, 1978, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.

MICROFILMED

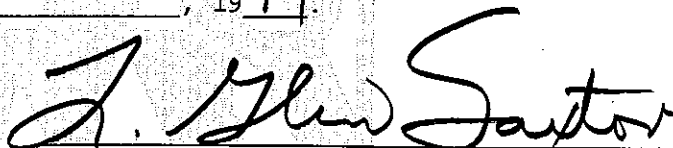
AUG 09 1999

State of Idaho
Department of Water ResourcesPermit To Appropriate Water
NO. 63-12450CONDITIONS OF APPROVAL AND REMARKS

12. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.
13. Upon determination by the Director that a prior down-gradient minimum stream flow is not being fully satisfied, the right holder shall either cease diversion of water pursuant to this right or shall provide water in an amount necessary to mitigate the ongoing diversion under this right for release into the stream in which the minimum stream flow is not being met.
14. The water right holder shall install in each irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the wells, and a measurement port and measurement tube capable of allowing the introduction of depth-to-water measurement probes.
15. Prior to diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion and shall annually report to the department the amount of water diverted and the depth to water.
16. The right holder shall install non-perforated casing through the upper (perched) aquifer and shall seal the casing such that perched water is not co-mingled with the deeper (regional) aquifer.
17. Water bearing zone to be appropriated is 500 to 620 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12th day of July, 1999



for
Karl J. Dreher, Director

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AUG 09 1999

RECEIVED

JUN 30 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant D Mark Lynn and Joy Lynn Phone 208-286-9533
Mailing address 4050 Chaparral Road, Eagle, ID 83616

2. Source of water supply groundwater which is a tributary of NA

3. Location of point of diversion is Township 5N Range 1W Sec. 3 in the 1/4,
NW 1/4, NE 1/4, Govt. Lot 2, B.M., Ada County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.50 for irrigation purposes from 3/15 to 11/15 (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)

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) 2.50 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Well (16"x640 feet), 400 hp
vertical turbine well pump and motor, 150 hp booster pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? 4/98; Drilling firm Riverside, Inc.

Well was drilled for (well owner) Mark Lynn; Drilling Permit No. 63-98-W-0060-000

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

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. _____

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AUG 09 1999

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	2						15	5										20
		3	26	29	25	10	20		5			20							135
		4			2	15					40				30	40	1	30	158
6N	1W	34													5		9.5	21	35.5
		35										29.5							29.5

Total number of acres to be irrigated 378

10. Describe any other water rights used for the same purposes as described above. 63-11995, 63-11996
Willow Creek SRBA claims

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: The purpose of this application is to increase the diversion rate to lands irrigated under water rights 63-11995 and 63-11996 from 0.0106 cfs/acre to 0.0172 cfs/acre.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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


 Signature of Applicant (and title, if applicable)

MICROFILMED
 AUG 09 1999

Received by ST Date 5-4-98 Time 4:30 P Preliminary check by RT
 Fee \$ 140.00 Received by ST # W023833 Date 5-4-98
 Publication prepared by ST Date 6/24/98 Published in Id Statesman on 7/26/98
 Publication approved ST Date 7/21/98

Comments: Date: 5/27/1998 User-ID: MMINICUC

Subject: Appl. comments

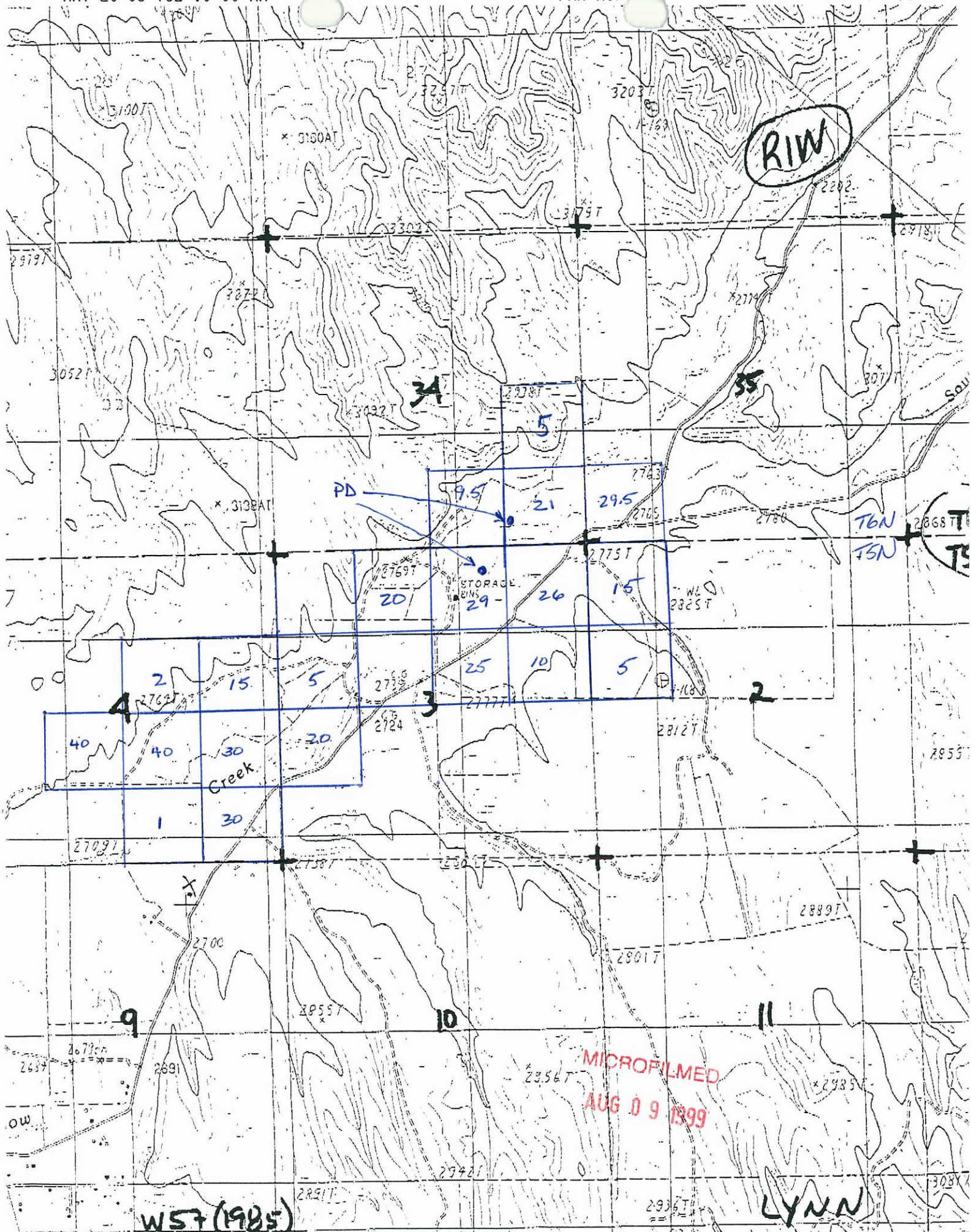
The purpose of this appliation is to increase the diversion rate to lands irrigated under water rights 63-11995 and 63-11996 from 0.0106 cfs/acre to 0.0172 cfs/acre.

Comments: Date: 5/27/1998 User-ID: MMINICUC

Subject: Other rts

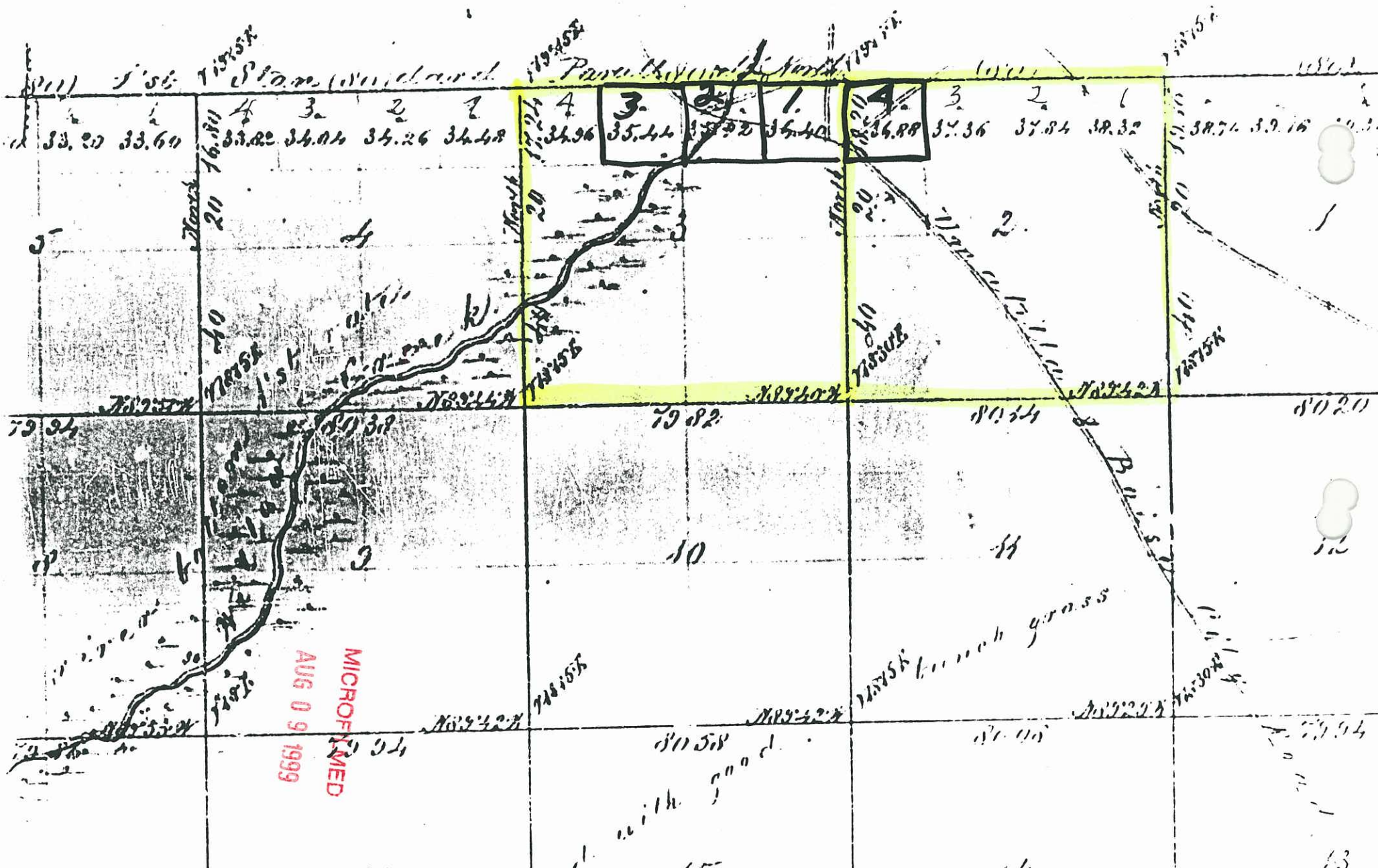
Applicants have two gw permits (63-11995 & 63-11996) for the same lands. This application is for addl rate of flow from one of the permitted wells which has higher than anticipated production. Applicants have filed two SRBA b/u claims for rights from Willow Creek. Previously issued permits require use of Willow Creek water before gw unless SRBA finds Willow Creek rights not to be valid.

MICROFILMED
AUG 09 1999



GOVT PLAT (1868)
T5N R1W

15 North Range of West Boise Meridian.



**STARTING
RIGHT
SIDE OF
FILE**

**SPF**

Water Engineering, LLC
water resource consultants

RECEIVED

APR 25 2006

DEPARTMENT OF
WATER RESOURCES

April 24, 2006

Tim Luke
Idaho Department of Water Resources
Statehouse Mail
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Level Monitoring for Licenses 63-11995, 63-11996, and 63-12450

Dear Tim:

Enclosed for Department records, please find a summary of water level measurements required as a condition of the above referenced licenses

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Joy Lynn

	M. Lynn	C. Lynn	Lynn Old
Date	Domestic Well	Domestic Well	Irrigation Well
9/9/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
1/22/1995	395.32	394.25	382.23
3/24/1995	395.48	394.29	382.78
5/21/1995	397.28*	394.66*	382.53
8/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
3/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
3/26/1997			381.51
10/18/1997	395.15	394.55	383.15
4/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
3/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
3/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24
3/24/2001	395.33	394.92*	382.10
10/30/2001	394.78	**	381.65
3/21/2002	395.73		382.11
10/31/2002	397.44*		383.66
3/10/2003	396.44		382.67
3/24/2004	396.48		382.99
3/31/2005	397.65		384.05
10/27/2005	395.77		395.33***
4/17/2006	396.68		395.24***

* recovering slowly from recent pumping

**sounding tube removed during well repair

***pumping?



APR 27 2004

Department of Water Resources

April 24, 2004

Tim Luke
Idaho Department of Water Resources
Statehouse Mail
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Level Monitoring for Licenses 63-11995, 63-11996, and 63-12450

Dear Tim:

Enclosed for Department records, please find a summary of water level measurements required as a condition of the above referenced licenses. Note that water levels were not measured in October 2003 due to an oversight on my part.

The flow meter totalizer reading on the large irrigation well was 139,326,000 gallons on March 24, 2004. My records show a previous reading of 25,591,000 gallons on October 31, 2002. These reading suggest pumping of 349 acre feet during the 2003 irrigation season.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Joy Lynn

MICROFILMED

APR 25 2004

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
9/9/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
1/22/1995	395.32	394.25	382.23
3/24/1995	395.48	394.29	382.78
5/21/1995	397.28*	394.66*	382.53
8/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
3/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
3/26/1997			381.51
10/18/1997	395.15	394.55	383.15
4/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
3/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
3/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24
3/24/2001	395.33	394.92*	382.10
10/30/2001	394.78	**	381.65
3/21/2002	395.73		382.11
10/31/2002	397.44*		383.66
3/10/2003	396.44		382.67
3/24/2004	396.48		382.99

* recovering slowly from recent pumping

**sounding tube removed during well repair

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JUN 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 23, 2003

D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

RE: License No. 63-12450 - Issuance of License

Dear Water Right Holder(s):

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

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

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt
Enclosure(s)

MICROFILMED

JUN 02 2003

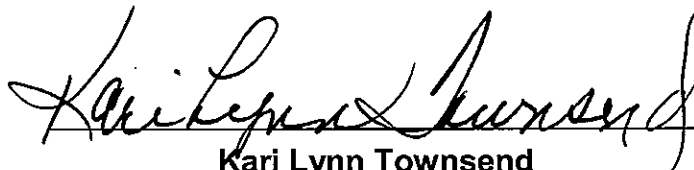
CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

63-12450

**D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 02 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2003

D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

RE: Water Right Permit Nos. 63-11995, 63-11996 and 63-12450

Dear Permit Holders:

The Department of Water Resources is reviewing the permits referenced above prior to Issuing water right licenses. By issuing the licenses, the Department confirms the extent of development that has been established in compliance with the terms of the permits. The examiner who verified your water use reported that certain elements of the permits have been developed differently. Changes that do not increase the authorized use of water under the permits can be requested and approved in accordance with Section 42-211, Idaho Code. Before licenses can be issued, your permits must be amended to depict your water use as it was actually developed. The examiner has recommended that we license Permits 63-11995 and 63-11996 with a permissible place of use. The place of use under 63-12450 has been modified to include lands in Section 9 and the land in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35.

The enclosed Applications for Amendment depicts the elements of the water rights as they will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with a \$150.00 filing fee (\$50.00 per amendment form) within 14 days.

If you have any questions, please feel free to call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

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JUN 02 2003

LICENSE REVIEW CHECKLIST

Permit No 63-12450

Date: 5-7-03

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use add

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 63-11995 & 63-11996

File reviewed all file 63-11995

Profile reports printed for profile reports

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.50 cfs

Fee Limit 2.0 cfs

Measured 4.57 cfs

Theoretical 5.35 cfs

Recommended Total Diversion Rate 10.35

Season of Use per new Standards

3-15 11-15

Water Uses OK

Change (P46)

Irrigation 1.35 cfs * af

Stockwater cfs af

Domestic cfs af

 cfs af

 cfs af

Total 1.35 cfs * af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

 cfs x 1.9835 x days = af (vs) 369 acres x 4.5 (FHR) = 1660.5 af

Remarks: * W35 (1660.0 AF / 369 ac)

Additional Conditions Watermaster Control

 GW Measurement/Measuring Device

 Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo

Amend Letters P87, S06

Second Amendment Notice P44 S06

RECEIVED
DEC - 9 2002

Permit No: 63-11995

Department of Water Resources

Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-12450

Exam Date: 10/4/2002

1. Current Owner: JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616
(208)377-3066

And

D MARK LYNN
4050 CHAPARRAL RD
EAGLE ID 83616
(208)377-3066

2. Accompanied by: Mark Lynn

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE
GROUND WATER

TRIBUTARY

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-28379, 63-28380, 63-3004, 63-11995, 63-11996
2. Other water rights with the same point of diversion: 63-11995, 63-11996

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER
GEM County

L2 NW1/4NE1/4

Sec. 3, Twp 05N, Rge 01W, B.M.

Method of Determination: Field Exam, Arc View Map

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2.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 01W 2						10	11										21
05N 01W 3	26	25	27	17	23		15		17								150
05N 01W 4				13									38	24	21	18	114
05N 01W 9		11															11
06N 01W 34													7		17	31	55
06N 01W 35									3	15							18

Total Acres: 369

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Method of Determination:

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

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
	US Electric	400	H02347-A04A06	Floway	#9874402 15DKL
			3R055M 1		

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

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
IDWR Flowmeter		Polysonic				
McCrometer Flowmeter		(In-Line)		983788 12		

2. Measurements: Polysonic Average: 2049.18 GPM = 4.57 CFS
McCrometer: 2000 GPM

E. FLOW CALCULATIONS

☐ Y Additional Computation Sheets Attached

Pump Curve: Rated at 2400 gpm = 5.35 cfs
Based on 546 TDH (460' pumping level, 10' friction loss, 33 psi)
Limited to 2.0 CFS per Permit

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 369 \times 4.5 = 1660.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 1.35 \times 246 \times 1.9835 = 658.7 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 658.7 \text{ afa}$$

2. Volume Calculations for Other Uses:

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G. NARRATIVE/REMARKS/COMMENTS

The irrigation system consists of a 16 inch well, pond, re-lift pump and a mainline. Ground water from the well can be pumped directly into the irrigation system or discharged into the pond, then pumped into a irrigation system using a 10 hp end suction pump. The well was drilled in 1998 and equipped with a 400 hp turbine pump. Based on a Polysonic measurement, an average of 2049 gpm ground water was being diverted from the well at the time of the exam. An in-line McCrometer flow meter read approximately 2000 gpm. Part of the sprinkler system was not operating during the exam due to crop harvesting, which explains why the well/pump was valved back from its designed capacity of 2400 gpm. Please see the attached pump curve and consultants letter dated 10/1/2002.

Permit 63-11995 limits the applicant to 2.0 cfs and 195 acres irrigation within the 369 acre ppu. Permit 65-11996 allows the applicant another 2.0 cfs and the remaining 174 acres within the ppu. This permit takes care of the additional 1.35 cfs measured well capacity. This permit is supplemental to Willow Creek water claimed in the SRBA under rights 63-28379 and 63-28380 if the rights are found valid and recommended for decree. The 25 acres licensed on ground water right 63-3004 are also included in the 369 ppu. A condition of the license needs to state that this right, when combined with the others, shall not exceed .02 cfs or 4.5 afa per acre.

***Compliance with permit conditions:**

As evidenced on the attached well log, the recommended 16 inch well was drilled with non-perforated casing through the upper (perched) aquifer and sealed so that the perched water does not co-mingle with the deeper (regional) aquifer. A flow meter has been installed and Terry Scanlan, who works as the applicants consultant, has monitored the project as specified by the agreement between the protestant and the applicants. Water level measurements have been submitted to IDWR (Water Distribution Section) annually as required.

See file 63-11995 for photos, maps and additional info.

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

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.350 CFS	658.7 AF
	<u>Totals:</u>	1.350 CFS	658.7 AF

2. Recommended Amendments

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

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

I. AUTHENTICATION

Field Examiner's Name Lon Branner Date 11/25/02

Reviewer _____ Date _____

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JUN 02 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2002

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

Re: Application for Amendment of Permit Nos. 63-11996 and 63-12450

Dear Applicant:

This office acknowledges the withdrawal of the above-referenced protested applications for amendment of permits.

Due to the withdrawal of the applications the protested matter is dismissed and the applications will be removed from the department's records.

If you have any questions concerning this matter, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester

SL:st

CC: Little Land & Livestock
Three Horse Ranch
Terry Scanlan

MICROFILMED
JUN 02 2003



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) 327-7866DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

RECEIVED

NOV 21 2002

WATER RESOURCES
WESTERN REGIONWITHDRAWAL
OF APPLICATION FOR
AMENDMENT OF PERMIT

I, D. Mark Lynn hereby withdraw Application for Amendment
(Name)
of Permit No. 63-11996 and 63-12450

Signed this 21 day of NOVEMBER, 20 02.

A handwritten signature in black ink, appearing to read 'D. Mark Lynn', written over a horizontal line.

Applicant Signature

TitleMICROFILMED
JUN 02 2003

RECEIVED

NOV 25 2002

Receipt No. W026963
Received By AT
Date 5-18-00

STATE OF IDAHO
Department of Water Resources

69729

APPLICATION FOR AMENDMENT OF A PERMIT

WITHDRAWN

Applicant D Mark Lynn and Joy Lynn Phone 208-286-9533
Address 4050 Chaparral Road, Eagle, ID 83616

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-12450, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion Add point of diversion
X Change place of use X Change nature of use X Change period of use Other
1. Point of diversion: 1/4 NW 1/4 NE 1/4, Section 3, Township 5N, Range 1W, B.M.,
County of Ada. Other points of diversion (gov't Lot 2)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) See attached remarks.
Amount 2.156 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs of water from perennial stream) (water use) (Begin month) (End month)
Amount 0.344 for div. to stg. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs of water from perennial stream) (water use) (Begin month) (End month)
Amount 60 for wildlife/recreation purposes from 1/1 to 12/31 (both dates inclusive)
(acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

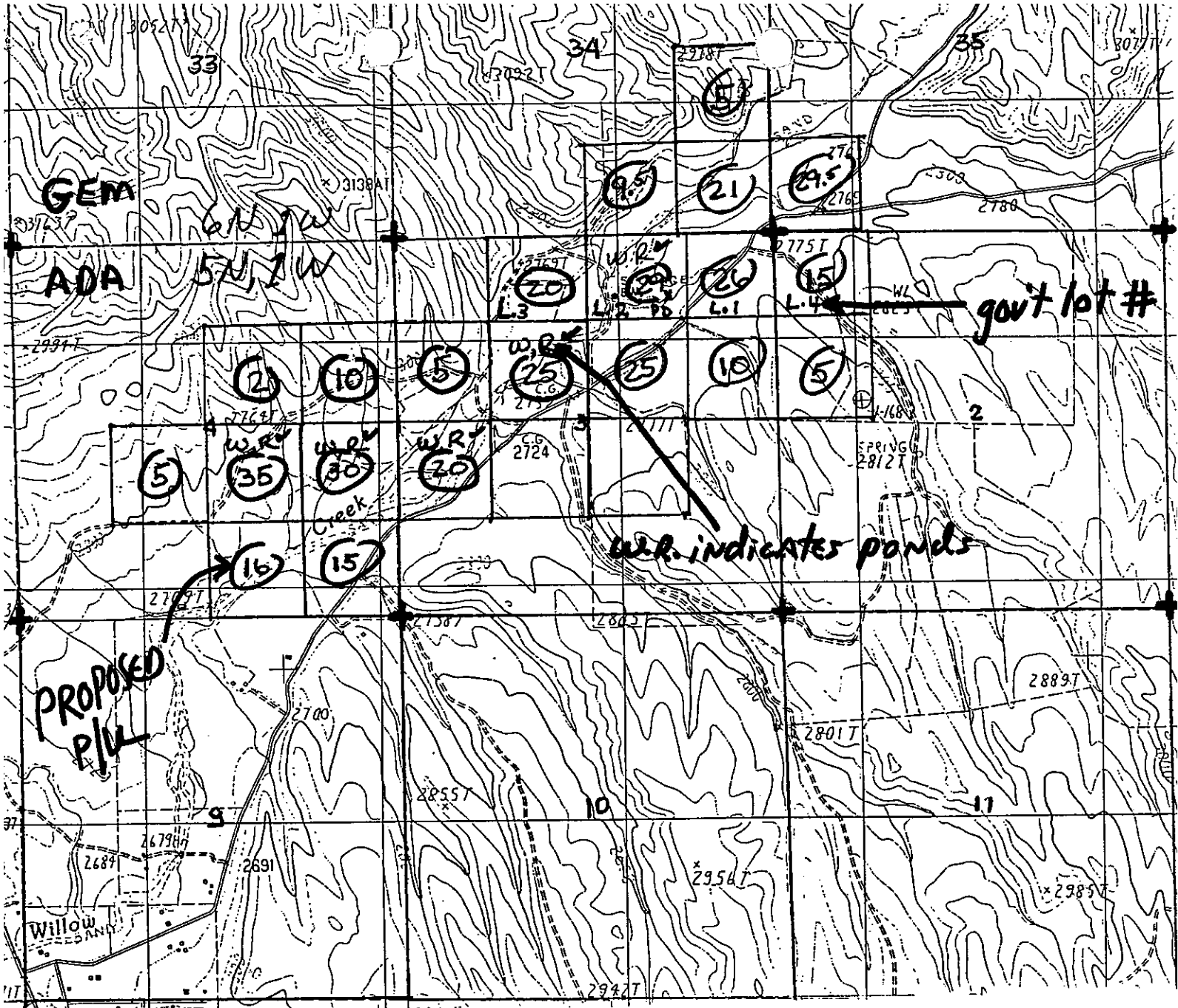
T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	2						<u>2.4</u>	15	5									20
		3	<u>2.1</u>	<u>W.R</u>	25	10	<u>2.3</u>		5	<u>W.R</u>		<u>W.R</u>							160
		4		<u>2.2</u>	2	10					5				<u>W.R</u>	<u>W.R</u>	16	15	113
6N	1W	34													5		9.5	21	35.5
		35										29.5							29.5

Total number of acres to be irrigated = 358

4. a. Who owns the property at the point of diversion? applicant
b. Who owns the land to be irrigated at the 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: _____

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JUN 02 2003



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 18 day of May, 2000
[Signature]
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES
Preliminary check by SL 6/9/00 Publication prepared by AT Date 6-29-00
Published in THE IDAHO STATESMAN Publication dates 7-6-4/3-00
MESSANGER INDEX 7-5-12-00

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____
JUN 02 2003

SIGNATURE

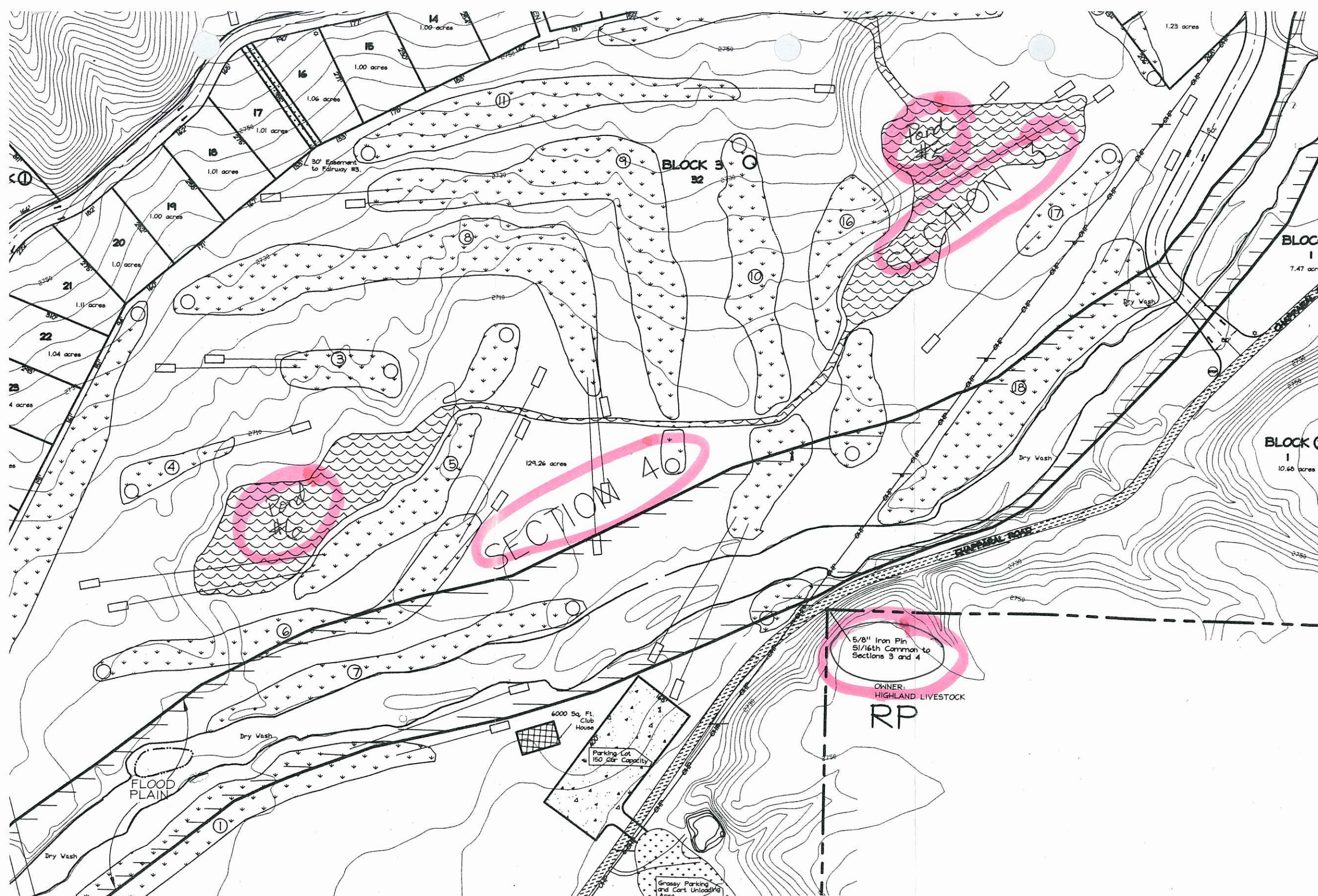
REMARKS FOR PERMIT AMENDMENTS – 63-11996 AND 63-12450

1. The diversion to storage and recreation/wildlife storage uses for 65-12450 will be associated with several ponds totaling up to 10 acres of total surface area and approximately 60 acre feet total capacity.
2. An annual diversion to storage volume of 9 acre feet for each acre of pond surface area (90 acre feet total) is proposed. The 9 acre feet per acre will allow for annual evaporation loss of approximately 3 feet and annual seepage loss of 6 feet (approximately 0.2 inches per day).
3. The estimated average pond depth will be 6 feet, so that pond filling will require 60 acre feet. A one-year reduction in irrigated area of 13.3 irrigated acres (i.e., $13.3 \text{ ac} \times 4.5 \text{ af/ac} = 60 \text{ af}$) will be used to mitigate the initial pond fill.
4. Diversion to storage rate will be 0.344 cfs. This rate is based on the average irrigation diversion rate of 0.0172 cfs/ac under the applicants' three permits (63-11995, 63-11996 and 63-12450).
5. Irrigated areas for permit nos. 63-11996 and 63-12450 (overlapping acres) will each be reduced by 20 acres to offset the use of water for the ponds.
6. The irrigation diversion rate under 63-12450 will be reduced by 0.344 cfs to offset the diversion to storage rate.
7. Irrigated area will be reconfigured to include lands within the SENW Section 3, T5N, R1W. Acres within other quarter-quarter sections have also been adjusted to more correctly reflect the existing and proposed irrigation uses.

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JUN 02 2003

1" = 200 ft



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JUN 02 2003

NOV 25 2002

Department of Water Resources
State of Idaho

Process together

63-11996

63-12450

Department of Water Resources

AMENDMENT ANALYSIS SHEET

Right Number 63-12450 WP File Name LYNN amendments

Initial Review By: RL Date 6/27/00

Applicant D. MARK & Joy Lynn

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s)

☐ Increase amount. ☒ Change place of use. ☒ Other change nature & period of use

CHECK:

☒ Description of amended elements.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Ownership of point of diversion and place of use.

☒ Map.

☒ Signature-must be permit holder.

☒ Fee.

N/A ☐ Surface water source: IDFG letter needed; notify Water Planning Bureau if protected river or minimum flow reach.

☒ Existing water rights from the same source, amended p/d or p/u.

☒ Right number(s) NONE for P/u change - SEE REVIEW memo re P/d overlap

☒ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

☒ Legal notice electronically transmitted to State Office.

☒ Additional analysis information attached.

FINAL REGIONAL PROCESSING REVIEW:

☐ Affidavit of publication received.

☐ Amendment published correctly

☐ Protest processed.

☒ Comment letters to: 10 PEOPLE in mailing list with 63-11996 amendment

☒ Copy for region file: Always include application, staff analysis sheet, legal notice

List other items to copy mailing list, analysis memo dated

☐ Approve.

☐ Deny.

to complete after protest deadline

Conditions _____

By _____ Date _____

MICROFILMED

JUN 02 2003

NOTE

✓ Email sent to JFW & GG to notify Regional dam safety & stream protection staff.

pen

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D MARK LYNN	05/04/1998	IRRIGATION	03/15 11/15	2.500 CFS	
C	JOY LYNN					
	4050 CHAPARRAL RD			TOTAL DIVERSION:	2.500 CFS	
	EAGLE ID 83616					
	(208) 286-9533					

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05N R01W S03 Lot 02(NWNE)

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENE NWNE SWNE SENE	:	NENW NWNW SWNW SENW	:	NESW NWSW SWSW SESW	:	NESE NWSE SWSE SESE	:	Lt Ac Lt Ac Lt Ac Lt Ac	:		
05N	01W	2	:		:		04-15 05	:		:					:	20.0
05N	01W	3	:	01-26 02-29	:	25 10	03-20 05	:	(425)	:	(20)				:	135-0 160
05N	01W	4	:		:	02 (15)		:	(40)	:		30	(40)	(15)	:	158-0 113
06N	01W	34	:		:			:		:		05		09 21	:	35.5
06N	01W	35	:		:			:		:					:	29.5
TOTAL ACRES																378-0 358

Pou County: ADA, GEM

add wildlife/rec. storage
these acres

Conditions of Approval:

- 020 - Use of water under this right may be affected by an agreement between the protestant and the right holder.
- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- 120 - The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

Remarks: GEN In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right

+40

-60

NET change is -20 acres overall

$$\frac{2.5 \text{ cfs}}{378 \text{ ac}} \times 20 \text{ ac} = .13 \text{ cfs}$$
$$\frac{2.37 \text{ cfs}}{2.50 \text{ cfs}} \times 378 \text{ ac} = 358 \text{ ac}$$

Decreases div. rate to
Acres listed in exhibit
monitors 63-11995
63-11996

MICROFILMED

JUN 02 2003

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY LYNN	02/25/1993	IRRIGATION	03/15 11/15	2.000 CFS	
C	D MARK LYNN					
	4050 CHAPARRAL RD					
	EAGLE ID 83616					
	(208) 377-3066					
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T05N R01W S03 Lot 02(NWNE)
T06N R01W S34 SESE

GEM County

GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N	01W	2	:							04-15	05										20.0
05N	01W	3	:	01-26	02-29	25	10	03-20													110.0
06N	01W	34	:													05		09	21		35.5
06N	01W	35	:											29							29.5
TOTAL ACRES																				195.0	

Pou County: ADA, GEM

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks: GEN

In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall not be be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid.

The water right holder shall provide a well acceptable to the department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 mile of the production wells, and the depth to water therein shall be monitored during March and October each year and the measurements provided to IDWR.

The water right holder shall install in each irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the wells.

In accordance with applicable law, the right holder is

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JUN 02 2003

plu not involved in proposed amendment 1 - 11996 1/2 - 12450

*- SEPARATE ACRES from 63-11996
- same acres are part of plu of 63-12450*

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

NOV 02 2000

WATER RESOURCES
WESTERN REGION

October 27, 2000

RECEIVED

NOV - 7 2000

Department of Water Resources

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Mr. Westra:

Enclosed for your records, please find a summary of water level measurements for the above referenced permits. Water levels were measured using an electric line well sounder at the following three wells: Mark Lynn Domestic (623 feet total depth), Corbett Lynn Domestic (580 feet total depth), and Lynn Old Irrigation Well (480 feet total depth). The Lynn New Irrigation Well (640 feet total depth) can be measured using the pump column pipe as an air line. However, since the accuracy of water level measurements using an electric line well sounder is much better than air line measurements, we are using the three wells described above for water level monitoring purposes. Based on depth and proximity, the Mark Lynn Domestic well provides the best approximation of aquifer water level fluctuations at the Lynn New Irrigation Well.

Annual volume pumped under these permits during the 2000 irrigation season is estimated to be in the range of 240 to 300 acre feet. This volume includes 238 acre feet from the Lynn New Irrigation Well (flow meter measurement) and 60 acre feet or less from the Lynn Old Irrigation Well and Mark Lynn Domestic Well (estimates).

Sincerely,



Terry M. Scanlan, P.E., P.G.

378 AC = 1701 AF max

300 AF used

Enclosure

Cc: Mark Lynn
Brad Little

MICROFILMED

NOV 17 2000 Telephone (208) 383-4140
Facsimile (208) 383-4156

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
09/09/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
01/22/1995	395.32	394.25	382.23
03/24/1995	395.48	394.29	382.78
05/21/1995	397.28*	394.66*	382.53
08/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
03/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
03/26/1997			381.51
10/18/1997	395.15	394.55	383.15
04/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
03/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
03/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24

* recovering slowly from recent pumping

MICROFILMED
NOV 18 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

NOV 02 2000

WATER RESOURCES
WESTERN REGION

October 27, 2000

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

NOV - 6 2000

Department of Water Resources

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Mr. Westra:

Enclosed for your records, please find a summary of water level measurements for the above referenced permits. Water levels were measured using an electric line well sounder at the following three wells: Mark Lynn Domestic (623 feet total depth), Corbett Lynn Domestic (580 feet total depth), and Lynn Old Irrigation Well (480 feet total depth). The Lynn New Irrigation Well (640 feet total depth) can be measured using the pump column pipe as an air line. However, since the accuracy of water level measurements using an electric line well sounder is much better than air line measurements, we are using the three wells described above for water level monitoring purposes. Based on depth and proximity, the Mark Lynn Domestic well provides the best approximation of aquifer water level fluctuations at the Lynn New Irrigation Well.

Annual volume pumped under these permits during the 2000 irrigation season is estimated to be in the range of 240 to 300 acre feet. This volume includes 238 acre feet from the Lynn New Irrigation Well (flow meter measurement) and 60 acre feet or less from the Lynn Old Irrigation Well and Mark Lynn Domestic Well (estimates).

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn
Brad Little

MICROFILMED

NOV 18 2002

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
09/09/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
01/22/1995	395.32	394.25	382.23
03/24/1995	395.48	394.29	382.78
05/21/1995	397.28*	394.66*	382.53
08/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
03/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
03/26/1997			381.51
10/18/1997	395.15	394.55	383.15
04/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
03/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
03/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24

* recovering slowly from recent pumping

NOV 18 2002

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NOV - 5 2002

Department of Water Resources

November 3, 2002

Tim Luke
Idaho Department of Water Resources
Statehouse Mail
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Tim:

Enclosed for your records, please find a summary of water level measurements required as a condition of the above referenced permits.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn
Brad Little

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NOV 18 2002

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
09/09/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
01/22/1995	395.32	394.25	382.23
03/24/1995	395.48	394.29	382.78
05/21/1995	397.28*	394.66*	382.53
08/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
03/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
03/26/1997			381.51
10/18/1997	395.15	394.55	383.15
04/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
03/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
03/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24
03/24/2001	395.33	394.92*	382.10
10/30/2001	394.78	**	381.65
03/21/2002	395.73		382.11
10/31/2002	397.44*		383.66

* recovering slowly from recent pumping

**sounding tube removed during well repair

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2002

D MARK LYNN
JOY LYNN
4050 CHAPARRAL ROAD
EAGLE ID 83616

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12450

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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NOV 18 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12450

Reviewed By: dgibson

Date: October 24, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W029754	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	10/02/2002
Date proof due	- 07/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 05/04/1998
New priority date	= 05/04/1998

Deficiencies of Actions Items

Acknowledge proof.

Memorandum

To: Steve Lester, Western Region; Files 63-11995, 63-11996, and 63-12450
From: Tim Luke
Date: November 18, 2001
Re: Water Level and Water Use Monitoring

Steve,

Terry Scanlan has submitted a report of water level measurements as required by conditions of approval for the above referenced water rights owned by Mark and/or Joy Lynn. This report was sent to my attention. Reports were sent either to Cindy Hodges or John Westra over the few previous years. The latest report was sent to me since Terry was aware that Cindy had moved to Southern Region. Should a copy of these reports be sent to your office as well? I note that an application for amendment of permits 63-11996 and 63-12450 is still pending in your office. You sent a letter to the Lynns in March of this year advising that a six-month interruption of processing of the amendment had expired. You asked the applicants if they wanted an extension and advised that a conference would be scheduled if no extension were sought. Review of the file does not indicate whether a conference was held.

In light of the pending amendment I thought it would be appropriate to forward a copy of the most recent report to you. Also included is some additional well location information that Terry Scanlan forwarded to me at my request. Terry's report included no information regarding water use under the permits in 2001. To clarify this matter, I spoke with Terry at the IDWR State office recently. Terry stated that there was no water use under either irrigation well (Old Lynn and New Lynn irrigation wells) in 2001. Other items of interest or concern regarding the report that you may wish to be aware of include:

- Both the old and new irrigation wells are located in the NWNE Section 2 T5N, R1W. The other location given under one of the permits is the SESE Section 34, T6N, R1W. This is the location of the Mark Lynn domestic well which is used for domestic use and some irrigation around the Lynn home. The amount of acreage irrigated around the Mark Lynn home by the domestic well is not specified in Terry's report but it is perhaps covered by permit 65-11995 which includes both locations above as points of diversions. The latter permit also includes irrigation place of use in the SESE of Section 34 where the Mark Lynn well and home is located.

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NOV 18 2002

November 18, 2001

- Permit conditions require measuring devices on at least the irrigation wells but only one of the two irrigation wells actually has an installed meter.
- The new irrigation well has no water level access port and measurement tube to accommodate insertion of water level measuring probes as required by permit conditions of approval. Consequently, the new well is not being measured for water levels as required. Terry advised me during our meeting that he is using the Mark Lynn domestic well to substitute for the new well or represent water level conditions in the new well.
- The water level access port and tube in the Corbett Lynn well was removed this year and no measurement was obtained this fall. Presumably, no further measurements will be made from this well. As a result, this well can no longer serve as the observation well within one-half mile of the irrigation wells required by conditions of approval. The Mark Lynn domestic well can perhaps be considered as the observation well as it is also located within one-half mile of the irrigation wells.

In summation, Lynn is not strictly complying with all of the annual water level and water use measurement requirements set forth by the permit conditions. However, water level data is still being provided in at least two of the three authorized wells. The data provided show that water levels in the area have been consistently stable since 1993. Given the existing water level trends or lack thereof, perhaps measuring water levels in just the old irrigation well and Mark Lynn domestic well is sufficient for meeting the permit conditions. There still seems to be some deficiency in measuring water use from all of the wells but perhaps this requirement is also tempered given the stability of the water levels. Should we perhaps consider enforcement of this and other conditions? Is this issue relevant to the amendment applications? If so, should the issue be delayed until a conference is scheduled for the amendments?

Please advise me as to whether either of us need to pursue measurement and reporting requirements further. Please also advise as to whether I should continue sending copies of all future reports from Terry Scanlan to your office.

CC: Gary Spackman

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

NOV 14 2001

November 10, 2001

Department of Water Resources

Tim Luke
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

Subject: Water Level Monitoring Locations for Permits 63-11995 and 63-11996

Dear Tim:

Enclosed at your request is a photocopy of an orthophoto quadrangle showing the approximate location of wells used for water level monitoring at the Mark Lynn Ranch. The wells are described below.

Mark Lynn Domestic Well. The Mark Lynn Domestic Well is located in the SESE Section 34, T6N, R1W, Gem County. The well was drilled under permit 63-93-W-0619. The enclosed Well Driller's Report incorrectly shows a location about ½ mile to the south in Section 3, and incorrectly lists the location as Canyon County. This 623-foot deep, 8-inch diameter well is used for irrigation of the area around the Mark Lynn home. It is also piped to the home for domestic uses. However, I recall that Mr. Lynn switched domestic use to the "Lynn Old Irrigation Well" because the quality of water from the Mark Lynn Domestic Well was relatively poor (high iron content?). The well is equipped with a water level sounding tube.

Lynn Old Irrigation Well. The Old Irrigation Well is located in the NWNE Section 3, T5N, R1W, Ada County. The well is reported to be 480 feet deep, but I have never been able to obtain locate a driller's report for this well. The well has a large diameter (16-inch?) casing and is equipped with two submersible pumps (5 hp and 25 hp). The 25-hp pump is used for irrigation purposes and the 5-hp pump is used for domestic purposes. The well is equipped with a water level sounding tube. Testing suggests that the well is completed in an unconfined aquifer.

Lynn New Irrigation Well. The New Irrigation well is completed to 640 feet depth and taps confined aquifer zones between 500 and 625 feet. The well is located in the NWNE Section 3, T5N, R1W, Ada County. The well location is incorrectly described on the Well Driller's Report (enclosed) as the NENE Section 3. The well is equipped with a 400-hp variable-speed line-shaft turbine pump, but is not equipped with a sounding tube or an air line. Water level has been measured in the past by pressurizing the pump column (as a large-diameter air line), but static water level in the confined aquifers zones tapped by this well is better measured at the Mark Lynn Domestic Well.

Corbett Lynn Domestic Well. The Corbett Lynn Domestic Well is located in SWSW Section 35, T6N, R1W, Gem County. The well was drilled under drilling permit 63-93-W-0282, but the

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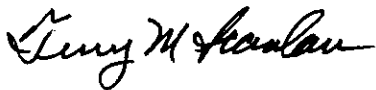
NOV 18 2002

November 10, 2001

location is incorrectly described on the Well Driller's Report (enclosed) as the SENW of Section 35. The well is reported to be 580 feet deep and is used for single-family domestic purposes. It was previously equipped with a water level sounding tube, but the tube was removed during well and pump repair activities this year.

I hope this clarifies the location of the wells used for irrigation and/or water-level monitoring under these permits. Please contact me if you need additional information.

Sincerely,



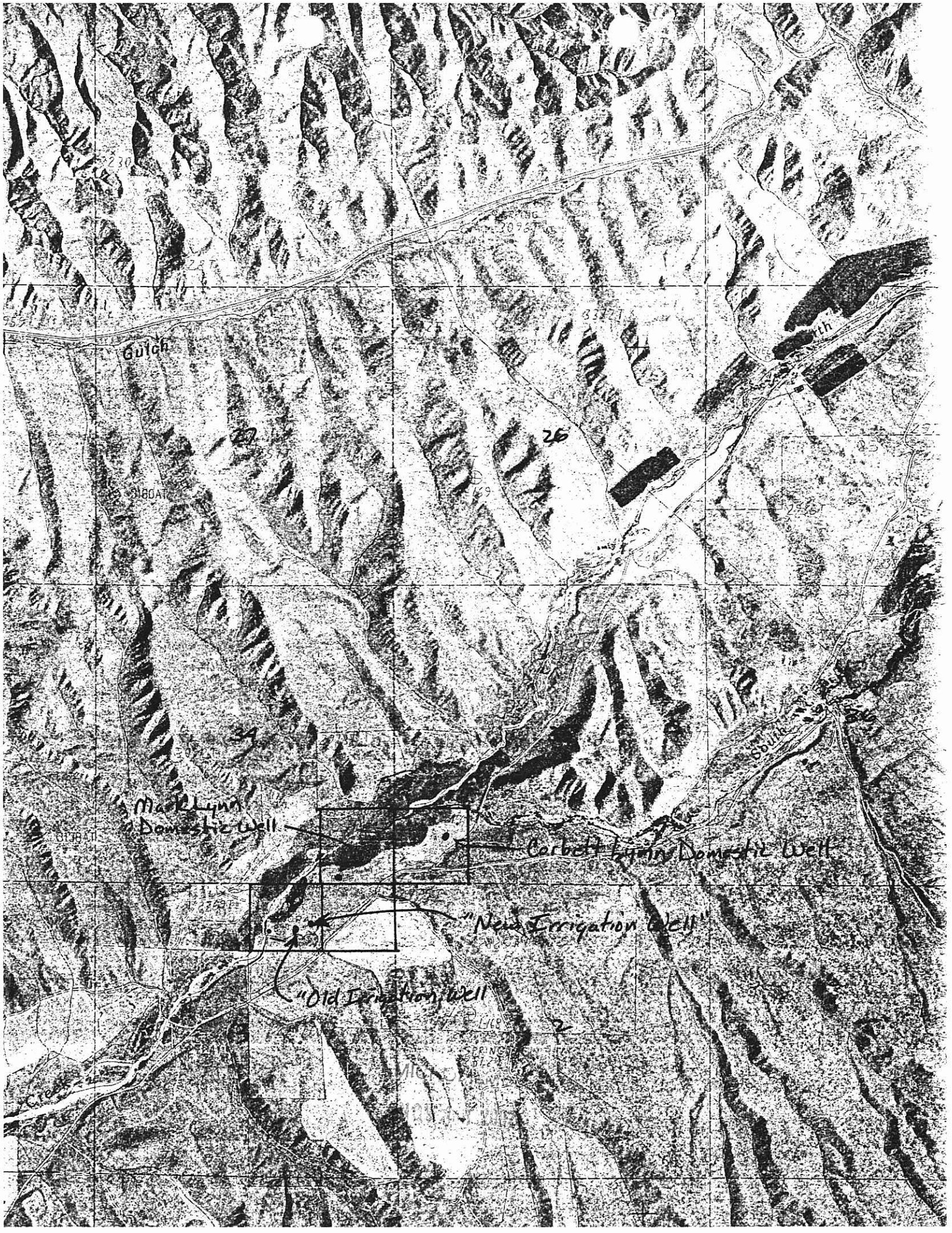
Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn

MICROFILMED

NOV 18 2002



NOV 18 1993

WELL DRILLER'S REPORT

WATER RESOURCES
WESTERN REGIONRECEIVED OF
Ball Point PenMark Lynn Domestic Well
Department of Water Resources

DRILLING PERMIT NO. 63-93-W-0619-000

Other IDWR No.

I. OWNER:

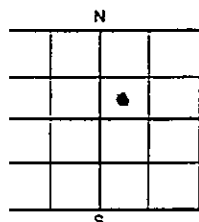
Name MARK LYNN

Address 6500 CHAPPARRAL

City EAGLE State ID Zip 83616

II. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



T. 5N North ☒ or South ☐
 E. 1W East ☐ or West ☒
 Sec. 3 1/4 SE 1/4 NE 1/4
 Gov't Lot _____ County CANYON

Address of Well Site 6500 CHAPPARRAL, EAGLE, ID.

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

PROPOSED USE:

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

TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☒ Cable ☐ Other _____

SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT Sacks or Pounds	METHOD
Material	From	To		
BENT & CEMENT	200	170		POURED
CEMENT & BENT	170	150		PUMPED
BENT & CEMENT	150	140		POURED
SURFACE SEAL AROUND 12" TO 20'				

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

CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
12	+1	79	250	X		☒	☐	☒	☐
8	+2	551	250	X		☒	☐	☒	☐
6	523	543				☐	☐	☐	☐
6	573	623				☐	☐	☐	☐

Final location of shoes 551

Top Packer or Headpipe 523 Bottom Tailpipe 623

PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Type 304 Material STAINLESS

From	To	Slot Size	Number	Diameter	Tele/Pipe Size	Casting	Liner
543	563	.040		6	PIPE	☐	☒
563	573	.030		6	PIPE	☐	☒
						☐	☒

10918 2002

10. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time
NO TEST			

Temperature of water _____ Was a water analysis done? Yes ☐ No ☐

By whom? _____

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

395 ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
14	0	5	TOP SOIL		
14	5	25	SAND & GRAVEL		
12	25	40	SANDY YELLOW CLAY		
12	40	60	SANDSTONE		
12	60	79	LOOSE SAND		
12	79	180	SANDSTONE		
12	180	235	COURSE SAND		
8	235	240	SANDSTONE		
8	240	250	SAND & PEA GRAVEL		
8	250	300	SANDSTONE		
8	300	320	SANDY BROWN CLAY		
8	320	340	SANDSTONE		
8	340	350	SANDY BROWN CLAY		
8	350	380	SANDSTONE		
8	380	385	SAND		
8	385	400	SANDSTONE		
8	400	410	SAND & GRAVEL		
8	410	440	SANDSTONE		
8	440	450	BROWN SAND	?	39.5
8	450	480	SANDSTONE		39.5
8	480	485	FINE SAND		39.5
8	485	540	BLACK SANDSTONE		39.5
8	540	550	COURSE SAND		39.5
8	550	570	COURSE SAND & GRAVEL		39.5
8	570	590	COURSE SAND		39.5
8	590	600	COURSE BROWN SAND		39.5
8	600	620	BROWN SAND		39.5

Date: Started 7-10-93 Completed 10-18-93

13. DRILLER'S CERTIFICATION

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

Firm Name BILL DOTY DRILLING CO., INC. Firm No. 42

Firm Official _____ Date 11-1-93

and _____

Supervisor or Operator _____ Date 11-1-93

(Sign once if Firm Official & Operator)

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.

New Irrigation
of Water Resources
well.

1. WELL OWNER

Name Mack Lyon

Address 506 East 45th Street

Drilling Permit No. 63-11996

Water Right Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedure such as liners, screen, materials, plug depths, etc. in lithologic log, section 3.)

3. PROPOSED USE

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

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☒ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
122.5 inches	16 inches	+ 2 feet	980 feet
32.5 inches	16 inches	500 feet	520 feet
32.5 inches	16 inches	620 feet	640 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 _____
_____	perforations _____	feet _____
_____	perforations _____	feet _____

Well screen installed? ☒ Yes ☐ No
Manufacturer Tubason Type Wire Wrap
Top Packer or Headpipe _____
Bottom of Tailpipe 640'

Diameter 16" Slot size 2x2 Set from 500' feet to 520' feet
Diameter 16" Slot size 2x2 Set from 520' feet to 620' feet
Gravel packed? ☒ Yes ☐ No Size of gravel 3/8"
Placed from 420' feet to 650' feet

Surface seal depth 420' Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Pudding 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 1 1/2" pipe

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____

Lot No. _____ Block No. _____

County Ada

Address of Well Site Chappel Rd East
(only at least name of road)

NE 1/4 NE 1/4 Sec. 3 T. 2 N ☒ or S ☐
R. 1 E ☐ or W ☒

7. WATER LEVEL

Static water level 400' 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 breather or temperature zones below:

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>2030</u>	<u>448'</u>	<u>3 hrs</u>

9. LITHOLOGIC LOG

Bore Diam.	Depth From To	Material	Water Yes No
28"	0 4	Topsoil	
	4 14	Sandy loam, coarse sand	
	14 17	Large gravel & sand	
	17 38	White sand & gravel	
	38 316	Sand & gravel with clay	
	316 380	Bentonite & gravel	
	380 453	Sand & gravel	
	453 469	Bentonite & gravel	
	469 640	Coarse sand & gravel	
	640 650	White clay & sand	
		coarser sand	

10.

Work started 4-7-98 finished 5-5-98

11. DRILLER'S CERTIFICATION

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

Firm Name Riverside Inc Firm No. 333
Address Box 720 Date 5-7-98
Signed by Drilling Supervisor _____
add _____
(Operation) _____
(if different than the Drilling Supervisor)

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

~~MICROFILMED~~

NOV 18 2002

JUN 24 1961

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

Department of Fish & Game

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.

BALLPOINT PEN
Corbett Lynn
of Water Resources
e well.
Domestic Well

[illegible]

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

NOV - 2 2001

Department of Water Resources

October 31, 2001

Tim Luke
Idaho Department of Water Resources
Statehouse Mail
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Tim:

Enclosed for your records, please find a summary of water level measurements required as a condition of the above referenced permits. Water levels were measured using an electric line well sounder at the following three wells in March 2001: Mark Lynn Domestic (623 feet total depth), Corbett Lynn Domestic (580 feet total depth), and Lynn Old Irrigation Well (480 feet total depth). The Corbett Lynn Domestic Well was not measured in October 2001 because the sounding tube had been removed during well repair and pump replacement work that occurred last summer.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn
Brad Little

*PER Terry 11-5-01, did not use
either irrig well this yr.
CRD irrig well - main - did not appear
to be used*

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NOV 18 2002

New Irving well is problem well
 20c in NW NE sec 3 T5N R1W
 old Irving well ~~is also in NW NE 3 T5N R1W~~
 is also in NW NE 3
 T5N R1W

this is the
 monitoring for 25 well?
 using this well for
 W. mos of new Irving well

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
09/09/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
01/22/1995	395.32	394.25	382.23
03/24/1995	395.48	394.29	382.78
05/21/1995	397.28*	394.66*	382.53
08/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
03/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
03/26/1997			381.51
10/18/1997	395.15	394.55	383.15
04/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
03/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07
03/31/2000	395.90	395.06	382.41
10/26/2000	394.63	394.40	382.24
03/24/2001	395.33	394.92*	382.10
10/30/2001	394.78	**	381.65

25 hp well is
 in shallowest zone
 2nd

* recovering slowly from recent pumping

**sounding tube removed during well repair

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 5, 2001

RECEIVED

MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

MAR - 5 2001

Department of Water Resources

Re: Applications for Amendment of Permit Nos. 63-11996 and 63-12450

Dear Applicants:

A six-month interruption of processing of the above referenced applications expired on February 22, 2001. The purpose of this letter is to determine if you want to proceed with processing or if you need more time.

You may seek additional time with a written request to interrupt processing for up to six more months. The next step in processing is a prehearing conference. This office will schedule the conference if you do not request more time within ten (10) days of the date of this letter.

Please contact me at 208-334-2190 if you need more information. Thank you for your prompt attention to this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

CC: Little Land & Livestock c/o John Simpson
Three Horse Ranch c/o Gary & Martha Cunningham
Terry Scanlan

MICROFILMED
NOV 18 2002

MEMORANDUM

March 2, 2001

TO: File nos. 63-11995, 63-11996, and 63-12450 (need copies)
FROM: Cindy Hodges *cyh*
RE: Water Level Monitoring and Withdrawals

The attached letter and water level data were received relative to the above permits. Conditions of use on all permits require water level monitoring, discharge measurement and annual reporting for all three listed points of diversion. Use under the above permits is to be supplemental to Willow Creek rights on 378 acres.

Consistent spring/fall water level monitoring is being conducted using air lines or electronic line sounders. Water level measurements are not appreciably different over the period 1993 to 2000.

A flow meter is installed on the newest well, but there are evidently no measuring devices on the existing wells. The annual volume diverted during the 2000 irrigation season was estimated to be 300 acre-feet, of which 238 acre-feet was actually measured through the installed flow meter. Compared to the implied volumetric limit of 1701 acre-feet for 378 acres, the estimated annual volume of 300 acre-feet is consistent with supplemental use. However, the lack of required measuring devices leaves a portion of the annual reported volume subject to uncertainty and does not satisfy the permit conditions.

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 22, 2000

MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

Re: Applications for Amendment of Permit Nos. 63-11996 and 63-12450

Dear Applicants:

This letter confirms cancellation of the prehearing conference originally set for August 23, 2000, for the above referenced amendment applications. The meeting was postponed as noted in the telephone calls between this office and the parties yesterday.

Your previous written request to interrupt processing of the amendments was confirmed via electronic mail sent by your consultant, Terry Scanlan. The Idaho Department of Water Resources (IDWR) can suspend processing of applications for a period not to exceed six months pursuant to Water Appropriation Rule 40.01.d. More time may be allowed upon written request after the six month period expires.

Your request to interrupt processing of the amendment applications is granted for six months from the date of this letter. The parties should notify IDWR in writing if the issues are resolved before *February 22, 2001*. Processing will resume at that time if the issues are not resolved.

Please contact me at 334-2190 if you have any questions about the amendment applications.

Sincerely,

Steve Lester
Water Rights Supervisor

Cc: Little Land & Livestock c/o John Simpson
Three Horse Ranch c/o Gary & Martha Cunningham
Terry Scanlan

MICROFILMED
JUN 02 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES

RECEIVED

OF THE

AUG - 9 2000

STATE OF IDAHO

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR AMENDMENT NOS. 63-11996)
AND 63-13450 IN THE NAME OF D.)
MARK &/OR JOY LYNN.)

NOTICE OF PREHEARING
CONFERENCE

On June 29, 2000, D. Mark &/or Joy Lynn filed with the Department of Water Resources (IDWR) two applications for amendment to appropriate the public waters of the State of Idaho. Application no. 63-11996 was protested by Little Land & Livestock Co. and Three Horse Ranch. Application no. 63-12450 was protested by Little Land & Livestock Co.

IDWR has scheduled a conference for the protest to be held on **Wednesday, August 23, 2000, at 10:00 a.m. at the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

Dated this 4th day of August, 2000.

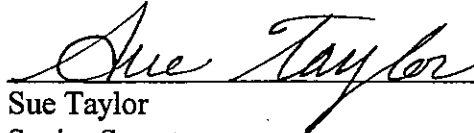


Gary Spackman

MICROFILMED
NOV 18 2002

CERTIFICATE OF MAILING

I hereby certify that on the 4TH day of August, 2000, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE, ID 83616

LITTLE LAND & LIVESTOCK
C/O JOHN K SIMPSON
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
BOISE ID 83701-2139

THREE HORSE RANCH
GARY & MARTHA CUNNINGHAM
5900 PEARL RD
EAGLE ID 83616

MICROFILMED

NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LITTLE LAND & LIVESTOCK
C/O JOHN K SIMPSON
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
BOISE ID 83701-2139

THREE HORSE RANCH
GARY & MARTHA CUNNINGHAM
5900 PEARL RD
EAGLE ID 83616

Re: Application for Amendment of Permit Nos. 63-11996 and 63-12450 in the Name
of D Mark &/or Joy Lynn

Dear Protestants:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced applications.

The following are the criteria the department must consider in either approving or denying an application for amendment (Section 42-203A, Idaho Code):

1. Will the approval of the application result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely affected thereby?

Enclosed is a Notice of Prehearing Conference scheduled for August 23, 2000, at 10:00 a.m. at the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

MICROFILMED
JUN 02 2003

Little Land & Livestock
& Three Horse Ranch
August 4, 2000
Page -2-

If the matter cannot be resolved at the prehearing conference, a formal hearing will be arranged for a future date.

If this office can be of further assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

CC: Application

MICROFILMED
JUN 02 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

Re: Application for Amendment of Permit Nos. 63-11996 and 63-12450

Dear Applicant:

Enclosed are protests filed against the issuance of a permit pursuant to the above-referenced application for amendment.

The following are the criteria the department must consider in either approving or denying an application for amendment (per Section 42-203A, Idaho Code):

1. Will the approval of the application result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely affected thereby?

Enclosed is a Notice of Prehearing Conference scheduled for August 23, 2000, at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If the matter cannot be resolved at the prehearing conference, a formal hearing will be arranged for a future date.

Please contact this office if you have questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.
Gary Spackman

GS:st

Enclosure: Copy of protest(s)

MICROFILMED

JUN 02 2003

1-24-00 LM
W026762

RECEIVED
JUL 24 2000
WATER RESOURCES
WESTERN REGION

John K. Simpson
Rosholt, Robertson & Tucker
P.O. Box 2139
Boise, ID 83701-2139
208-336-0700-phone
208-344-6034-fax
ISB# 4242

Attorneys for Protestant Little Land and Livestock Co.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

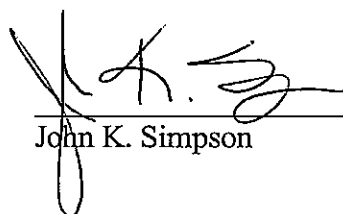
IN THE MATTER OF	)	
	)	
APPLICATION FOR WATER	)	<u>NOTICE OF PROTEST</u>
RIGHT 63-12450;	)	
APPLICANT:	)	
MARK AND JOY LYNN	)	Filing Fee: \$25.00
	)	
	)	

Little Land and Livestock Co. (hereinafter the Protestant), files its Notice of Protest to the approval of the above-numbered Application for Amendment of Permit filed in the name of D. Mark and Joy Lynn. The basis for the Protestant's protest is as follows:

1. The proposed diversion and use of the waters described in the aforesaid application violate all, or a portion of, the criteria set forth in Idaho Code Sections 42-203A(5) and
2. An acceptable mitigation plan has not been proposed; and
3. For such other and further reasons as may be set forth at the hearing on this matter.

MICROFILMED
JUN 02 2003

DATED this 24th day of July, 2000.



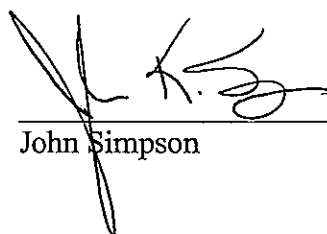
John K. Simpson

CERTIFICATE OF MAILING

I hereby certify that on this 24th day of July, 2000, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Mark and Joy Lynn
4050 Chaparral Road
Eagle, ID 83616



John Simpson

W02673546

Three Horse Ranch

Gary and Martha Cunningham
5900 Pearl Road
Eagle, ID 83616

Telephone 208-863-6561

July 15, 2000

Karl J. Dreher, Director
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JUL 18 2000

**WATER RESOURCES
WESTERN REGION**

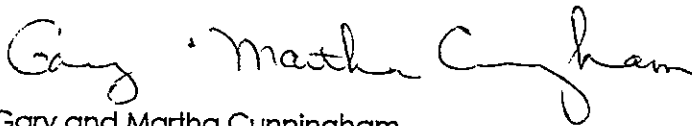
RE: Application for Amendment of Water Rights
D. Mark and Joy Lynn

Dear Mr. Dreher,

We oppose the proposed amendments to the above mentioned water rights because we believe they will have a negative impact on the ground water on our ranch.

It is our understanding that the Lynn's intend to build an 18 hole golf course and develop a 70 home Master Planned subdivision. We believe that is the real reason behind the request for the amendments. Is a subdivision covered by the word "recreation" as stated in the public notice.

Best Regards,



Gary and Martha Cunningham

cc. D. Mark and Joy Lynn
4050 Chaparral Rd.
Eagle, ID 83616

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JUN 02 2003

RECEIVED

JUL 17 2000

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	284234	APPLICATION FOR AMENDMENT OF WATER RIGHTS	\$98.04
Ordered by:	P.O. #	Rate	Run Dates
		NT	JULY 6, 13, 2000
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705-5082			Number of Lines 66
			Affidavit 1
			Legal # 7714

LEGAL NOTICE
APPLICATIONS FOR AMENDMENT OF
WATER RIGHTS

Notice is given that D. MARK AND JOY LYNN of 4050 Chaparral Rd., Eagle, ID 83616 have applied to the Department of Water Resources to change the Place, Nature and Period of Use of the following ground water irrigation water rights pursuant to I.C. § 42-211:

The following townships and counties apply in this notice: Sections 2, 3 and 4 in T5N R1W, Ada County; Sections 34 and 35 in T6N R1W, Gem County.

Permit #63-11996, priority date 2-25-1993, 2.0 cfs for 183 acres in Ada County.

Permit #63-12450, priority date 5-4-1998, 2.5 cfs for 378 acres in Ada and Gem Counties.

Both rights use the same well in NWNE S2 from 3/15/ to 11/15. The well is considered tributary to the Payette River instead of the Boise River. Right #63-11996 irrigates parts of S3 and 4, and Right #63-12450 provides more water to the same acres plus covers land in S2, 34 and 35. The rights provide 4.5 cfs for 378 irrigated acres when combined.

PROPOSED AMENDMENTS

Reduce irrigation in both rights by the same 20 acres and reconfigure the irrigated place of use. Water from the irrigation reduction will be used for a series of wildlife and recreation ponds that will cover about 10 acres of land. Water will be used year around for the ponds, which will hold about 60 af of water. The amended rights will be used as follows:

Permit #63-11996, 2.0 cfs for 163 acres in different parts of S3 and 4 than presently authorized.

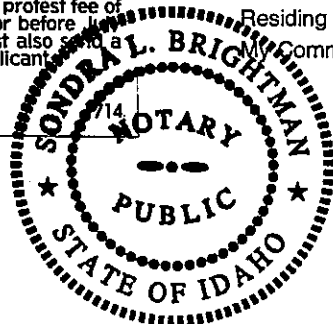
Permit #63-12450, 2.156 cfs for 358 acres in different parts of S2, 3, 4, 34 and 35 than presently authorized. This will include the same land as the other right plus additional acres. The balance of the right will provide .344 cfs diversion to storage and 60 af for wildlife and recreation storage for year around non-irrigation uses. Ponds will be in parts of S3 and 4.

The rights will provide 4.156 cfs for 358 irrigated acres when combined.

The permits will be subject to all prior water rights. Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 837055082, together with a protest fee of \$25 for each application on or before June 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Jul. 6,13, 2000



JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JULY 6, 2000
and ending with the issue of: JULY 13, 2000

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 13 day of JULY in the year of 2000
before me, a Notary Public, personally appeared before me Janice Hildreth
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the state-
ments therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
Commission expires: 6/20/06

Sondra L. Brightman

MICROFILMED

JUN 8 2 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 11, 2000

TERRY SCANLAN
SCANLAN ENGINEERING
600 E RIVER PARK LN STE 105
BOISE ID 83706

Re: Lynn Applications for Amendment of Permit Nos. 63-11996 and 63-12450

Dear Terry:

I received your letter yesterday in reference to the above amendment applications filed by Mark and Joy Lynn. Your letter includes a request to temporarily suspend processing after the protest deadline of July 24, 2000. The reason for the suspension is to allow adequate time to resolve the stream channel problems associated with the construction of at least some of the ponds.

Water Appropriation Rule 40 allows processing of applications to be delayed with some limitations (Rule 040.01.d). If protests are not filed against the amendment applications, processing will be halted for ninety (90) days while the stream channel issues are being resolved. If protests are filed, the request to suspend processing will be reconsidered. Reconsideration of the request will be based on ensuring due process for all of the parties in a contested matter.

Your letter also suggested conditioning the amendment approvals "to require that all ponds be located outside of the Willow Creek stream channel." While that is an expedient solution, a more prudent approach would be to correct the stream channel problems before dealing with the amendment applications. The prudent method is more appropriate given the degree of local interest in this situation.

The decision about suspending processing of the amendment applications will be made shortly after the protest deadline. I will let you know the outcome by early August. Thank you for your efforts in this matter.

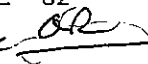
Sincerely,

Steve Lester
Water Rights Supervisor

Cc: Mark and Joy Lynn
Gene Gibson, IDWR Western Region

MICROFILMED

JUN 02 2003

Gene **SCANLAN ENGINEERING***Groundwater and Environmental Engineering*

July 10, 2000

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Applications for Amendment - Permit Nos. 63-11996 and 63-12450

Dear Steve:

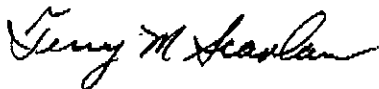
This letter is a follow-up to my telephone conversation today with Gene Gibson regarding the above referenced applications by my client, Mark Lynn. Gene is concerned about some of the existing ponds that may be located within the stream channel of Willow Creek. He has indicated that ponds within the stream channel will likely need to be removed as part of the resolution of Mr. Lynn's stream channel alteration violation. A determination of which ponds must be removed can be made during that resolution process.

Gene indicated that he will have to object to the applications until the stream channel violation is resolved. As such, he suggested that we request that processing of the amendments be held until the stream channel issues are resolved. The processing hold would begin following completion of the protest period so that we would not have to readvertise the applications. I discussed this suggestion with Mr. Lynn today and he is agreeable to a processing hold.

As an alternative to a processing hold, a better approach might be to condition the permits to require that all ponds be located outside of the Willow Creek stream channel. Determination of whether a pond is located within the stream channel can be made during resolution of the stream channel alteration violation. In cases where a pond must be removed, it could be relocated to a site immediately adjacent to the stream channel and in the same 40-acre tract.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

Cc: Mark Lynn
Gene Gibson

MICROFILMED

JUN 02 2003

NOTICE OF APPLICATIONS FOR AMENDMENT OF WATER RIGHTS

Notice is given that **D. MARK AND JOY LYNN** of 4050 Chaparral Rd., Eagle ID 83616 have applied to the Department of Water Resources to change the Place, Nature and Period of Use of the following ground water irrigation water rights pursuant to I.C. § 42-211:

The following townships and counties apply in this notice: Sections 2, 3 and 4 in T5N R1W, **Ada County**; Sections 34 and 35 in T6N R1W, **Gem County**.

Permit #63-11996, priority date 2-25-1993, 2.0 cfs for 183 acres in Ada County.

Permit #63-12450, priority date 5-4-1998, 2.5 cfs for 378 acres in Ada and Gem Counties.

Both rights use the same well in NWNE S2 from 3/15 to 11/15. The well is considered tributary to the Payette River instead of the Boise River. Right 63-11996 irrigates parts of S3 and 4, and Right 63-12450 provides more water to the same acres plus covers land in S2, 34 and 35. The rights provide 4.5 cfs for 378 irrigated acres when combined.

PROPOSED AMENDMENTS

Reduce irrigation in both rights by the same 20 acres and reconfigure the irrigated place of use. Water from the irrigation reduction will be used for a series of wildlife and recreation ponds that will cover about 10 acres of land. Water will be used year around for the ponds, which will hold about 60 af of water. The amended rights will be used as follows:

Permit #63-11996, 2.0 cfs for 163 acres in different parts of S3 and 4 than presently authorized.

Permit #63-12450, 2.156 cfs for 358 acres in different parts of S2, 3, 4, 34 and 35 than presently authorized. This will include the same land as the other right plus additional acres. The balance of the right will provide .344 cfs diversion to storage and 60 af for wildlife and recreation storage for year around non-irrigation uses. Ponds will be in parts of S3 and 4.

The rights will provide 4.156 cfs for 358 irrigated acres when combined.

The permits will be subject to all prior water rights. Any protest against approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before July 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on July 6 and 13, 2000, and in the Messenger Index on July 5 and 23, 2000.

MICROFILMED

JUN 02 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 29, 2000

TO: Those of the Attached List

Re: Application for Amendment of Permit Nos. 63-11996 and 63-11996

Dear Sir:

Enclosed are copies of the above-referenced applications for permit that may be of interest to you. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 24, 2000.

If you have any questions regarding the applications, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl: Copy of Application

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JUN 02 2003

ROSHOLT ROBERTSON &
TUCKER
PO BOX 219
BOISE ID 83701-219

TERRY G JENSEN
8968 DEER LN
EAGLE ID 83616

DANA HOFSTETTER ESQ
BEEMAN & HOFSTETTER
PO BOX 1427
BOISE ID 83701-1427

RICHARD ROBERTS
WILLOWBROOK WATER ASSO
9333 SPANGLER PL
EAGLE ID 83616

DONALD B JENSEN
8661 W BEACON LT RD
STAR ID 83669

JULIE GLEASON
CHAPARRAL WATER ASSN
PO BOX 414
EAGLE ID 83616

BRAD LITTLE
LITTLE LAND & LIVESTOCK
PO BOX 488
EMMETT ID 83617

JERRY JONES
9191 CHAPARRAL
EAGLE ID 83616

TERRY SCANLAN
600 E RIVER PK LN #105
BOISE ID 83706

JOHN SIMPSON ESQ
1221 W IDAHO STE 600
BOISE ID 83702

MICROFILMED

JUN 02 2003

CONVERSATION MEMORANDUM

DATE 6/1/00

FILE _____

NAME OF PARTY Brenda C Rusholt Firm 336-0700EMPLOYEE frRE: mark Lynn's 63.12450 etc.

Colley to ask if amendment has been
filed - was filed 5/18 & will be processed
soon.

Rusholt firm represents Little Lord's Livestock,
protestant in previous Lynn filings. Asked for
comment letter in processing amendment col.

(note - ✓ files for incl. previous
≡ protestants for comment letter writing
list.)

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JUN 02 2003

May 18, 2000

Mr. Steve Lester *SL*
Water Right Supervisor
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

MAY 18 2000

WATER RESOURCES
WESTERN REGION

Subject: Applications to (1) Amend Permits and (2) Rent Water From The Water Supply Bank

Dear Mr. Lester:

As described in the following paragraphs, enclosed please find the following:

- Water Bank Application for 3 acres of irrigation utilizing water right 63-08627
- Applications for Amendment of Permits 63-11996 and 63-12450

Water Bank Application

*original
to S.O.
on
5/30/00* — The water bank application seeks groundwater for irrigation of approximately 3 acres of land located in the SENW Section 3, T5N, R1W. The water will be used to irrigate a stream bank restoration project along Willow Creek. I recently acquired this property and my existing licenses and permits do not cover irrigation of these lands. The water bank water would be used during the 2000 irrigation season, while I seek to amend my existing permits to include irrigation of these lands.

The water right proposed for rental, 63-08627, is a groundwater right for irrigation use associated with a geothermal well (the Dallas Harris Well) located near the mouth of Warm Springs Creek. The well is approximately 20 miles southwest of my property. Although my irrigation well exhibits some geothermal characteristics, with warm (approximately 80 degree F) water and relatively high fluoride concentrations, I doubt that there is a direct hydraulic connection between the aquifer tapped by my well and the aquifer tapped by the Dallas Harris Well. In recognition of the lack of direct hydraulic connection, I am willing to reduce the allowable diversion rate, diversion volume, and irrigated area under my existing permits to mitigate for any potential impacts to the aquifer tapped by my well during the rental period.

Applications for Amendment of Permit

The Applications for Amendment of Permit propose changing the place of use for permit nos. 63-11996 and 63-12450. The applications also propose changing the nature of use

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JUN 02 2003

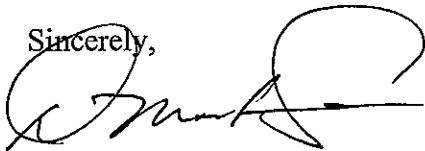
*APPLICANT'S LETTER
OF EXPLANATION*

and season of use for a portion of permit 63-12450 from irrigation to (1) diversion to storage and (2) recreation and wildlife storage. Details are provided below.

1. The diversion to storage and recreation/wildlife storage uses for 63-12450 will be associated with several ponds totaling up to 10 acres of total surface area and approximately 60 acre feet total capacity.
2. An annual diversion to storage volume of 9 acre feet for each acre of pond surface area (90 acre feet total) is proposed. The 9 acre feet per acre will allow for annual evaporation loss of approximately 3 feet and annual seepage loss of 6 feet (approximately 0.2 inches per day).
3. The estimated average pond depth will be 6 feet, so that pond filling will require 60 acre feet. A one-year reduction in irrigated area of 13.3 irrigated acres (i.e., $13.3 \text{ ac} \times 4.5 \text{ af/ac} = 60 \text{ af}$) will be used to mitigate the initial pond fill.
4. Diversion to storage rate will be 0.344 cfs. This rate is based on the average irrigation diversion rate of 0.0172 cfs/ac under my three irrigation permits (63-11995, 63-11996 and 63-12450).
5. Irrigated areas for permit nos. 63-11996 and 63-12450 (overlapping acres) will each be reduced by 20 acres to offset the use of water for the ponds.
6. The irrigation diversion rate under 63-12450 will be reduced by 0.344 cfs to offset the diversion to storage rate.
7. Irrigated area will be reconfigured to include lands within the SENW Section 3, T5N, R1W. Acres within other quarter-quarter sections have also been adjusted to more correctly reflect the existing and proposed irrigation uses.

fees \$100
A check for \$100 is enclosed to cover the \$50 fee for each Application for Amendment of a Permit. Upon notification that the Application to Rent Water from the Water Supply Bank is acceptable, a check for the rental fee can be forwarded to you immediately. Please contact me (377-3066) or my consultant, Terry Scanlan (383-4140) with any questions.

Sincerely,



D. Mark Lynn

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JUN 02 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

RECEIVED

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 2000

APR 20 2000

SCOTT COOK PLANNER II
ADA COUNTY DEVELOPMENT SERVICES
650 MAIN ST
BOISE ID 83702

Department of Water Resources

Re: 00-02-PDR-NF/00-02-ZC/00-02-PR/00-06-CU
Amy Woodruff/JJ Howard Engineering

Dear Scott:

Please excuse this late reply regarding the above referenced matter. The proposal involves a planned community for numerous homes plus an 18-hole golf course in the Willow Creek drainage east of Hwy 16. The Idaho Department of Water Resources (IDWR) has several concerns about the proposed development. The application information sent by your office identifies the following points that give rise to IDWR concerns:

- individual wells for homes
- irrigation of a golf course
- water amenities and water storage associated with the golf course
- water rights developed through the Snake River Basin Adjudication (SRBA).

Specific comments regarding these points are offered for your consideration. Use of any single-family domestic well in this setting should be limited to one home with yard irrigation of one-half acre or less within the domestic exemption (from recorded water rights) defined by I. C. § 42-111. Irrigation in excess of that amount requires water right approval from IDWR. As we have previously discussed for subdivision settings, a community well(s) is preferable to individual domestic wells from the resource management point of view. A community system does require water right approval from IDWR.

The remaining items involve irrigation and other uses of water for a golf course. Some of the property in question can be irrigated by water right nos. 63-11996 and 63-12450. These rights involve irrigation *wells* approved with very specific monitoring, measurement and reporting requirements. It is not clear if the water right owners, Mark and Joy Lynn, have complied with the conditions of approval of these two water rights. IDWR will look into this matter.

These same owners filed SRBA Claim No. A63-28379, a beneficial use ("grandfather") claim for *Willow Creek* for irrigation and stockwater uses. The validity of the claim will be determined by the SRBA process. The filing lists irrigation diversion points from the creek in SWNW Sec. 3 and SESE Sec. 4 in addition to instream stock uses in some portions of the creek. The irrigated land described by the claim is *not* the land proposed for the golf course.

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NOV 18 2002

April 14, 2000
Page 2 of 2

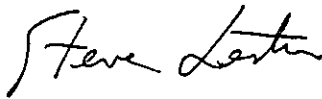
No records can be identified by IDWR that include the use of Willow Creek to irrigate the proposed site. No records can be found by IDWR to identify non-irrigation uses such as water amenities and/or storage ponds associated with the creek or with any other water source for the land in question.

IDWR and staff from other agencies recently observed significant stream channel alteration work for this portion of Willow Creek. The matter is currently under investigation to determine the proper course of action under state and/or federal law.

Construction of storage ponds to impound creek water and/or diversion of water from the creek for any purpose should only occur within the limits of water rights pursuant to Idaho law. Diversion of water from a well(s) for amenities and/or storage ponds associated with a golf course must include water right authorization for those non-irrigation uses. The property owners have not secured the necessary water right approvals to meet the demands of the proposed development.

Please contact me at your convenience if you need more information.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Site map

Cc: Mark and Joy Lynn

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NOV 18 2002

VICINITY MAP



Gem Co. 32 23
Ada Co. 5 4

T.5N, R.1W

**
NO Willow Creek
Rights/claims for use
in this
boundary →

Willow
Creek

Highway 16
Chaparral Road
Willow

* 1/4-1/4's with
identified diversion
points on Willow
Creek

** except instream stockwater

J. J. HOWARD
ENGINEERING & SURVEYING
1675A Hill Road
BOISE, IDAHO 83702
(208) 344-0574

REBID
ALC

LOWR
-SL 4/13/00

MICROFILMED

NOV 1 9 2000

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

October 29, 1999

RECEIVED

NOV 02 1999

WATER RESOURCES
WESTERN REGION

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Mr. Westra:

Static water level in the Lynn New Irrigation Well (640 feet total depth) was measured today per the monitoring requirements of the above referenced permits.

The water level was measured by pressurizing the pump column pipe using compressed air. The air was introduced at the discharge head using a large air compressor. Pressure was measured using a liquid filled 0-160 psi pressure gage.

The length of the column pipe from the base of the discharge head to the top of the pump is 520 feet. The pump is 7.9 feet long. The suction pipe at the bottom of the pump is 2.0 feet long. Therefore, the total length of "air line" is 530 feet. Air was added until the pressure stabilized at 58.5 psi (135 feet of water). Therefore, the static depth to water is approximately 395 feet below the concrete pump pad.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn

MICROFILMED

NOV 18 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

OCT 27 1999

WATER RESOURCES
WESTERN REGION

October 25, 1999

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Subject: Water Level Monitoring for Permits 63-11995, 63-11996, and 63-12450

Dear Mr. Westra:

Enclosed for your records, please find a summary of water level measurements for the above referenced permits. Water levels are currently being measured at the following three wells: Mark Lynn Domestic (623 feet total depth), Corbett Lynn Domestic (580 feet total depth), and Lynn Old Irrigation Well (480 feet total depth). The Lynn New Irrigation Well (640 feet total depth) is not currently equipped for water-level measurements, although we plan to equip it for static water level measurement by air-line gage.

Annual volume pumped under these permits during the 1999 irrigation season is estimated to be approximately 400 acre feet. This volume includes 311.6 acre feet from the Lynn New Irrigation Well (flow meter measurement) and 80 acre feet or less from the Lynn Old Irrigation Well and Mark Lynn Domestic Well (estimates).

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn
Brad Little

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NOV 18 2002

Date	M. Lynn Domestic Well	C. Lynn Domestic Well	Lynn Old Irrigation Well
09/09/1993		394.4	382.5
10/21/1994	394.76	394.02	383.40
01/22/1995	395.32	394.25	382.23
03/24/1995	395.48	394.29	382.78
05/21/1995	397.28*	394.66*	382.53
08/27/1995	394.64	394.09	388.45*
10/22/1995	394.61	394.30	383.45*
03/16/1996	395.44	394.49	382.48
10/29/1996	394.66	394.26	382.44
03/26/1997			381.51
10/18/1997	395.15	394.55	383.15
04/16/1998	396.48	394.45	
10/21/1998	395.44	394.74	382.60
03/20/1999	395.76	394.59	382.30
10/21/1999	395.35	395.20*	383.07

* recovering slowly from recent pumping

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NOV 18 2002



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 13, 1999

D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12450

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED

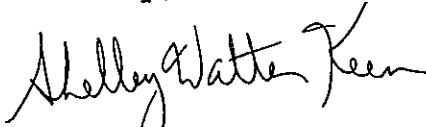
AUG 09 1999

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 right 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.

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
AUG 09 1999
MICR

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12450

D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616


Kari Lynn Townsend
Secretary

NOT FILMED
AUG 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
AUG 09 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by SturtevantNo.: 63-12450 Name: Lynn Date: 7/2/99 Ad OK? ☒ / Gvmt Lts: ☒AREA OF CONCERN: - No Yes B2D Mos GWMA / Trust / Non-trustPROTESTED? - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year
≤ 1 year/no proof- 28A-P17A
- P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3) - 1046-P23

In Basin 34?

- 085In within W/D existing new well location)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067

≤ 0.24 cfs/5 acres

- No MD

WMD

Supp. irr. use only.

- 065-079 (if GW use SW) (keep SW) (GW not primary irr source)

Supp. irr + uses

- 100-101

> 0.24 cfs/5 acres

- 067 (report when notified) use

≤ 0.24 cfs/5 acres

- No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN ABOVE MSF (✓ MAP)

- *WB9

IN-STREAM DEVELOPMENT

- P52 (stream channel alteration)

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.20 cfs

- 01J-P08 (MD & LD)

≤ 0.20 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE?

STORAGE (✓ 3 compo.)

- 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

IRR ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER

- R37 (BLM/USFS); NA

MINING

- 054 (req) -081-P10

FISH PROPAGATION

- 029 (70's only)-007-042 (req)-081 (WQ)-P10

HEATING/COOLING

- R07 (injection well)

POWER

- 17H/17K (+uses)-08A-025 (P18)-01N-028-081 (P10)-027 (if no other cons. use);- 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area?

- 022, 075, 004 (+memo?)

Irr., GW supp. to SW?

- 102

DOMESTIC

Surface water

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

> 1 in rest. area

- 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO

- 058 (<85° GW temp only)

MIGRATION

- 120

42-248 AREA

- 120 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- W36 (65-12445/12446)

BENEFICIAL USE DUE:

- 7/11/2004

COMMENTS:

- Based on info from Scanlan's Report and explanation of intent of filing, I recommend the app. be approved. Source is not trib to Boise R. per Scanlan's Report.

Plu overlap - 63-11995 (pending amendment)
p/d overlap 11996

11995 - 195 ac. 2.0 cfs
11996 183 ac 2.0 cfs
378 ac. 4.0 cfs
= .0105 cfs/ac

12450 (378 ac) 2.5 cfs
6.5 cfs
= .0172 cfs/ac

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

September 2, 1994

Mr. David Tuthill
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Request to Reactivate Applications for Permit

Dear Mr. Tuthill:

Mr. D. Mark Lynn currently has two applications for permit on file with the Idaho Department of Water Resources. The applications (63-11995 and 63-11996) seek to appropriate groundwater for irrigation of a total of 378 acres located along Willow Creek in Sections 34 and 35, T6N, R1W and Sections 2, 3 and 4, T5N, R1W.

As you and I discussed at our meeting of August 22, 1994, Mr. Lynn is aware of the current moratorium on processing new applications for permit in the Boise River Basin. However, as provided for under item 9.b. of the amended moratorium order dated April 30, 1993, Mr. Lynn seeks approval of these applications based on (1) USGS data which indicate that the aquifer is tributary to the Payette River rather than to the Boise River, (2) the remote location of the proposed points of diversion (Mr. Lynn's wells) relative to other wells, and (3) no evidence of local long-term water-level declines.

Mr. Lynn requests that Application Nos. 63-11995 and 63-11996 are processed as primary water rights and that his existing Willow Creek rights become supplemental water rights. Typically by June or July each year flows in Willow Creek are insufficient to supply water to Mr. Lynn. When snow levels are low, Willow Creek can become unavailable even by March or April. It would be preferable for the Willow Creek rights to become supplemental.

Details are related to the proposed application are provided in the following sections.

LOCAL HYDROLOGY

Groundwater is found in Mr. Lynn's existing wells at an approximate static depth of 400 feet (elevation 2360). The wells and proposed place of use are located along Willow Creek, an intermittent stream that drains the granitic highlands in the vicinity of Pearl. Willow Creek is a losing stream in the vicinity of the proposed points of diversion and for several miles upstream and downstream. Willow Creek and tributary gulches are thought to be the primary source of local groundwater recharge. Additional recharge is probably derived from direct infiltration of precipitation and from canal leakage in the Boise Valley. *by US 12/29/94*
Admitted

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Groundwater beneath the site is found in sedimentary aquifers of the Idaho Group. Review of local well logs suggests that the aquifer beneath the property should have a relatively high transmissivity, based on a predominance of coarse sand in the material descriptions on the driller's logs. The upper portion of the aquifer is probably semiconfined to unconfined, due to the apparent scarcity of significant clay layers. Deeper portions of the aquifer are probably semiconfined.

Given the thick unsaturated zone beneath the site, the proposed appropriation will not be capable of inducing additional losses from Willow Creek. As a result, no impact to Willow Creek surface water flows are anticipated.

Groundwater Flow Direction

The proposed points of diversion and place of use are both located within the Boise River surface water drainage basin. However, groundwater flow direction appears to be toward the Payette River Valley, approximately 3 miles to the northeast. This flow direction is based on the USGS Hydrologic Investigations Atlas HA-703 (Configuration of the Water Table and Depth to Water, Spring 1980, Water-Level Fluctuations, and Water Movement in the Snake River Plain Regional Aquifer System, Idaho and Eastern Oregon), which provides a water table contour map of the western Snake River Plain. As shown on Figure 1, this map clearly indicates that the proposed points of diversion are tributary to the Payette River. As a result, these groundwater applications would not be subject to the Boise River Basin Groundwater Moratorium.

Note that the water surface elevations in three USGS observation wells located to the southeast (Well 5N, 1W, 36ABB1), south (Well 05N, 01W, 16CAB1), and southwest (Well 5N, 2W, 22CAD1) are higher than the groundwater elevation at the proposed points of diversion by approximately 185 feet, 165 feet, and 65 feet, respectively. These elevations also suggest a northwesterly regional flow direction (i.e., toward the Payette River Basin) in the Willow Creek vicinity.

Documented Water-Levels

We are not aware of any significant long-term water-level declines in the general vicinity of Willow Creek. The hydrographs of USGS-monitored observation wells in the area, discussed below, provide no indication of water-level decline.

- Well 5N, 2W, 22CAD1 is located on the north side of Willow Creek, approximately seven miles southwest (downstream) of the proposed points of diversion. The hydrograph of this well (bottom of Figure 2) shows an overall rising water-level trend since the late 1960s, except for a few years in the early 1990s. The spring 1994 water level in the well was within one foot of the historic high for this well. The water surface elevation at this well is approximately 2425 feet.
- Another observation well (Well 5N, 1W, 36ABB1) in the general vicinity of Willow Creek is located along the north edge of the Boise Valley, about 6 miles southeast of the proposed points of diversion. The hydrograph of this well (top of Figure 2) shows no sign of long-term water-level decline. The water-surface elevation at this well is approximately 2545 feet.

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- The currently monitored observation well that is closest to the proposed points of diversion is Well 6N, 1W, 18DAA2. This is a shallow (31 feet) well located about five miles to the northwest of the proposed points of diversion. The hydrograph of this well (Figure 3) does not show a long-term decline. However, this well appears to taps a shallow perched aquifer, probably in direct hydraulic connection with Willow Creek, and is therefore not representative of regional aquifer groundwater levels in the vicinity of the proposed points of diversion.
- Historic data are available for a well (5N, 1W, 16CAB1) which is located three miles southwest of the proposed points of diversion, near the south side of Chaparral Subdivision (where most of the existing local water rights and domestic wells are located). This well was monitored for several years during the 1970s, and the elevation of the water surface was approximately 2,525 feet (Figure 4).

DESCRIPTION OF LOCAL WATER USE

Visual Well Search in the Vicinity of the Proposed Points Of Diversion

The proposed points of diversion are located more than one mile from any existing wells (not including existing wells owned by Mr. Lynn). A well search by Scanlan Engineering on August 13, 1994 found only six wells within a two-mile radius of the property (not including the existing wells owned by Mr. Lynn). These wells include four domestic wells and what appear to be two stock water wells.

There are numerous wells located between two and three miles from the proposed points of diversion. The majority of these wells are domestic wells in the vicinity of Chaparral subdivision. There also are two or more wells used for irrigation in the Chaparral subdivision area. The only other irrigation wells that were located are two wells found along the North Fork of Willow Creek, northeast of the proposed points of diversion.

Existing well locations are shown on Figure 5.

Recorded Groundwater Rights In The Vicinity Of The Proposed Point Of Diversion

Recorded water rights with points of diversion within an approximate radius of 3 to 4 miles are shown on Figure 6 and listed on Table 1. A total of 28 recorded water rights were found in the search area outlined on Figure 6.

Within a one-mile radius of the proposed points of diversion are three recorded water rights. These rights are three licenses in the name of Albert Helmick. Mr. Lynn is current owner of these licenses.

There are two recorded water rights with points of diversion located between one and two miles from the proposed points of diversion. One of these water rights is for domestic use and the other water right is for domestic and stockwater. Thus, there are no recorded irrigation groundwater rights within two miles of the proposed points of diversion.

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September 2, 1994

There are approximately 13 recorded water rights that appear to have points of diversion within a radius of between two and three miles of the points of diversion proposed by these applications. The majority of these water rights are for domestic and irrigation uses.

Licensed or permitted diversions for irrigation from groundwater sources within three miles of the proposed points of diversion (not including the existing applications and licenses owned Mr. Lynn) total 4.53 cfs. Mr. Lynn's existing licenses total an additional 0.59 cfs.

Adjudication Claims for Groundwater In The Vicinity Of The Proposed Point Of Diversion

A listing of Snake River Basin Adjudication claims (Table 2) for groundwater within the search area in Figure 6 includes no additional irrigation claims not included in the listing of water rights in Table 1. However, a few additional domestic and stockwater claims within a three-mile radius of the proposed points of diversion are listed in Table 2 but are not listed on Table 1.

SUMMARY

The Department should approve the applications given (1) the aquifer is tributary to the Payette River, (2) the wells are in a remote location, and (3) there are no documented water-level decline problems in the area.

Please call me with any questions concerning these applications.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

cc: Mark Lynn
Dana Hofstetter

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TABLE 1
LOCAL WATER RIGHTS
(See Figure 6 for search area)

(00-5816)

WR5816NP

SELECTION FILE: ISF

IDAH0 DEL. ATMENT OF WATER RESOURCES
SOURCE SUMMARY REPORT
BY WATER SOURCE/POINT OF DIVERSION

DATE: 06/30/94
TIME: 08:17:13
PAGE: 1

WATER RIGHT NUMBER		OWNER NAME	O C	PRIORITY DATE	STG	POINT OF DIVERSION	POD	FLAG	TOTAL DIVERSION	ACRES	TOTAL WATER USES
WATER SOURCE: GROUNDWATER											
63-08044	1	HELMICK, ALBERT F.	C	10/01/1974	L	05N 01W 3	NWNE		0.050 CFS	1.0	01,04,43
63-10775	2	HELMICK, ALBERT F.	C	09/08/1989	L	05N 01W 3	NWNE		0.040 CFS	0.2	01,04
63-11996	3	LYNN, D MARK	C	02/25/1993	A	05N 01W 3	NWNE	2	2.000 CFS	183.0	01
63-04093	4	BOEHM, STELLA	C	02/01/1938	S	05N 01W 4	SWSE		0.020 CFS	43	
63-11539	5	WATKINS, ARTHUR DONALD	C	05/31/1991	L	05N 01W 9	NENE		0.040 CFS	28.0	04,43
63-03574	6	LEACH, WILLIAM	C	12/30/1966	L	05N 01W 9	NESW		0.150 CFS	01,43	
63-07416	7	KLINGER, VERT H.	C	04/16/1971	L	05W 01W 9	SWSW		0.030 CFS	04,43	
63-07700	8	CHAPARREL WATER ASSN.	C	12/18/1972	L	05W 01W 9	SWSW		1.070 CFS	129.0	01,43
63-04438	9	SMITH, CLYDE J.	C	04/15/1929	S	05N 01W 9	SWSW		0.380 CFS	19.0	01
63-03576	10	CHAPARREL WATER ASSN.	C	12/18/1972	L	05N 01W 16	NENW		1.010 CFS	36.0	01,43
63-07700	11	CHAPARREL WATER ASSN.	C	01/26/1979	L	05N 01W 16	NENW		1.070 CFS	129.0	01,43
63-09210	12	LYTLE, BUD	C	07/25/1989	L	05N 01W 16	SWSW		0.160 CFS	4.0	01,43
63-10860	13	FIREBIRD RACEWAY INC	C	02/21/1971	L	05N 01W 16	SWSW		0.090 CFS	2.0	01,10,43
63-07396	14	BOISE VALLEY RACING ASSN. INC.	C	12/21/1971	L	05N 01W 17	NENE		0.200 CFS	10.0	43
63-07534	15	KEZAR, BERTHA E.	C	03/09/1988	P	05N 01W 17	NENE		0.020 CFS	43	
63-10596	16	STEELE, ROBERT W.	C	12/07/1961	L	05N 01W 17	NWNE		0.110 CFS	43	
63-03269	17	WILLOWBROOK PROPERTY OWNERS ASSN.	C	08/15/1975	L	05N 01W 17	NWNE		0.200 CFS	43	
63-08190	18	TARTER, C. D.	C	01/12/1976	L	05N 01W 17	SWNE		0.120 CFS	4.0	01,04,43
63-08252	19	WARD, ELMER K.	C	12/07/1961	L	05N 01W 17	SWNE		0.140 CFS	5.0	01,43
63-03269	20	WILLOWBROOK PROPERTY OWNERS ASSN.	C	09/07/1972	L	05N 01W 17	SWNW		0.200 CFS	121.0	01
63-07623	21	WILLOWBROOK PROPERTY OWNERS ASSN.	C	01/16/1976	L	05N 01W 17	SWNW		1.150 CFS	10.0	01
63-08254	22	SHOCKLEY, BURREL J.	C	03/04/1905	D	06N 01W 21	NWNW		0.040 CFS	43	
63-00896	23	HEMBREE, LEON R.	C	02/06/1955	D	06N 01W 21	NWNW		0.040 CFS	43,10	
63-01366	24	WETHERINGTON, HERBERT G.	C	06/05/1967	L	06N 01W 25	NWNW		1.560 CFS	127.0	01,04
63-07002	25	SMITH, ELWOOD T.	C	04/01/1967	D	06N 01W 29	NWNW		0.040 CFS	195.0	43,04
63-01714	26	HABE, DALE E.	C	02/25/1993	A	06N 01W 34	SESE		2.000 CFS	25.0	01
63-11996	27	LYNN, D MARK	C	11/04/1954	L	06N 01W 34	SESE		0.500 CFS	01,43	
63-03004	28	HELMICK, ALBERT	C								

Map #

TABLE 2 LOCAL ADJUDICATION CLAIMS (See Figure 6 for search area)

DATE: 06/30/94
TIME: 08:23:17
PAGE: 1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION SOURCE SUMMARY REPORT
BY WATER SOURCE/POINT OF DIVERSION

(00-5816)
AJ5816NP
SELECTION FILE: TSF

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	SYG	POINT OF DIVERSION	POD FLAG	TOTAL ACRES	WATER USES
WATER SOURCE: GROUNDWATER							
A63-08044	LYNN, D MARK	10/01/1974	L	05N 01W 3	NWNE	1.0	01,04,43
A63-18564	HIGHLAND LIVESTOCK & LAND CO.	05/01/1979	J	05N 01W 3	HESENN	04	04
A63-22357	MCFADDEN, LYLE	09/15/1979	J	05N 01W 5	NWNE	43,04	43,04
A63-22357	MCFADDEN, LYLE	09/15/1979	J	05N 01W 5	NWNE	43,04	43,04
A63-22204	RACHILLA, DEE	05/20/1967	J	05N 01W 8	NESE	43	43
A63-22203	RACHILLA, DEE	05/20/1970	J	05N 01W 8	SESE	43	43
A63-20917	CLUFF, WALTER S.	07/21/1977	J	05N 01W 9	NESW	43	43
A63-04438	RICHARD, HERT G.	04/15/1929	S	05N 01W 9	SWSW	19.0	01,43
A63-07700	CHAPARREL WATER ASSN.	12/18/1972	L	05N 01W 9	SWSW	129.0	01,43
A63-15963	ANDERSON, MARTIN	06/14/1972	J	05N 01W 9	SESW	43,04	43,04
A63-03576	CHAPARREL WATER ASSN.	01/16/1967	L	05N 01W 16	NENW	36.0	01,43
A63-07700	CHAPARREL WATER ASSN.	12/18/1972	L	05N 01W 16	NENW	129.0	01,43
A63-18391	SHAFFORD, CRAIG A	01/23/1976	J	05N 01W 16	NWSE	43,04	43,04
A63-18391	SHAFFORD, CRAIG A	01/23/1976	J	05N 01W 16	NWSE	43,04	43,04
A63-07534	STEELE, ROBERT M.	12/21/1971	L	05N 01W 17	NENE	43,04	43,04
A63-03269	WILLOWBROOK PROPERTY OWNERS ASSN.	12/07/1961	L	05N 01W 17	NWNE	43	43
A63-08252	WARD, JOHN M.	01/12/1976	L	05N 01W 17	SWNE	5.0	01,43
A63-08190	FRANKS, STEVE E.	08/15/1975	L	05N 01W 17	NWSE	4.0	01,04,43
A63-17891	MOORE, DON G.	08/20/1979	J	05N 01W 17	SWNW	43	43
A63-03269	WILLOWBROOK PROPERTY OWNERS ASSN.	12/07/1961	L	05N 01W 17	SWNW	43	43
A63-07623	WILLOWBROOK PROPERTY OWNERS ASSN.	09/07/1972	L	05N 01W 17	SESW	121.0	01
A63-08254	LITTLE LAND & LIVESTOCK CO.	01/16/1976	L	05N 01W 17	SESW	10.0	01
A63-16717	GEIER, TRUSTE, LOWELL	08/12/1982	J	06N 01E 19	NENE	43,04	43,04
A63-16724	JENKINS, HOWARD B.	03/31/1982	J	06N 01E 19	SESW	43	43
A65-00896	HEMBREE, LEON R.	03/04/1905	D	06N 01W 21	NWNW	43	43
A65-00896	HEMBREE, LEON R	03/04/1905	D	06N 01W 21	NWNW	43	43
A65-01366	HEMBREE, LEON R	02/06/1955	D	06N 01W 21	NWNW	43	43
A63-07002	HETHERINGTON, HERBERT G.	06/05/1967	D	06N 01W 25	SESW	127.0	01,04
A65-01714	JENSEN, DONALD B.	04/01/1967	D	06N 01W 29	NWNW	43,10	43,10
A63-20810	WERBER, KENT N.	01/01/1959	J	06N 01W 32	SESW	01,04	01,04
A63-03004	LITTLE LAND & LIVESTOCK, CO.	11/04/1954	L	06N 01W 34	SESE	43,04	43,04
A63-20963	LYNN, D MARK	01/01/1877	J	06N 01W 36	SESW	25.0	01,43
A63-20963	HIGHLAND LAND & LIVESTOCK CO., INC.	01/01/1877	J	06N 01W 36	SESW	43,04	43,04

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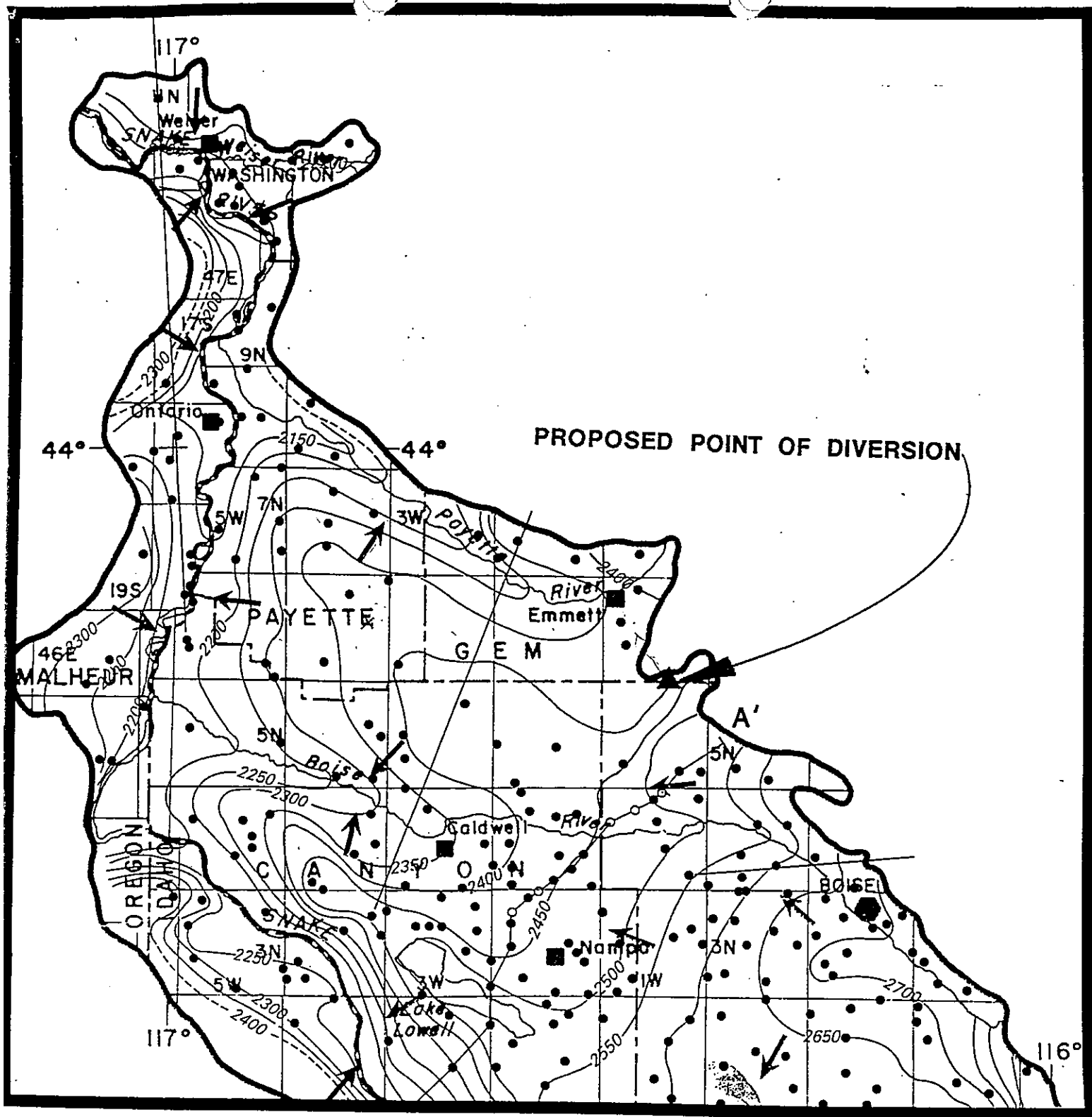


FIGURE 1
WATER-TABLE CONTOUR MAP FOR
THE WESTERN SNAKE RIVER PLAIN
 (source: USGS Hydrologic Investigations Atlas HA-703, 1988)

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WELL 05N 01W 36ABB1

SITE NUMBER 434406116240801

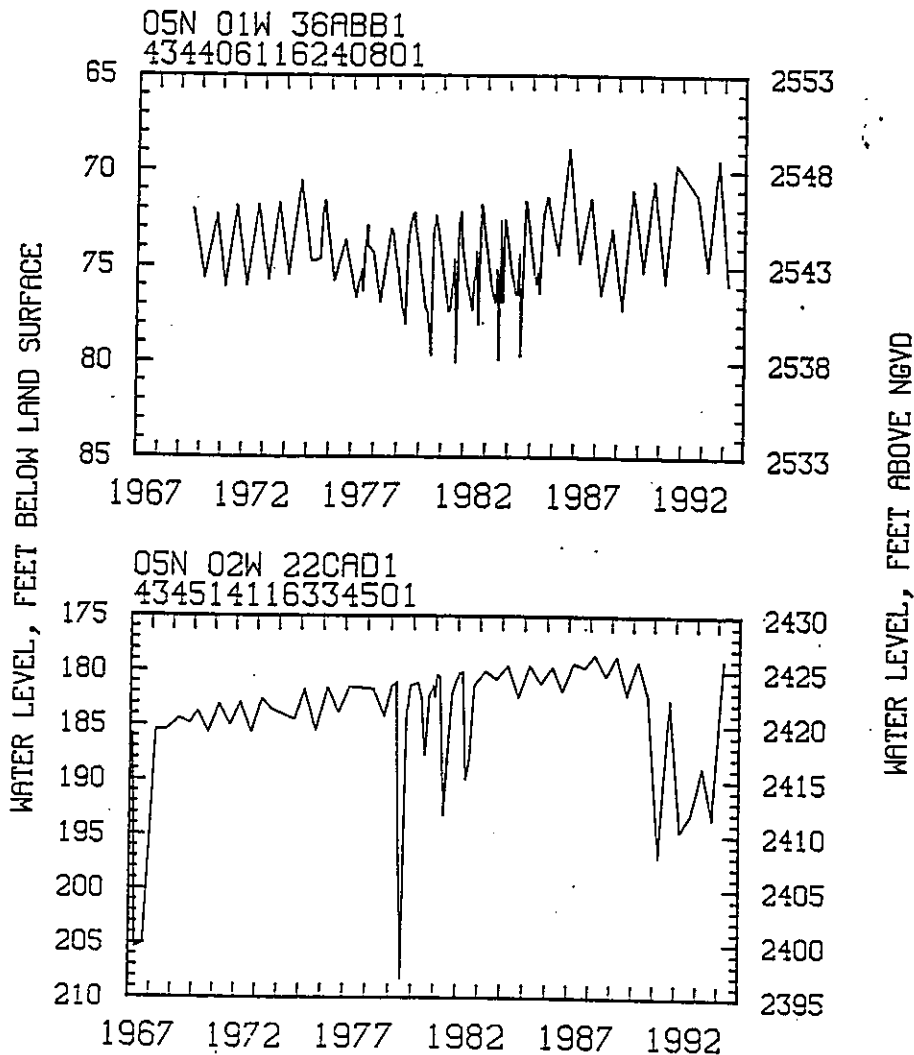
DRILLED DOMESTIC WATER-TABLE WELL IN IDAHO GROUP, DIAM 6 IN, REPORTED DEPTH 105 FT, CASED TO 105 FT. LSD ABOUT 2,618 FT NGVD OF 1929. MP NO. 1 TOP OF PIPE IN WELL SEAL, 0.70 FT BELOW LSD (SINCE AUG. 27, 1969).

RECORDS AVAILABLE 1969 TO CURRENT YEAR.

HIGHEST WATER LEVEL 68.84 FEET BELOW LAND SURFACE DATUM SEP 16, 1986.

LOWEST WATER LEVEL 78.02 FEET BELOW LAND SURFACE DATUM MAY 18, 1979.

WATER LEVEL WATER LEVEL
MAR 22, 1989 75.83 S SEP 11, 1989 69.59 S



WELL 05N 02W 22CAD1

SITE NUMBER 434514116334501

FORMERLY SITE ID NO. 434601116342601, WELL NO. 05N 02W 22CAA1. DRILLED IRRIGATION WATER-TABLE WELL IN IDAHO GROUP, DIAM 12 TO 8 IN, REPORTED DEPTH 450 FT, 12-IN CASING TO 303 FT, 8-IN CASING 284-403 FT, PERFORATED 279-403 FT. LSD ABOUT 2,610 FT NGVD OF 1929. MP NO. 1 TOP OF 1 1/2-IN VERTICAL ACCESS PIPE ON SOUTH SIDE OF PUMP, 1.50 FT ABOVE LSD (SINCE FEB. 21, 1967).

RECORDS AVAILABLE 1967 TO CURRENT YEAR.

HIGHEST WATER LEVEL 178.55 FEET BELOW LAND SURFACE DATUM MAR 15, 1988.

LOWEST WATER LEVEL 187.83 FEET BELOW LAND SURFACE DATUM JUL 22, 1981.

WATER LEVEL WATER LEVEL
MAR 22, 1989 178.63 SV SEP 21, 1989 182.23 SV

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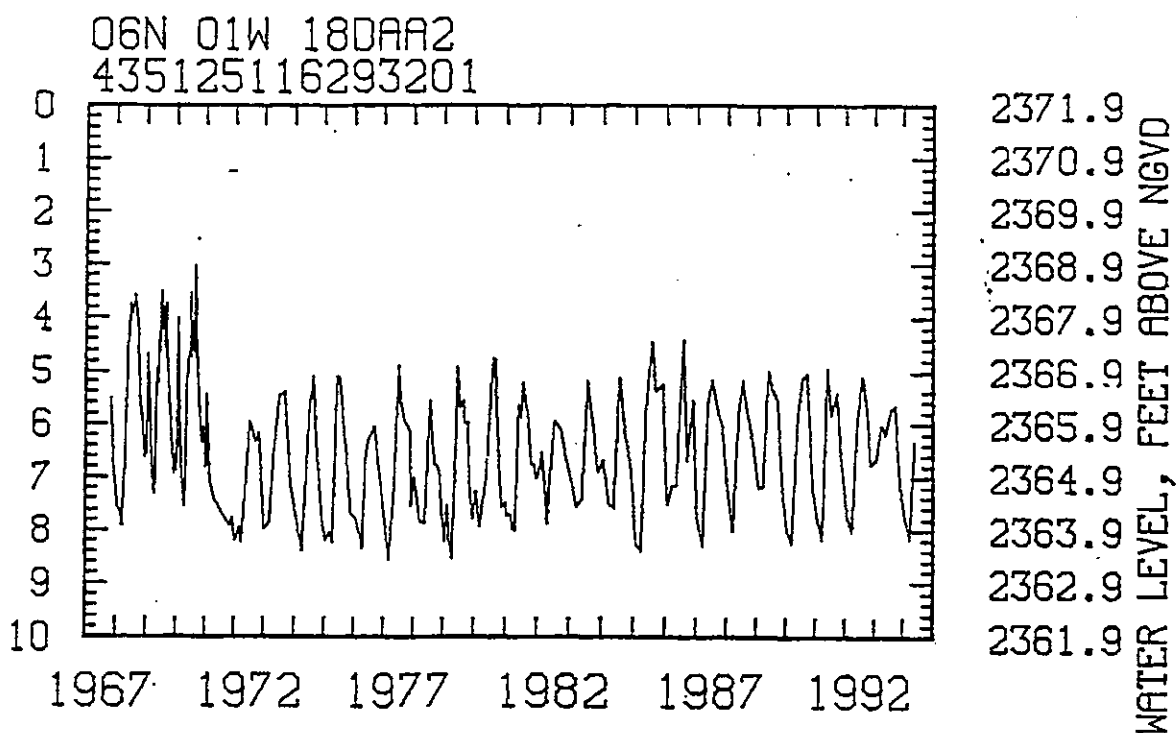
FIGURE 2

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WATER LEVEL, FEET BELOW LAND SURFACE



WELL 06N 01W 18DAA2

SITE NUMBER 435125116293201

FORMERLY SITE NO. 435125116293501. DRILLED DOMESTIC WATER-TABLE WELL IN SAND AND GRAVEL OF QUATERNARY AGE, DIAM 4 IN, DEPTH 30.9 FT, CASED TO 22 FT. LSD 2,371.90 FT ABOVE SEA LEVEL, SUPPLEMENTARY ADJUSTMENT OF 1961. MEASUREMENTS PRIOR TO NOV. 9, 1971, MADE BY US BUREAU OF RECLAMATION. RECORDER INSTALLED OCT. 17, 1968. RECORDER REMOVED MAY 28, 1971. MP NO. 1 TOP OF 4-IN CASING NORTH SIDE, 0.26 FT ABOVE LSD (SINCE NOV. 9, 1967).

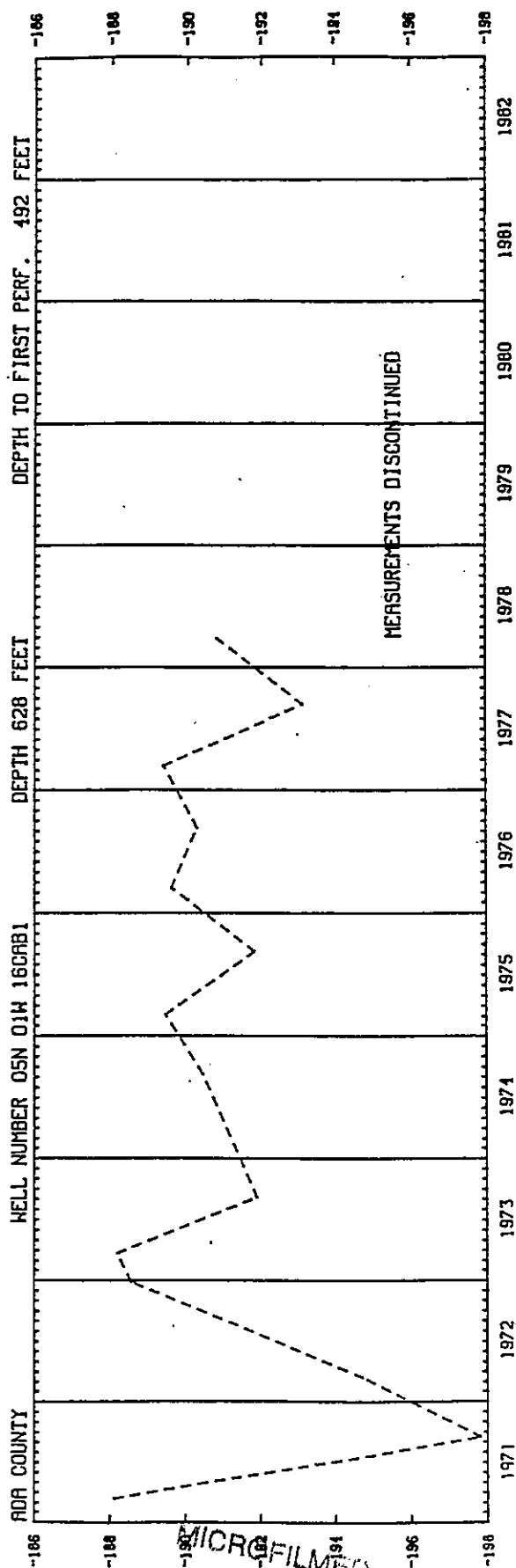
RECORDS AVAILABLE 1967 TO CURRENT YEAR
HIGHEST WATER LEVEL 3.04 FEET BELOW LAND SURFACE DATUM AUG 24, 1970.
LOWEST WATER LEVEL 8.57 FEET BELOW LAND SURFACE DATUM MAR 14, 1977.

WATER LEVEL		WATER LEVEL		WATER LEVEL	
NOV 16, 1992	6.77 S	MAR 29, 1993	6.01 S	JUL 30, 1993	5.74 S
JAN 25, 1993	6.67 S	MAY 24	6.19 S	SEP 21	5.66 S

FIGURE 3

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JUN 29 1995



434615N1162758.1 05N 01W 16C8B1 DARRELL FISHER ADA COUNTY

DRILLED DOMESTIC WATER-TABLE WELL IN IDAHO GROUP, DIAM 8 IN (20 CM), REPORTED DEPTH 628 FT (191 M), CASED TO 492 FT (150 M), OPEN HOLE. LSD ABOUT 2,715 FT (828 M) ABOVE MSL DATUM OF 1929. MP NO. 1 TOP OF 8-IN (20-CM) CASING SOUTHWEST SIDE, 1.50 FT (0.457 M) ABOVE LSD (SINCE MAR. 10, 1967).

HIGHEST WATER LEVEL 168.12 FT (57.339 M) BELOW LSD, MAR. 15, 1971.
LOWEST WATER LEVEL 191.90 FT (58.491 M) BELOW LSD, SEP. 7, 1973.
RECORDS AVAILABLE 1967-74.

WATER LEVELS IN FEET BELOW LSD.

DATE	WATER LEVEL	DATE	WATER LEVEL
FEB. 27, 1974	195.07A	SEP. 11, 1974	190.44

A WELL BEING PUMPED.

FIGURE 4

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AUG 09 1999

RECORDED
JUN 29 1995

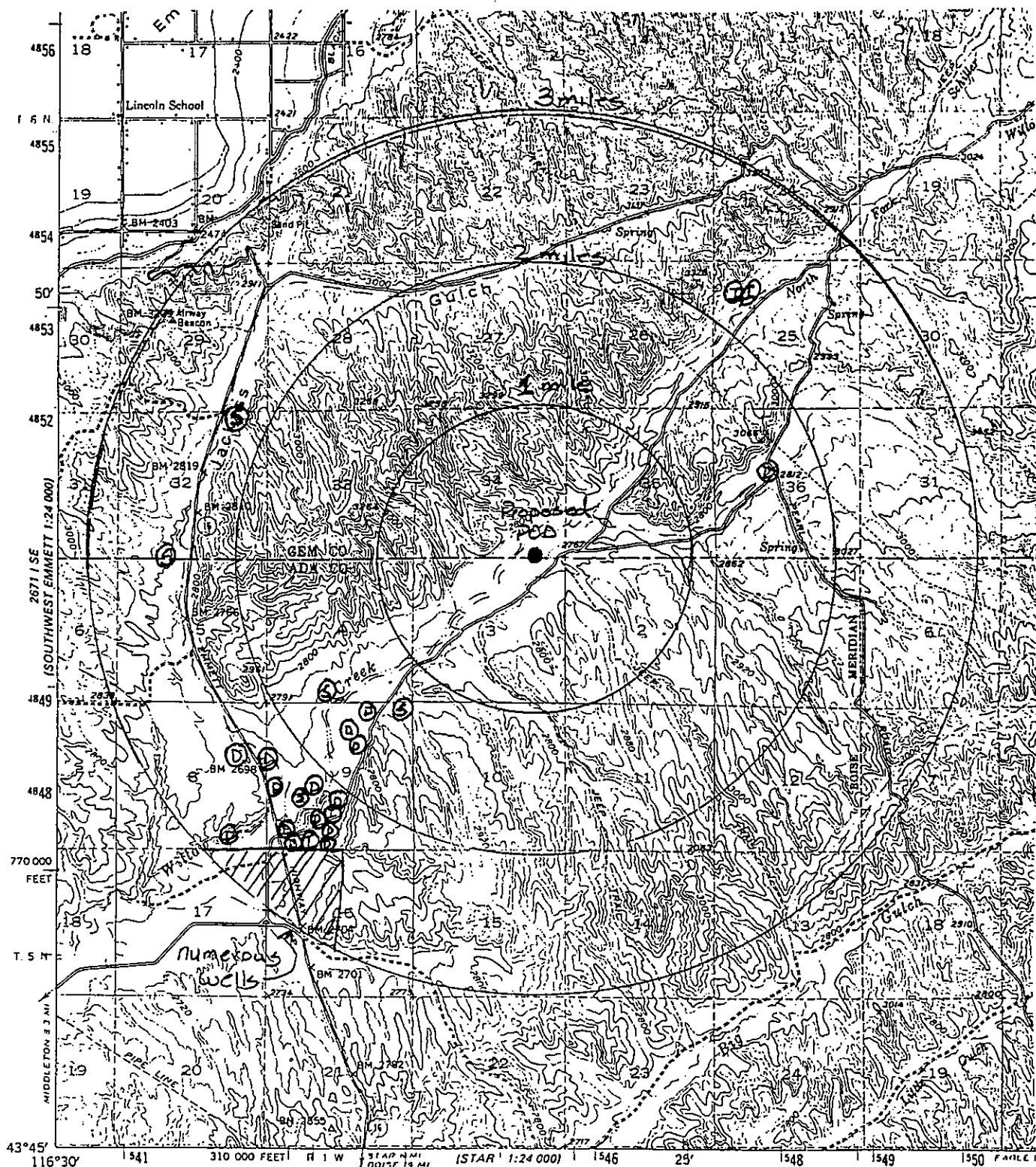


FIGURE 5
WELLS LOCATED WITHIN 3 MILES OF THE
PROPOSED POINT OF DIVERSION
 (Wells were located visually on 8/13/94. Applicant's wells are not shown. Uses are assumed (D=domestic, S=stock, I=irrigation))

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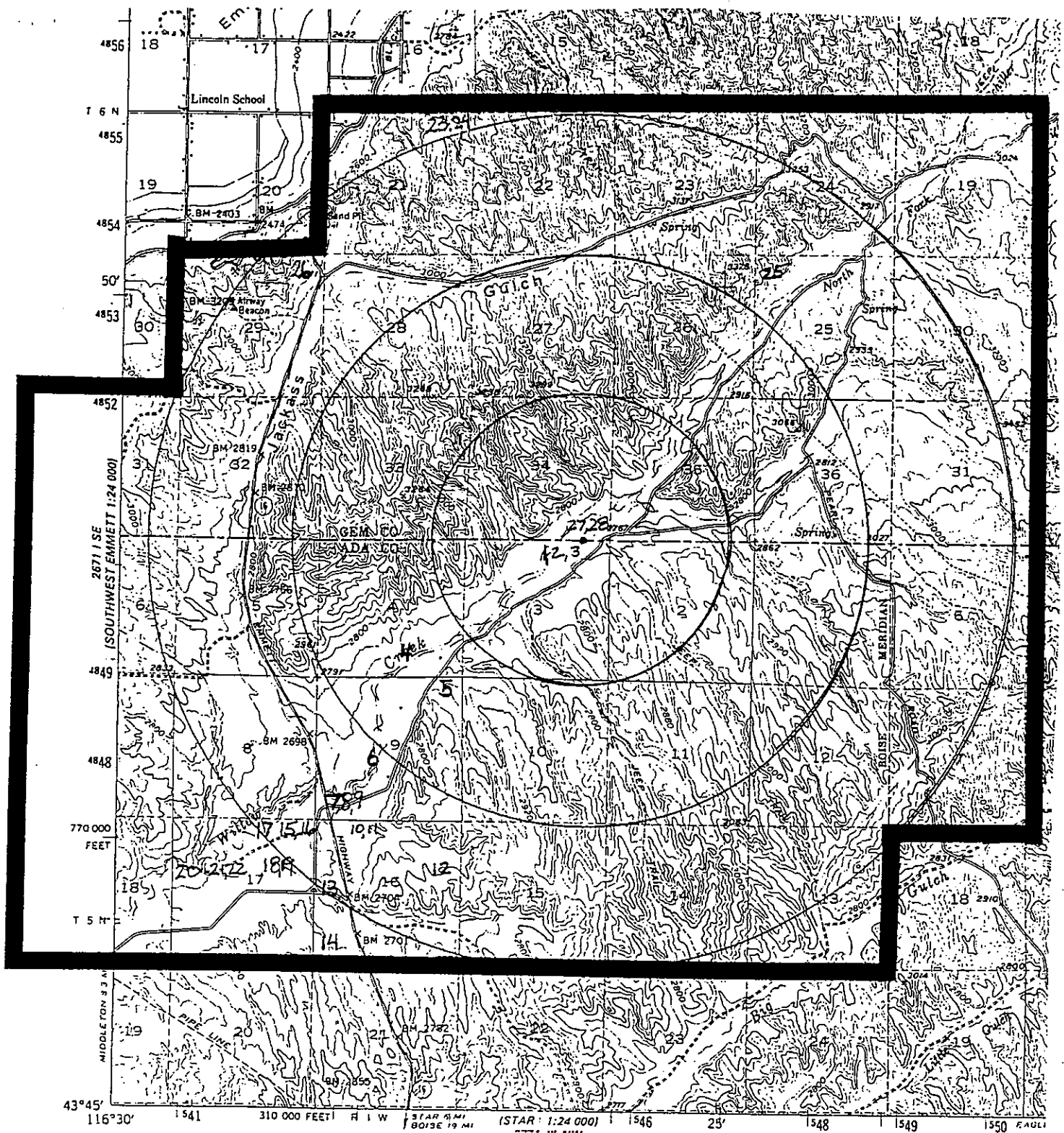


FIGURE 6
RECORDED WATER RIGHTS WITHIN 3 MILES OF THE
PROPOSED POINT OF DIVERSION
(Map numbers correspond to numbers listed on Table 1.
Search area outlined by black line.)

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JUN 29 1995

RECEIVED

JUN 30 1999

Department of Water Resources

MEMORANDUM

TO: File No. 63-12450 in the Name D. Mark &/or Joy Lynn

FROM: Gary Spackman *Gaus*

RE: Conditions of Approval

DATE: June 30, 1999

Mark &/or Joy Lynn filed application for water right no. 63-12450 seeking to appropriate 2.5 cfs from an existing well located in lot 2 (NWNE) Sec. 3, T05N, R01W, Ada County. The well was drilled in May, 1998, after approval by IDWR of permit nos. 63-11995 and 63-11996. These permits recognized that ground water diverted from the proposed points of diversion was tributary to the Payette River, not the Boise River, even though the water rights are shown within basin 63. Application no. 63-12450 proposes to appropriate an additional quantity of water because the well produces more water than originally anticipated.

Application no. 63-12450 was protested by Brad Little. A related application for amendment of permit no. 63-11995 was protested by the Chaparral Water User's Association. The Chaparral Water User's Association withdrew their protest to the application for amendment. After negotiations between Little and Lynn, Little withdrew his protest in an agreement with Mark Lynn. The agreement between the parties is contained in the files of IDWR. The agreement contains detailed requirements for monitoring by both Little and Lynn and reporting to IDWR. The agreement also discusses the payment of prospective costs of monitoring, and methods for dispute resolution. Finally the agreement addresses issues for adjudication claims that are relevant to this particular application. Only a small portion of the agreement can be included in the permit approval.

I recommend the following conditions of approval:

The water right holder shall identify the location of two domestic wells for monitoring water levels. Water levels shall be measured in March and October of every year. A report of water levels shall be submitted to IDWR annually.

In addition to the above condition, I recommend that all of the conditions placed on permit nos. 63-11995 and 63-11996, including the mitigation condition (condition no. 120) be included on this permit.

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STATE OF IDAHO

Department JUN 30 1999

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Basin 63-
OK to Advertise

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DD DATE: 5/15/1998 APPLICATION: 63-12450

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ) Rec'd 5/26/1998
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:
53 LOT 2 P/D
52 LOT 4 P/U
53 LOTS 1-3

ADDITIONAL INFORMATION

- ☒ ADVERTISE REMARK(S) Mitigation, Trib. to B65, Water bearing zone
(Reviewer identify which remarks)
- ☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: See previous filings on these wells - Trib. to B65
- ☒ Bull trout impact area
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
____ immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter:
- ☒ Send fish farm requirement letter:
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Water bearing zone

APP. NO. 63 - 12450

☐ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ Fee amount, receipt number and date recorded on application:

YES NO

_____ I.D. Health & Welfare
 _____ I.D. District Health
 _____ I.D. Fish & Game
 _____ I.D. Lands

YES NO

_____ ☒ U.S. BLM
 _____ ☒ U.S. Forest Service
 _____ ☒ Water Dist. # _____
 _____ ☒ Other *Protestant*

Dist. # _____
Protestants of previous applications
see attached re:res/ address

YES NO

☒ Affidavit of publication received:
☒ Application published correctly: If not, record action taken.

✓ Publication dates and paper recorded on application:

Final date for protest 7-20-98

Protests received.

Recommendations attached:

Measuring device required:

☒ Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter: See memo dated 6/30/99

See below for additonal information

Recommended Date or Priority 5/4/90

Recommended by: Bans Date: 6/30/99

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

Overlaps - 2 small GW licenses not related to this appl. This appl. is to increase diversion rate of permits 63-11995 + 63-11996 (same lands) from one of the wells. ~~HA~~

Well completed 5/5/1998





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 25, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

BRAD LITTLE
LITTLE LAND & LIVESTOCK
PO BOX 488
EMMETT ID 83617

Re: Application for Permit No. 63-12450 in the Name of D. Mark &/or Joy Lynn

Dear Parties:

This letter is to acknowledge the withdrawal of protest in the above-referenced matter.

The department will now continue to process the application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

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AUG 09 1999

RECEIVED

MAY 27 1999

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-12450 IN THE NAME OF D. MARK LYNN AND JOY LYNN - WITHDRAWAL OF PROTEST AND AGREEMENT OF CONDITIONS

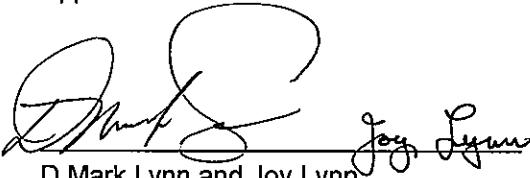
The undersigned Applicant agrees to abide by the following conditions that will be made a part of the permit issued based on the above-referenced application for permit. Accordingly the undersigned Protestant agrees to withdraw the protest to the approval of this application.

1. Little will measure and report water levels for the three wells that Little uses each March and October. Little will be responsible for equipping the wells with water-level sounding tubes or airlines to make measurements possible. Little will be responsible for maintaining the equipment. The three wells are known as the Cruickshank Well, the Freezeout Well, and the Jackass Gulch (county landfill) Well. Lynn will pay half of the estimated \$1,000 cost associated with equipping the Freezeout Well for monitoring. Little shall pay all costs for monitoring and for maintaining the monitoring equipment. Little shall report water levels to the Department of Water Resources on an annual basis, and provide Lynn with a copy of each report.
2. Lynn will measure and report water levels for two wells on the Lynn property each March and October. The two wells are the Mark Lynn domestic well and the Corbett Lynn domestic well. The two wells are equipped with water-level sounding tubes to make measurements possible. Lynn will be responsible for maintaining the water-level sounding tubes. Lynn will pay all costs associated with monitoring and reporting water levels. Lynn shall report water levels to the Department of Water Resources on an annual basis, and provide Little with a copy of each report.
3. Monitoring under items 1 and 2 will continue until both parties agree to terminate.
4. Lynn will maintain SRBA claim A63-28379 for 93 acres of irrigation. The parties agree to allow the SRBA to determine the actual extent of historical use for A63-28379. The parties agree to allow the SRBA to determine the appropriate priority date for the claim.
5. Lynn will withdraw SRBA claim A63-28380 for 310 acres of irrigation from Willow Creek.
6. Lynn agrees to subordinate claim A63-28379 to Little's downstream water rights A63-18560 and A63-21123. Once Little's downstream water rights are fulfilled, Lynn will be entitled to divert Willow Creek water to the extent that water is available for diversion. In exchange for this settlement and subordination, both parties agree not to challenge or object to the other's Willow Creek water right claims in the SRBA. The parties agree that Little may amend the two claims to include Willow Creek as an additional named water source, provided that it is understood that these two claims are and will continue to be supplied solely by subsurface flow from Willow Creek. This change reflects a change in characterization of the source rather than an additional source or diversion for the water rights. Copies of claims A63-28379, rights A63-18560 and A63-21123 are attached for reference purposes.

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- 6.a. In the event of a significant water-level decline (as determined by Little) in any of the five wells to be monitored under items 1 and 2 (above), Lynn agrees to investigate the decline (at Lynn's cost) and make a preliminary determination of the cause of the decline. Such determination by Lynn does not preclude Little (at Little's cost) from conducting a separate determination. In the event of a dispute as to the cause of water-level decline, the parties agree to submit the dispute to the Director of the Department of Water Resources.
- 6.b. In the event that it is determined that the exercise of Lynn's junior water rights injures Little's ability to divert (as determined by Little) under Little's senior water rights, Lynn agrees to cease or reduce diversion to the extent necessary to prevent injury, or to mitigate the injury. In the event of a dispute regarding the adequacy of mitigation, the parties agree to submit the dispute to the Director of the Department of Water Resources.
7. To the extent not otherwise provided in this agreement, both parties shall retain all rights under applicable law.

Applicant


D Mark Lynn and Joy Lynn

Protestant


Brad Little

5-25-99
Date


Attest

5-24-99
Date


Attest

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AUG 09 1993

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: D MARK &/OR JOY LYNN 4050 CHAPARRAL RD EAGLE ID 83616		4a. Article Number P 414 388 418	
5. Received By: (Print Name)		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☒ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery AUG 09 1999	
6. Signature: (Addressee or Agent) X [Signature]		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1994 102595-97-B-0179 Domestic Return Receipt			

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: BRAD LITTLE LITTLE LAND & LIVESTOCK PO BOX 488 EMMETT ID 83617		4a. Article Number P 590 141 759	
5. Received By: (Print Name) CHERYL FISHER		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☒ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery AUG 09 1999	
6. Signature: (Addressee or Agent) X [Signature]		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1994 102595-97-B-0179 Domestic Return Receipt			

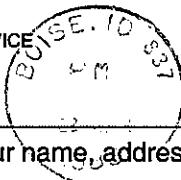
Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: JOHN SIMPSON ESQ 1221 W IDAHO STE 600 BOISE ID 83702		4a. Article Number P 590 141 760	
5. Received By: (Print Name)		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☒ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery 4 22 99	
6. Signature: (Addressee or Agent) X [Signature]		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1994 102595-97-B-0179 Domestic Return Receipt			

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

RECEIVED

APR 23 1999

WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

MICROFILMED
AUG 09 1999

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Pa
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

AUG 09 1999

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED
APR 23 1999

WATER RESOURCES
WESTERN REGION

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

AUG 09 1999

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED
APR 23 1999

WATER RESOURCES
WESTERN REGION

P 590 141 759

US Postal Service

Receipt for Certified Mail

BRAD LITTLE
LITTLE LAND & LIVESTOCK CO
PO BOX 488
EMMETT ID 83617

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 590 141 760

US Postal Service

Receipt for Certified Mail

JOHN SIMPSON ESQ
1221 W IDAHO STE 600
BOISE ID 83702

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

P 414 388 418

US Postal Service

Receipt for Certified Mail

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT OF WATER RIGHT NO.) **NOTICE OF HEARING**
63-12450 IN THE NAME OF)
D. MARK &/OR JOY LYNN.)
_____)

On May 4, 1998, D. Mark &/or Joy Lynn filed with the Idaho Department of Water Resources (IDWR) application for permit no. 63-12450. The application was protested by Brad Little, Little Land & Livestock Co. The pre-hearing conference held by IDWR on Thursday, April 8, 1999, did not resolve the matter of protest.

The Department has scheduled the matter for hearing on **Wednesday, May 26, 1999, at 9:00 a.m. at the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code and the adopted Rules of Procedure of the Department. A copy of the rules may be obtained from the IDWR upon request. The presiding officer at the hearing will be Gary Spackman.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01.606 requires that you provide a copy of exhibits to each party and to the presiding officer.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 21st day of April 1999.

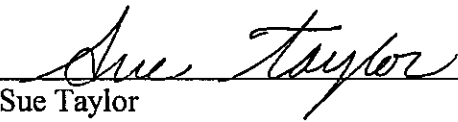


GARY SPACKMAN

MICROFILMED
AUG 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of April, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

CERTIFIED MAIL

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

BRAD LITTLE
LITTLE LAND & LIVESTOCK CO
PO BOX 488
EMMETT ID 83617

JOHN SIMPSON ESQ
1221 W IDAHO STE 600
BOISE ID 83702

336-0700

NON-CERTIFIED MAIL

TERRY SCANLAN
600 E RIVER PK LN #105
BOISE ID 83706

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

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AUG 09 1999

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

MICROFILMED

AUG 09 1999

PREHEARING CONFERENCE MEMORANDUM

File: Application #63-12450
Permit Amendment #63-11995

From: J. Westra
Date: 4/8/99
Location: State Office Conference Rm. C
Applicant: Mark Lynn
Protestants: Chaparral Water Users- Amendment #63-11995
Brad Little- Application #63-12450

Attendees: See attachment

RE: Conference Notes

The meeting began with Jerry Jones of the Chaparral Water Users expressing several concerns the water users had to Terry Scanlon. One being the aquifer depths. The Water User's well draws from a shallow aquifer at approx. 250 ft., and the Lynn wells are drawing from a separate aquifer 400-650 ft in depth.

Terry Scanlon discussed that permits 63-11996 & 63-11995 already require monitoring well data be sent to IDWR in the spring and fall. Part of the agreement with Mr. Little would include supplying him with this data. He would inturn monitor his wells, and submit the data also to IDWR. I told the group IDWR could process both sets of data, and make it available to them. Mr. Little stated, there are several issues relating to surface water, and the new Bettis Dam under construction that have effect on the amount of groundwater used.

I passed out protest withdrawal forms to both the protestants. Mr. Jones will meet again next week with the water users before making a decision to withdraw their protest.

Both Lynn and Little felt they were close to an agreement. Mr. Little's attorney had been called away, and was not present. Mr. Little felt setting a hearing date would force them to work at completing the agreement prior to the hearing date. A hearing date of May 26th, 10:00 AM IDWR Conference Rm. A&B was set.

SO Conference RM. A&B Reserved
JFW, 4/8/99

MICROFILMED

AUG 09 1999

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Conducted by: John Westra

ADDRESS

Terry Scanlan 600 E. River Park Ln #105 Poise 06
 MAX Lyan 7450 CHAPARRAL Eagle ID 83616
 Brad Little 84784 Emmett Id 83617
 TERRY L. JONES 9191 CHAPARRAL Eagle, 83616

MICROFILMED

AUG 09 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR AMENDMENT OF PERMIT NO.)	NOTICE OF PREHEARING
63-11995 AND APPLICATION FOR)	CONFERENCE
PERMIT NO. 63-12450 IN THE NAME)	
OF D. MARK &/OR JOY LYNN.)	

On June 10, 1998, D. Mark &/or Joy Lynn filed with the Department of Water Resources (IDWR) an application for amendment of permit no. 63-11995 to appropriate the public waters of the State of Idaho. The application was protested by Julie Gleason, Chaparral Water Association. On May 4, 1998, D. Mark &/or Joy Lynn filed with IDWR application for permit no. 63-12450. This application was protested by Brad Little, Little Land & Livestock Co.

IDWR has scheduled a conference for the protest to be held on Thursday, April 8, 1999, at 1:00 p.m. at the Department of Water Resources, conference room C, 1301 N. Orchard, Boise, Idaho 83706. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

Dated this 25th day of March, 1999.



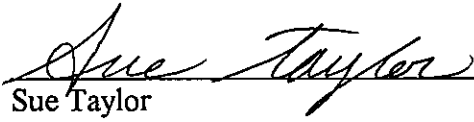
JOHN WESTRA

MICROFILMED

AUG 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of March, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

JULIE GLEASON
CHAPARRAL WATER ASSN
PO BOX 414
EAGLE ID 83616

BRAD LITTLE
LITTLE LAND & LIVESTOCK CO
PO BOX 488
EMMETT ID 83617

JERRY L JONES
9191CHAPARRAL
EAGLE ID 83616

TERRN SCANLAN
600 E RIVER PK LN #105
BOISE ID 83706

JOHN SIMPSON ESQ
1221 W IDAHO STE 600
BOISE ID 83702

MICROFILMED
AUG 09 1999

CONFERENCE AND HEARING PROCEDURE APPLICATION FOR AMENDMENT

Section 42-211, Idaho Code, requires the department to consider the following issues in connection with an application for amendment to a permit:

- 1) Will the approval of the application result in the diversion and use of more water than originally permitted?
- 2) Will the rights of others be adversely affected thereby?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1 and 2 above and must provide evidence for the department to evaluate these criteria.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

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AUG 09 1999

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

MICROFILMED

AUG 09 1999

PREHEARING CONFERENCE MEMORANDUM

**File: Application #63-12450
Permit Amendment #63-11995**

**From: J. Westra
Date: 3/4/99
Location: State Office Conference Rm. D
Applicant: Mark Lynn
Protestants: Chaparral Water Users- Amendment #63-11995
Brad Little- Application #63-12450**

Attendees: See attachment

RE: Conference Notes

The conference began with applicant and protestant introductions. Terry Scanlon represented Mr. Lynn the Applicant, Mr. Simpson is Brad Little's attorney, and Mr. Jones represented the Chaparral Water Assoc.

Mr. Scanlon presented a brief overview of the project, which is:

- Adding an existing well P/D to #63-11995.
- With extra yield from the same well the applicant would like to increase the flow rate from .0106 to .0172 per acre on the same acreage P/U of #63-11995 & #63-11196.

A previous study completed by Mr. Scanlon revealed the Lynn wells aquifer gradient flows to the northwest to the Payette Basin. Mr. Little has several stockwater wells approx. 2 miles to northwest. The well depth and water temperature (approx. 80 degrees) of both the Lynn and Little wells are roughly the same, which may indicate they are in the same aquifer. Mr. Scanlon found a 100+ ft in water depth in wells to the east of the Chaparral well. There appears to be a fault running north-south segregating the Lynn and Chaparral well aquifers. Monitoring is currently being done by Mr. Scanlon on the Lynn wells, and several other wells in the Chaparral area, no changes in water depth have been noted.

Mr. Little has 2 concerns; they are:

- Impact of the Lynn wells on his stock wells, he would like some type of monitoring plan, and responsibilities if injury does occur.

- validity of the Lynn Adjudication Claims on Willow Creek A63-28379 & A63-28380 (beneficial use). The groundwater use is supplemental to the creek claims, and the amount of groundwater used will be dependent on the validity of the creek rights. Also, with the construction of the Aikman Dam above, their may be more flows available for irrigation/stockwater for both Lynn and Little. Both parties Lynn/Little feel the acreage P/U described in the claims needs to be documented. Adjudication field work for basin 63 is scheduled for 2000. Although the claims are really not the issue, they have a direct impact.

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The Chaparral Assoc. is mainly concerned about injury to their well from the increased usage from Lynn.

After some discussion it was agreed that Lynn and Little will meet in 2 weeks to review the following assignments:

- Mr. Simpson felt Mr. Little and Mr. Lynn could come to an agreement regarding monitoring and injury issues. He would initiate some language for both to review.

- Mr. Little agreed to see if his wells could be setup with depth monitoring tubes and the related cost.

- Mr. Scanlon & Mr. Lynn would review the acreage history for the Willow Creek claims, and make P/U adjustments that were acceptable. After review by parties, they would amend the claims with the Department.

- Mr. Jones will meet with the Chaparral Assoc. and present the Scanlon Groundwater Study information as soon as possible. Mr. Scanlon will provide him with the study information and maps, etc.

All members of the group felt they could work the issues out, and requested no hearing be scheduled by the Department. The group will meet again on April 8th to work through final agreements. The Department will make the arrangements, and send a notification letter.

Reserved- April 8th @ 1:00PM
Conference Rm C, SO

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Conducted by: Gary Spackman

NAME _____

ADDRESS

JOHN SIMPSON 1221 W. IDAHO STREET BOISE 83701
 Brad Little Box 488 Emmett ID 83617
 Terry Scanlan 600 E. River Park Lane #105 Boise ID 83706
 MARK Lyan 4050 CHADARRA, EAGLE ID 83616
 JERRY L. JONES 9191 CHADARRA EAGLE, ID. 83616

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AUG 09 1999

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-08044**
Date Received: 1/16/1990
Receipt No: C014024
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: D MARK LYNN
Address: 4831 SKYLINE DR
EAGLE ID

208-939-0684

83616

AND/OR

Name: JOY LYNN
Address: 4831 SKYLINE DR
EAGLE ID

208-939-0684

83616

2. Date of Priority: OCT 1, 1974

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	3	NW	NE			ADA

5. Description of diverting works:
WELL PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		4.50
STOCKWATER	01/01	12/31	0.050		5.40
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSE, APPROX. 200 HEAD OF CATTLE

A63-08044

Page 1

MICROFILMED
Date: MICROFILMED
AUG 09 1999
JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	01W	2	SW		NW		STOCK	
			NW		NE		DOMEST	
		3	NW		NE		IRR	1.0
			SW		NE		STOCK	
			NW		NW		STOCK	
			SE		NW		STOCK	
							Section Acres	1.0
06N	01W	33	SW		SE		STOCK	
		34	SE		SE		STOCK	
							Total Acres	1.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
This claim the result of change in ownership received 2/25/93.

15. Basis of Claim: LICENSE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03004

Date Received: 2/25/1993

Receipt No: W015965

Received By: Cyt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D MARK LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616
AND/OR
Name: JOY LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616

2. Date of Priority: NOV 4, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	34	SE	SE			GEM

5. Description of diverting works:
16", 470' CASED WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.500		
DOMESTIC					

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	34	NE	SE		IRR	5.0
			SW	SE		IRR	15.0
			SE	SE		IRR	5.0
						Section Acres	25.0
						Total Acres	25.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A63-08044, A63-28379, A63-28380, 63-10775

14. Remarks:

EXISTING WELL WAS MODIFIED IN 1979; WILL LIKELY BE ABANDONED AND REPLACED BY NEW WELL IN 1993.

15. Basis of Claim: LICENSE

Water Right Number: 25257

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 2-25-93

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JUL 25 1994

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AUG 029 1999

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-28379
Date Received: 2/25/1993
Receipt No: W1015965
Received By: cyt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D MARK LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616
AND/OR
Name: JOY LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616

2. Date of Priority: JAN 1, 1900

3. Source: WILLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01W	3		SW	NW		ADA
		4		SE	SE		ADA
06N	01W	34		SE	SE		GEM
		35		SW	SW		GEM

Beginning Point of Instream Flow

05N	01W	3	NW	SW	NE	ADA
05N	01W	4	NW	SE	SE	ADA

Ending Point of Instream Flow

05N	01W	3	SE	SW	NW	ADA
06N	01W	35	NW	SW	SW	GEM

5. Description of diverting works:
DIVERSION DAMS, PORTABLE PUMPS, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.860		
STOCKWATER	01/01	12/31	0.090		

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7. Total Quantity Appropriated is:
1.950 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/400 RANGE, INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	3	NW	NE		IRR	15.0
			NE	NW		IRR	10.0
					Section Acres		25.0
06N	01W	34	NE	SE		IRR	10.0
			SW	SE		IRR	18.0
			SE	SE		IRR	25.0
					Section Acres		53.0
		35	SW	SW		IRR	15.0
					Section Acres		15.0
					Total Acres		93.0

11. Place of use in counties: ADA, GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A63-03004, A63-08044, 63-10775

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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AUG 02 1994

AUG 09 1999

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 2-25-93

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of Feb 19 93 Ron Hovener
Notary Public

Seal

Residing at Ron Hovener
Notary Public
My Commission Expires August 8, 1994

MICROFILMED
AUG 09 1999

MICROFILMED
AUG 02 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-28380

Date Received: 2/25/1993

Receipt No: W015965

Received By: gjt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D MARK LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616

AND/OR

Name: JOY LYNN 208-939-0684
Address: 4831 SKYLINE DR
EAGLE ID 83616

2. Date of Priority: MAR 1, 1940

3. Source: WILLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	3	SW	NW			ADA
		4	SE	SE			ADA
06N	01W	34	SE	SE			GEM
		35	SW	SW			GEM

5. Description of diverting works:
DIVERSION DAMS, PORTABLE PUMPS, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.200		
STOCKWATER STORAGE	01/01	12/31			2.50
DIVERSION TO STORAGE	01/01	12/31	0.500		

7. Total Quantity Appropriated is:
6.200 C.F.S. (and/or) 2.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum

9. Non-irrigation uses:
D/400 RANGE

A63-28380

Page

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1 AUG 09 1999

Date: 02/25/93

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AUG 02 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05N	01W	2	NW	NW		IRR	15.0	
			SW	NW		IRR	5.0	
							Section Acres	20.0
		3	NE	NE		IRR	35.0	
			NW	NE		IRR	20.0	
			SW	NE		IRR	15.0	
			SE	NE		IRR	10.0	
			SW	NW		IRR	5.0	
			NW	SW		IRR	20.0	
							Section Acres	105.0
		4	SW	NE		IRR	2.0	
			SE	NE		IRR	15.0	
			NE	SW		IRR	40.0	
			NE	SE		IRR	30.0	
			NW	SE		IRR	40.0	
SW	SE			IRR	1.0			
SE	SE			IRR	30.0			
					Section Acres	158.0		
06N	01W	34	SW	SE		IRR	2.0	
			SE	SE		IRR	10.0	
							Section Acres	12.0
		35	SW	SW		IRR	15.0	
						Section Acres	15.0	
						Total Acres	310.0	

11. Place of use in counties: ADA, GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A63-03004, A63-08044, A63-28379, 63-10775

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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AUG 09 1999

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AUG 02 1994

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 2-25-93

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of FEB 19 93
Rm Hawerton
Notary Public

Seal

Residing at [Address]
My Commission Expires [Date]

MICROFILMED
AUG 09 1999

MICROFILMED
AUG 02 1994

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.

D 1710

1. WELL OWNER 63-98-W-0060-000

Name Mark Lynn
Address 506 East 45th Street
Drilling Permit No. 63-11996
Water Right Permit No. WR 63-11996

7. WATER LEVEL

Static water level 400' 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.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

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

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Auger ☒ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
.1325 inches 16" inches + 2' feet 500' feet
.315 inches 16" inches 500' feet 520' feet
.315 inches 16" inches 620' feet 640' 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 Johnson Type Wire Wrap
Top Packer or Headpipe _____
Bottom of Tailpipe 640'

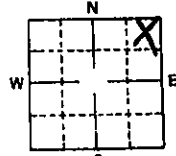
Diameter 16" Slot size .040 Set from 500' feet to 520' feet
Diameter 16" Slot size .040 Set from 520' feet to 620' feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8"
Placed from 420' feet to 650' feet

Surface seal depth 420' 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 1 1/2" pipe

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name _____
AUG 19 1999

Lot No. _____ Block No. _____
County Ada

Address of Well Site Chapel Rd East
(give at least name of road)

NE 1/4 NE 1/4 Sec. 3 T. 9 N ☒ or S ☐
R. 1 E ☐ or W ☒

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>2030</u>	<u>448'</u>	<u>3 hrs</u>

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
<u>28"</u>	<u>0</u>	<u>4</u>	<u>Top soil</u>		
	<u>4</u>	<u>14</u>	<u>Sandy loam, coarse sand</u>		
	<u>14</u>	<u>17</u>	<u>large gravel & sand</u>		
	<u>17</u>	<u>38</u>	<u>white sand & gravel</u>		
	<u>38</u>	<u>316</u>	<u>sand & gravel str. clay</u>		
	<u>316</u>	<u>380</u>	<u>Broken Rocks & gravel</u>		
	<u>380</u>	<u>453</u>	<u>sand & gravel</u>		
	<u>453</u>	<u>464</u>	<u>Brn Clay str. sand</u>		
	<u>464</u>	<u>645</u>	<u>pea gravel & sand str. dex</u>		
	<u>645</u>	<u>650</u>	<u>white Gray Clay some coarse sand</u>		

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MAY 08 1998

Department of Water Resources

RECEIVED

MAY 12 1998

WATER RESOURCES
WESTERN REGION

10.

Work started 4-7-98 finished 5-5-98

11. DRILLER'S CERTIFICATION

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

Firm Name Riverside Inc. Firm No. 333

Address P.O. Box 720 Date 5-7-98

Signed by Drilling Supervisor _____

and _____
(Operator) _____
(If different than the Drilling Supervisor)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

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 CHAPARELL WATER USERS ASSN.
Address P.O. BOX 507 EAGLE ID 83616
63-91-W-088
Drilling Permit No. _____
Water Right Permit No. 63-07700

7. WATER LEVEL
Static water level 157 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.

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

8. WELL TEST DATA NOT AVAILABLE
☐ Pump ☐ Bailer ☐ Air ☐ Other _____

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

Discharge G.P.M.	Pumping Level	Hours Pumped

4. METHOD DRILLED REVERSE ROTARY
☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

9. LITHOLOGIC LOG

5. WELL CONSTRUCTION SEE ATTACHED

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
28					
	0	5	TOPSOIL		X
	5	10	SANDY LOAM		X
	10	13	SAND & GRAVEL		X
	13	25	SAND W/ CLAY STREAKS		X
	25	55	FINE TO COARSE SAND		X
	55	65	FINE TO MED. SAND		X
	65	85	COARSE SAND		X
	85	91	BROWN CLAY		X
	91	105	MEDIUM SAND		X
	105	155	COARSE SAND		X
	155	175	BROWN CLAY		X
	175	213	GRAY CLAY		X
	213	215	BROWN CLAY		X
	215	225	COARSE GOLDEN SAND	X	
	225	235	COARSE SAND & PEA GRV.	X	
	235	265	FINE TO CRSE SAND	X	
	265	269	LITE BRN CLAY		X
	269	425	COARSE SAND & PEA GRV.	X	

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ inches Diameter _____ inches From _____ feet To _____ 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 ROSCOE MOSS
Type CONTINUOUS WIRE Model No. HEAVY
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8
Placed from 425 feet to 110 feet
Surface seal depth 110 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 2" PIPE

RECEIVED
SEP 9 1991

Department of Water Resources
Western Regional Office

10. Work started 9/4/91 finished 9/14/91

6. LOCATION OF WELL
Sketch map location must agree with written location.
Subdivision Name _____
MICROFILMED
Lot No. _____ Block No. AUG 09 1999
County SW SW 9 SW 14
ADA SW SW 9 SW 14
_____ 1/4 _____ 1/4 Sec. _____, T. _____ S ☐ R. _____ W ☐

11. DRILLERS CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name PETE COPE DRILLING Firm No. 213
Address 6505 W CHINDEN Date 9/9/91
Signed by (Firm Official) Joseph Jones
and
(Operator) Joseph Jones

Chaparell Water users Assn.
P.O. Box 507
Eagle ID 83616
Permit# 63-91-w-088

"16" casing record .250 wall welded

1	-	285	286
305	-	325	20
335	-	350	15
360	-	375	15
385	-	395	10
415	-	425	10

356 total casing

16" Screen record .40 slot Roscoe Moss Continuous wire.

285	-	305	20
325	-	335	10
350	-	360	10
375	-	385	10
395	-	415	20

70 total screen

426 total screen+casing

MICROFILMED
AUG 09 1999

Protest Status per results of 9/14/98 meeting (see attached)

<u>Appl.</u>	<u>Protestants</u>	<u>Protest Status</u>
63-12361 *	L. Hle + Lynn	} Withdrawn
- 12417 *	L. Hle + Lynn	
- 11995 (Amendment)	Chap. Writer Assoc.	} Pending
- 12450	L. Hle	

* Applicant requests expedited processing so can
receive approval and safety permit (pending at
J.O. now)

MICROFILMED

AUG 09 1999

-J

CONVERSATION MEMORANDUM

DATE 9/14/98FILE 63-12361 } BettisNAME OF PARTY JEC belowEMPLOYEE JL

12417 }

11995 }

11996 }

12450 }

Lynn

RE: PROTESTS —Meeting 2:00 p.m. e. weston

Mark Lynn + Terry Scanlon ← consultants

Harry Bettis + Don Watts ←

Brook Little + John — ← attorney

Bettis' Appls - protests withdrawn with conditions, 500

withdrawn from. Create 1005 Ac. PDCM (sum of Ac. originally intended both Appls.) with max. per year of 500 Ac. ± 500" between both rights. Bettis agrees to changes to be made in Appls. to show this. Don Watts will follow up with details. Appls. revision - since a reduction w/o real changes of significance - should ~~not~~ ^{not} require re-advertising.

Lynn Appls.

- 11995 Amendment protested by Chap. Water Assoc., not present.
- 12450 Appl. for permit " " Little.

Little's concerns: AUG 09 1999

Since basis to approve these ground water filings is BS 63 is that g.w. tributary to BS 65 (Scanlon's Report), IDWR should not link g.w. use to Willow Creek use as conditions of approval now in 11995 & 11996. Concern that Lynn's TPA's claims for Willow Cr. (A63-28379 & A63-28380) are invalid & if valid

— continued —

CONVERSATION MEMORANDUM

DATE 9/14/98

FILE

NAME OF PARTY

Bettie Lyon et al

EMPLOYEE

R

- continued -

Page 2 of 2

RE:

could injure Little's stock ponds (off stream uses demonstration in willow cr. drainage). Soil is not logical to link Bs 65 groundwater to Bs. 63 surface water.

Additionally, Little has stock wells to N/NE in Bs 65 & concerned of adverse impact & mitigation if Lyon's well(s) cause injury. Considerable discussion of FUDA, water right, water district, injury, mitigation etc. ensued.

Result of discussion -

Lyon will have Scanlon prepare Request for Dept. to REVISIT surface water - ground water cond. of ~~approval~~ approval in Lyon's filings.

Little & attorney will prepare suggested mitigation steps for applicant to take, how to define/determine if & injury etc. occurs re Bs. 65 wells.

Parties will submit something to dept once ready.

Protest still pending

Filing - original & 63-12361

cc's to all MICROFILMED / Reg. files

AUG 09 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W024160

Date: 7/20/1998
Time: 16:25:10

Received
From: LITTLE, BRAD

Type of Payment	Program A cct	Amount
ROTEST OF APPLICATION	62103 229 21 1155	25.00
CHECK 6705		
	Total	\$ 25.00

Region: WESTERN

Signature: 

MICROFILMED
AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

D MARK &/OR JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

Re: Application for Permit No. 63-12450

Dear Applicant:

Enclosed is another protest filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant and attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest have been resolved, the matter will be scheduled for a conference. The following are the criteria the Department must consider (per Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Enclosure: Copy of protest(s)

MICROFILMED

AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRAD LITTLE
LITTLE LAND & LIVESTOCK CO
PO BOX 488
EMMETT ID 83617

Re: Application for Permit No. 63-12450 in the Name of D. Mark &/or Joy Lynn

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. The following are the criteria the Department must consider in either approving or denying an application or permit (Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".
Gary Spackman

GS:st

MICROFILMED

AUG 09 1999

**COMMENT LETTERS FOR APPLICATION FOR PERMIT 63-12450 AND APPLICATION
FOR AMENDMENT OF 63-11995 (previous protestants):**

Terry Goicoechea Jensen
8969 Deer Lane
Eagle ID 83616

(This name and
address was used by
IDWR during previous
protest correspondence)

Chaparral Water Association
PO Box 414
Eagle ID 83616

(This organization
appears to be represented
by Ms. Jensen, however,
a letter should also be
sent to this address).

Donald B Jensen
8661 W Beacon Light Rd
Star ID 83669

MICROFILMED

AUG 09 1999

RECEIVED
JUL 20 1998
WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)

APPLICATION FOR WATER)
RIGHT 63-12450;)
APPLICANT:)
MARK AND JOY LYNN)
_____)

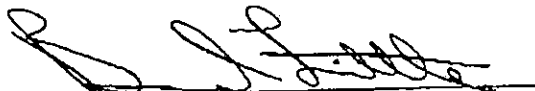
NOTICE OF PROTEST

Filing Fee: \$25.00

Little Land and Livestock Co. (hereinafter the Protestant), files its Notice of Protest to the approval of the above-numbered Application for Permit filed in the name of Mark and Joy Lynn. The basis for the Protestant's protest is as follows:

1. The proposed diversion and use of the waters described in the aforesaid application violate all, or a portion of, the criteria set forth in Idaho Code Sections 42-203A(5) and
2. An acceptable mitigation plan has not been proposed; and
3. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 20th day of July, 1998.



Brad Little
Little Land and Livestock Co.
P.O. Box 488
Emmett, ID 83617

MICROFILMED

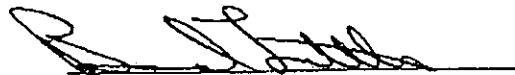
AUG 09 1999

CERTIFICATE OF MAILING

I hereby certify that on this 20th day of July, 1998, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Mark and Joy Lynn
4050 Chaparral Road
Eagle, ID 83616


Brad Little

LEGAL NOTICE
NOTICE OF APPLICATION FOR WATER RIGHT

The Following Application(s) have been filed to appropriate the public waters of the State of Idaho:

63-12450 ✓

LYNN, D MARK

LYNN, JOY

4050 CHAPARRAL RD

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE)

Sec 3 T 05N R 01W in ADA County.

Use: IRRIGATION

(2,500 CFS)

Total Diversion:

(2,500 CFS)

Date Filed: 5/4/1998

In: ADA County

T05N R01W S02

S03

Lot 4 (NWNW)

Lot 1 (NENE)

Lot 3 (NENW)

SWNE

Lot 2

SWNW

(NWNE)

SWNW

SENE

SWNE SENE

NWSW

NESW NESE

In: GEM County

T06N R01W S34

S35

NWSE

NESE

SWSW

SWSE

SWSE

SESE

SESE

378.0 ACRES TOTAL

Application appears to be exempted from drought moratorium due to groundwater that is most likely tributary to Payette River Basin instead of Boise River Basin.

Water bearing zone to be appropriated is 500 to 620 feet. Applicants agree to mitigate consumptive use in the future as needed.

63-12452

UNITED WATER IDAHO

PO BOX 7488

BOISE, ID 837077488

Source: GROUNDWATER

Diversion Pt:

SESESW

Sec 5 T 04N R 01E in ADA County.

Use: MUNICIPAL

LOT 2 (SESWNW)

Sec 7 T 04N R 01E in ADA County.

Total Diversion:

(4,500 CFS)

Date Filed: 4/15/1998

S00

Place of use is within applicant's service area.

Water bearing zone to be appropriated from existing Floating Feather ("Crandelmire") & Redwood Creek #1 wells is from 183 to 401 feet. Also see Application for Amendment of Permit #63-11878.

Applicant agrees to mitigate consumptive use in the future as needed.

63-12455

STATE OF IDAHO, DEPT OF FISH & GAME

PO BOX 25

BOISE, ID 83707

Source: BOISE RIVER, MIDDLE FORK TRIBUTARY: BOISE RIVER

Diversion Pt: LOT 8 (NENE)

Sec 5 T 04N R 11E in ELMORE County.

Use: FISH PROPAGATION

(12,000 CFS)

Total Diversion:

(12,000 CFS)

Date Filed: 6/15/1998

In: ELMORE County

T05N R11E S05 Lot 8 (NENE)

Non-consumptive use for instream fish passage at Kirby Dam is proposed.

63-12459

ELLEN SOHN, KATHY A

FEASE, TIMOTHY F

4557 OLD VALLEY RD

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt:

SWSW

Sec 12 T 04N R 01W in ADA County

Use: RECREATION STORAGE

LOT 3 (NWNW)

Sec 13 T 04N R 01W in ADA County

AESTHETIC STORAGE

(11.00 AF)

DIVERSION TO STORAGE

(0.040 CFS)

Total Diversion:

(0.040 CFS)

Date Filed: 3/11/1998

In: ADA County

T04N R01W S13 Lot 3 (NWNW)

Shallow ground water tributary to river collects in existing pond on wetted area. Existing artesian well also serves pond. Well diverted to pond at amount not to exceed .04 cfs or 2500 gpd. Same pond covered in Transfer 5284. No new well drilling, pond construction or increase in consumptive use is proposed. Applicant requests processing due to these factors.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 20, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. July 2, 9, 1998

1715

RECEIVED

JUL 14 1998

WATER RESOURCES
WESTERN REGION

MICROFILMED

AUG 09 1999

P.O. BOX 40, BOISE, IDAHO 83707-0040

Amount Due

Account Number/Trans. #	Account Name	Account Type	Account Balance	Account Status
1001	John Doe	Checking	\$1,234.56	Active
1002	Jane Smith	Savings	\$5,678.90	Active
1003	ABC Corp	Business	\$10,000.00	Active
1004	XYZ Inc	Business	\$25,000.00	Active
1005	DEF LLC	Business	\$75,000.00	Active
1006	GHI LLC	Business	\$125,000.00	Active
1007	JKL LLC	Business	\$175,000.00	Active
1008	MNO LLC	Business	\$225,000.00	Active
1009	PQR LLC	Business	\$275,000.00	Active
1010	STU LLC	Business	\$325,000.00	Active
1011	VWX LLC	Business	\$375,000.00	Active
1012	YZA LLC	Business	\$425,000.00	Active
1013	BCD LLC	Business	\$475,000.00	Active
1014	EFG LLC	Business	\$525,000.00	Active
1015	HIJ LLC	Business	\$575,000.00	Active
1016	KLM LLC	Business	\$625,000.00	Active
1017	NOP LLC	Business	\$675,000.00	Active
1018	QRS LLC	Business	\$725,000.00	Active
1019	TUV LLC	Business	\$775,000.00	Active
1020	WXY LLC	Business	\$825,000.00	Active
1021	ZAB LLC	Business	\$875,000.00	Active
1022	ACD LLC	Business	\$925,000.00	Active
1023	DEF LLC	Business	\$975,000.00	Active
1024	GHI LLC	Business	\$1,025,000.00	Active
1025	JKL LLC	Business	\$1,075,000.00	Active
1026	MNO LLC	Business	\$1,125,000.00	Active
1027	PQR LLC	Business	\$1,175,000.00	Active
1028	STU LLC	Business	\$1,225,000.00	Active
1029	VWX LLC	Business	\$1,275,000.00	Active
1030	YZA LLC	Business	\$1,325,000.00	Active
1031	BCD LLC	Business	\$1,375,000.00	Active
1032	EFG LLC	Business	\$1,425,000.00	Active
1033	HIJ LLC	Business	\$1,475,000.00	Active
1034	KLM LLC	Business	\$1,525,000.00	Active
1035	NOP LLC	Business	\$1,575,000.00	Active
1036	QRS LLC	Business	\$1,625,000.00	Active
1037	TUV LLC	Business	\$1,675,000.00	Active
1038	WXY LLC	Business	\$1,725,000.00	Active
1039	ZAB LLC	Business	\$1,775,000.00	Active
1040	ACD LLC	Business	\$1,825,000.00	Active
1041	DEF LLC	Business	\$1,875,000.00	Active
1042	GHI LLC	Business	\$1,925,000.00	Active
1043	JKL LLC	Business	\$1,975,000.00	Active
1044	MNO LLC	Business	\$2,025,000.00	Active
1045	PQR LLC	Business	\$2,075,000.00	Active
1046	STU LLC	Business	\$2,125,000.00	Active
1047	VWX LLC	Business	\$2,175,000.00	Active
1048	YZA LLC	Business	\$2,225,000.00	Active
1049	BCD LLC	Business	\$2,275,000.00	Active
1050	EFG LLC	Business	\$2,325,000.00	Active
1051	HIJ LLC	Business	\$2,375,000.00	Active
1052	KLM LLC	Business	\$2,425,000.00	Active
1053	NOP LLC	Business	\$2,475,000.00	Active
1054	QRS LLC	Business	\$2,525,000.00	Active
1055	TUV LLC	Business	\$2,575,000.00	Active
1056	WXY LLC	Business	\$2,625,000.00	Active
1057	ZAB LLC	Business	\$2,675,000.00	Active
1058	ACD LLC	Business	\$2,725,000.00	Active
1059	DEF LLC	Business	\$2,775,000.00	Active
1060	GHI LLC	Business	\$2,825,000.00	Active
1061	JKL LLC	Business	\$2,875,000.00	Active
1062	MNO LLC	Business	\$2,925,000.00	Active
1063	PQR LLC	Business	\$2,975,000.00	Active
1064	STU LLC	Business	\$3,025,000.00	Active
1065	VWX LLC	Business	\$3,075,000.00	Active
1066	YZA LLC	Business	\$3,125,000.00	Active
1067	BCD LLC	Business	\$3,175,000.00	Active
1068	EFG LLC	Business	\$3,225,000.00	Active
1069	HIJ LLC	Business	\$3,275,000.00	Active
1070	KLM LLC	Business	\$3,325,000.00	Active
1071	NOP LLC	Business	\$3,375,000.00	Active
1072				

Identification

APPLICATION FOR WATER RIGHT

Ordered By

P.O. Number

Rate

Run Dates

SUE TAYLOR

TT

JULY 2, 9, 1998

IDAHO DEPT. OF WATER RESOURCES WEST
2735 AIRPORT WAY
BOISE, IDAHO 83705

Estimated Inches

Real Inches

Affidavits

Legal Number

1

1715

WATER RESOURCES
WESTERN REGION

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

single

odd skip

JULY 2

1998

JULY 9

1998

Janice Hildreth

SS.

On this 9TH day of JULY in the year of
1998, before me, a Notary Public, personally appeared
JANICE HILDRETH known or identified
to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRY GOICOECHEA JENSEN
8969 DEER LN
EAGLE ID 83616

Re: Application for Water Right Permit No. 63-12450 in the Name of D. Mark &/or Joy Lynn

Dear Interested Parties

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before July 20, 1998. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHAPARRAL WATER ASSOCIATION
PO BOX 414
EAGLE ID 83616

Re: Application for Water Right Permit No. 63-12450 in the Name of D. Mark &/or Joy Lynn

Dear Interested Parties

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before July 20, 1998. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED
AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD B JENSEN
8661 W BEACON LIGHT RD
STAR ID 83669

Re: Application for Water Right Permit No. 63-12450 in the Name of D. Mark &/or Joy Lynn

Dear Interested Parties

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before July 20, 1998. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 24, 1998

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice 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 JULY 20, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

AUG 09 1999

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED
AUG 09 1999

63-12450

LYNN, D MARK
LYNN, JOY
4050 CHAPARRAL RD
EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE) Sec 3 T 05N R 01W in ADA County.

Use: IRRIGATION (2.500 CFS)
Total Diversion: (2.500 CFS)

Date Filed: 5/ 4/1998

In: ADA County

T05N R01W S02	Lot 4 (NWNW)	SWNW		
S03	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	SENE
	Lot 3 (NENW)	SWNW	NWSW	
S04	SWNE	SENE	NESW	NESE

In: GEM County

	NWSE	SWSE	SESE	
T06N R01W S34	NESE	SWSE	SESE	
S35	SWSW			

378.0 ACRES TOTAL

Application appears to be exempted from drought moratorium due to groundwater that is most likely tributary to Payette River Basin instead of Boise River Basin.

Water bearing zone to be appropriated is 500 to 620 feet.

Applicants agree to mitigate consumptive use in the future as needed.

MICROFILMED

AUG 09 1999

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 20, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 7/ 2/1998 & 7/ 9/1998

MICROFILMED
AUG 09 1999

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

MAY 28 1998

WATER RESOURCES
WESTERN REGION

May 26, 1998

Maria Minicucci
Sr. Water Agent
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Subject: Application for Permit and Application for Amendment of Permit 63-11995

Dear Ms. Minicucci:

On behalf of D. Mark Lynn and Joy Lynn, this letter is submitted in response to your letter of May 18, 1998 requesting additional information for the above referenced applications.

You requested that we identify water-bearing zones of the irrigation wells. The well located in T6N, R1W, S34 SESE is screened from 543 to 573 feet. The well located in T5N, R1W, S3, Lot 3 (NWNE) is screened from 500 to 620 feet. Therefore, the water-bearing zone tapped is found between approximately 500 and 620 feet depth.

I have enclosed a map showing well locations and irrigated acres. Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosure

Cc: Mark Lynn

MICROFILMED

AUG 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 18, 1998

D MARK LYNN
JOY LYNN
4050 CHAPARRAL RD
EAGLE ID 83616

RE: Application for Permit
Application for Amendment of Permit 63-11995

Dear Mr. and Ms. Lynn:

This letter is a request for additional information for the above-referenced applications.

The first required item is the identification of the water bearing zone of the irrigation wells located in T5N R1W S3 Lot 3 (NWNE) and in T6N R1W S6 SESE.

The second required item is an 8.5" X 11" map which clearly identifies the proposed point of diversion and place of use. Enclosed with this letter is a copy of the USGS topographic map for your area. Please add the location of the wells and irrigated acres to this map.

Please submit the requested information within 30 days of the date of this letter. If no response to this letter is received within that time, it will be assumed you do not wish to proceed with the applications. In that case the applications will be returned and your fees will be refunded to you.

Thank you for your assistance in these matters. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci'.

Maria Minicucci
Sr. Water Agent

Enc.

MICROFILMED

AUG 09 1999

CONVERSATION MEMORANDUM

DATE 5/1/98

FILE _____

NAME OF PARTY Mark Lynn & Terry Sison
EMPLOYEE JS consultant

RE: NEW Permit & Amendment of Existing Permit

Office visit - discussed existing permits
63-11995, 63-11996. These were approved per
consultant's study that showed g.w. is trib.
to Payette R., not Boise River.

Dr. Hall 1 well that proved very productive so
extra water found. Wants to file new appl.
c. that well to increase rate/sec c. 2
permits within acceptable limits. May also
amend 1 permit to add this good well as pkl.

Appl for permit

- 1) will need future mitigation agreement.
- 2) can process w/in Br 63 for water trib.
to Br 65
- 3) if large division - will send letter to
Appl. c. add'l (abbreviated) info needed.
- 4) will advertise w/ clarifying remarks.

Appl. for Amendment

- 1) will advertise with clarifying remarks

MICROFILMED

AUG 09 1999

BOTH will send comment letters to protesters from
2 previous permits.

B 212

CONVERSATION MEMORANDUM

DATE 5/1/98

FILE _____

NAME OF PARTY

Lynn / Scanlon - conts -

EMPLOYEE _____

RE:

New Appl. w/b. zone see well by &
id. this

future mitigation remark.

g.v. trib. to Pyette R. so can be processed
in Boise R. drainage.

Supplemental to existing rights

"Advertising remarks" thoughts for new Appl.
for permit & amendment processing

REVIEWER

Let's discuss these ideas & how
to briefly show id base remarks
& amendment WP file for advertising
clarity & conciseness

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SD-0601-2 Last Name: L

Water Rights

STATE

First Name	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
LYNN						
D MARK	C 63-11995	02/25/1993	GROUNDWATER	2.000	01	IRR
D MARK	C 63-11996	02/25/1993	GROUNDWATER	2.000	01	IRR
JOY	C 63-11995	02/25/1993	GROUNDWATER	2.000	01	IRR
JOY	C 63-11996	02/25/1993	GROUNDWATER	2.000	01	IRR
M JOY	C 63-10861	09/09/1989	GROUNDWATER	0.070	01	IRR
					49	FIRE
MARK	C 63-10861	09/09/1989	GROUNDWATER	0.070	01	IRR
					49	FIRE

g.w. shown to be trib.
to Bs. 65 so permits
issued e Bs. 63 mountain

SRBA Claims

SD-0601-2 Last Name: LYNN

STATE

First Name	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
LYNN						
D MARK	C A63-03004	11/04/1954	GROUNDWATER	0.500	01	IRR
					43	DOMEST
D MARK	C A63-08044	10/01/1974	GROUNDWATER	0.050	01	IRR
					04	STOCK
					43	DOMEST
D MARK	C A63-28379	01/01/1900	WILLOW CREE	1.950	01	IRR
					04	STOCK
D MARK	C A63-28380	03/01/1940	WILLOW CREE	6.200	01	IRR
					05	STOC S
					55	DIV S
GARY W	C A63-17652	01/01/1959	GROUNDWATER	0.040	43	DOMEST
GARY W	C R63-17652	01/01/1959	GROUNDWATER	0.040	43	DOMEST
JOY	C A63-03004	11/04/1954	GROUNDWATER	0.500	01	IRR
					43	DOMEST
JOY	C A63-08044	10/01/1974	GROUNDWATER	0.050	01	IRR
JOY	C A63-08044	10/01/1974		0.050	04	STOCK
					43	DOMEST
JOY	C A63-28379	01/01/1900	WILLOW CREE	1.950	01	IRR
					04	STOCK
JOY	C A63-28380	03/01/1940	WILLOW CREE	6.200	01	IRR
					05	STOC S
					55	DIV S
LINDA C	C A63-17652	01/01/1959	GROUNDWATER	0.040	43	DOMEST
LINDA C	C R63-17652	01/01/1959	GROUNDWATER	0.040	43	DOMEST
WALLACE	C A63-23590	07/01/1917	GROUNDWATER	0.240	43	DOMEST
					04	STOCK
WALLACE	C R63-23590	07/01/1917	GROUNDWATER	0.240	43	DOMEST
					04	STOCK

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(Enter=Continue)

(GOLD7=This Query)

NAME INDEX BANC 63 5/1/98

WR5809NP
No. 63-10861

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/01/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M JOY LYNN	09/09/1989	IRRIGATION	03/15 11/15	0.030 CFS	0.90 AFA
C	MARK LYNN		FIRE PROTECTION	01/01 12/31	0.070 CFS	
TOTAL DIVERSION:					0.070 CFS	0.90 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.070 CFS

Point(s) of Diversion: T05N R01E S30 SWSE ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
---	---	---	---	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---
05N	01E	30	:					:					:					:		.1	.1		:	0.2
TOTAL ACRES																							0.2	

Place of use location for FIRE PROTECTION is the same location as described for: IRRIGATION

Pou County: ADA

Conditions of Approval:

- R27 - This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.

Dates: App. Received: 07/26/1989 Priority Date: 09/09/1989 (Priority Date Advanced.)
Proof Due Date: 12/01/1990 Proof Made Date: 01/15/1991 (Proof Received Late.)
Exam Made Date: 09/26/1991 Exam Sent to S.O.: 11/03/1992
Licensed Date: 01/04/1993

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 07/26/89 WERNER 08/17/89 CURTIS 10/24/89 CURTIS 10/25/89 CURTIS
10/30/89 CURTIS 01/28/91 BILBAO 11/04/91 GARRETT 11/03/92 TAYLOR
11/23/92 SKAGGS 02/08/98 CLEARFLD

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY LYNN	02/25/1993	IRRIGATION	03/15 11/15	2.000 CFS	
C	D MARK LYNN					
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T06N R01W S34 SESE GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	01W	2	:																					20.0
05N	01W	3	:	01-26	02-29	25	10	:	03-20															110.0
06N	01W	34	:					:								05		09	21	:				35.5
06N	01W	35	:					:				29								:				29.5
TOTAL ACRES																						195.0		

Pou County: ADA, GEM

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46B - The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Remarks: GEN In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall not be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid. The water right holder shall provide a well acceptable to the department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 miles of the production wells, and the depth to water therein shall be monitored during March and October each year and the measurements

NOT FILMED
AUG 09 1999

Remarks:

provided to IDWR.

In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not directly lower the water level in any domestic well drilled and in use prior to 3/29/78, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.

In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.

Upon determination by the Director that a prior down-gradient minimum stream flow is not being fully satisfied, the right holder shall either cease diversion of water pursuant to this right or shall provide water in an amount necessary to mitigate the ongoing diversion under this right for release into the stream in which the minimum stream flow is not being met.

The water right holder shall install in each irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the wells, and a measurement port and measurement tube capable of allowing the introduction of depth-to-water measurement probes.

Prior to diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion and shall annually report to the dept. the amount of water diverted and the depth to water.

The right holder shall install non-perforated casing through the upper (perched) aquifer and shall seal the casing such that perched water is not comingled with the deeper (regional) aquifer.

Dates: App. Received: 02/25/1993 Priority Date: 02/25/1993
Proof Due Date: 04/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/07/1994 User-ID: SLESTER Subject: MORATORIUM

Application processed now due to Attachment A, an analysis that suggests ground water is tributary to Basin 65 instead of Basin 63. Processing approved by DRT 9/6/94. Also see similar appl. for nearby well & acres, 63-11996.

Although each application is for amount less than those that require large diversion suppl. analysis, the combined package is for considerably more than 200 acres. This is an example of a situation where the package should trigger the add'l. info. need instead of looking at the filings separately. Perhaps a revision

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Comments: Date: 09/07/1994 User-ID: SLESTER Subject: MORATORIUM
of the statute is needed or IDWR should review its interpretation
of the statute for similar scenarios.

Date: 11/07/1994 User-ID: SLESTER Subject: "AMENDED" APPLICATION
Applicant sent letter dated 10/26/94 to amend A63-03004 and this
application. Each will be for separate wells and for unique land.
The amendment does not increase the number of acres or add QQ's
to P/U; rather it re-arranges acres per tract.
Therefore, this is actually a revision but not a formal
amendment requiring \$50 fee or re-advertising, in my opinion. The
letter replaces an office visit or more lengthy mail process in
which applicant would normally initial changes to the filing.
A new well to be drilled is proposed for this application. The 25
acres within center of proposed P/U are covered by A63-03004 as
shown on "Amended Map" that I prepared per applicant's info.

Date: 03/06/1995 User-ID: CZIMMERM Subject: MORATORIUM EXEMPTION
This permit is located within the boundaries of the Boise River
Drainage Moratorium Area; however, evidence produced at hearing
shows the regional aquifer that the wells will be pulling water
from is tributary to the Payette River drainage.

Audit: 02/25/93 HODGES 09/07/94 SLESTER 11/17/94 SLESTER 05/24/95 RLOVEALL
03/06/95 CZIMMERM 06/14/95 SCURTIS 06/14/95 SCURTIS

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AUG 09 1999

WR5809NP
No. 63-11996

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/01/98
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY LYNN	02/25/1993	IRRIGATION	03/15 11/15	2.000 CFS	
C	D MARK LYNN					
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05N R01W S03 Lot 02(NWNE)

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
05N	01W	3	:					:			05		:		20			:						:	25.0
05N	01W	4	:			02	15	:					:	40				:	30	40	01	30	:	158.0	
TOTAL ACRES																						183.0			

Pou County: ADA

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46B - The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Remarks: GEN Two points of diversion are located within NWNE S03, T05N, R01W. In order to maintain recharge to the aquifer, the water right holder shall continue to use Willow Creek water rights on the land described under this right to the extent the Willow Creek water rights are determined in the SRBA to exist. This right is supplemental to the Willow Creek water rights and shall not be utilized to provide a full water supply on acres where Willow Creek water has historically been used, unless the SRBA court determines the Willow Creek rights are not valid. The water right holder shall provide a well acceptable to the department for use as a monitoring well. The well shall be completed in the regional aquifer, located within 1/2 miles of the production wells, and the depth to water therein shall be monitored during March and October each year and the measurements provided to IDWR.

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Remarks:

In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not directly lower the water level in any domestic well drilled and in use prior to 3/29/78, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.

In accordance with applicable law, the right holder is responsible to ensure that pumpage under this right does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.

Upon determination by the Director that a prior down-gradient minimum stream flow is not being fully satisfied, the right holder shall either cease diversion of water pursuant to this right or shall provide water in an amount necessary to mitigate the ongoing diversion under this right for release into the stream in which the minimum stream flow is not being met.

The water right holder shall install in each irrigation well a known-depth pressurizable air line to enable periodic determinations of the depth to water in the wells, and a measurement port and measurement tube capable of allowing the introduction of depth-to-water measurement probes.

Prior to diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion and shall annually report to the dept. the amount of water diverted and the depth to water.

The right holder shall install non-perforated casing through the upper (perched) aquifer and shall seal the casing such that perched water is not comingled with the deeper (regional) aquifer.

Dates: App. Received: 02/25/1993 Priority Date: 02/25/1993
Proof Due Date: 04/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 03/06/1995 User-ID: CZIMMERM Subject: MORATORIUM EXEMPTION
This permit is located within the boundaries of the Boise River Drainage Moratorium Area; however, evidence produced at hearing shows the regional aquifer that the wells will be pulling water from is tributary to the Payette River drainage.

Audit: 02/25/93 HODGES 03/09/93 GARRETT 09/07/94 SLESTER 11/17/94 SLESTER
05/24/95 RLOVEALL 03/06/95 CZIMMERM 06/14/95 SCURTIS

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AUG 09 1999

AJ5809NP
No. A63-28379

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D MARK LYNN	01/01/1900	IRRIGATION	03-15 11-15	1.86 CFS	
C	JOY LYNN		STOCKWATER	01-01 12-31	0.09 CFS	
TOTAL DIVERSION:					1.95 CFS	

Water Source: WILLOW CREEK

Tributary to: BOISE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:	T05N R01W S03	SWNW	ADA County
	S04	SESE	ADA County
	T06N R01W S34	SESE	GEM County
	S35	SWSW	GEM County
Point(s) of Beginning Stream Reach:	T05N R01W S03	NWSWNE	ADA County
	S04	NWSESE	ADA County
Point(s) of Ending Stream Reach:	T05N R01W S03	SESWNW	ADA County
	T06N R01W S35	NWSWSW	GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW NWNW SWNW SENW	:	NESW NWSW SWSW SESW	:	NESE NWSE SWSE SESE	:	SUM					
05N	01W	3	: 15	:	10	:		:		:	25.0					
06N	01W	34	:	:		:		:	10	:	53.0					
06N	01W	35	:	:		:	15	:		:	15.0					
										TOTAL ACRES	93.0					

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: ADA, GEM

Non-Irrigation Uses: S/400 RANGE, INSTREAM STOCKWATER

Other Rights: A63-03004, A63-08044, 63-10775

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-28380

Other Water Rights Listing Overlapping Place(s) of Use:
A63-03004 A63-08044 A63-28380

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

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AUG 09 1999

AJ5809NP
No. A63-28380

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/98
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D MARK LYNN	03/01/1940	IRRIGATION	03-15 11-15	6.20 CFS	
C	JOY LYNN		STOCKWATER STORAGE	01-01 12-31		2.50 AFA
			DIVERSION TO STORAGE	01-01 12-31	0.50 CFS	
TOTAL DIVERSION:					6.20 CFS	2.50 AFA

Water Source: WILLOW CREEK

Tributary to: BOISE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:	T05N R01W S03	SWNW	ADA County
	S04	SESE	ADA County
	T06N R01W S34	SESE	GEM County
	S35	SWSW	GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05N	01W	2	:					:		15		05	:					:							:	20.0
05N	01W	3	:	35		20	15	10	:			05	:			20		:							:	105.0
05N	01W	4	:				02	15	:				:	40				:	30	40	01	30			:	158.0
06N	01W	34	:						:				:					:			02	10			:	12.0
06N	01W	35	:						:				:			15		:							:	15.0
																							TOTAL ACRES		310.0	

POU County: ADA, GEM

Non-Irrigation Uses: D/400 RANGE

Other Rights: A63-03004, A63-08044, A63-28379, 63-10775

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-28379

Other Water Rights Listing Overlapping Place(s) of Use:
A63-03004 A63-08044 A63-28379

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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AUG 09 1999

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant D Mark Lynn and Joy Lynn

Mailing Address 4050 Chaparral Road

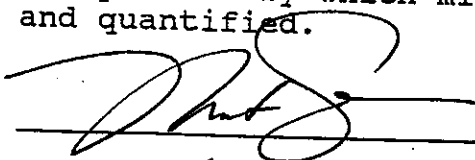
Eagle, ID 83616

Application No. 63-12450

Mitigation

Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director, Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature



Date

5-4-98

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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