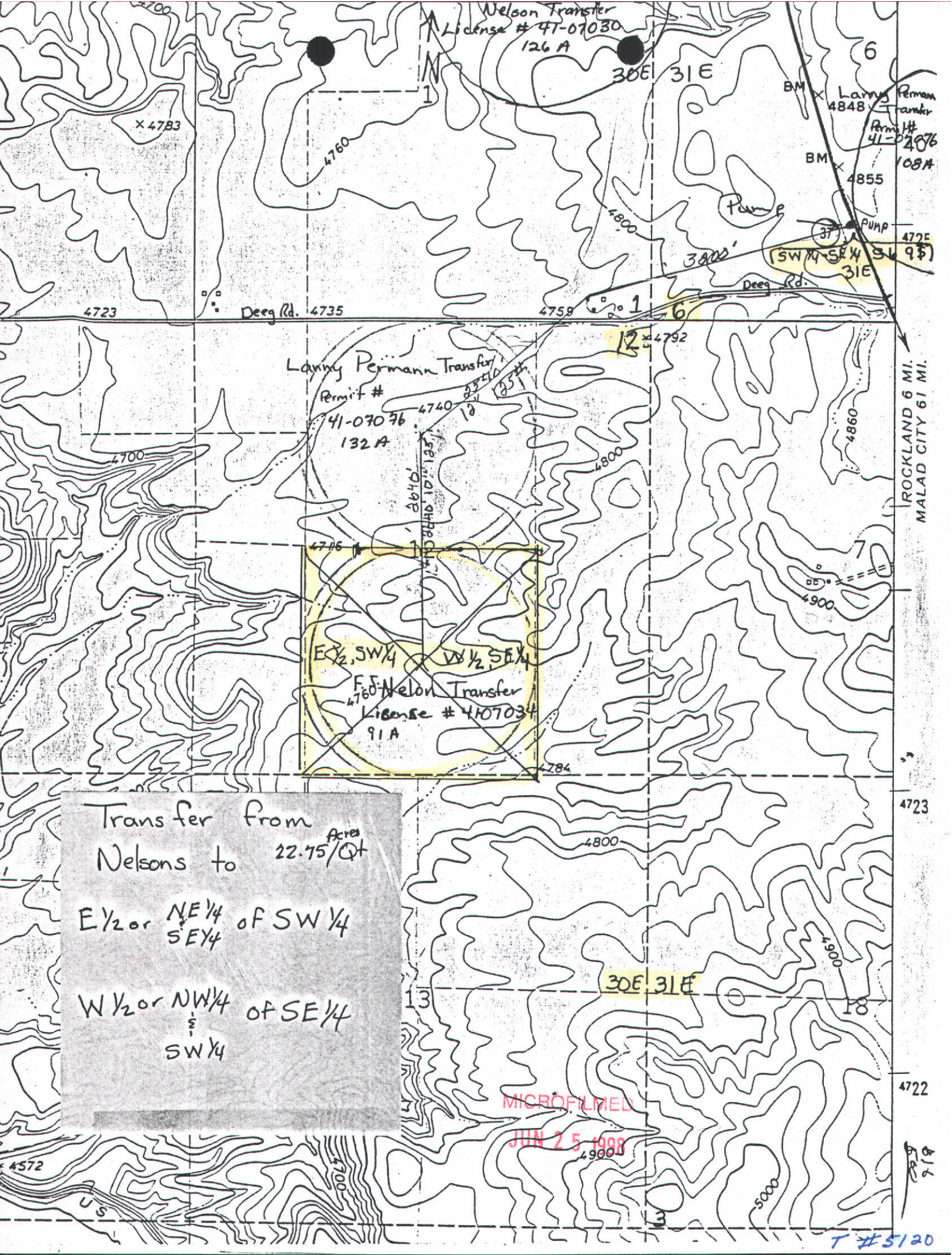




Nelson Transfer  
License # 41-07030  
126 A

Larry Permann  
Permit # 41-07076  
108 A

Larry Permann Transfer  
Permit # 41-07076  
132 A

E 1/2 SW 1/4  
W 1/2 SE 1/4  
F.S. Nelson Transfer  
License # 41-07034  
91 A

Transfer from  
Nelsons to

Acres  
22.75/Qt

E 1/2 or NE 1/4 of SW 1/4  
SE 1/4

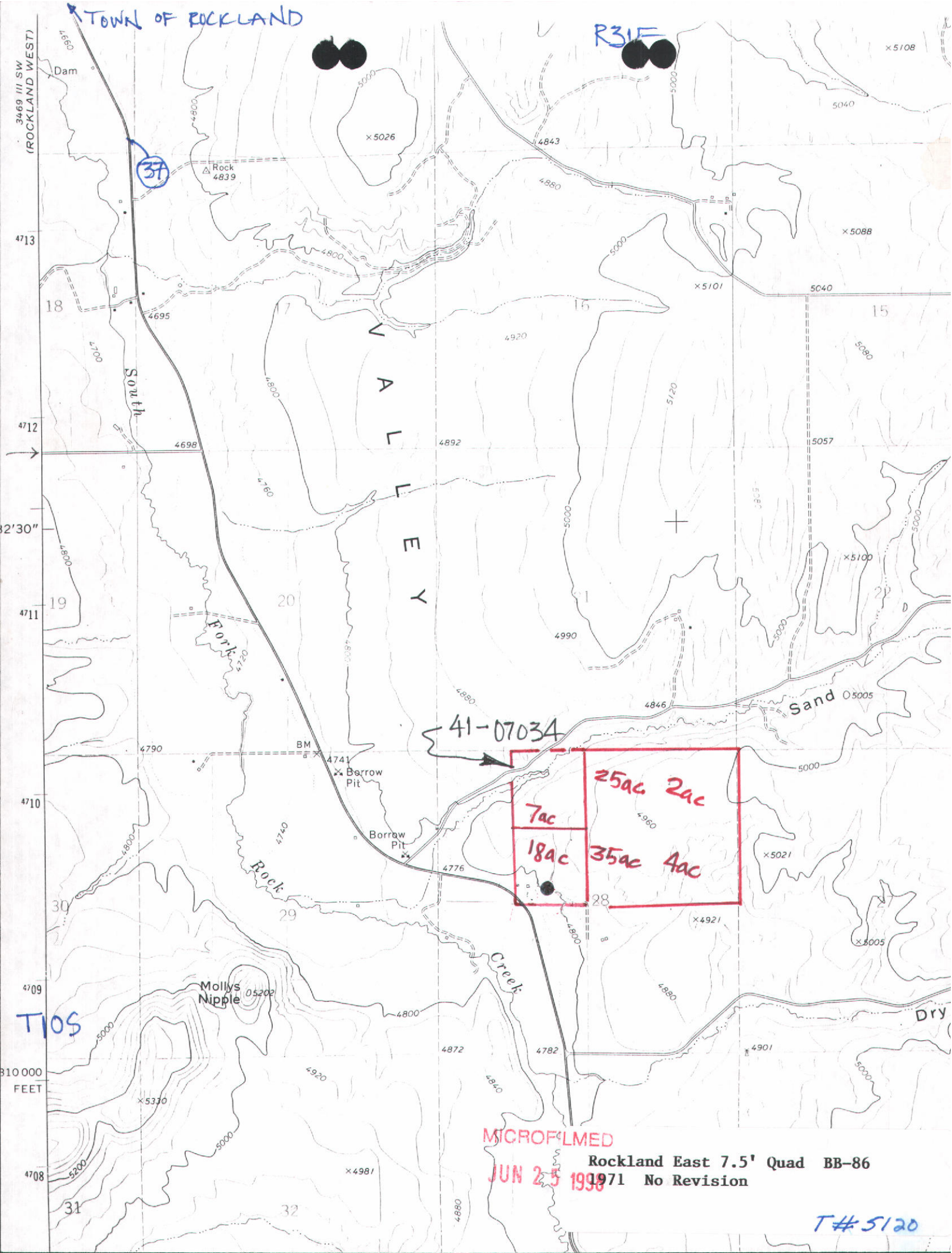
W 1/2 or NW 1/4 of SE 1/4  
SW 1/4

MICROFILMED

JUN 25 1988

T # 5120





TOWN OF ROCKLAND

R31E

37

T10S

MICROFILMED  
JUN 25 1998  
Rockland East 7.5' Quad BB-86  
1971 No Revision

T#5120





20/21  
29/28

185.0

Sand Hollow Rd

(Farold Nelson)

#1372

T-301

T-302

HEL  
1-  
9.2

HEL  
2-  
44.2

3-  
86.3

4-  
38.9

OUT  
HEL  
5-  
22.7

NHSL  
2-  
26.3

NHSL  
5-  
14.5

Rockland Highway

NHSL  
6-  
13.0

6 120.7

HEL  
8-  
19.6

9-  
20.0

7/10  
4-  
10.7

29/28  
32/33

Dr

P/D and P/U Before Transfer  
Nelson, Farold J.

MICROFILMED

JUN 25 1998

SEC 28, T10S, R31E (A) 41-07034

T#5120



POOR QUALITY

7-1-97 Daniel A. Melia  
This is the Official Deed Giving Ownership to OTTO DEEG  
per Reg. LANSBORG POWER COUNTY ASSESSOR'S

POOR QUALITY

DEED, made this 10th day of October, 1968, between  
Otto Deeg, a widow, of the County of Power, State of Idaho,  
of the first part, and  
Ida Deeg, husband and wife, of the County of Power, State of Idaho,  
of the second part;  
That the said party of the first part, for and in consideration of the sum of  
one hundred and other good and valuable consideration, to her in land paid by the said party of  
the second part, of the United States of America, to her in land paid by the said party of  
the second part, the receipt whereof is hereby acknowledged, have by these presents conveyed  
and confirmed unto said party of the second part, and to their heirs and assigns forever, All that certain lot, piece or parcel of land, situate in  
the County of Power, State of Idaho, bounded and more particularly  
described as follows, to wit:

The S4NW4, E4SW4, W4SE4 of Section 12,  
the E4NW4, SW4NW4 of Section 13, and  
the S4NE4, SE4NW4 of Section 14, all of  
which is situated in Township 3 North,  
Range 30 East, Boise Meridian.

with all and singular, the tenements, hereditaments and appurtenances thereto in anywise  
appertaining, and the rents, issues and profits thereof, unto said party of the second part, and to their heirs and  
assigns forever, together with the appurtenances thereto in anywise incident unto the said part 1st of the second part, and to their heirs and  
assigns forever, and the said party of the first part, and her heirs, assigns and assigns against the said party of the second part, and her heirs,  
assigns and assigns, in the quiet and peaceable possession of the said parties of the second part, and their heirs, assigns and assigns, and assigns  
against the said party of the first part, and her heirs, assigns and assigns, lawfully claiming or to claim the same, shall and lawfully  
be defended by these presents forever defend.

WHEREOF, the said party of the first part has hereunto set her hand and seal, this day and year first above written.

Delivered in the Presence of  
Otto Deeg,

#128495

POOR QUALITY

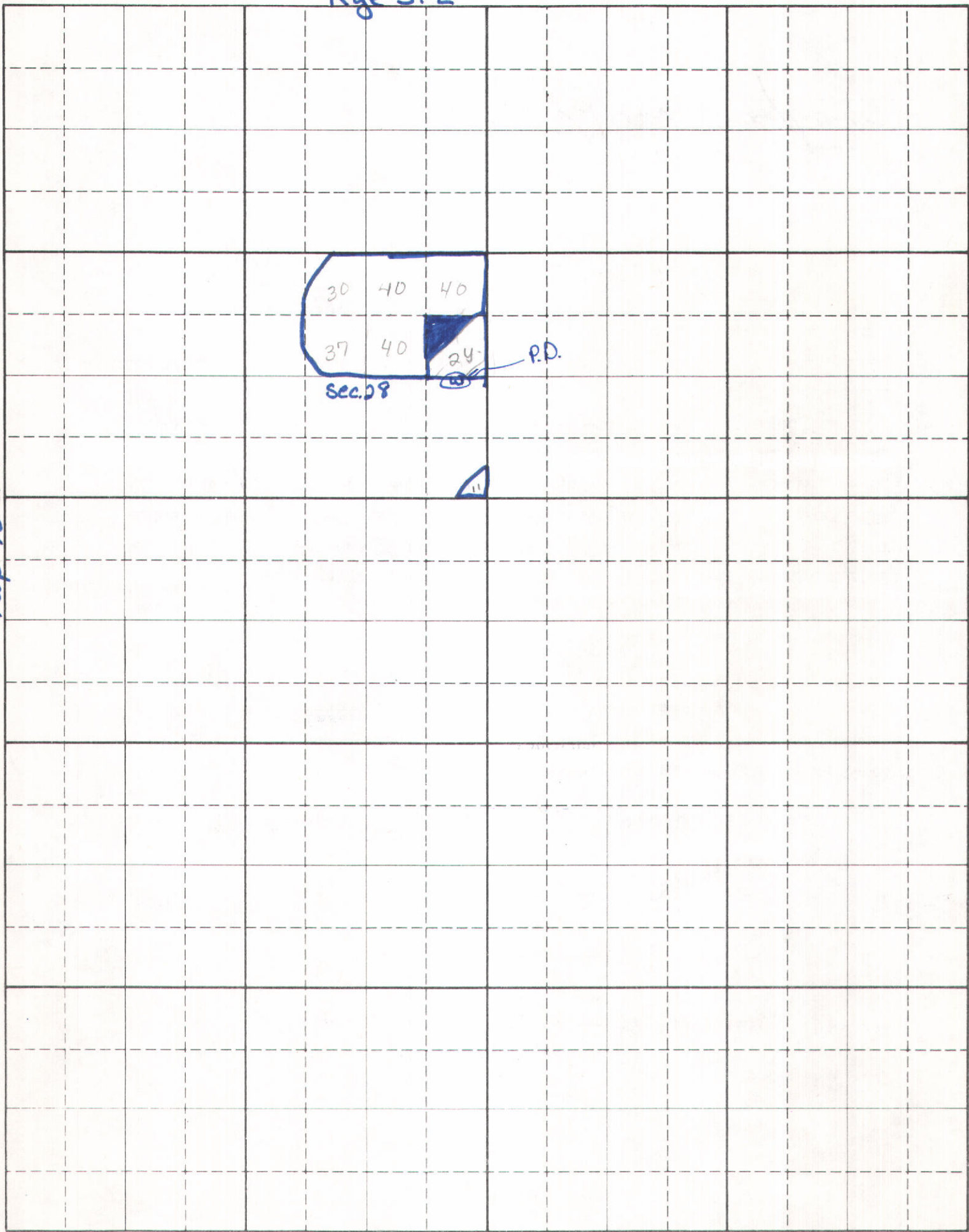
MICROFILMED  
JUN 25 1999



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

Rge 31 E

Twp 10S. P



Scale: 2 inches equal 1 mile

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

Kent O. McMichael  
(Applicant)

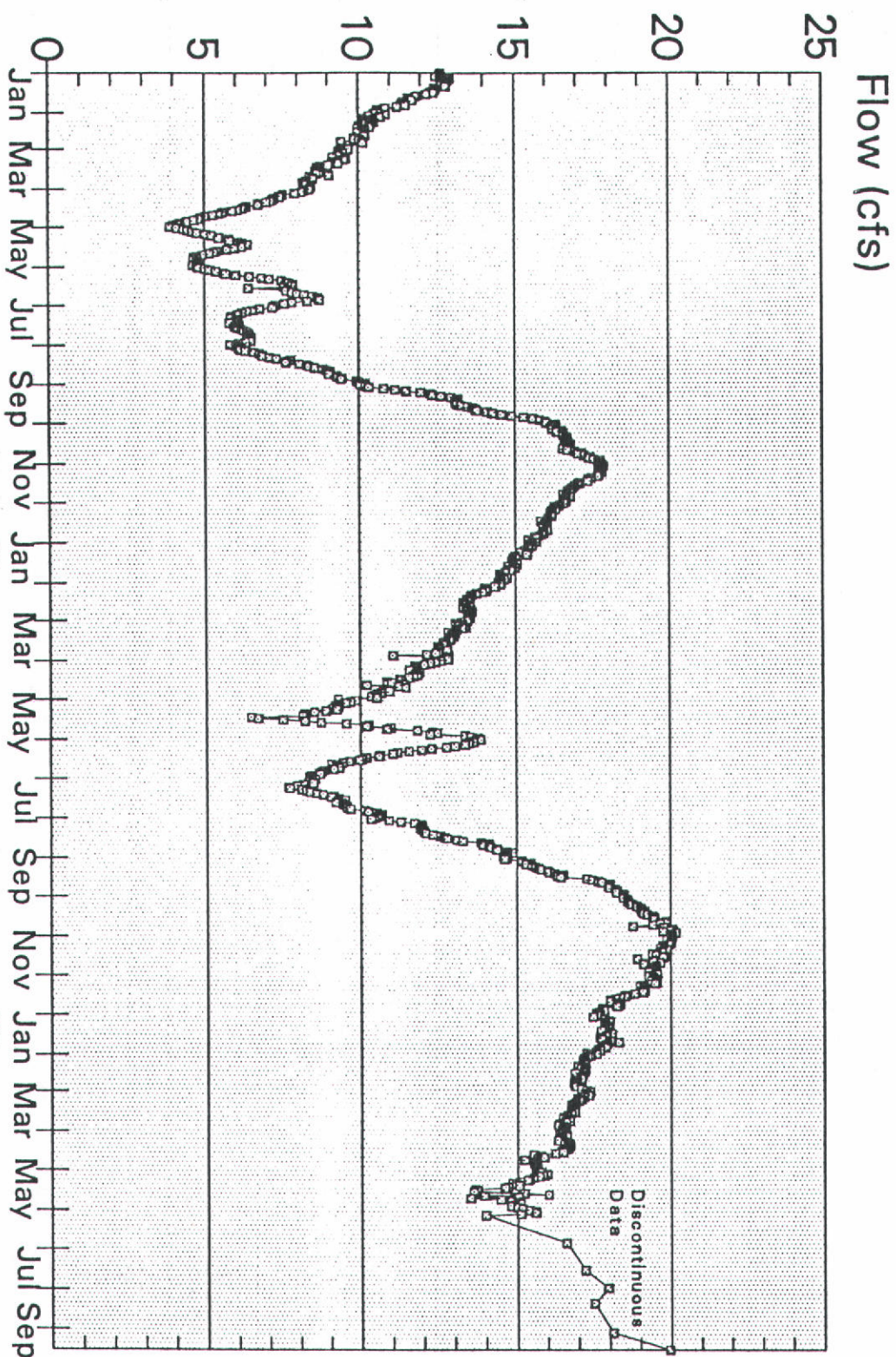
MICROFILMED



# Current Tunnel

Average Daily Flow Rate

January 1, 1995 to September 17, 1997



Based on average daily water levels and rating table.<sup>95</sup>  
 Logger data unavailable from 6/6/97, only occasional gage readings.<sup>96</sup>

MICROFILMED  
JUN 25 1998



T10S  
R 31E

NHEL  
8-  
185.0

Sand Hollow Rd

T50E

(Farold Nelson)

#1372

Id. R. Co.  
4 AR283  
Well

HEL  
1-  
8.2

HEL  
2-  
44.2

4-  
38.9

HEL  
5-  
22.7

NHEL  
2-  
26.3

NHEL  
5-  
14.5

Rockland Highway

NH  
6-130

6.118.7

13-  
2.0

HEL  
8-  
17.6

9-  
20.0

HEL  
10-  
3.9

11-  
7.8

Dry Hollow Rd

No Field 7-



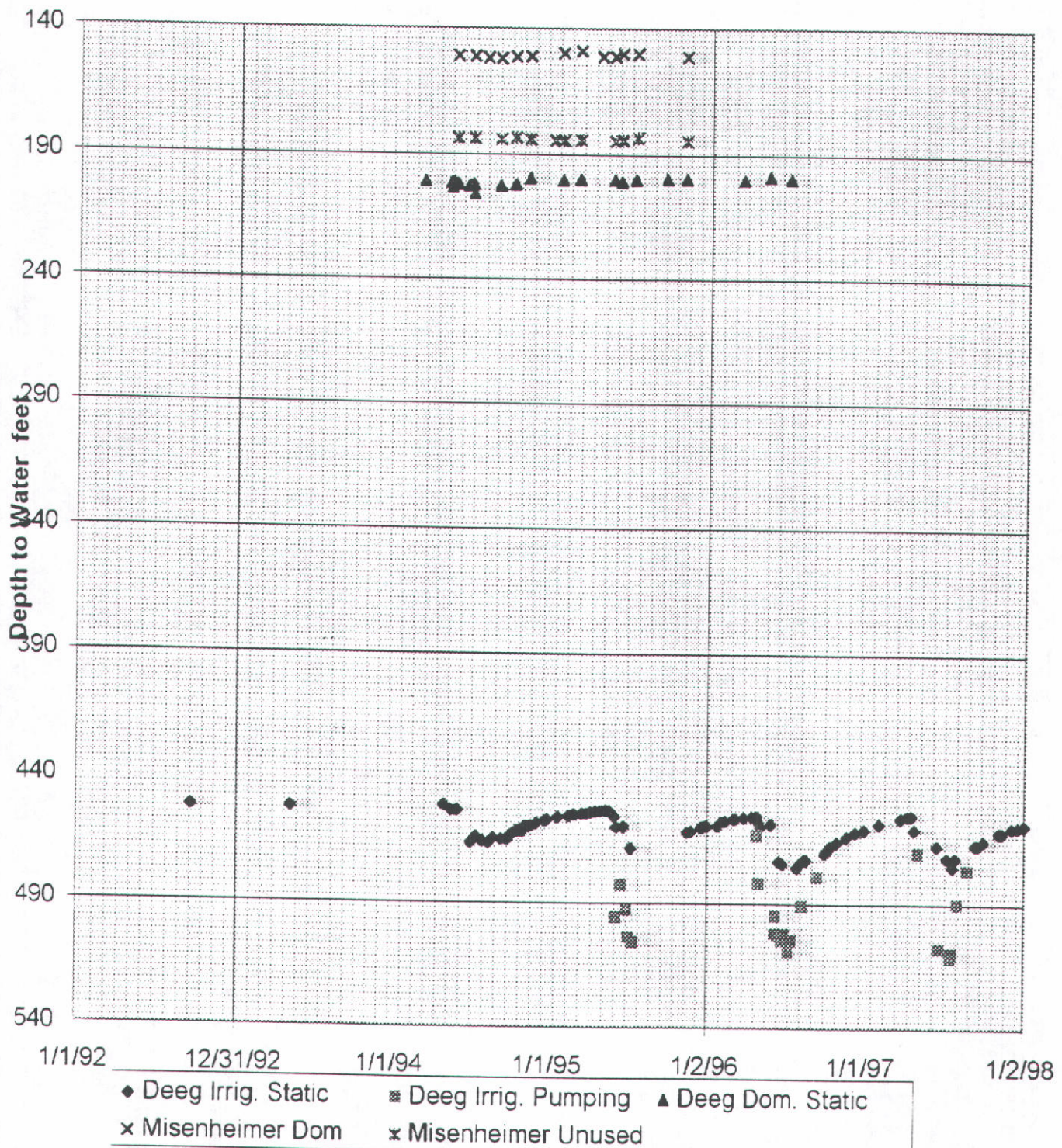
111

continued by

2  
MICROFILME  
JUN 25 1998  
Rd.



## Deeg Wells and Misenheimer Wells

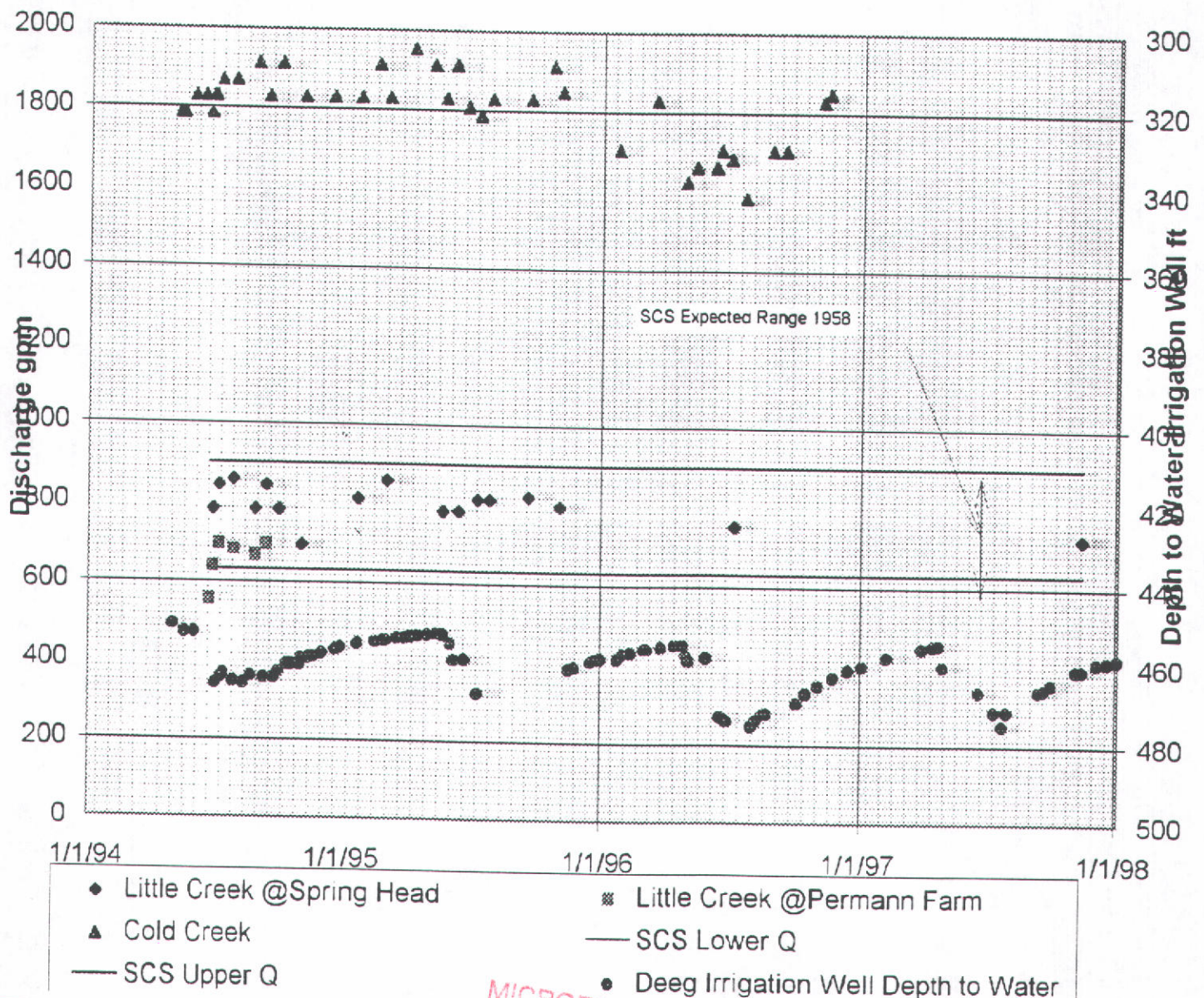




# Surface Flows

|          |        |        |     |     |
|----------|--------|--------|-----|-----|
| 6/12/96  | 3.875  | 1663.7 | 630 | 900 |
| 6/19/96  | 3.9375 | 1704.1 | 630 | 900 |
| 7/3/96   | 3.9063 | 1683.9 | 630 | 900 |
| 7/22/96  | 3.75   | 1583.9 | 630 | 900 |
| 8/28/96  | 3.937  | 1703.8 | 630 | 900 |
| 9/16/96  | 3.937  | 1703.8 | 630 | 900 |
| 11/6/96  | 4.125  | 1827.3 | 630 | 900 |
| 11/15/96 | 4.156  | 1847.9 | 630 | 900 |

## Little Creek and Cold Creek Flows



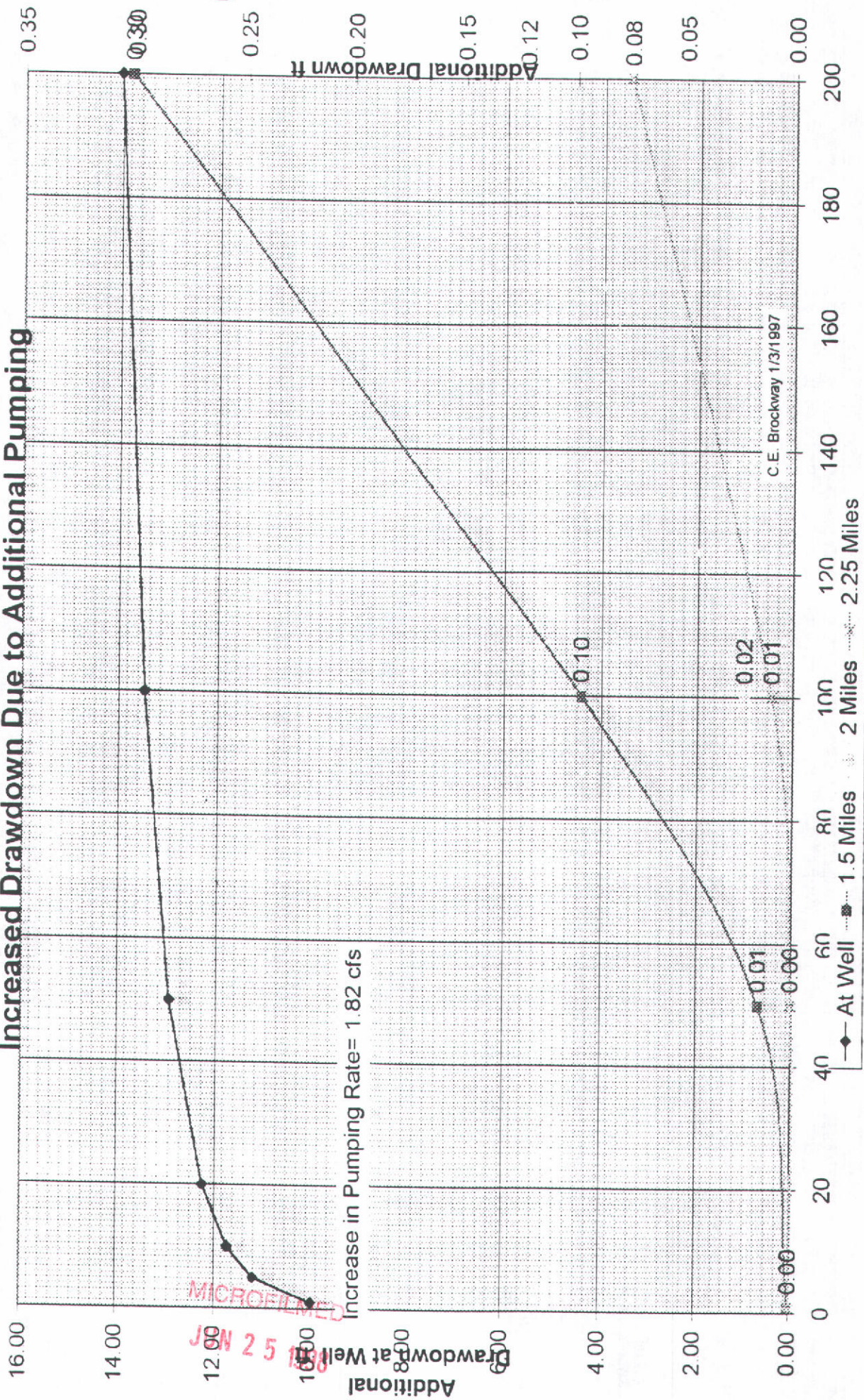
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JUN 25 1998



# Deeg Irrigation Well

## Increased Drawdown Due to Additional Pumping





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Sand Hollow Rd

(Farola Nelson)

#1372

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NHEL  
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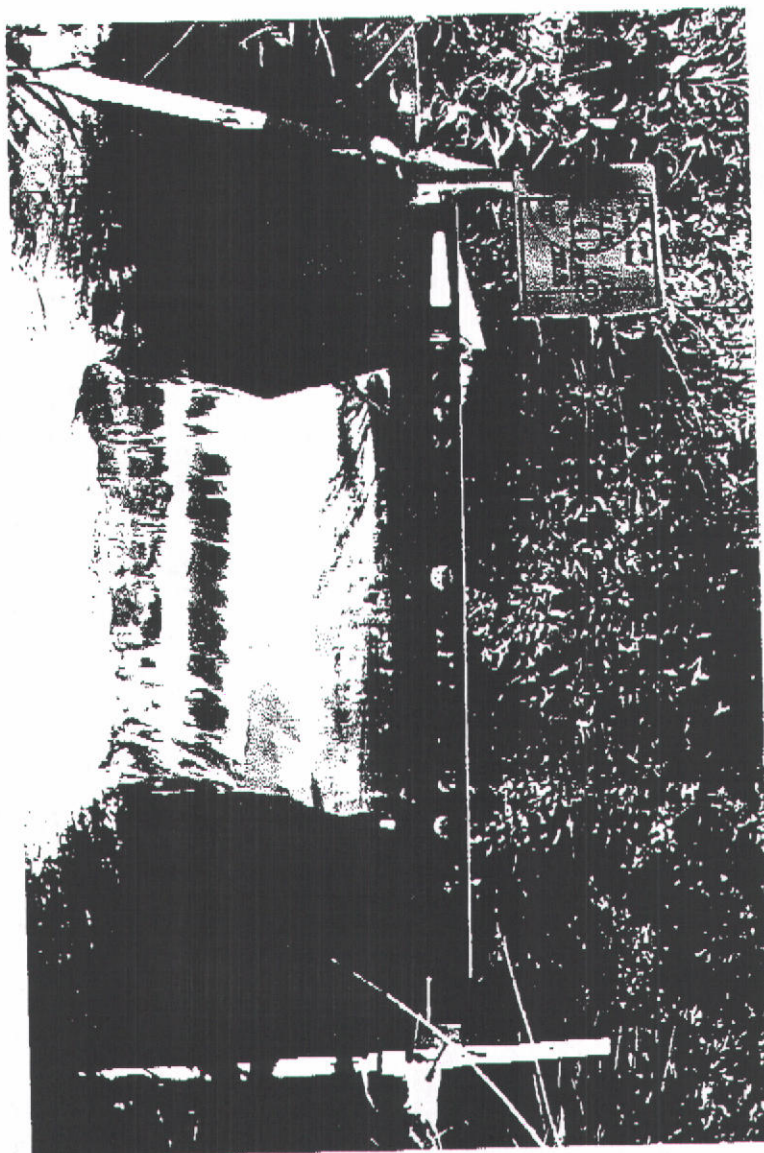
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NHEL  
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JUN 25 1998





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JUN 25 1998



PHOTO 1/2



Photo looking W'ly



Well to be Abandoned/Pump Removed 5/97



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JUN 25 1998

Deeg, Tim 23 June 1997 1400 hrs.

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$   
Before Transfer  
Sec 28, T10S, R31E

T# 5120



PHOTO 2/2

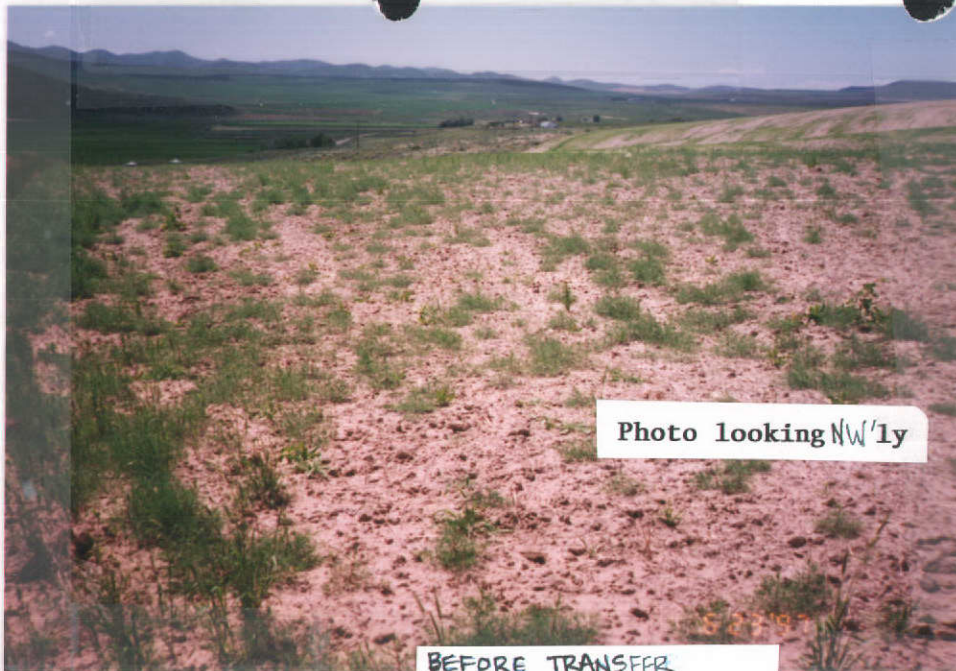


Photo looking NW'ly

PTNS. OF NE  $\frac{1}{4}$  & NW  $\frac{1}{4}$   
SEC 28, T10S, R31E

BEFORE TRANSFER  
PLACE OF USE



Photo looking E'ly

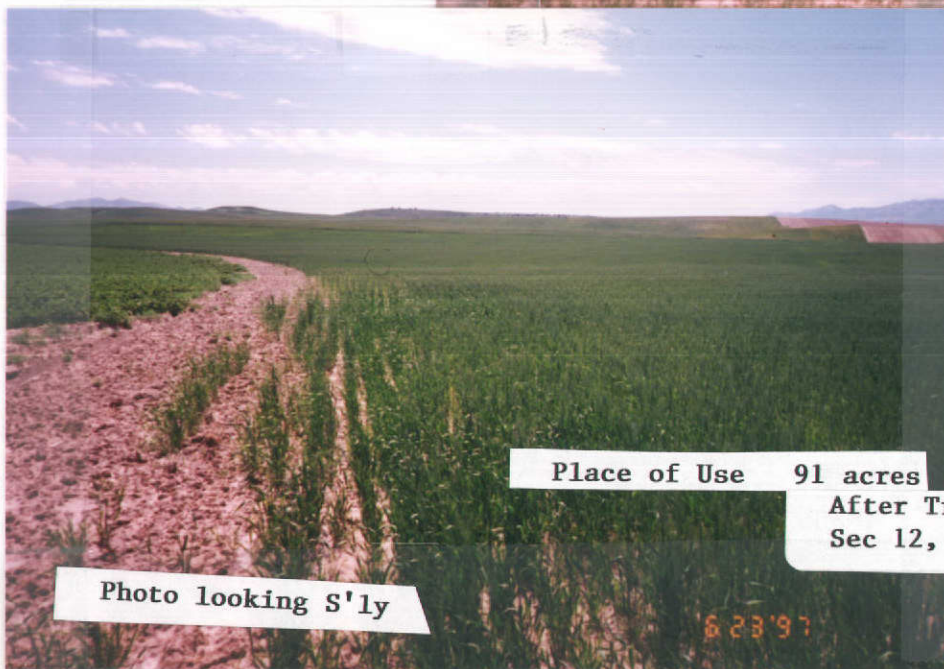


Photo looking S'ly

Place of Use 91 acres

After Transfer

Sec 12, T09S, R30E NE-SE/SW  $\frac{1}{4}$  NW-SW/SE  $\frac{1}{4}$

MICROFILMED  
JUN 25 1998

T#5120



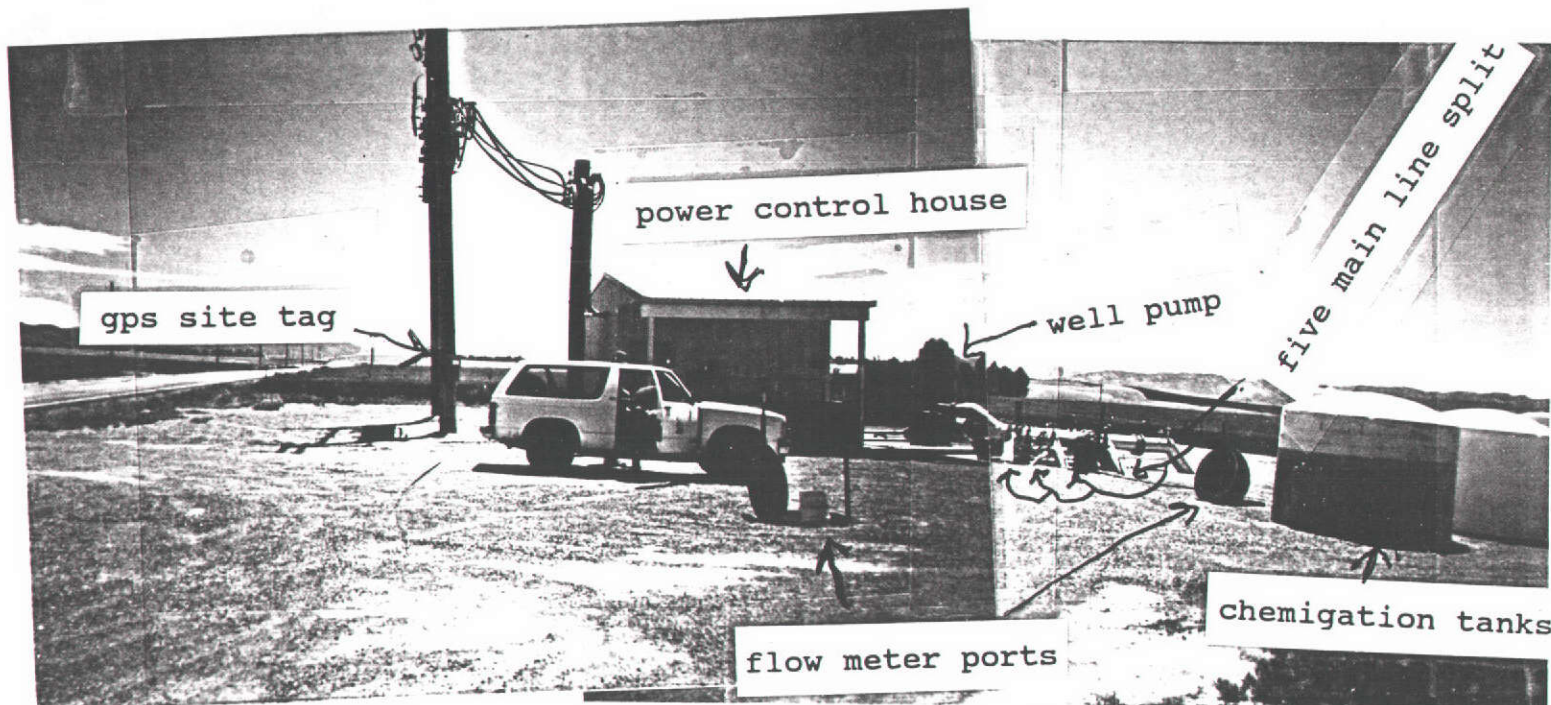


PHOTO LOOKING S'LY

Both the above and below pictures are of the point of diversion. These pictures show the two booster pumps and the five mainlines that come off of the well.

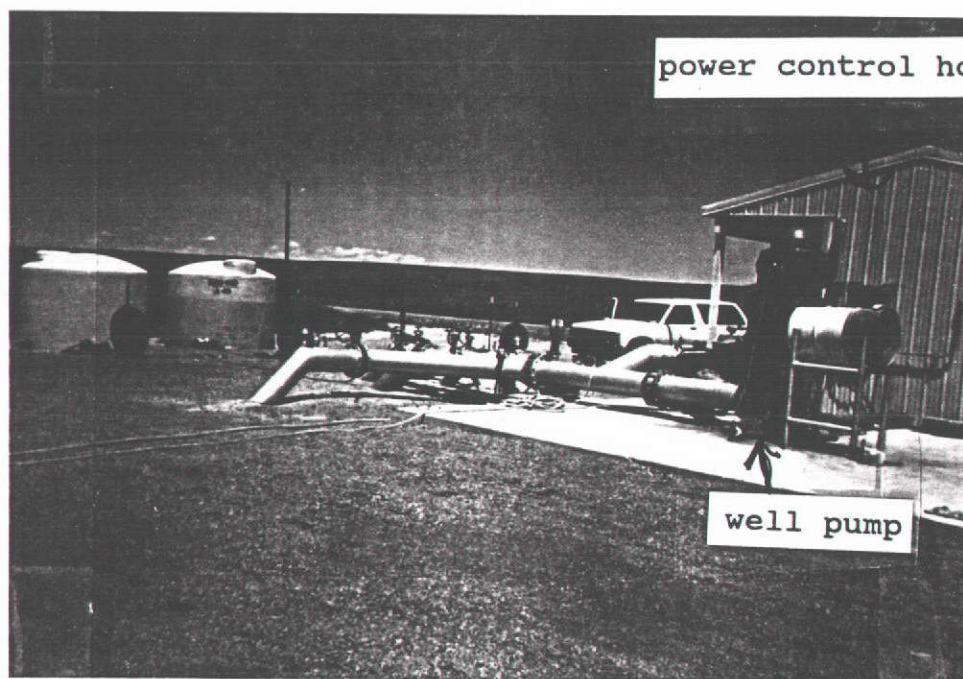


PHOTO LOOKING NE'LY

P/D  
Sec 6, T9S, R31E  
SW 1/4 SE 1/4

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JUN 25 1998

T#5120



PRE-TRANSFER  
FIELD EXAMINATION

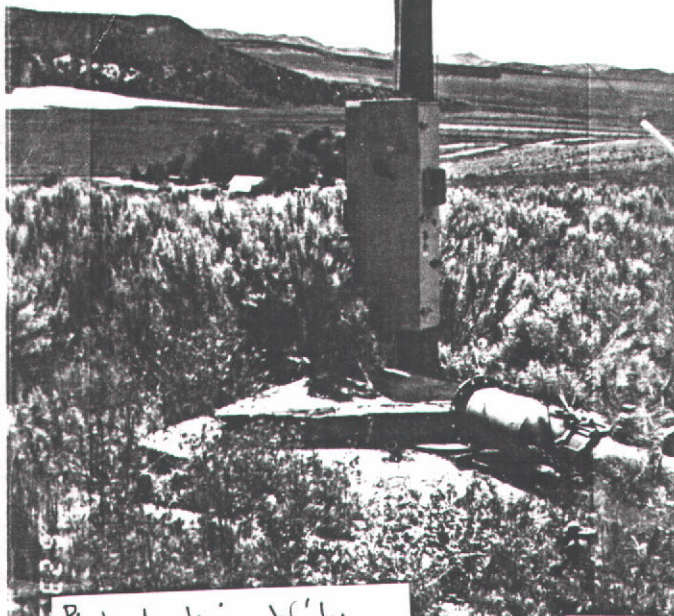
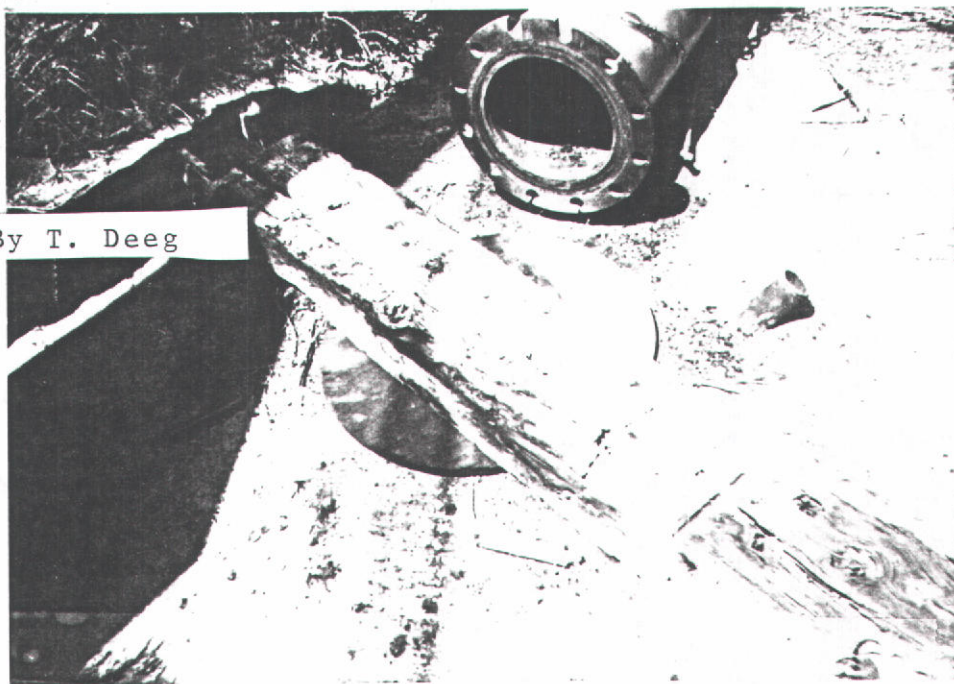


Photo Looking W'ly

P/D= Sec 28, T10S, R31E SE $\frac{1}{4}$  NW $\frac{1}{4}$



Well To Be Abandon By T. Deeg



MICROFILMED

JUN 25 1998

23 JUNE 1997  
EXAMINER=SATTERLEE, GL T# 5120



1429

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Ronald Ray Nelson

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JUN 21 1988

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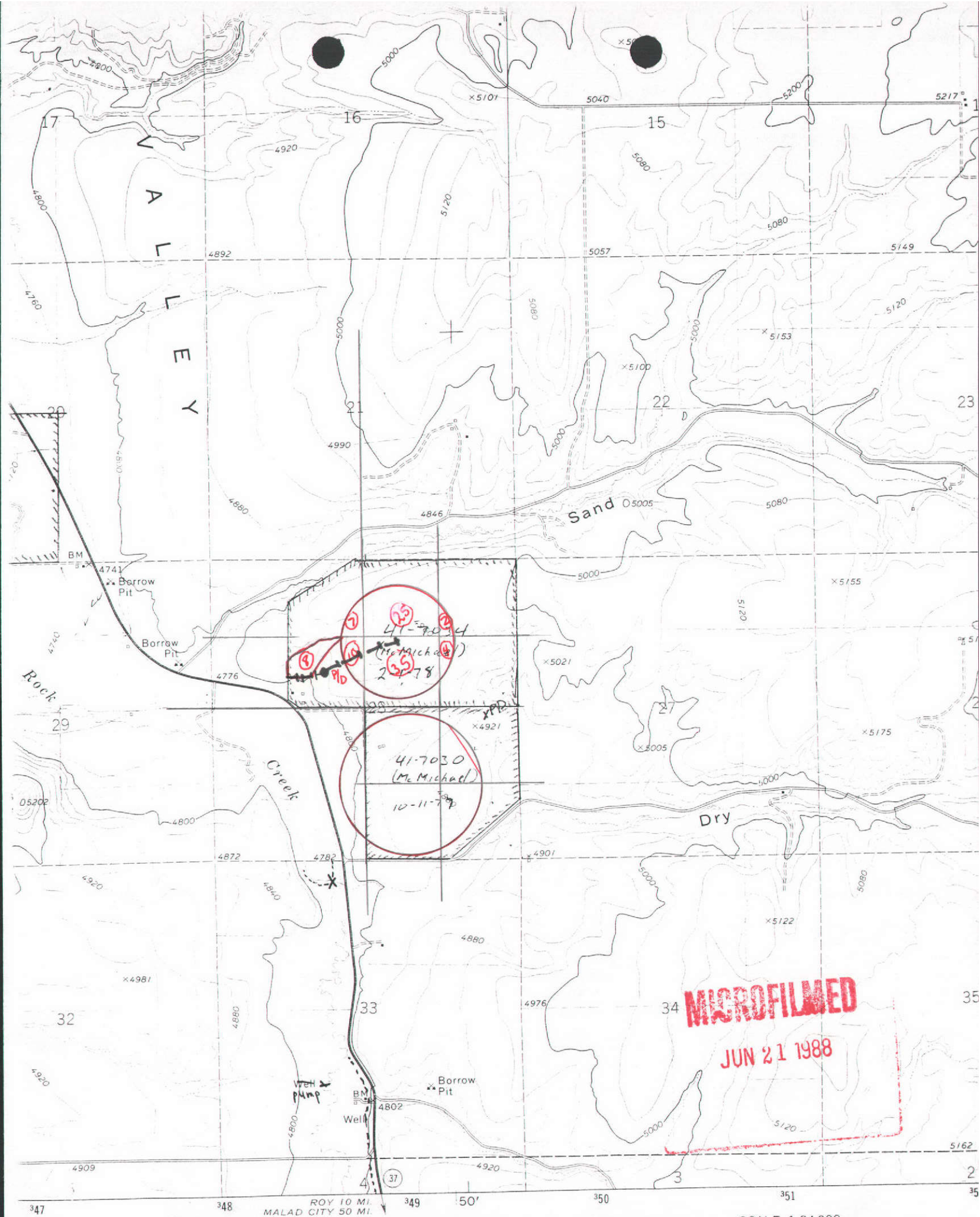
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41-7034



Point of Diversion

**MICROFILMED**

JUN 21 1988



41-7034



Place of use



Place of use

JUN 21 1988

RECEIVED



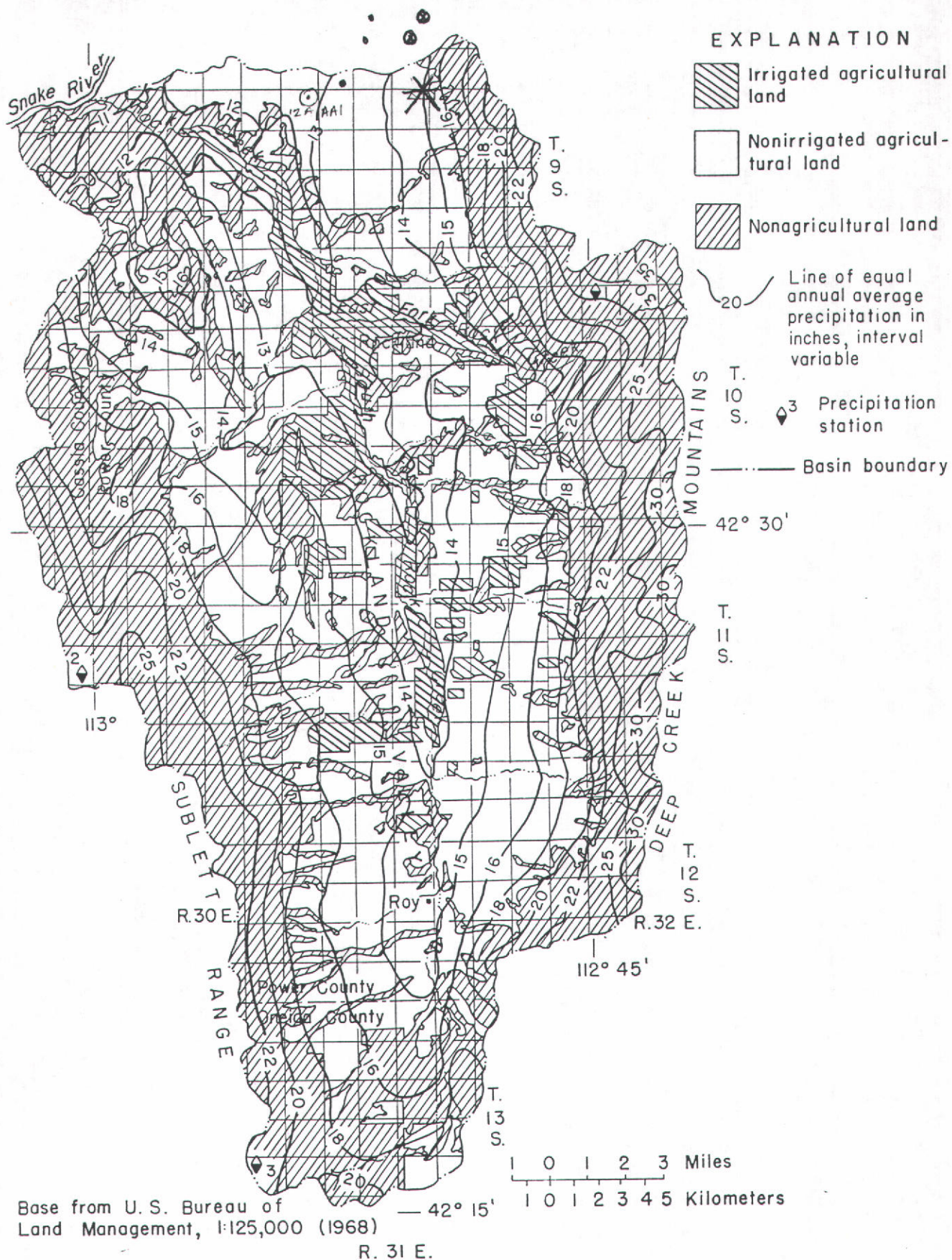


Figure 3.-- Distribution of

MICROFILMED

JUN 25 1998



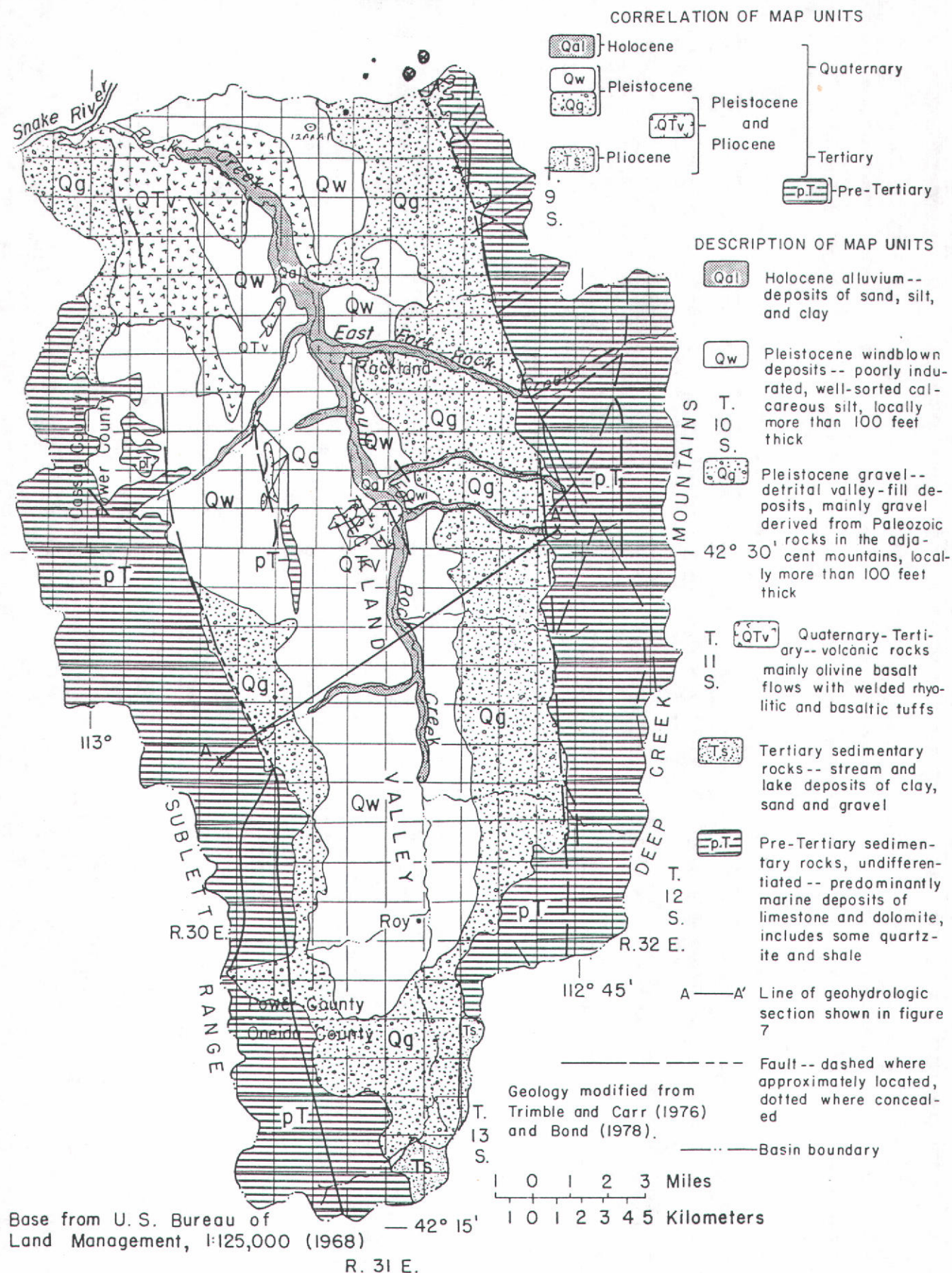


Figure 6. -- Generalized geology.

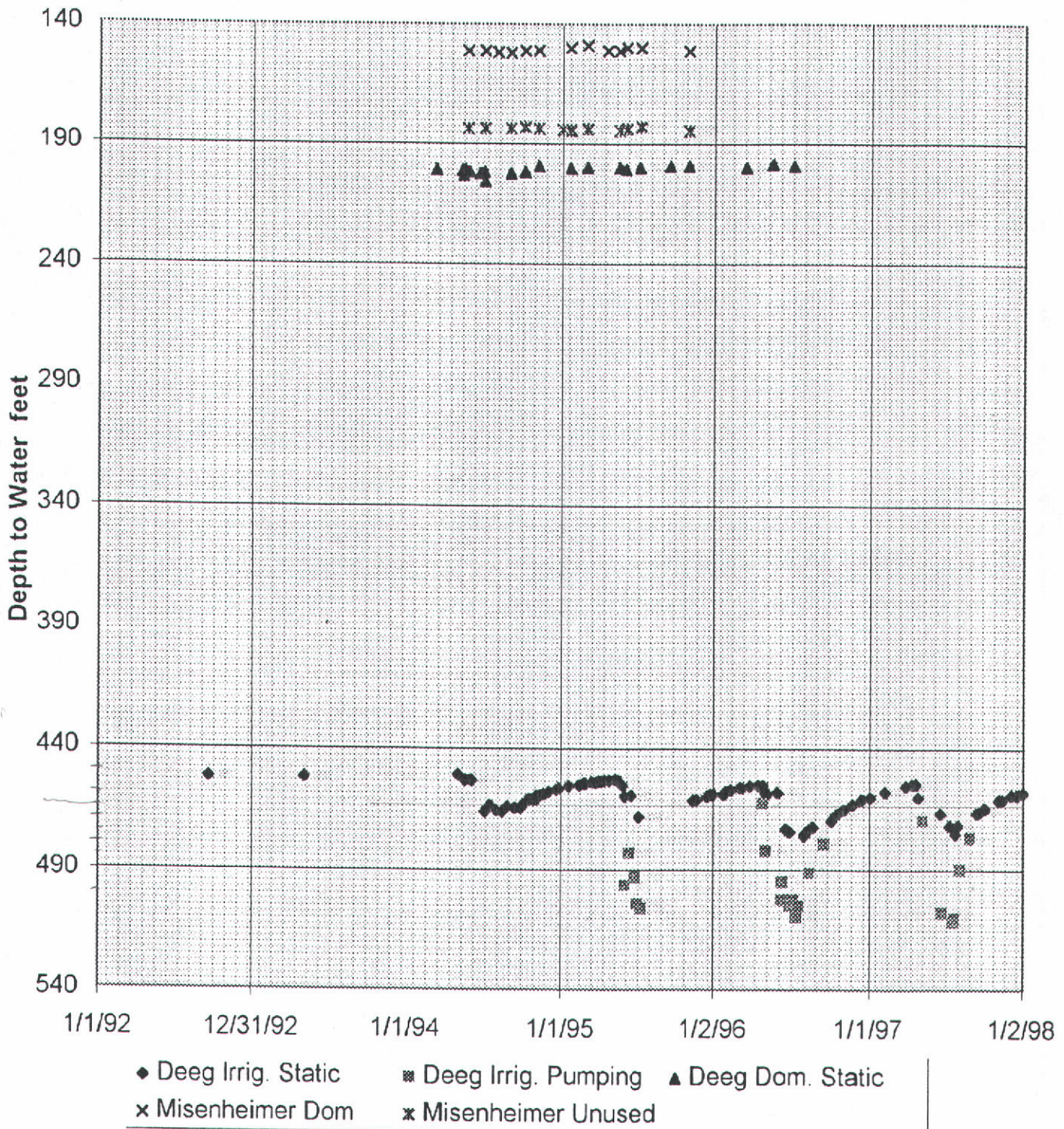
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JUN 25 1998



## Deeg Wells and Misenheimer Wells



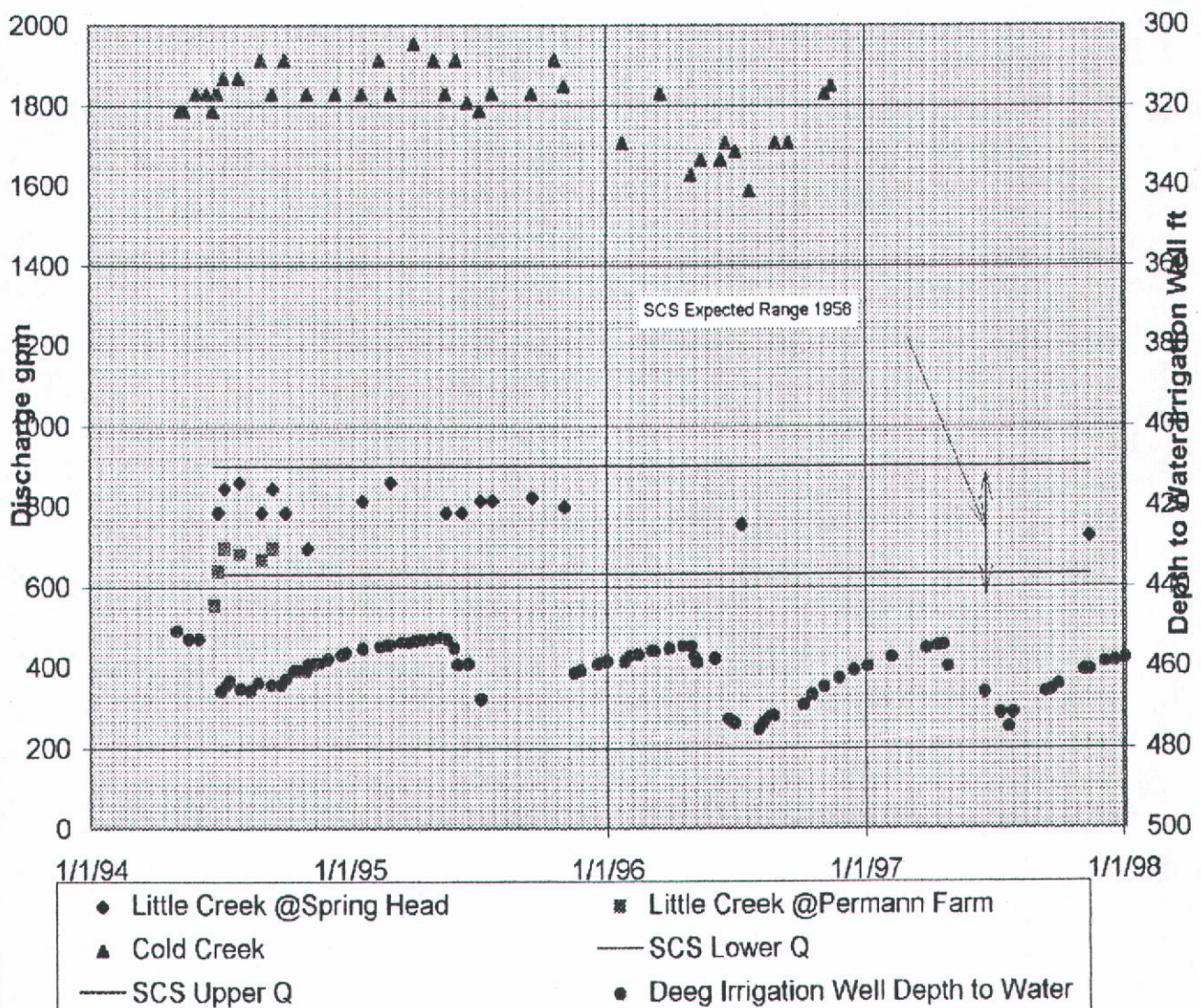
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JUN 25 1998



# Surface Flows

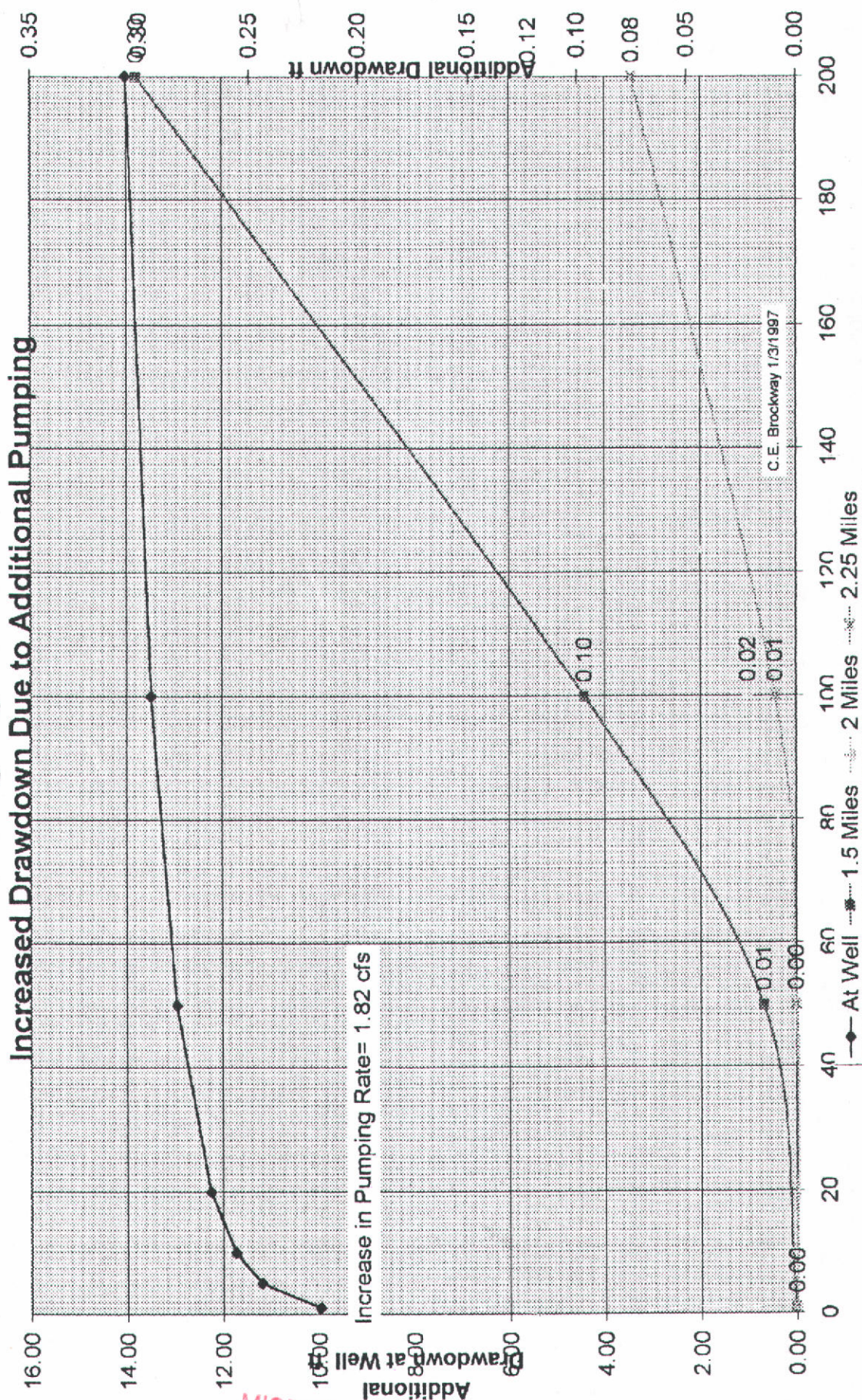
|          |        |        |     |     |
|----------|--------|--------|-----|-----|
| 6/12/96  | 3.875  | 1663.7 | 630 | 900 |
| 6/19/96  | 3.9375 | 1704.1 | 630 | 900 |
| 7/3/96   | 3.9063 | 1683.9 | 630 | 900 |
| 7/22/96  | 3.75   | 1583.9 | 630 | 900 |
| 8/28/96  | 3.937  | 1703.8 | 630 | 900 |
| 9/16/96  | 3.937  | 1703.8 | 630 | 900 |
| 11/6/96  | 4.125  | 1827.3 | 630 | 900 |
| 11/15/96 | 4.156  | 1847.9 | 630 | 900 |

## Little Creek and Cold Creek Flows





## Increased Drawdown Due to Additional Pumping



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JUN 25 1998







T10S  
R 31E

NH  
Department of Water Resources  
APPLICANT'S  
14 185.0  
2/3/98  
Exhibit  
Date Ad

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Sand Hollow Rd

T50N

(Farold Nelson)

#1372

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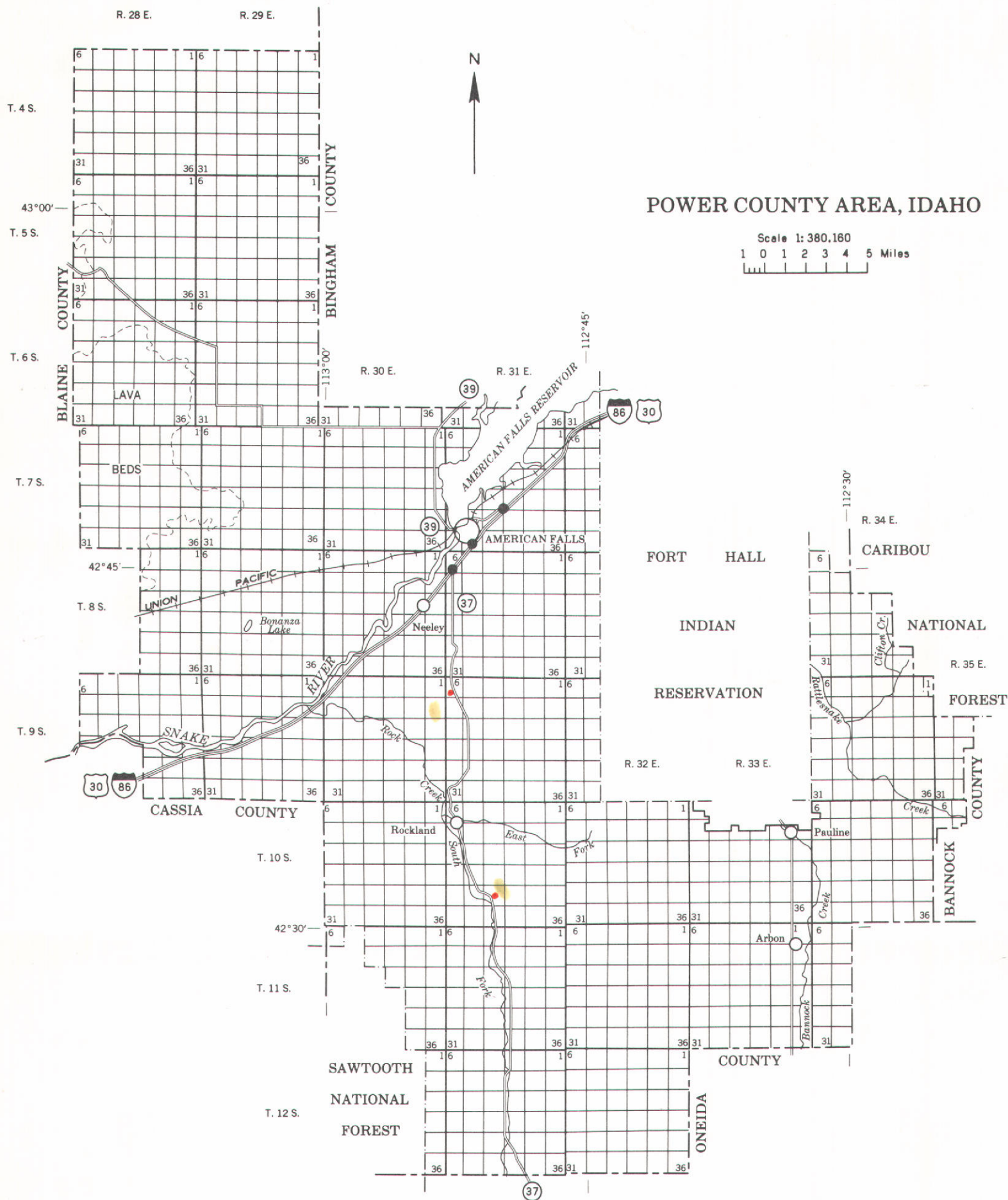
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Dry Hollow Rd

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JUN 23 1998

Field 7





GEOGRAPHICAL CHANGE WITH THE PROPOSED TRANSFER OF NELSON TO DEEG  
TRANSFER # 5120

- Change in the point of diversion
- Change in the place of use

Department of Water Resources  
APPLICANT'S

Exhibit

17

Date Admitted

2/3/98

ADm

MICROFILMED  
JUN 25 1998





Cold Creek  
6' CF Weir  
6-10-75 (10)  
avg 1000  
gen 199266



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5120  
WATER RIGHT NO. 41-07034

This is to certify that: **TIMOTHY P DEEG**  
**2597 DEEG ROAD**  
**AMERICAN FALLS ID 83211**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31       | 1.82 CFS              | 364.0 AF             |

SOURCE

GROUNDWATER

Priority: 04/07/1978

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 6, Township 09S, Range 31E  
POWER County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 09S 30E 12         | NESW 22.8    | SESW 22.7    | NWSE 22.8    | 91           |
|                    | SWSE 22.7    |              |              | 91           |

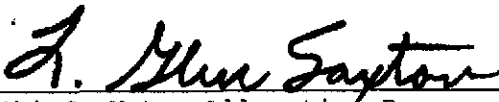
Total number of acres irrigated:

91

CONDITIONS OF APPROVAL AND REMARKS

Right 41-07034 is subject to the conditions of the Final  
Order in the matter of Application for Transfer No. 5120.

Dated this 15<sup>th</sup> day of May, 1998

  
Chief, Water Allocation Bureau

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JUN 25 1998



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR )  
TRANSFER NO. 5120 OF WATER RIGHT )  
NO. 41-07034 IN THE NAME OF ) **FINAL ORDER**  
TIMOTHY P. DEEG )  
\_\_\_\_\_ )

On April 15, 1998, the hearing officer for the Idaho Department of Water Resources (department) issued a Recommended Order in connection with the above captioned matter. None of the parties filed a petition for reconsideration, briefs or exceptions in connection with the Recommended Order. Based upon his understanding of the law and the facts in this matter, the Director makes the following Findings of Fact, Conclusions of Law and Final Order:

**FINDINGS OF FACT**

1. On June 13, 1988, the department issued license No. 41-07034 as follows:

Source: Groundwater  
Priority: April 7, 1978  
Rate of div: 1.82 cfs  
Point of div: SE1/4NW1/4 Section 28, T10S, R31E, B.M.  
Use: Irrigation  
Season of use: March 15 to November 15  
Place of use: 91 acres in parts of Section 28, T10S, R31E, B.M.

*(Note: The "1/4" designations will be omitted from subsequent legal descriptions in this order).*

2. On May 29, 1997, Timothy P. Deeg (applicant) filed application for transfer No. 5120 (application) with the department proposing to change the point of diversion of license No. 41-07034 to an existing well located within the SWSE Section 6, T9S, R31E, B.M. and the place of use to 91 acres in parts of Section 12, T9S, R30E, B.M. The proposed change would move the point of diversion and place of use approximately 10 miles north and 2 miles west of the original use.

3. The department published notice of the application which was subsequently protested by Twin Falls Canal Company, North Side Canal Company, Warm Creek Irrigation Company, Harold Isaak and Steve Isaak. The protests of Twin Falls Canal Company and North Side Canal Company were subsequently withdrawn.

MICROFILMED  
JUN 25 1998



4. On February 3, 1998, the department conducted a hearing in the matter. The applicant was present and was represented by Kent Foster. Warm Creek Irrigation Company (protestant) was represented by members Don Zaring and Lane Kindall. Protestants Harold and Steve Isaak did not appear at the hearing.

5. Issues identified by the protestant include the following:

- a. The proposed changes will injure other water rights.
- b. The proposed changes will constitute an enlargement in use of the original right.
- c. The right sought to be transferred has been forfeited through non-use.

The general concern expressed by the protestant was that diversion of additional water from the applicant's irrigation well will make less water available for the protestant's use of water diverted from Cold Creek and Warm Creek.

6. Exhibits offered and accepted as a part of the record include the following:

- a. Applicant's Exhibit No. 1 - U.S.G.S. Quadrangle sheet titled Neeley, Idaho and Indian Springs, Idaho.
- b. Applicant's Exhibit No. 2 - U.S. Geological Survey Open File Report 82-755 titled Water Resources of Rockland Basin, Southeastern Idaho.
- c. Applicant's Exhibit No. 3 - Stipulation and Order for Dismissal in Case No. CV-94-01028.
- d. Applicant's Exhibit No. 4 - Letter dated February 21, 1997 to Timothy P. Deeg from Mark Slifka.
- e. Applicant's Exhibit No. 5 - Letter dated April 7, 1997 to Kathleen Barkdull from Mark Slifka.
- f. Applicant's Exhibit No. 6 - Graph of water levels in two (2) USGS observation wells.
- g. Applicant's Exhibit No. 7 - Schematic depiction of certain wells. The exhibit is titled "Elevation Contours".
- h. Applicant's Exhibit No. 8 - Technical Data: Little Creek.
- i. Applicant's Exhibit No. 9 - Combined Reconnaissance and Project Survey for Little Creek Irrigation Company, Power SCD.



- j. Applicant's Exhibit No. 10 - Technical Data: Cold Creek.
- k. Applicant's Exhibit No. 11 - Technical Data: Mayer Wells.
- l. Applicant's Exhibit No. 12 - Report of Charles E. Brockway of Brockway Engineering.
- m. Applicant's Exhibit No. 13 - Photograph of Little Creek weir.
- n. Applicant's Exhibit No. 14 - Copy of aerial photograph showing cultivated acreage.
- o. Applicant's Exhibit No. 15 - ASCS Report of Acreage for Program Year 1995.
- p. Applicant's Exhibit No. 16 - ASCS Report of Acreage for Program Year 1993.
- q. Applicant's Exhibit No. 17 - Map titled "Geographical Change With the Proposed Transfer of Nelson to Deeg Transfer # 5120".
- r. Applicant's Exhibit No. 18 - Photograph of Cold Creek weir.
- s. Applicant's Exhibit No. 19 - ASCS Report of Acreage for Program Year 1991.
- t. Applicant's Exhibit No. 20 - Conservation Reserve Program Contract No. 8731 signed in 1997, ASCS Report of Acreage for program years 1992, 1994, 1996 and 1997.
- u. Protestant's Exhibit A - Warm Creek Measurements.
- v. Protestant's Exhibit B - Cold Creek Measurements.
- 7. At the hearing the hearing officer officially noticed the following:
  - a. The department's file for Application for Permit No. 41-07034.
  - b. Past decisions and orders of the department, including the Amended Final Order of the department issued on March 21, 1995 in connection with license No. 41-07030.
  - c. The department's water right records.
  - d. Reports, water measurements and stream flow records in department files including U.S. Geological Survey reports.

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JUN 25 1998



- e. Well Driller Reports (well logs) in the department's files.

8. The Deeg irrigation well (Deeg well) is located in the SWSE Section 6, T9S, R31E, B.M. The well was drilled during the summer of 1992 and was first used on 348 acres during the 1993 irrigation season. The Deeg well is 939 feet deep and is cased with 18 inch diameter casing which is perforated at depths of 210 feet to 330 feet, 450 feet to 490 feet and from 516 to 716 feet. The static water level in the well averages about 475 feet below land surface. The water level in the well when it is pumping at times exceeds 500 feet below land surface.

9. On February 8, 1997, the department logged the Deeg well using a down-hole video camera and a temperature probe. A small amount of water was observed dripping into the hole at about 261 feet and at 298 feet, about 5 to 10 gallons per minute (gpm) was observed running down the slotted liner. The static water level was measured at 458 feet below land surface and the bottom hole temperature was 60.8 degrees F.

10. Other water rights diverted from the Deeg well include 41-07030, 41-07071, 41-07076 and 41-07081. The department conducted a field examination in connection with permit Nos. 41-07076 and 41-07081. Measurement by the department of the Deeg well in 1997 shows that the total diversion capacity from the well is 6.68 cfs.

11. The applicant stated that it is not his intent to increase the total diversion capacity from the Deeg well if transfer No. 5120 is approved.

12. The applicant owns and uses a domestic well which is located about 700' from his irrigation well. The domestic well is about 400' deep with a static water level of about 200' below land surface. Measurements show that this domestic well is not affected by the pumping of Deeg's irrigation well.

13. License No. 41-07034 authorizes the irrigation of 91 acres. The applicant does not plan to irrigate more than 91 new acres at the new place of use if transfer No. 5120 is approved.

14. Richard Nelson who owns the land to which water right license No. 41-07034 is appurtenant, last irrigated the land in 1989. During 1990, 1992, 1994 and 1996, Nelson raised dry-land wheat on the property. During 1991, 1993, 1995 and 1997, Nelson placed land under the license in the Acreage Conservation Reserve (ACR) set aside program. The ACR set-aside program is similar in some respects to the Conservation Reserve Program set aside (CRP) in that a certain portion of farmed land is idled for a given period of time.



15. Warm Creek Irrigation Company (protestant) diverts water under statutory Claim to a Water Right No. 29-04338 from Warm Creek which consists of the commingled waters of Cold Creek and Warm Creek. Cold Creek originates at springs located approximately 2.25 miles northeast of the Deeg well. Water in the creek then flows northwesterly about 3.25 miles where Warm Creek and Cold Creek flow together near Indian Springs in Section 18, T8S, R31E, B.M. The commingled creeks then flow northwesterly about 2.5 miles through Neeley, Idaho to the Snake River. The claim shows that the water is diverted for use within the lower 2.5 mile reach.

16. The protestant has filed Snake River Basin Adjudication Claim No. A29-04338 based on the Claim to a Water Right as follows:

|               |                                                                                                                                              |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Source:       | Warm Creek tributary to the Snake River                                                                                                      |
| Priority:     | April 1, 1889                                                                                                                                |
| Rate of div:  | 6.0 cfs                                                                                                                                      |
| Point of div: | SESE Section 11, T8S, R30E, B.M.<br>NENW Section 13, T8S, R30E, B.M.<br>NWNE Section 14, T8S, R30E, B.M.<br>NESW Section 18, T8S, R31E, B.M. |
| Use:          | Irrigation and stockwater                                                                                                                    |
| Place of use: | 482 acres within parts of Sections 10, 11, 12, 13 and 14, T8S, R30E, B.M. and Section 18, T8S, R31E, B.M.                                    |
| Remarks:      | During winter months, livestock drink from the natural channel.                                                                              |

17. Water right license No. 29-07157, issued to Roland Mayer, authorizes the diversion of 5.1 cfs of groundwater from wells which are within 0.75 miles of Cold Creek. The Deeg well is about 2.25 miles from Cold Creek.

18. The Deeg well is located within basin 41 south of the ground water divide between hydrologic basins 41 and 29. Cold Creek and Warm Creek are located within basin 29. Groundwater flow near the Deeg well is toward the northwest but does not flow as northerly as does the surface water in Cold Creek and Warm Creek.

19. Flows of Cold Creek and Warm Creek measured near Indian Springs Natatorium in Section 18, T8S, R31E, B.M. during 1994, 1995, 1996 and 1997 show a slightly decreasing trend over the four year period. The measured flows in Warm Creek are about 2 cfs and the flows in Cold Creek are about 4 cfs which when combined, average about 6 cfs.

20. The geology in the Rockland basin generally consists of three different aquifers as follows:

- a. Upper alluvium, consisting of silt, sand and gravels.
- b. Tertiary, consisting of sedimentary and volcanic rocks.
- c. Pre-Tertiary, consisting of the oldest rocks.



21. Limestone cuttings were found in the bottom of the Deeg well. Limestone is identified as being within the Pre-Tertiary sedimentary rocks.

22. In 1994, the applicant collected water samples from his well and from Cold Creek. Analysis of the samples showed significant differences in some of the elements analyzed in the samples.

23. On March 21, 1995, the department issued an Amended Final Order in connection with transfer No. 4268 approving the transfer with certain conditions and limitations. The change under approved transfer No. 4268 is similar to the proposed change under pending application for transfer No. 5120.

### **ANALYSIS**

Evidence and testimony presented at the hearing did not show that diversion of ground water from the Deeg well was the reason for the slight decreasing trend in the discharge of Warm Creek and Cold Creek as measured during 1994 through 1997. The protestants, however, may wish to continue to take and compile additional measurements of the surface water discharge during the coming years, since there may be future applications for transfer which could affect flow in the surface water sources.

Conjunctive Management Rules (rules) promulgated in October 1994 as IDAPA 37.03.11 integrate the administration and use of surface water and ground water in a manner consistent with the traditional policy of reasonable use of both surface and ground water if data show regulation is needed. The rules provide a basis and procedure for responding to delivery calls made by the holder of a senior-priority surface or ground water right against the holder of a junior-priority ground water right. As uses of water change or increase, conjunctive management of the rights may become necessary.

### **CONCLUSIONS OF LAW**

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code; ... .



2. Section 42-222(2), Idaho Code, provided in pertinent part as follows:

All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated ... ; except that all water rights appurtenant to land contracted in a federal cropland set-aside program, shall not be lost and forfeited for nonuse during the contracted period.

3. The applicant carries the burden of coming forward with evidence that the proposed change will not injure other water right holders, that it will not constitute an enlargement of the use and will be consistent with principles of conservation of the water of the state of Idaho.

4. Both the applicant and the protestant have the responsibility of coming forward with evidence regarding matters of public interest of which they are each most cognizant.

5. The applicant has the ultimate burden of persuasion for all of the criteria of Section 42-222, Idaho Code.

6. Forfeiture of a water right must be shown by clear and convincing evidence.

7. The years when the land was contracted in a federal land set-aside program can not be counted as years of non-use as related to forfeiture. There has not been five (5) countable years of non-use subsequent to Nelson's last use of license No. 41-07034 in 1989.

8. The evidence presented and other available information do not indicate that the slight declining trend in the discharge of water in Cold Creek and Warm Creek is due to pumping of ground water from the Deeg well.

9. The proposed change will not injure other water rights.

10. The proposed change does not constitute an enlargement in use of the original right.

11. The proposed change is in the local public interest.

12. The proposed change is consistent with conservation of water resources within the state of Idaho.

13. The department should approve the application for transfer with certain conditions and limitations.

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JUN 25 1988



**ORDER**

IT IS THEREFORE, hereby ORDERED that Application for Transfer No. 5120 of water right license No. 41-07034 is **APPROVED** subject to the following conditions and limitations:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of the final order in this matter.

2. Approval of this transfer does not preclude the opportunity for the review of the validity of the water right in the ongoing Snake River Basin Adjudication.

3. Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion and annual volume of water pumped from the well.

4. The authorized season of use is from April 1 to October 31 of each year.

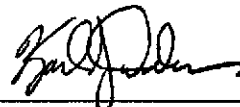
5. The maximum rate of diversion of water under this right when combined with water right Nos. 41-07030, 41-07071, 41-07076 and 41-07081 shall not exceed a total combined rate of 6.68 cfs nor more than 4.0 acre feet per acre per year at the well.

6. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

7. Failure to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.

IT IS FURTHER hereby ORDERED that the protests of Harold and Steve Isaak are **SET ASIDE** for failure to appear at the time and place set for hearing and will not be further considered by the department.

Signed this 15th day of May, 1998.



---

KARL J. DREHER  
Director

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ORDER - 898<sup>8</sup>  
898 2 5 1988



CERTIFICATE OF MAILING

I DO HEREBY CERTIFY that on the 18<sup>th</sup> day of May, 1998, the above and foregoing document was served upon the following, via certified mail, by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

TIMOTHY P DEEG  
2597 DEEG RD  
AMERICAN FALLS ID 83211

KENT FOSTER  
HOLDEN KIDWELL HAHN  
AND CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405

HAROLD ISAAK  
STEVE ISAAK  
3315 ROCK CREEK RD  
AMERICAN FALLS ID 83211

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LN  
AMERICAN FALLS ID 83211

  
JULIE L. YARBROUGH  
Senior Secretary, Water Allocation Bureau

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JUN 25 1998



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR )  
TRANSFER NO. 5120 OF WATER RIGHT )  
NO. 41-07034 IN THE NAME OF )  
TIMOTHY P. DEEG )

---

RECOMMENDED ORDER

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for transfer, the department having held a conference and a hearing in the matter, the hearing officer recommends the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. On June 13, 1988, the department issued license No. 41-07034 as follows:

|                |                                                   |
|----------------|---------------------------------------------------|
| Source:        | Groundwater                                       |
| Priority:      | April 7, 1978                                     |
| Rate of div:   | 1.82 cfs                                          |
| Point of div:  | SE1/4NW1/4 Section 28, T10S, R31E, B.M.           |
| Use:           | Irrigation                                        |
| Season of use: | March 15 to November 15                           |
| Place of use:  | 91 acres in parts of Section 28, T10S, R31E, B.M. |

*(Note: The "1/4" designations will be omitted from subsequent legal descriptions in this order).*

2. On May 29, 1997, Timothy P. Deeg (applicant) filed application for transfer No. 5120 (application) with the department proposing to change the point of diversion of license No. 41-07034 to an existing well located within the SWSE Section 6, T9S, R31E, B.M. and the place of use to 91 acres in parts of Section 12, T9S, R30E, B.M. The proposed change would move the point of diversion and place of use approximately 10 miles north and 2 miles west of the original use.

3. The department published notice of the application which was subsequently protested by Twin Falls Canal Company, North Side Canal Company, Warm Creek Irrigation Company, Harold Isaak and Steve Isaak. The protests of Twin Falls Canal Company and North Side Canal Company were subsequently withdrawn.

4. On February 3, 1998, the department conducted a hearing in the matter. The applicant was present and was represented by Kent Foster. Warm Creek Irrigation Company (protestant) was



represented by members Don Zaring and Lane Kindall. Protestants Harold and Steve Isaak did not appear at the hearing.

5. Issues identified by the protestant include the following:

- a) The proposed changes will injure other water rights.
- b) The proposed changes will constitute an enlargement in use of the original right.
- c) The right sought to be transferred has been forfeited through non-use.

The general concern expressed by the protestant was that diversion of additional water from the applicant's irrigation well will make less water available for the protestant's use of water diverted from Cold Creek and Warm Creek.

6. Exhibits offered and accepted as a part of the record include the following:

- a. Applicant's Exhibit No. 1 - U.S.G.S. Quadrangle sheet titled Neeley, Idaho and Indian Springs, Idaho.
- b. Applicant's Exhibit No. 2 - U.S. Geological Survey Open File Report 82-755 titled Water Resources of Rockland Basin, Southeastern Idaho.
- c. Applicant's Exhibit No. 3 - Stipulation and Order for Dismissal in Case No. CV-94-01028.
- d. Applicant's Exhibit No. 4 - Letter dated February 21, 1997 to Timothy P. Deeg from Mark Slifka.
- e. Applicant's Exhibit No. 5 - Letter dated April 7, 1997 to Kathleen Barkdull from Mark Slifka.
- f. Applicant's Exhibit No. 6 - Graph of water levels in two (2) USGS observation wells.
- g. Applicant's Exhibit No. 7 - Schematic depiction of certain wells. The exhibit is titled "Elevation Contours".
- h. Applicant's Exhibit No. 8 - Technical Data: Little Creek.
- I. Applicant's Exhibit No. 9 - Combined Reconnaissance and Project Survey for Little Creek Irrigation Company, Power SCD.
- j. Applicant's Exhibit No. 10 - Technical Data: Cold Creek.
- k. Applicant's Exhibit No. 11 - Technical Data: Mayer Wells.



- l. Applicant's Exhibit No. 12 - Report of Charles E. Brockway of Brockway Engineering.
  - m. Applicant's Exhibit No. 13 - Photograph of Little Creek weir.
  - n. Applicant's Exhibit No. 14 - Copy of aerial photograph showing cultivated acreage.
  - o. Applicant's Exhibit No. 15 - ASCS Report of Acreage for Program Year 1995.
  - p. Applicant's Exhibit No. 16 - ASCS Report of Acreage for Program Year 1993.
  - q. Applicant's Exhibit No. 17 - Map titled "Geographical Change With the Proposed Transfer of Nelson to Deeg Transfer # 5120".
  - r. Applicant's Exhibit No. 18 - Photograph of Cold Creek weir.
  - s. Applicant's Exhibit No. 19 - ASCS Report of Acreage for Program Year 1991.
  - t. Applicant's Exhibit No. 20 - Conservation Reserve Program Contract No. 8731 signed in 1997, ASCS Report of Acreage for program years 1992, 1994, 1996 and 1997.
  - u. Protestant's Exhibit A - Warm Creek Measurements.
  - v. Protestant's Exhibit B - Cold Creek Measurements.
7. At the hearing the hearing officer officially noticed the following:
- a) The department's file for Application for Permit No. 41-07034.
  - b) Past decisions and orders of the department, including the Amended Final Order of the department issued on March 21, 1995 in connection with license No. 41-07030.
  - c) The department's water right records.
  - d) Reports, water measurements and stream flow records in department files including U.S. Geological Survey reports.
  - e) Well Driller Reports (well logs) in the department's files.
8. The Deeg irrigation well (Deeg well) is located in the SWSE Section 6, T9S, R31E, B.M. The well was drilled during the

JUN 25 1998



summer of 1992 and was first used on 348 acres during the 1993 irrigation season. The Deeg well is 939 feet deep and is cased with 18 inch diameter casing which is perforated at depths of 210 feet to 330 feet, 450 feet to 490 feet and from 516 to 716 feet. The static water level in the well averages about 475 feet below land surface. The water level in the well when it is pumping at times exceeds 500 feet below land surface.

9. On February 8, 1997, the department logged the Deeg well using a down-hole video camera and a temperature probe. A small amount of water was observed dripping into the hole at about 261 feet and at 298 feet, about 5 to 10 gallons per minute (gpm) was observed running down the slotted liner. The static water level was measured at 458 feet below land surface and the bottom hole temperature was 60.76 degrees F.

10. Other water rights diverted from the Deeg well include 41-07030, 41-07071, 41-07076 and 41-07081. The department conducted a field examination in connection with permit Nos. 41-07076 and 41-07081. Measurement by the department of the Deeg well in 1997 shows that the total diversion capacity from the well is 6.68 cfs.

11. The applicant stated that it is not his intent to increase the total diversion capacity from the Deeg well if transfer No. 5120 is approved.

12. The applicant owns and uses a domestic well which is located about 700' from his irrigation well. The domestic well is about 400' deep with a static water level of about 200' below land surface. Measurements show that this domestic well is not affected by the pumping of Deeg's irrigation well.

13. License No. 41-07034 authorizes the irrigation of 91 acres. The applicant does not plan to irrigate more than 91 new acres at the new place of use if transfer No. 5120 is approved.

14. Richard Nelson who owns the land to which water right license No. 41-07034 is appurtenant, last irrigated the land in 1989. During 1990, 1992, 1994 and 1996, Nelson raised dry-land wheat on the property. During 1991, 1993, 1995 and 1997, Nelson placed land under the license in the Acreage Conservation Reserve (ACR) set aside program. The ACR set-aside program is similar in some respects to the Conservation Reserve Program set aside (CRP) in that a certain portion of farmed land is idled for a given period of time.

15. Warm Creek Irrigation Company (protestant) diverts water under statutory Claim to a Water Right No. 29-04338 from Warm Creek which consists of the commingled waters of Cold Creek and Warm Creek. Cold Creek originates at springs located approximately 2.25 miles northeast of the Deeg well. Water in the creek then flows northwesterly about 3.25 miles where Warm Creek and Cold Creek flow together near Indian Springs in Section 18, T8S, R31E, B.M. The

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JUN 25 1993



commingled creeks then flow northwesterly about 2.5 miles through Neeley, Idaho to the Snake River. The claim shows that the water is diverted for use within the lower 2.5 mile reach.

16. The protestant has filed Snake River Basin Adjudication Claim No. A29-04338 based on the Claim to a Water Right as follows:

Source: Warm Creek tributary to the Snake River  
Priority: April 1, 1889  
Rate of div: 6.0 cfs  
Point of div: SESE Section 11, T8S, R30E, B.M.  
NENW Section 13, T8S, R30E, B.M.  
NWNE Section 14, T8S, R30E, B.M.  
NESW Section 18, T8S, R31E, B.M.  
Use: Irrigation and stockwater  
Place of use: 482 acres within parts of Sections 10, 11, 12, 13 and 14, T8S, R30E, B.M. and Section 18, T8S, R31E, B.M.  
Remarks: During winter months, livestock drink from the natural channel.

17. Water right license No. 29-07157, issued to Roland Mayer, authorizes the diversion of 5.1 cfs of groundwater from wells which are within 0.75 miles of Cold Creek. The Deeg well is about 2.25 miles from Cold Creek.

18. The Deeg well is located within basin 41 south of the ground water divide between hydrologic basins 41 and 29. Cold Creek and Warm Creek are located within basin 29. Groundwater flow near the Deeg well is toward the northwest but does not flow as northerly as does the surface water in Cold Creek and Warm Creek.

19. Flows of Cold Creek and Warm Creek measured near Indian Springs Natatorium in Section 18, T8S, R31E, B.M. during 1994, 1995, 1996 and 1997 show a slightly decreasing trend over the four year period. The measured flows in Warm Creek are about 2 cfs and the flows in Cold Creek are about 4 cfs which when combined, average about 6 cfs.

20. The geology in the Rockland basin generally consists of three different aquifers as follows:

- a) Upper alluvium, consisting of silt, sand and gravels.
- b) Tertiary, consisting of sedimentary and volcanic rocks.
- c) Pre-Tertiary, consisting of the oldest rocks.

21. Limestone cuttings were found in the bottom of the Deeg well. Limestone is identified as being within the Pre-Tertiary sedimentary rocks.

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22. In 1994, the applicant collected water samples from his well and from Cold Creek. Analysis of the samples showed significant differences in some of the elements analyzed in the samples.

23. On March 21, 1995, the department issued an Amended Final Order in connection with transfer No. 4268 approving the transfer with certain conditions and limitations. The change under approved transfer No. 4268 is similar to the proposed change under pending application for transfer No. 5120.

#### CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code; ... .

2. Section 42-222(2), Idaho Code, provided in pertinent part as follows:

All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated ... ; except that all water rights appurtenant to land contracted in a federal cropland set-aside program, shall not be lost and forfeited for nonuse during the contracted period.

3. The applicant carries the burden of coming forward with evidence that the proposed change will not injure other water right holders, that it will not constitute an enlargement of the use and will be consistent with principles of conservation of the water of the state of Idaho.

4. Both the applicant and the protestant have the responsibility of coming forward with evidence regarding matters of public interest of which they are each most cognizant.

5. The applicant has the ultimate burden of persuasion for all of the criteria of Section 42-222, Idaho Code.

6. Forfeiture of a water right must be shown by clear and convincing evidence.

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7. The years when the land was contracted in a federal land set-aside program can not be counted as years of non-use as related to forfeiture. There has not been five (5) countable years of non-use subsequent to Nelson's last use of license No. 41-07034 in 1989.

8. The slight declining trend in the discharge of water in Cold Creek and Warm Creek likely is not due to pumping of ground water from the Deeg well since a groundwater divide separates the creeks and the well.

9. The proposed change will not injure other water rights.

10. The proposed change does not constitute an enlargement in use of the original right.

11. The proposed change is in the local public interest.

12. The proposed change is consistent with conservation of water resources within the state of Idaho.

13. The department should approve the application for transfer with certain conditions and limitations.

#### **ANALYSIS**

Evidence and testimony presented at the hearing did not show that diversion of ground water from the Deeg well was the reason for the slight decreasing trend in the discharge of Warm Creek and Cold Creek as measured during 1994 through 1997. The protestants, however, may wish to continue to take and compile additional measurements of the surface water discharge during the coming years, since there may be future applications for transfer which could affect flow in the surface water sources.

Conjunctive Management Rules (rules) promulgated in October 1994 as IDAPA 37.03.11 integrate the administration and use of surface water and ground water in a manner consistent with the traditional policy of reasonable use of both surface and ground water if data show regulation is needed. The rules provide a basis and procedure for responding to delivery calls made by the holder of a senior-priority surface or ground water right against the holder of a junior-priority ground water right. As uses of water change or increase, conjunctive management of the rights may become necessary.

#### **ORDER**

IT IS THEREFORE, hereby ORDERED that Application for Transfer No. 4268 of water right license No. 41-07034 is **APPROVED** subject to the following conditions and limitations:

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ORDER - Pg 7

JUN 25 1998



1. The change authorized by this transfer shall be accomplished within one (1) year of the date of the final order in this matter.

2. Approval of this transfer does not preclude the opportunity for the review of the validity of the water right in the ongoing Snake River Basin Adjudication.

3. Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion and annual volume of water pumped from the well.

4. The authorized season of use is from April 1 to October 31 of each year.

5. The maximum rate of diversion of water under this right when combined with water right Nos. 41-07030, 41-07071, 41-07076 and 41-07081 shall not exceed a total combined rate of 6.68 cfs nor more than 4.0 acre feet per acre per year at the well.

6. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

7. Failure to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.

IT IS FURTHER hereby ORDERED that the protests of Harold and Steve Isaak are **SET ASIDE** for failure to appear at the time and place set for hearing and will not be further considered by the department.

Signed this 15<sup>th</sup> day of April, 1998.

  
L. GLEN SAXTON  
Hearing Officer



**CERTIFICATE OF MAILING**

I DO HEREBY CERTIFY that on the 15<sup>th</sup> day of April, 1998, the above and foregoing document was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following

Timothy P Deeg  
2597 Deeg Rd  
American Falls ID 83211

Harold Isaak  
Steve Isaak  
3315 Rock Creek Rd  
American Falls ID 83211

Kathleen Barkdull Secretary  
Warm Creek Irrigation Co  
3202 Hedstrom Ln  
American Falls ID 83211

  
JULIE L. YARBROUGH  
Senior Secretary, Water Allocation Bureau



RECEIVED

MAY 29 1997

Page 1 of 6

Department of Water Resources  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 5/20

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant Timothy P. Deeg Phone (208) 226-5588  
Post Office address 2597 Deeg Road, American Falls, ID 83211

RECEIVED

A. PURPOSE OF TRANSFER

JUN 02 1997

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use ☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Applicant has leased a water right for 10 years and desires to irrigate additional land

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. | Right Number    | Priority          | Amount (cfs/ac-ft) | Nature of Use     | Period of Use               |
|----|-----------------|-------------------|--------------------|-------------------|-----------------------------|
|    | <u>41-07034</u> | <u>04/07/1978</u> | <u>1.82cfs</u>     | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
|    | _____           | _____             | _____              | _____             | _____ to _____              |
|    | _____           | _____             | _____              | _____             | _____ to _____              |
|    | _____           | _____             | _____              | _____             | _____ to _____              |

2. Total amount of water being transferred 1.82 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SW  | SE  | 6    | 9S   | 31E  | Power  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | 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 |        |
| 9S   | 30E  | 12   |        |    |    |    |        |    |    |    | 22.75  |    |    | 22.75 |        | 22.75 | 22.75 |    | 91.0   |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |       |        |       |       |    |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |       |        |       |       |    |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |       |        |       |       |    |        |

Total Acres 91.0

MICROFILMED

JUN 25 1998



6. General Information:

- a. Description of diversion system well and pumps with mainline to pivot sprinkler system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes        No X. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:  
The land now irrigated will be dry farmed
- d. Remarks:

**ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_ and said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

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 JUN 25 1998



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

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2**  
(ATTACH ONE COPY FOR EACH RIGHT)

**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 41-07034 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☒ Warranty Deed☒ Other See attached lease

3. Source of Water Groundwater tributary to \_\_\_\_\_

4. Date of priority 04/07/1978

5. Water is used for the following purpose:

amount 1.82cfs for Irrigation purposes from 3/15 to 11/15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

6. Total amount of water under right 1.82 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SE  | NW  | 28   | 10S  | 31E  | Power  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | 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 |        |
| 10S  | 31E  | 28   | 02     | 25 | 35 | 04 | 07     |    |    | 18 |        |    |    |    |        |    |    |    | 91.0   |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |

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JUN 25 1998

Total Acres 91.0



9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No. If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | 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 |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |
|      |      |      |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |

Total Acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

2. Point(s) of Diversion:

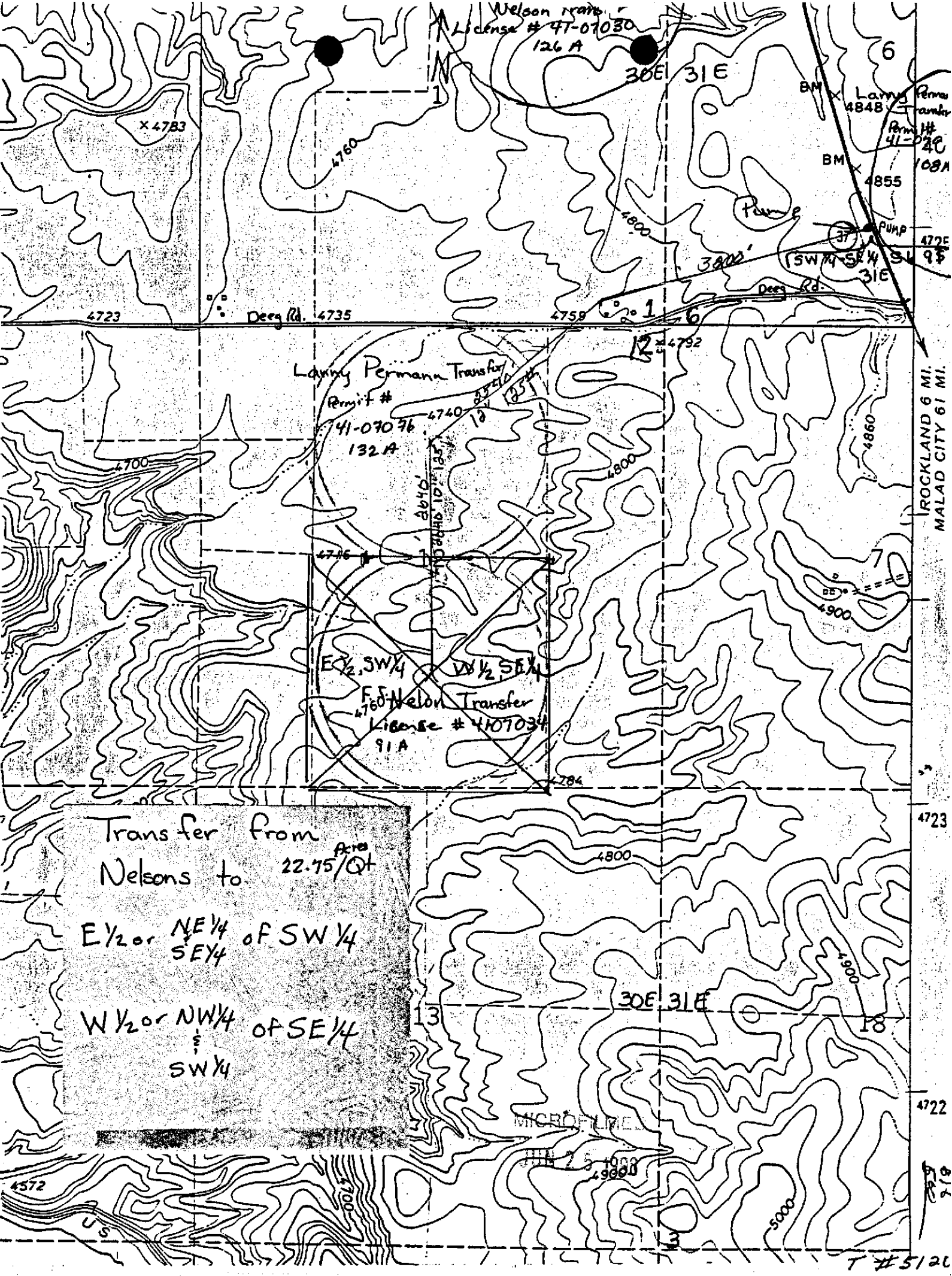
| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

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JUN 25 1968



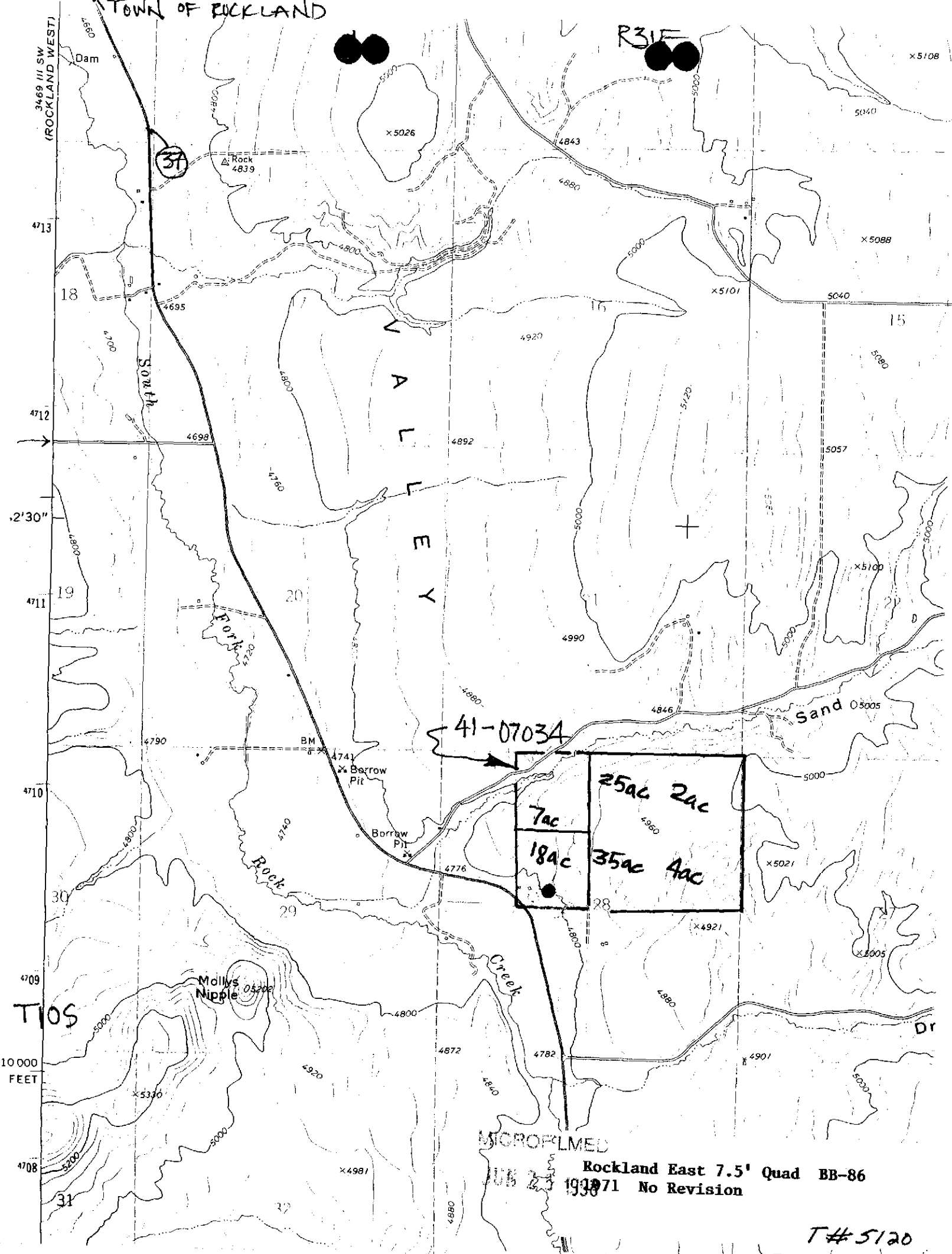








TOWN OF ROCKLAND



MICROFILMED

Rockland East 7.5' Quad BB-86  
JUN 23 1998 No Revision



Rockland East

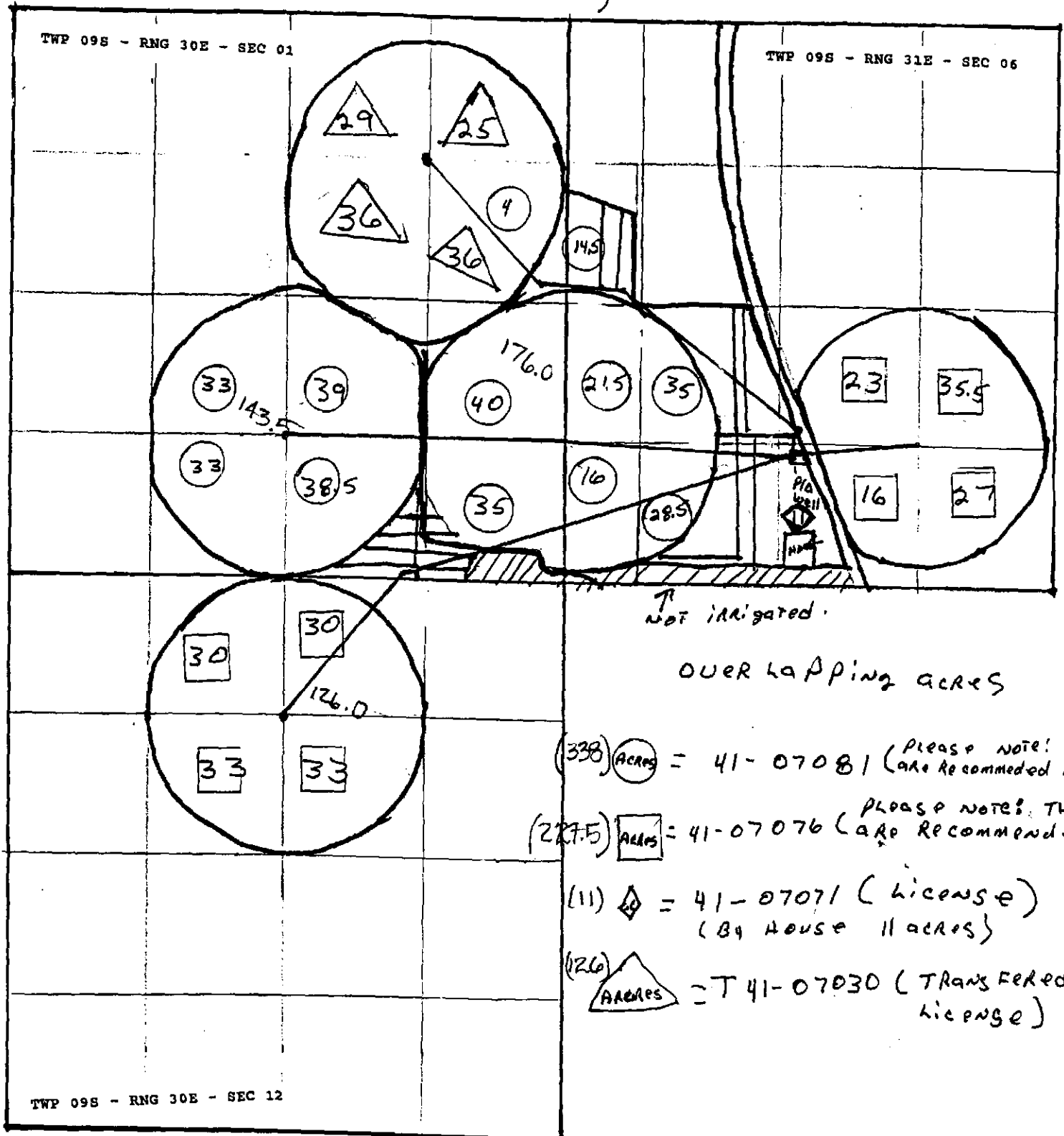
1971

BB-86



# OVERLAPPING WATER RIGHTS

PERMIT NUMBER 41-07081-07076



MICROFILMED

JUN 25 1998

JULY 1997 T#516



**B. CHANGES IN NATURE OF USE**

1. 

| <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| _____                    | _____                        | _____                  | _____ to _____       |
| _____                    | _____                        | _____                  | _____ to _____       |
2. Quantity and quality of return flows and location of discharge:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe effects on other water uses resulting from the proposed change:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

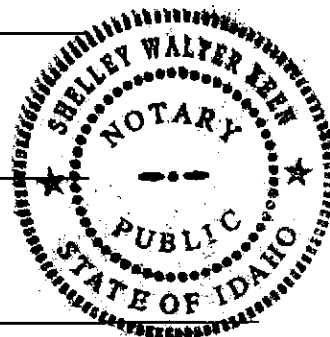
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Timothy P. Deeg  
(Signature of Applicant)

Subscribed and sworn to before me this 29<sup>th</sup> day of May, 1997

Shelley Walter Kee  
Notary Public

My Commission Expires July 31, 1997

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 2 attachments  
Received by M. Baldwin S.W. Keen Date 5/29/97 Protest filed by \_\_\_\_\_  
Prelim. check by GS Fee \$100.00  
Receipted by C039017 Date 5/29/97  
Published in Power Co. Press Copies of protest forwarded by \_\_\_\_\_  
Pub. dates 8/20 & 8/27/97 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

## LEASE OF WATER RIGHT

THIS AGREEMENT, made and entered into this 16 day of April, 1997, by and between RICHARD G. NELSON and ARTHUR GENE NELSON, co-personal representatives of the Estate of Farold J. Nelson, deceased, and LELA M. NELSON, the surviving wife of Farold J. Nelson, hereinafter referred to as "Lessor", and TIMOTHY P. DEEG and DIANE J. DEEG, husband and wife, hereinafter referred to as "Lessee".

Lessor hereby leases to Lessee all of Lessor's right, title and interest in and to Water Right No. 41-07034, in consideration of the sum of NINE HUNDRED TEN DOLLARS (\$910) per year, payable as hereinafter provided.

1. Lessor covenants that all lands to which the water right leased hereby is appurtenant shall not be irrigated during the term hereof.

2. During the term of this Lease and during any extension, Lessee agrees to place to beneficial use for irrigation purposes all water leased to Lessee hereunder.

3. The term of this Lease shall be five (5) years, to commence on August 15, 1997, and end on November 15, 2002.

4. Lessor covenants and represents that Lessor<sup>?</sup> is the true and lawful owner of said water right and that said right has not lapsed, been abandoned or forfeited, either in whole or in part. Lessor agrees to cooperate with Lessee in transferring this leased right for use on Lessee's land, but does not warrant or guarantee that the Idaho Department of Water Resources, hereinafter referred to as "Department", will grant a transfer of said water right.

This lease is conditioned upon the Department's approval of a transfer of the water right from Lessor's present place of use and point of diversion to place of use and point of diversion located on lands owned or leased by Lessee.

5. Lessee shall be entitled to file an application with the Department to transfer the place of use and point of diversion of the water right for the term of the lease. Lessor shall cooperate in securing such transfer and processing such application and shall execute any documents necessary to achieve the transfer.

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JUN 25 1998

T#5120



6. Lessee agrees to pay to Lessor the first rental payment of NINE HUNDRED TEN DOLLARS (\$910) to be paid hereunder within ten (10) days after Lessee has been notified by the Department that the transfer of point of diversion and place of use has been approved by the Department. If the transfer cannot be completed by \_\_\_\_\_, 19\_\_\_\_, this Lease shall lapse and be of no further force and effect. Subsequent to completion fo the transfer, Lessee agrees to pay the annual rental on or before \_\_\_\_\_, of each year.

7. Lessor shall not be liable for any damage to Lessee resulting from any action of the Department to protect the water rights of any other appropriators which may affect irrigation operations of Lessee in the use of this leased water right.

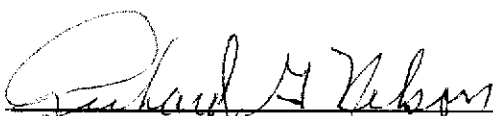
8. Upon the termination of this Lease, Lessee shall be responsible for all actions necessary to transfer said water right back to such place of use and point of diversion as shall be specified by Lessor.

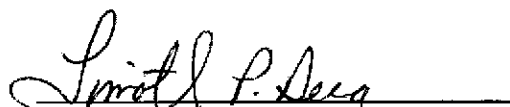
9. This Lease shall be binding upon the respective heirs, executors, successor, and assigns of the Lessor and the Lessee.

Dated this 16 day of April, 19 97.

LESSOR

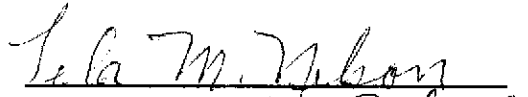
LESSEE

  
Richard G. Nelson

  
Timothy R. Deeg

  
Arthur Gene Nelson

  
Diane J. Deeg

  
Lela M. Nelson *By Richard*

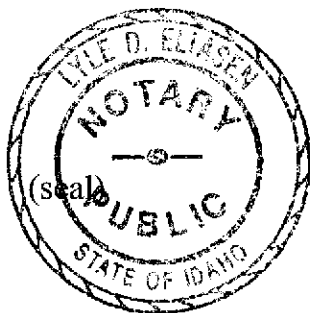
MICROFILMED

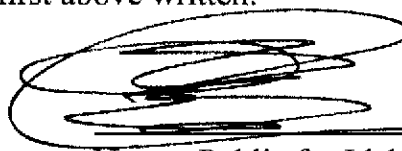
JUN 25 1998

STATE OF IDAHO                    )  
                                          )ss.  
County of POWER                    )

On the 14<sup>th</sup> day of April, 1997, before me, the undersigned, a notary public in and for said State, personally appeared RICHARD G. NELSON and ARTHUR GENE NELSON, co-personal representatives of the Estate of Farold J. Nelson, and LELA M. NELSON, surviving spouse of Farold J. Nelson, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

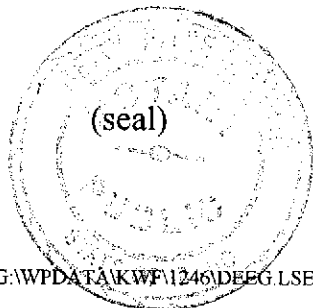


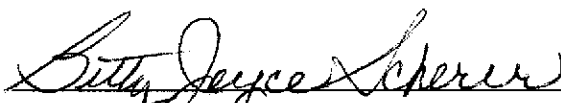
  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at American Falls  
My Commission Expires: 4-19-98

STATE OF IDAHO                    )  
                                          )ss.  
County of POWER                    )

On the 16 day of April, 1997, before me, the undersigned, a notary public in and for said State, personally appeared TIMOTHY P. DEEG and DIANE J. DEEG, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at American Falls  
My Commission Expires: 12-12-2000

G:\WPDATA\KWF\1246\DEEG.LSE:sjw

MICROFILMED



20/21

195.0

Sand Hollow

(Farold Nelson)

#1372

3-86.3

HEL  
1-9.2

44.2

NHEL  
2-26.3

NHEL  
3-14.5

Rocky Hill

2-6.3

HEL  
8-19.4

6-120.7

13-3.0

P/D and P/U Before Transfer

Nelson, Farold J.

MICROFILMED

JUN 25 1998

SEC 28, T10S, R31E (A) 41-07034

Dr.

T#5120

29/28  
33

115/165

My Commission expires October 22,  
1967.

Recorded at the request of Darrell Quinn at 3:30 o'clock P.M., this 27th day of April 1964 at Book 115 of Deeds at page 164. Fee \$1.80.

Lois McClain, Recorder.

Instrument No. 86244

DEED OF GIFT

THIS INDENTURE, Made this 21st day of April, 1964, between Fred Deeg and Lea S. Deeg, husband and wife at all times since April 30th, 1922, of American Falls, Power County, Idaho, the parties of the first part, and Otto Deeg (son of parties of the first part.) of American Falls, Power County, Idaho, the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the love and affection which the said parties of the first part have and bear unto the said party of the second part, and also for the better maintenance, support, protection and livelihood of the said party of the second part, do by these presents, give, grant, convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces, or parcels of land situate, lying and being in the County of Power, State of Idaho, bounded and more particularly described as follows, to-wit:

Lots One (1) and Two (2), South Half of the Northeast Quarter, East Half of the Southwest Quarter, and West Half of the Southeast Quarter of Section One (1), Township Nine (9), South, Range Thirty (30), E. B. M.,

AND

Lots Four (4), Five (5), Six (6), Seven (7), and the Northeast Quarter of the Southwest Quarter, and Tax Twenty-three (23) and Tax Twenty-five (25), Section Six (6), Township Nine (9), South, Range Thirty-one (31) E. B. M.:

Said Tax Twenty-three (23) being more particularly described as follows:

"Beginning at a point which is N 0°13' W, 379' from the South Quarter corner of Section Six (6), Township Nine (9), South, Range Thirty-one (31), E. B. M.: thence N 0°13' W. 1,575'; thence S 16°40' E, 351'; thence on a curve to the left with a radius of 1,432.5' for a distance of 155.8'; thence S 22°54' E, 1312.2'; thence N 80°15' W, 379' to the point of beginning containing 11.7 acres, more or less."

AND said Tax Twenty-five (25) is described as follows:

"Lot Seven (7) and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section Six (6), Township Nine (9), South, Range Thirty-one (31), E. B. M., except Tax No. 24, containing 50.6 acres, more or less. Said tax Twenty-four (24) is described as follows:

"Beginning at the south quarter corner of Section Six (6), Township Nine (9), South, Range Thirty-one (31), E. B. M., thence N 0°13' W. 329'; thence S 87°37' W. 1,430'; thence S. 70°22' W. 416'; thence south 115'; thence E. 1,827' to the point of beginning, containing 11 acres, more or less."

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever.

(This is a gift deed. No revenue Stamps required.)

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first hereinbefore written.

Fred Deeg  
Lea S. Deeg

Witness:  
H. C. Loofbourrow

MICROFILMED

JUN 25 1968

T# 5120



Instrument No. 76880

INDEXED

DEED OF GIFT

COMPARED

THIS INDENTURE, Made this 9th day of July, 1957, between Fred Deeg and Lea Sarah Deeg, husband and wife at all times for over thirty years last past, of American Falls, Power County, Idaho, the parties of the first part, and Otto Deeg (son of parties of the first part) of American Falls, Power County, Idaho, the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the love and affection the said parties of the first part have and bear unto the said party of the second part, and also for the better maintenance, support, protection and livelihood of the said party of the second part, do by these presents, give, grant, convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces, or parcels of land situate, lying and being in the County of Power, State of Idaho, bounded and more particularly described as follows, to-wit:

The East Half of the Southeast Quarter of Section One, Township Nine, South, Range Thirty, E.B.M.,

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever.

(This is a gift deed. Hence, no revenue stamps are required.)

IN TESTIMONY WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first hereinbefore written.

Witness:  
ERNEST L. PERMANN

FRED DEEG  
LEA SARAH DEEG

State of Idaho,                     )  
                                          )     SS:  
County of Power.                 )

On this 9th day of July, 1957, before me, W. C. Loofbourrow, the undersigned, a Notary Public in and for said State, personally appeared Fred Deeg and Lea Sarah Deeg, husband and wife at all times for over thirty years last past, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

W. C. LOOFBOURROW,  
Notary Public for state of Idaho,  
Residing at American Falls, Idaho.  
My commission expires Jan. 3, 1959.

Recorded at the request of W. C. Loofbourrow at 9:25 o'clock A.M. this 26th day of July, 1957 in Book 102 of Deeds at page 378. Fee \$1.25

C. W. Adams, Recorder

Instrument No. 76886

INDEXED

Warranty Deed

COMPARED

THIS INDENTURE, Made this 13th day of November, in the year of our Lord One Thousand Nine Hundred and Fifty-four, between ARTHUR A. LINSCHIED and THELMA M. LINSCHIED, husband and wife at all times since the year 1935, of Boise, County of Ada, State of Idaho, the parties of the first part, and GILBERT ROEDING and CONSTANCE ROEDING, the parties of the second part:

102/378

MICROFILMED

JUN 25 1998

CROQUET

7-1-97 Received from  
 This is the Official Deed Giving Ownership to OTTO DEEG  
 Power County Assessor's  
 FOR QUALITY

Deed made this 10th day of October 1908, between  
 Otto Deeg, a widow, of the County of Power, State of Idaho,  
 of the first part, and

Ida Deeg, husband and wife, of the County of Power, State of Idaho,  
 of the second part.

That the said party of the first part, for and in consideration of the sum of  
 one hundred and other good and valuable consideration, have bought  
 of the United States of America, to her in land paid by the said party of the  
 receipt whereof is hereby acknowledged, the place by these presents conveyed  
 and confirm unto said party of the second part, and to their heirs, assigns  
 forever, All th at certain lot, piece or parcel of land situated in  
 County of Power, State of Idaho, bounded and more particularly  
 follows, to-wit:

The S4NW4, E4SW4, W4SE4 of Section 12,  
 the E4NW4, SW4NW4 of Section 13, and  
 the S4NE4, SE4NW4 of Section 14, all  
 which is situated in Township 3 North,  
 Range 30 East, Boise Meridian.

With all and singular, the tenements, hereditaments and appurtenances thereto in anywise  
 appertaining, and the rents, issues and profits thereof.

TO HOLD, all and singular, the said premises, together with the appurtenances  
 incident unto the said part 1<sup>st</sup> of the second part, and to their heirs, assigns  
 and the said party of the first part, and her heirs, assigns and assigns  
 premises in the quiet and peaceable possession of the said party of the second part,  
 and assigns against the said party of the first part, and her heirs, assigns  
 every person or persons whomsoever, lawfully claiming or to claim the same, shall be  
 defended by these presents forever defend.

WHENAS, the said party of the first part has hereunto set  
 the day and year first above written.

Delivered in the Presence of

O. Deeg

#128495

FOR QUALITY



## WARRANTY DEED

For Value Received OTTO DEEG and IDA DEEG, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

TIMOTHY P. DEEG and DIANE DEEG,  
husband and wife,

whose current address is American Falls, Idaho 83211

the grantees, the following described premises, in Power County Idaho, to wit:

Beginning at a point which is North 0°13' West, 379 feet from the South Quarter Corner of Section Six (6), Township Nine (9) South, Range Thirty-One (31) East, Boise Meridian; thence North 0°13' West, 1575 feet; thence South 16°40' East, 351 feet; thence on a curve to the left with a radius of 1432.5 feet for a distance of 153.8 feet; thence South 22°54' East, 1312.2 feet; thence North 80°13' West, 679 feet to the point of beginning, containing 11.7 acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 28, 1981.

*Otto Deeg*  
OTTO DEEG

*Ida Deeg*  
IDA DEEG

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 28th day of April, 1981,  
I, Notary Public in and for said State, personally  
know and certify that OTTO DEEG and IDA DEEG,

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.

*John R. Stuyvesant*  
Notary Public  
Residing at Pocatello, Idaho  
Comm. Expires Indefinite Term

INDEXED

Instrument No. 123553  
State of Idaho }  
County Power } SS  
I hereby certify that this  
instrument was filed for  
record at the request of  
*Otto Deeg*  
Filed at 3:10  
o'clock P.M., this 28  
day of April, 1981, and  
recorded in instrument  
No. 123553 in Drawer  
#6

Heidi Hall, Recorder

*Heidi Hall*  
Deputy

640 IRON

3-81

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 41-7034

Priority: April 7, 1978

Amount: 1.82 CFS

318.5 AFA

This is to certify, that RONALD R. NELSON  
4647 S. HWY. 37  
ROCKLAND, ID 83271

has complied with the terms and conditions  
of the permit issued pursuant to Application for Permit dated February 1, 1978, and  
has submitted proof to the Department of Water Resources on October 19, 1983, that  
water has been applied to a beneficial use; an examination by the Department indicates  
that the works have a diversion capacity of 2.48 cfs of water from a GROUNDWATER  
source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Irrigation            | 03/15 to 11/15       | 1.82 cfs                 | 318.5 afa     |

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 28, Township 10S, Range 31E  
Power County

PLACE OF USE: Irrigation

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|--------------|
| 10S        | 31E        | 28         | NENE 2       | NWNE 25      | SWNE 35      | SENE 4       | 91           |
|            |            |            | NENW 7       | SENE 18      |              |              |              |

Total number of acres irrigated: 91

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 13<sup>th</sup> day  
of June, 1988.

**MICROFILMED**

Director

JUN 21 1988



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT  
NO. 41-7034 IN THE NAME  
OF RONALD R. NELSON

---

ORDER ADVANCING  
DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 41-7034 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On March 28, 1979 the Department approved Application for Permit No. 41-7034 to appropriate the public waters of the State of Idaho with a priority of February 1, 1978.

2. On August 1, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The fee was due on October 11, 1986, 60 days from the date of the notice; however, the fee was not received until December 15, 1986, 65 days late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

**MICROFILMED**

JUN 21 1988

2. The date of priority of Permit No. 41-7034 should be advanced 65 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 41-7034 is advanced to April 7, 1978.

Dated this 11<sup>th</sup> day of April, 1988.

*J. Glen Saylor*  
Chief, Operations Bureau

**MICROFILMED**

JUN 21 1988



WATER RIGHT SPLIT  
SUMMARY

| ACTION                     | RIGHT NO.          | NAME                                   | AMOUNT CFS         |
|----------------------------|--------------------|----------------------------------------|--------------------|
| <del>Original Permit</del> | <del>41-7034</del> | <del>Kent O. McMichael</del>           | <del>4.0 cfs</del> |
| <del>Full Assignment</del> | <del>41-7034</del> | <del>Farmers Home Administration</del> | <del>4.0 cfs</del> |
| Full Assignment            | 41-7034            | Ronald R. Nelson                       | 4.0 cfs            |

UNRECORDED

State of Idaho  
Department of Water Resources

RECEIVED  
SEP 17 1984

ASSIGNMENT OF PERMIT

Department of Water Resources

I, FARMERS HOME ADMINISTRATION, hereby assign to RONALD R. NELSON

of BOX 15, ROCKLAND, ID 83271  
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 41-7030 & 41-7034  
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within  
each 40 acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

Made this 14th day of September, 19 84.

FARMERS HOME ADMINISTRATION

Permit Holder

BY: [Signature]

~~Spouse of~~ Permit Holder

TITLE: COUNTY SUPERVISOR

Acting

State of Idaho )

County of BANNOCK )

ss.

On this 4th day of September, 19 84, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

seal

[Signature]  
Notary Public residing at

Downey, Idaho

My commission expires:

3/11/85

RECORDED

original filed in  
41-7034 - tw 9/18/84



RECEIVED

MAY 10 1984

State of Idaho  
Department of Water Resources

RECEIVED

MAY 7 1984

ASSIGNMENT OF PERMIT

Department of Water Resources  
Southern District Office

Department of Water Resources

I, Kent O. McMichael, hereby assign to Farmers Home Administration

of 250 South 4th, Suite 112, Pocatello, Idaho 83201  
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 41-7030 and 41-7034  
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within  
each 40 acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

Made this 10 day of August, 19 83.

Kent O. McMichael  
Permit Holder

Helen Marie McMichael  
Spouse of Permit Holder

State of Idaho )  
County of Bannock ) ss.

On this 10th day of August, 19 83, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

Lauren C. Baker  
Notary Public residing at  
Downey, Idaho

seal

My commission expires:  
3/11/85

ok to process -  
original in file  
41-7030. fw 5/1/8

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Department of Water Resources  
Southern District OfficeComes now Kent O. McMichaelof (address) Star Route, Rockland, Idaho 83271, 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. 41-7034, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ SE ¼, Section 28, Township 10S, Range 31E, B.M.,  
County of Power. Other points of diversion: SE ¼ NW ¼ Sec. 28 Twp. 10 S. Rge 31E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.0 cfs for irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

| TWP         | RGE         | SEC       | NE¼       |           |           |           | NW¼       |     |     |           | SW¼ |     |     |     | SE¼ |           |     |     | TOTALS     |
|-------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----|-----|-----------|-----|-----|-----|-----|-----|-----------|-----|-----|------------|
|             |             |           | NE¼       | NW¼       | SW¼       | SE¼       | NE¼       | NW¼ | SW¼ | SE¼       | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼       | SW¼ | SE¼ |            |
| <u>10S.</u> | <u>31E.</u> | <u>28</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>23</u> | <u>30</u> |     |     | <u>37</u> |     |     |     |     |     | <u>12</u> |     |     | <u>222</u> |
|             |             |           |           |           |           |           |           |     |     |           |     |     |     |     |     |           |     |     |            |
|             |             |           |           |           |           |           |           |     |     |           |     |     |     |     |     |           |     |     |            |
|             |             |           |           |           |           |           |           |     |     |           |     |     |     |     |     |           |     |     |            |
|             |             |           |           |           |           |           |           |     |     |           |     |     |     |     |     |           |     |     |            |
|             |             |           |           |           |           |           |           |     |     |           |     |     |     |     |     |           |     |     |            |

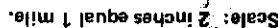
Total number of acres to be irrigated = 222

4. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or 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: \_\_\_\_\_



Show 40-acre subdivisions, townships, ranges and ditches.

Show 40-acre subdivisions, townships, ranges and ditches.



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

Signed at 1 Wm Falls

to day of 7 this

(Signature)

**FOR DEPARTMENT USE ONLY**

Preliminary check by ADM Fee = \$20.00 #17094

Received by TGB Date 2-1-80

Publication prepared by HLM Date 7/8/80

Published in  
Powder County Press

Publication dates

2/27 & 3/5/80

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

L. GLEN SAXTON, Chief, Operations Bureau  
of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 41-7034.

Witness my hand this

9 day of ~~the~~

May

08 61

Chief, Operations Bureau

19 80  
J. Alan Boyton

# Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER } S.S.

ROBERT CROMPTON

being first duly sworn

on oath, states:

PUBLISHER

That HE is the ..... of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for two successive weekly issues thereof, the date of the first publica-

tion being the 27 day of FEB, 1980.

the date of last publication being the

MARCH

80

5 day of 19

(Signed) Robert Crompton

Subscribed and sworn to before me this

5 day of March, 1980.

Judi Ballerson  
Notary Public, residing at American Falls, Idaho.

My Commission expires the

20 day of April, 1980.

(SEAL)

## Legal Notice

Published in The Power County Press February 27 and March 5, 1980.

### NOTICE OF AMENDMENT TO A WATER PERMIT NO. 41-7030

Notice is hereby given that Kent O. McMichael is the holder of approved permit No. 41-7030 authorizing the diversion of 2.80 cubic feet per second of water from Groundwater in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. County of Power, to be used for Irrigation from March 15 to November 15 (on 140 acres) within SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the permit, as follows: Point(s) of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. (Applicant must conform to original conditions of approval in drilling additional well) Place of Use: 140 Acres within SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

Any protest against approval of the amending of Permit No. 41-7030 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before March 17, 1980.

C. STEPHEN ALLRED  
Director

RECEIVED

MAR 7 1980

Department of Water Resources  
Eastern District Office

original in file 41-7030

## Legal Notice

Published in The Power County Press on February 27 and March 5, 1980.

### NOTICE OF AMENDMENT TO A WATER PERMIT NO. 41-7034

Notice is hereby given that Kent O. McMichael is the holder of approved permit No. 41-7034 authorizing the diversion of 4.00 cubic feet per second of water from Groundwater in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. County of Power, to be used for Irrigation from March 15 to November 15 (on 222 acres) within NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to add a point of diversion and change the place of use as follows: Point(s) of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. (Applicant must conform to original conditions of approval in drilling additional well) Place of Use: 222 acres within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

Any protest against approval of the amending of Permit No. 41-7034 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before March 17, 1980.

C. STEPHEN ALLRED  
Director

ok  
march  
2/11/80



Identification No. \_\_\_\_\_  
Application No. 41-7034

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

**APPROVED**

**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

1. Name of applicant Kent O. McMichael Phone: 548-2689  
post office address Star Route, Rockland, ID 83271
2. Source of water supply ground water which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 28 Township 10S  
Range 31E., B.M. Power County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 4 cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 4.0 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinkler system  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years.  
b. Estimated construction cost is \$ 38,000.00.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

[illegible]

Total number of acres to be irrigated 222

c. Describe any other water rights used for the same purposes as described above. App. No. 41-7030

uses same point of diversion.

9. a. Who owns the property at the point of diversion — Alvin Haskell

b. Who owns the land to be irrigated or place of use Alvin Haskell

applicant to make this filing Applicant has a lease purchase option from owner. Intends

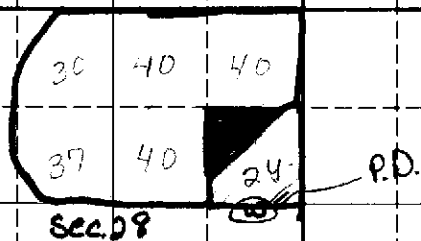
to use option to purchase.

10. Remarks



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

Rge 31 E



Scale: 2 inches equal 1 mile

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

*Kent O. McMichael*  
(Applicant)

Proposed Priority 2-1-78

Received by JB Date 2-1-78 Time 3:00  
Preliminary check by JB Fee \$ 55.00 # 7508  
Receipted by JB Date 2-1-78  
Publication prepared by JB Date 2/1/78  
Published in Garwin County Press  
Publication dates 2/15 + 2/22/78  
Publication approved by JB Date 2/23/78  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
Protests filed by: James F. Brown & Nelson Brown  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval/denial by JB J.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 41-7034, and said application is hereby APPROVED.  
1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 84.

c. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.  
(2) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (3) Unperforated well casing shall be used to a minimum depth of 75 feet and shall be extended into the next confining layer.

Witness my hand this 28 day of March, 19 79.

Chief, Operations Bureau

J. Alan Saylor



# Affidavit of Publication

STATE OF IDAHO  
COUNTY OF POWER } S.S.

..... Phyllis Ringe ..... being first duly sworn

on oath, states:

That she is the principal clerk of the printer of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 15th day of February, 1978

the date of last publication being the 22nd day of February, 1978

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

17th day of Feb, 1978

Rose Ann Link  
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) ..... day of ....., 19 .....

RECEIVED

FEB 27 1978

Department of Water Resources  
Southern District Office

## Legal notice

Published in  
The Power County Press  
Feb. 15. and Feb. 22, 1978  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Kent O. McMichael, Rockland, Idaho 83271 has on Feb. 1, 1978 submitted Application No. 41-7034 for a permit to appropriate 4.0 cubic feet per second of water from ground water by means of well, pump, sprinkler system within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 28, Twp. 10S, Rge. 31E, B.M. Power County to be used from Mar. 15 to Nov. 15 for irrigation purposes of 222 acres within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 28, Twp. 10S, Rge. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 6, 1978

C. STEPHEN ALLRED  
Director

Hearing  
Feb 3



WR0749NP  
No. 41-07034

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 06/25/98  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | TIMOTHY P DEEG<br>2597 DEEG ROAD<br>AMERICAN FALLS ID 83211<br>(208) 226-5588 | 04/07/1978       | IRRIGATION | 04/01 10/31✓          | 1.820 CFS         | 364.00 AFA          |
| TOTAL DIVERSION: |                                                                               |                  |            |                       | 1.820 CFS         | 364.00 AFA          |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R31E S06

SWSE

POWER 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 | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : SUM |
| 09S         | 30E | 12 | :       |       |       |       | :       |       | 22    |       |         | 22    | :     |       | 22      | 22    | :     | 91.0  |       |
| TOTAL ACRES |     |    |         |       |       |       |         |       |       |       |         |       |       |       |         |       |       | 91.0  |       |

Pou County: POWER

Conditions of Approval:

- ④ 028 - After specific notification by the department, the right holder
  - shall annually report the amount of water diverted to the department.
- ⑦ 108 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ② 109 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN③ Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion and annual volume of water pumped from the well.

- ④ The authorized season of use is from April 1 to October 31 of each year.
- ⑤ The maximum rate of diversion of water under this right when combined with water right Nos. 41-07030, 41-07071, 41-07076 and 41-07081 shall not exceed a total combined rate of 6.68 cfs nor more than 4.0 acre feet per acre per year at the well.

— It is further hereby ordered that the protests of Harold and Steve Isaak are SET ASIDE for failure to appear at the time and place set for hearing and will not be further considered by the department.

- ① The change authorized by this transfer shall be accomplished within one (1) year of the date of the final order in this matter.

Updated per Final Order  
11-24-98

WR0749NP  
No. 41-07034

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 06/25/98  
PAGE: 2

=====

|        |                 |            |                    |            |                           |
|--------|-----------------|------------|--------------------|------------|---------------------------|
| Dates: | App. Received:  | 05/29/1997 | Priority Date:     | 04/07/1978 | (Priority Date Advanced.) |
|        | Proof Due Date: |            | Proof Made Date:   | 10/19/1983 | (Proof Received Late.)    |
|        | Exam Made Date: | 08/06/1987 | Exam Sent to S.O.: |            |                           |
|        | Licensed Date:  | 06/13/1988 |                    |            |                           |

Misc:      Water District Number:              Field Exam Fee: R (Received)

Comments: Date: 08/08/1997    User-ID: MBALDWIN Subject: TRANSFER 5120  
Transfer 5120 changes the point of diversion & place of use under  
Right 41-07034.

Audit:      04/13/88    05/28/88 CONVERT    08/08/97 MBALDWIN    09/02/97 MBALDWIN  
             02/12/98 PSKAGGS    05/12/98 PSKAGGS    06/25/98 PSKAGGS



Water Alloc. Unit Boise  
Department of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706

Indicate type of mail:  
☐ Registered  
☐ Insured  
☒ COD  
☐ Certified  
☐ Express Mail

Check appropriate block for:  
☐ Registered Mail:  
☐ With Postal Insurance  
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

| Line                    | Number of Article | Name of Addressee, Street, and Post-Office Address                           | Postage                                      | Fee | Handling Charge | Act. Value (if Regis.) | Insured Value | Due Sender if C.O.D. | R. R. Fee | S. D. Fee | S. H. Fee | Rest. Del. Fee     |
|-------------------------|-------------------|------------------------------------------------------------------------------|----------------------------------------------|-----|-----------------|------------------------|---------------|----------------------|-----------|-----------|-----------|--------------------|
| 1                       | 241636092         | TIMOTHY P DEEG<br>2597 DEEG RD AMERICAN FALLS ID 83211                       | 89                                           | 135 |                 |                        |               |                      | 110       |           |           | 41-07043<br>T-5120 |
| 2                       | 241636093         | KENT FOSTER HOLDEN KIDWELL HAHN & CRAPO<br>PO BOX 50130 IDHAO FALLS ID 83405 | 89                                           |     |                 |                        |               |                      |           |           |           |                    |
| 3                       | 241636094         | HAROLD AND STEVE ISAAK<br>3315 ROCK CREEK RD AMERICAN FALLS ID 83211         | 89                                           |     |                 |                        |               |                      |           |           |           |                    |
| 4                       | 241636095         | KATHLEEN BARKDULL SECRETARY<br>3202 HEDSTROM LN AMERICAN FALLS ID 83211      | 89                                           |     |                 |                        |               |                      |           |           |           |                    |
| 5                       |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 6                       |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 7                       |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 8                       |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 9                       |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 10                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 11                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 12                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 13                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 14                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| 15                      |                   |                                                                              |                                              |     |                 |                        |               |                      |           |           |           |                    |
| Listed Number of Places |                   | Total Number of Places Received at Post Office                               | POSTMASTER: PER (Name of receiving employee) |     |                 |                        |               |                      |           |           |           |                    |
| 4                       |                   | 4                                                                            |                                              |     |                 |                        |               |                      |           |           |           |                    |

MICROFILMED  
JUN 25 1998

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.



**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

May 18, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RE: In the Matter of Application for Transfer No. 5120 of  
Water Right No. 41-07034 in the name of Timothy P. Deeg

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) 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.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

RECEIVED  
FILMED

MAY 25 1998



(7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

#### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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 67-5246(4) Idaho Code.

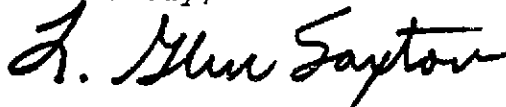
#### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. GLEN SAXTON, Chief  
Water Allocation Bureau

Enclosure

c: IDWR - Region

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JUN 25 1998



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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 15, 1998

Senator Lin Whitworth  
P.O. Box 183  
Inkom, ID 83245

Senator Ralph Wheeler  
659 Gifford Ave  
American Falls, ID 83211

**RE: APPLICATION FOR TRANSFER NO. 5120 IN THE NAME OF TIMOTHY  
P. DEEG**

Dear Senator Wheeler:

This letter follows up your inquiry during the recent legislative session about the above referenced application for transfer. Although I planned to meet with you during the session, schedules and commitments interfered with the planned meeting. This letter is intended to advise you of the current status of the above referenced matter.

The application was filed by Timothy Deeg to change the place of use of an existing irrigation water right from a location near Rockland, Idaho to a proposed new site approximately 10 miles north of the original site in the Rockland basin. Deeg proposed to divert the water from an existing well but to not increase the rate of diversion from the well as a result of transferring the water right to it. An additional 91 acres are planned to be irrigated under the transfer from the well.

The application was protested by Warm Creek Irrigation Co. resulting in a contested case before the department. An appointed hearing officer of the department has conducted an administrative hearing in the matter and is preparing a recommended order which will be served on the parties. After service of the recommended order, parties may file a petition for reconsideration, exceptions or briefs. After review of such filings, the director will issue a final order in the matter.

This is a contested matter which is specifically governed by the rules of procedure and the Idaho Code. To protect the rights of

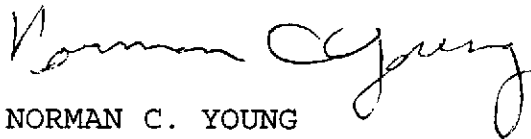
MICROFILMED

JUN 25 1998



the applicant and the protestant to a fair hearing in the matter, the hearing officer, Director and others at the department involved in the contested case must avoid ex parte contacts. Please feel free, however, to contact me if I can provide additional procedural or general information concerning this matter. I will be happy to provide you a copy of the recommended order.

Sincerely,



NORMAN C. YOUNG  
Administrator

c: IDWR - S. Region  
Timothy Deeg  
Warm Cr. Irr. Co.

MICROFILMED

JUN 25 1998



## 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

April 15, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

**RE:** In the matter of Application for Transfer No. 5120 of Water Right No. 41-07034 in the name of Timothy P. Deeg

Dear Interested Party:

The accompanying order is a "**recommended order**" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

#### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer 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 this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

#### ORAL ARGUMENT

The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director.

MICROFILMED

JUN 25 1998



If oral arguments are to be heard, the Director will, within a reasonable time, 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 recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

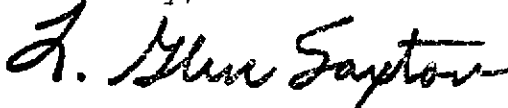
**FINAL ORDER**

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 agency 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.

**APPEAL OF FINAL ORDER TO DISTRICT COURT**

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



L. GLEN SAXTON, Chief  
Water Allocation Bureau

Enclosure

c: IDWR - Southern Region

MICROFILMED

JUN 25 1998

**TRANSFER REVIEW SHEET**

(06-97)

Transfer # 5120

Date Reviewed 2-12-98 CR

Right(s) 41-07034

WRAN Print Split Summary ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use

F:Change Period of Use G:Other H:Change P/D & Add P/D

I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Deed covers proposed P/D Deeg  
WR Lease agreement Nelson to Deeg.  
Power Co. Assessor - 2-12-98 - confirms ownership by Nelson family. CR

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) ☐ Season (4) ☒ Rate (5) ☐ Volume

(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map

Aberdeen-American Falls GW District

(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

(3) Standard Season 4-1 to 10-31  
(5) Standard Vol = 4 x 91 = (364 a/c) Licensed @ 3.5 a/c here or 318.5 a/c  
1.82 cfs provides 768.9 a/c @ reduced standard season of 213 days.  
(7) Change P/D  
(8) Change P/U

Existing Well

No overlaps - NOT supplemental GW

Transfer Remarks (3) NO (4) Season (5) Combined Limit 2+rs further ordered...  
Conditions 028, 107, 108, 109

Database/Processing Notes

Standard ☒ Non-Standard ☐

T file

Pccommon File \_\_\_\_\_

File Deleted \_\_\_\_\_

Transfer Memo Complete \_\_\_\_\_

Database Updated 6-24-98 CR

Final Order  
5-15-98



WR0749NP  
No. T41-07034

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 02/12/98  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | TIMOTHY P DEEG<br>2597 DEEG ROAD<br>AMERICAN FALLS ID 83211<br>(208) 226-5588 | 04/07/1978       | IRRIGATION | 04/01 10/31 ✓         | 1.820 CFS         | 364.00 AFA          |
| TOTAL DIVERSION: |                                                                               |                  |            |                       | 1.820 CFS         | 364.00 AFA          |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R31E S06 SWSE POWER 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   |      |      |
| 09S         | 30E | 12 | : |      |      |      |      | :  |      |      |      |      | : | 22.8 |      | 22.7 |      | : | 22.8 | 22.7 |      |      | :    | 91.0 |
| TOTAL ACRES |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | 91.0 |      |

Pou County: POWER

Order Conditions of Approval:

- 028 - After specific notification by the department, the right holder  
- shall annually report the amount of water diverted to the  
- department.
- #1 ✓ T07 - The right holder shall accomplish the change authorized by this  
- transfer within one (1) year of the date of this approval.
- #6 T08 - Failure of the right holder to comply with the conditions of this  
- transfer is cause for the Director to rescind approval of the  
- transfer.
- #2 ✓ T09 - Approval of this transfer does not preclude the opportunity for  
- review of the validity of the water right(s) in the ongoing  
- Snake River Basin Adjudication.

Standard

- #3 ✓ Remarks: GEN Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion <sup>or annual volume of water pumped</sup> from the well.
- #4 ✓ The authorized season of use is from April 1 to October 31 of each year.
- #5 ✓ The maximum rate of diversion of water under this right when combined with water right Nos. 41-07030, 41-07071, 41-07076 and 41-07081 shall not exceed a total combined rate of 6.68 cfs nor more than 4.0 <sup>afa</sup> <sup>at the field headgate</sup> <sup>well</sup> <sup>divert per acre per year</sup>. It is further hereby ordered that the protests of Harold and Steve Isaac are set aside for failure to appear at the time and place set for hearing and will not be further considered by the department.

Final Order

|        |                 |            |                    |            |                           |
|--------|-----------------|------------|--------------------|------------|---------------------------|
| Dates: | App. Received:  | 05/29/1997 | Priority Date:     | 04/07/1978 | (Priority Date Advanced.) |
|        | Proof Due Date: |            | Proof Made Date:   | 10/19/1983 | (Proof Received Late.)    |
|        | Exam Made Date: | 08/06/1987 | Exam Sent to S.O.: |            |                           |
|        | Licensed Date:  | 06/13/1988 |                    |            |                           |

WR0749NP  
No. T41-07034

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 02/12/98  
PAGE: 2

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Misc:      Water District Number:      Field Exam Fee: R (Received)

Comments: Date: 08/08/1997    User-ID: MBALDWIN Subject: TRANSFER 5120  
Transfer 5120 changes the point of diversion & place of use under  
Right 41-07034.

Audit:      08/08/97 MBALDWIN    09/02/97 MBALDWIN    02/12/98 PSKAGGS



(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*' ARE ADJUDICATION CLAIMS)  
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

| WR-NUMBER                         | SOURCE                    | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | SUM |
|-----------------------------------|---------------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|                                   |                           | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
|                                   |                           | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |     |
| T09S R30E S 12                    |                           |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| NO MATCHES FOR THIS POU IN AJ-POU |                           |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| T4107034                          | GROUNDWATE :              |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 91  |
| 4107076                           | GROUNDWATE :              |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 88  |
| L4107076                          | GROUNDWATE :              |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 132 |
|                                   | NO MAPPING INFO AVAILABLE |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 126 |

T10S R31E S 28 Original P/U

|            |              |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  |     |
|------------|--------------|---|----|----|---|---|---|----|----|----|----|----|----|--|--|--|--|-----|
| 4100008B   | ROCK CREEK : |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  |     |
| 4100008C   | ROCK CREEK : |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  |     |
| 4100008D   | ROCK CREEK : |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  |     |
| A4100008F  | ROCK CREEK : |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  | 68  |
| A4107030   | GROUNDWATE : |   |    |    |   |   |   |    |    |    |    |    |    |  |  |  |  | 126 |
| 4107034    | GROUNDWATE : | 2 | 25 | 35 | 4 | 7 |   |    |    | 18 |    |    |    |  |  |  |  | 91  |
| A4107034   | GROUNDWATE : | 2 | 25 | 35 | 4 | 7 |   |    |    | 18 |    |    |    |  |  |  |  | 91  |
| --86 MAP-- | C77Q-BB 86 : |   |    |    |   | 2 | 7 | 40 | 21 | 28 | 39 | 12 | 32 |  |  |  |  | 181 |

No Overlaps

SD-0611-2 Basin: 41 Starting Water Right: 07034

| S | Water     | Name              | O | Priority   | STG/ |             | Use  | S  |
|---|-----------|-------------------|---|------------|------|-------------|------|----|
| E | Right No. | Last, First       | W | Date       | STS  | Source      | Desc | Y  |
| L |           |                   | N |            |      |             |      | S  |
| - | 41-07034  | NELSON, RONALD R. | C | 04/07/1978 | L/   | GROUNDWATER | IRR  | WR |
| - | T41-07034 | DEEG, TIMOTHY P   | C | 04/07/1978 | L/   | GROUNDWATER | IRR  | WR |
| - | A41-07034 | NELSON, FAROLD J  | C | 04/07/1978 | L/   | GROUNDWATER | IRR  | AJ |

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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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 4, 1998

Kathleen Barkdull  
3202 Hedstrom Ln  
American Falls ID 83211

**RE: Request for Information**

Dear Ms. Barkdull:

Per your request of Glen Saxton on February 3, 1998, I have enclosed copies of Exhibits A and B, which were presented at the administrative hearing in connection with Transfer No. 5120 in the name of Timothy P. Deeg.

If you have any questions concerning the exhibits, please contact Glen Saxton at (208)327-7955.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary, Water Allocation Bureau

Enclosures

C: IDWR - S. Region

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**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**

**PHILIP E. BATT  
GOVERNOR**

**KARL J. DREHER  
DIRECTOR**

February 4, 1998

Kent Foster  
PO Box 50130  
Idaho Falls ID 83405

**RE: Request for Information**

Dear Mr. Foster:

Per your request of Glen Saxton on February 3, 1998, I have enclosed copies of Exhibits A and B, which were presented at the administrative hearing in connection with Transfer No. 5120 in the name of Timothy P. Deeg.

If you have any questions concerning the exhibits, please contact Glen Saxton at (208)327-7955.

Sincerely,

**JULIE L. YARBROUGH**  
Senior Secretary, Water Allocation Bureau

Enclosures

C: IDWR - S. Region

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dir:t5120am.wpd

January 26, 1998  
2957 Deeg Road  
American Falls, ID 83211

Allen D. Merritt P. E.  
Southern Region Manager  
IDAHO DEPARTMENT OF  
WATER RESOURCES  
1341 Fillmore, Ste. 200  
Twin Falls, ID 83301-3380

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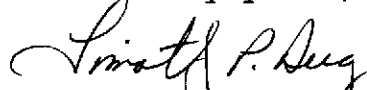
Department of Water Resources  
Southern Region

Re: Additional Exhibits For Transfer No. 5120

Dear Mr. Merritt:

I am enclosing this letter with additional information about the first exhibits, and other exhibits for the hearing scheduled February 3, 1998. These exhibits have become available to myself after the exchange date January 5, 1998. These documents are being exchanged, pursuant to the IDAPA Rules of Procedures, and will be delivered by U.S. Mail to the protestants.

Sincerely yours,

  
Timothy P. Deeg

Enclosures

Harold & Steve Isaak  
Kathleen Barkdull

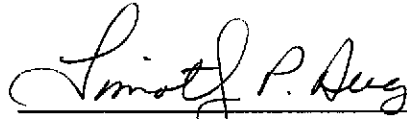
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CERTIFICATE OF MAILING

I hereby certify that on the 26th day of January, 1998, a true and correct copy of the foregoing Exhibits was forwarded with all required charges prepaid, by the method (s) indicated below, to the parties listed:



APPLICANT

HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CREEK ROAD  
AMERICAN FALLS, IDAHO 83211

by U.S. MAIL

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION COMPANY  
3202 HEDSTROM LANE  
AMERICAN FALLS, IDAHO 83211

by U.S. MAIL

ALLEN D. MERRITT P.E.  
SOUTHERN REGION MANAGER  
IDAHO DEPARTMENT OF  
WATER RESOURCES  
1341 FILMORE, STE. 200  
TWIN FALLS, IDAHO 83301-3380

by U.S. MAIL

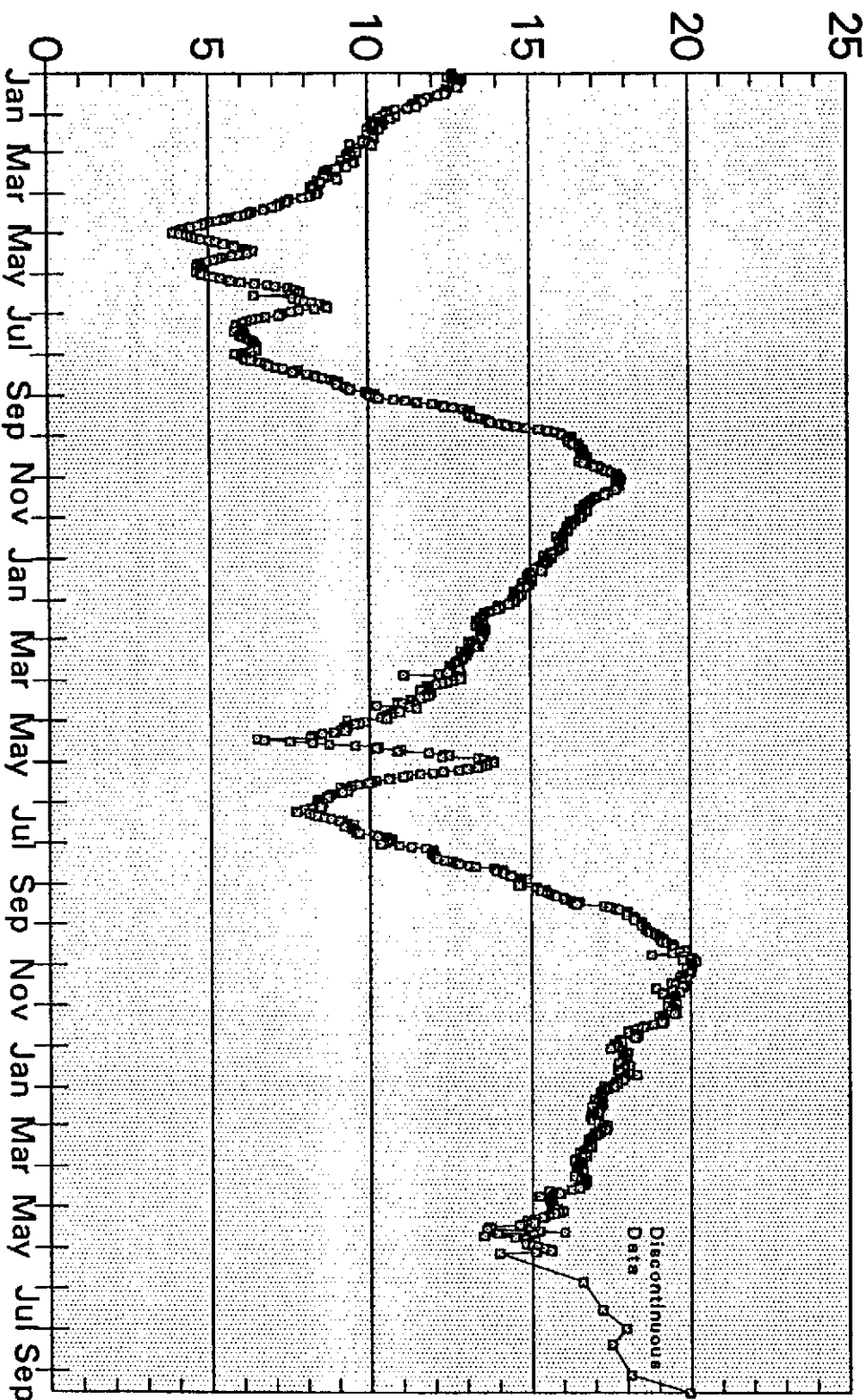
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# Curren Tunnel

Average Daily Flow Rate

January 1, 1995 to September 17, 1997

Flow (cfs)



Based on average <sup>95</sup> daily water levels and rating table. <sup>96</sup>  
Logger data unavailable from 6/6/97, only occasional gage readings

97

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BOUNDARY OF THE WARM CREEK IRRIGATION DISTRICT

Beginning at a point 25 rods south of the NE corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 7 Twp 8 S. Range 31 E.B.M. thence southwesterly to a point on the township line 40 rods south of the NE corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of sec. 12, Twp 8 S. Range 30 E.B.M., thence due west to the exact center of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of sec. 12, thence southwest to the SW corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of sec. 12, thence due west 160 rods to the SE corner of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of sec. 12, thence due north 160 rods to the south bank of Snake River, thence following the bank of the Snake River west and south approximately 2 $\frac{1}{2}$  miles to the SW corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of sec. 22, thence due east to the SE corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of sec. 22, thence in a north easterly direction following the right of way of U. S. Highway 30 240 rods to a point approximately 12 rods east of the SW corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of sec. 13, thence following an irregular course SE by East app. 70 rods thence east app. 70 rods to an intersection with the main channel of Warm Creek, thence following an irregular course along the main channel of Warm Creek to the m diversion headgate of the Dille ditch, located in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of sec. 19, Twp. 8 S. Range 31 E.B.M. thence following the Dille ditch in a northwesterly direction to a point app 16 rods east of the SW corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of sec 18, Twp 8 S. R. 31, thence due north 80 rods, thence north west to the point of beginning. Save and except certain fractions of land adjacent to Snake River belonging to the United States, also segments belonging to Highway District # 1 and also the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of sec. 15 and the North half of the SW $\frac{1}{4}$  of sec. 14, Twp. 8 S. Range 30, East of the Boise Meridian.

Stockholders of the Warm Creek Irrigation Company

| Name            | No. Shares      | Name            | No. Shares |
|-----------------|-----------------|-----------------|------------|
| Irene Jones     | 20              | Don Zaring      | 3          |
| Emma Sinclair   | 4               | Myrtle Thompson | 1          |
| Thomas Dille    | 2               | Wm. Schultz     | 2          |
| Charles Crowder | 2               | C. D. Thornton  | 54         |
| F. D. Sinclair  | 5               | A. T. Sorenson  | 30         |
| Dave Jones      | 3 $\frac{1}{2}$ | Roy Zaring      | 30         |
| Emil Mayer      | 3 $\frac{1}{2}$ | Robert Foster   | 2          |
| Pearl Dille     | 20              | D. N. Thompson  | 1          |
| M. K. Thornhill | 11              | Leonard Ringe   | 2          |
| Raymond Isaak   | 9               | Neal Maag       | 3          |
|                 |                 | George Nash     | 84         |

Total-----292

CONSTITUTION AND BY LAWS OF THE WARM CREEK IRRIGATION CO.

Any organization, composed of various members, bonded together in a common cause, must adopt certain rules of conduct, conforming with established laws, which they, for their mutual and individual benefit, pledge themselves to honor and abide by.

We, as stockholders in an irrigation company, having and holding by right of prior appropriation and by right of continuous usage all the waters in warm creek, which is composed of cold creek and its tributaries and including the waters of the thermal springs, currently known as Indian springs; These streams located in Township Eight South and ranges Thirty and Thirty one East of the Boise Meridian, In Power County, Idaho; and having established a permanent and perpetual right thereto, as provided under Section 5556 of the Civil Code of the statutes of Idaho; do hereby adopt and establish the following Constitution and By-laws; which are revised from the original by-laws established in the year 1889 and which supercede all prior laws and amendments.

Article 1; The name of this company shall be The Warm Creek Irrigation Company.  
 Article 2; There are 292 (two hundred and ninety two) shares of common stock distributed among the stockholders of this company. The shares of water is distributed in the sub-district ditches to the water user by a rotation system.  
 Article 3; There are four sub-districts within the company, each representing a main lateral ditch. The distribution and rotation as follows:  
 Sub-district # 1; The Dille ditch, This ditch contains 80 shares of water stock, each share represents two hours and twenty four minutes of the entire stream and is rotated every eight days;  
 Sub-district # 2; The Morgan ditch, this ditch contains fifty six shares of water stock, each share represents three hours of flow of the entire stream, rotated every seven days;  
 Sub-district # 3; The Sorenson ditch, this ditch contains 84 shares of water stock, each share represents approximately two hours and seventeen minutes of flow of the entire stream rotated every 8 days.  
 Sub-district # 4; The Neeley ditch, containing seventy two shares of water stock, each share represents two hours and twenty minutes of flow of the entire ditch, rotated every seven days.

ARTICLE 4; The annual meeting shall be held on the first monday of March of all the water users. This meeting will be held at the place specified by the board. The meeting will be held for the purpose of electing a board of directors, appointing a chairman and secretary and watermaster and discussing all problems appertaining to the welfare of the company.

ARTICLE 5; The governing body of the company shall consist of five directors. A representative will be elected from each of the four sub-districts. A chairman and secretary shall be selected from the board members. A quorum of three members must be present at any board meeting to validate any action taken by the board. Any qualified water user may serve on the board.

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ARTICLE 6; The qualification of voters is as follows: Any stockholder in the company shall vote his stock, in the number of shares, in all cases where appropriation of moneys, not otherwise provided for, is involved or in any case when a major improvement is proposed, or in any case when a lien may be imposed against his property. Any user of water may vote at an election of officers, provided that a lessee must have a written proxy, signed by his landlord, filed with the secretary. An owner may vote by proxy when proof of the proxy is filed with the secretary; however, in any case in which the owner votes in the amount of his stock an absentee ballot must be duly signed and notarized.

A husband and wife may cast separate ballots only when they own stock independent of each other, however either may represent the common stock in an election.

Partners may cast separate ballots only in cases where each owns stock in his own right. Either may represent the partnership.

ARTICLE 7; The chairman will preside over all meetings. He will cause to be brought before the meetings all matters for discussion. He will at all times, take such steps that are necessary to maintain order and decorum. He will instruct the watermaster in all matters, brought to his attention, pertaining to the regulation of water, trash removal etc. He will instruct the secretary as to the time and place for all board meetings and all stockholder meetings.

ARTICLE 8; The secretary will be responsible for all records and money of the company. He will keep a careful record of the proceedings of the meetings and forward a copy of the minutes of

(Article 8 Cont.)

the annual meeting to the state dep't of reclamation. He will notify all persons concerned of all board meetings or stockholders meetings, specifying the time and place of such meetings. He will safeguard all records and hold them available for inspection at any time. He will at NO time relinquish the records from his custody to any person or persons other than his authorized successor in office. He will make an annual accounting, publicly, of all company funds and list the expenditures thereof. All expenditures other than administrative, shall have the sanction of the board.

ARTICLE 9; The watermaster will be selected by the board. He will serve until a qualified successor is appointed. It shall be his duty to inspect the main channel of the creek and all main division headgates annually, and provide for an equitable division of water. He shall remove, or cause to be removed, any trash, obstacle or dam that may impede the normal flow of water in the main channel from the origin down to the last main division headgate. He will supervise a program for noxious weed eradication. He may, with the consent and direction of the board, employ men or equipment to assist in the fulfillment of his duties. He will, at all times, safeguard the rights of the company from invasion from other persons or organizations.

ARTICLE 10; It shall be the duty of the board of directors to have constructed headgates or weirs, that will meet with all legal requirements, and will insure a proper and equitable division of water at all points of diversion. They shall cooperate with the county weed supervisor and the property owners and insure an adequate noxious weed eradication program along the main channel of the creek from its origin down to the last main division headgate to a distance of one rod on either side of the stream, measured at its normal flow. They shall supervise the construction of storage dams, the drilling of wells, or the construction of causeways where excessive erosion is evident or any other project that may be for the benefit of the entire company.

ARTICLE 11; It shall be the duty of the members of the sub-districts to clean or enlarge their ditches down, to the last division headgate, sufficiently to insure, without obstruction, the passage of their allotted water. This must be accomplished early enough in the spring to give the users the full benefit of their water.

(article 9, this amendment has not been voted upon 2/24/56)

The watermaster shall, at some time after the irrigation season, inspect the creek and main division headgates and determine any improvements or alterations that may be necessary. He shall make a report to the board of directors, in writing, before the 1st day of January, in which he will recommend any improvements that he deems necessary. The watermaster may receive compensation for the time actually spent, in the performance of his duties, in the sum, not to exceed \$10.00 per diem.

(article 10) This amendment has not been voted upon 2/24/56)

The board of directors shall have the power to levy assessments to cover operational and administrative costs.

They shall hold an annual meeting between the first day of January and the first day of March, to study the recommendations of the watermaster and fix a tentative budget. This budget, together with all pertinent information, will be placed before the stockholders annual meeting.

In the failure of any water user to pay, to the secretary, any assessments levied against his stock the secretary will notify him in writing of his delinquency. In the continued failure to pay the board may instruct the watermaster to withhold water from the delinquent member until such dues are paid, at such time a fine of 10% of the dues may be added to the regular dues.

(article 11 cont.)

It shall be the duty of the water users in the sub-districts to maintain a noxious weed eradication program along the lateral ditches, from the main division headgate down to the last division headgate to the extent of 10 feet on either side of the lateral ditch, measured at its normal flow. The work on the lateral ditches will be assessed against the water users in that sub-district, either in labor or money, and prorated according to the individual holdings. It shall be the duty of the water user in the lateral ditches, to insure the release of the water to the next successive user at the proper specified time.

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ARTICLE 12; The main division headgates will not be altered at any time, nor than to correct any deviation from the required ratio of division. Any unauthorized tampering of these headgates will not be tolerated and violators will be subject to prosecution.

No water, or shares representing water, shall be transferred from one sub-district ditch to another; provided, however, a person owning water in two or more sub-districts may transfer water from one ditch to another at a point below the division headgate to increase the flow during his own water turn, provided further, that the water so diverted, will not conflict or mingle with water belonging to another.

ARTICLE 13; Upon the completion of the adoption of this constitution, the board of directors will cause to have printed suitable certificates of stock. The new certificates will be issued to all present stockholders in the amount of their present holdings and will void all previous stock. Any future transactions that involve the transfer of water must be made a matter of record and new stock issued to cancel the stock, pertinent to the transaction, previously held by the seller.

ARTICLE 14; The owners of the Natatorium Company are bound by agreement, to so regulate their flow of water, when filling or emptying their pool, that it will not increase or decrease the flow in the stream below their outlet. The Natatorium Company being defined as the present Indian Springs Natatorium Co. or its successors or any company or organization using the waters of the thermal springs for recreational purposes. They may, at no time, utilize any of the water for irrigation purposes.

ARTICLE 15; The Warm Creek Irrigation Company claims title to an independent water district under section #5608 of the Idaho Civil Code, which reads; "The Department of Reclamation shall divide the state into water districts in such manner that each public stream or tributaries, or independent source of water supply, shall constitute a water district." Under the rights of prior appropriators, and further rights guarantee us by the legislative acts of 1881, 1892, and 1899, and consummated by the Reclamation act of 1902, we refuse to acknowledge the right of any other irrigation district or organization to enter our irrigation system, levy assessments against our distributing system, or the land so covered, or to, in any manner, interfere with or substitute for, the flow of our water.

ARTICLE 16; The above Constitution and By-laws must be ratified by a 2/3 vote of all water users and/or stockholders. Any subsequent amendment will require a 2/3 vote of the stockholders of the entire company.

(First reading approved  
by unanimous vote subject  
to correction by legal  
adviser Feb. 22, 1956)

GEO. E. NASH  
Chairman

NEAL MAAG  
Secretary

DON ZARING

THOMAS A. DILLE

I hereby do certify that the above named persons personally appeared before me and signed said instrument.

Given under my official hand and seal this 26th day of March 1956

My commission expires August 18, 1960.

E. C. ENGLAND  
(Notary Public)

(SEAL)

Recorded at the request of Neal Maag at 4:45 o'clock P.M. this 3rd day of April, 1956  
in Book 94 of Misc. at page 650. Fee \$3.00

C. W. Adams, Recorder

Instrument No. 75405

ORDER ACCEPTING PETITION AND ANNEXING LANDS TO FALLS IRRIGATION DISTRICT.

WHEREAS, a petition was filed with the Board of Directors of Falls Irrigation District on August 27th, 1955, praying for the annexation of the lands hereinafter described to said district, and

WHEREAS, the said Board of Directors thereupon fixed the time and place for the hearing of said petition for eight P.M., September 23d, 1955, at the office of said Board of Directors in the Michaud Flats Project Office in American Falls, Power County, Idaho, and caused due notice of said hearing to be given in the manner and form as provided by law, and

WHEREAS, no person has appeared and showed cause in writing, or at all, why the lands mentioned should not be annexed to said district, and said board of directors deem it for the best interest of the district to include therein the lands mentioned in said petition and hereinafter described,

NOW, THEREFORE, it is ORDERED by the Board of Directors of Falls Irrigation District of Power County, Idaho, that said petition be and the same is hereby accepted, and the lands in said petition and hereinafter described, to-wit:

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JUN 25 1966

8

Water Location  
of  
The Warm Creek Water Company

Warm Cr

Know all Men by that  
The the undersigned owners of Water Rights in Warm  
Creek in Oneida County Idaho do hereby agree to  
consolidate our Water Rights into one Common Stock  
Company to be known as the Warm Creek Irrigation  
Company. The Capital Stock of said Company shall  
consist of the sum of (\$1560.00) at \$100.00 per share  
this agreement shall be binding upon every one  
subscribing thereto for a period of fifty years.  
and it is further agreed that we will submit to a  
Water Master appointed as by law provided in all  
things pertaining to the distribution of the Water.  
The Capital Stock shall be divided as follows.  
Nels Dille \$100.00, Joe Wood \$100.00, A. C. Brown \$200.00,  
Ellis Lorenson \$100.00, Wm Morgan \$100.00, Joe Morgan \$100.00,  
Francis Hunsaker \$10.00, Isaac Chase \$100.00,  
J. H. Calver \$100.00, Lewis Grant \$100.00, William Neely \$100.00,  
John Neely \$100.00, John Richie \$50.00, Charles Alfred \$100.00,  
P. P. Dille \$100.00, Signed.

Wm Neely, John Neely,  
A. C. Brown, Isaac Chase, William Morgan, Ellis  
Lorenson, Edward Morgan, Francis Hunsaker,  
John H. Calver, Charles H. Alfred, Joseph C. Wood.  
Nels Dille, Parley P. Dille, John Richie

Recorded at the Request of

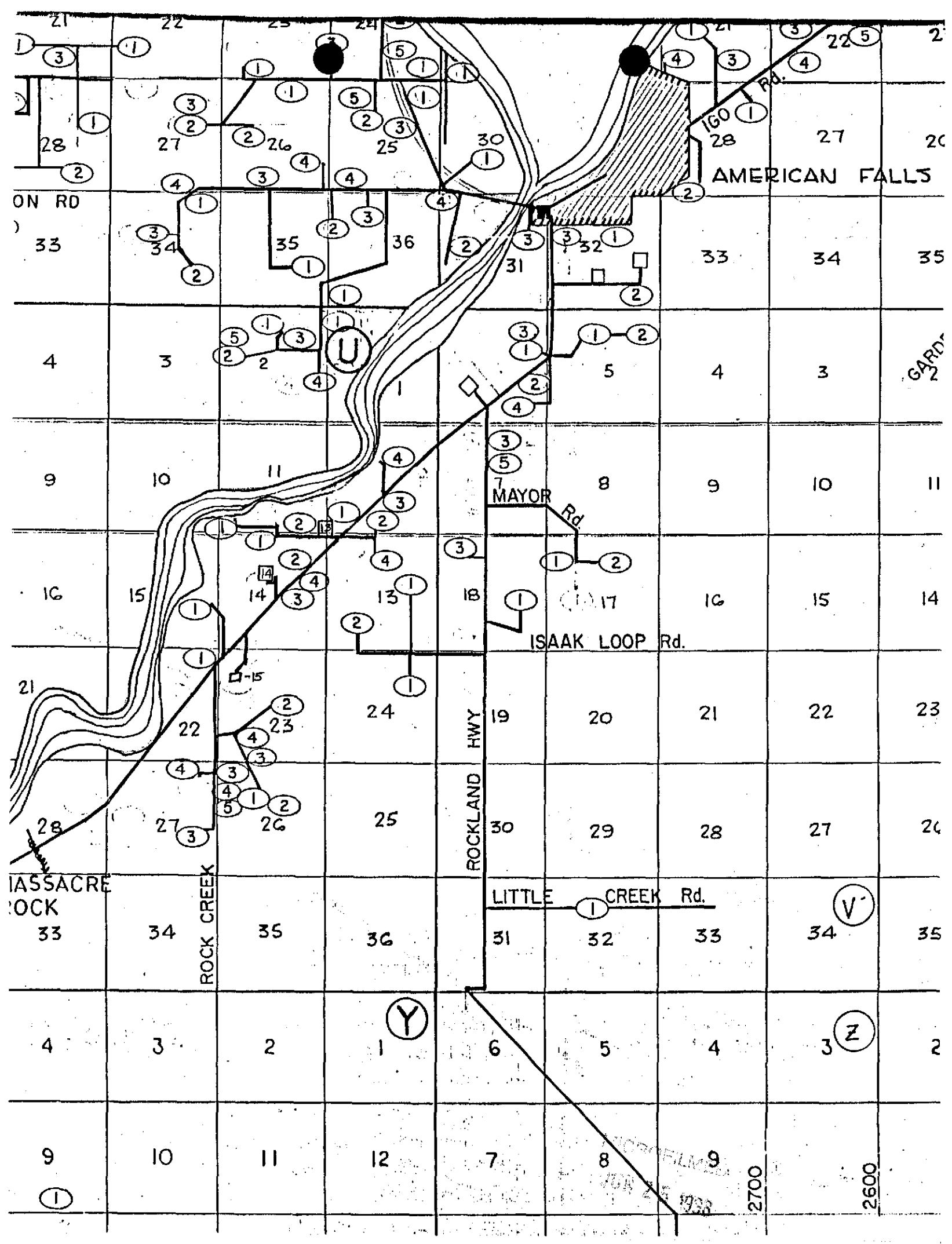
M. J. Olson April 8<sup>th</sup> 1889 at 10<sup>00</sup> o'clock A.M.

C. J. Thomas

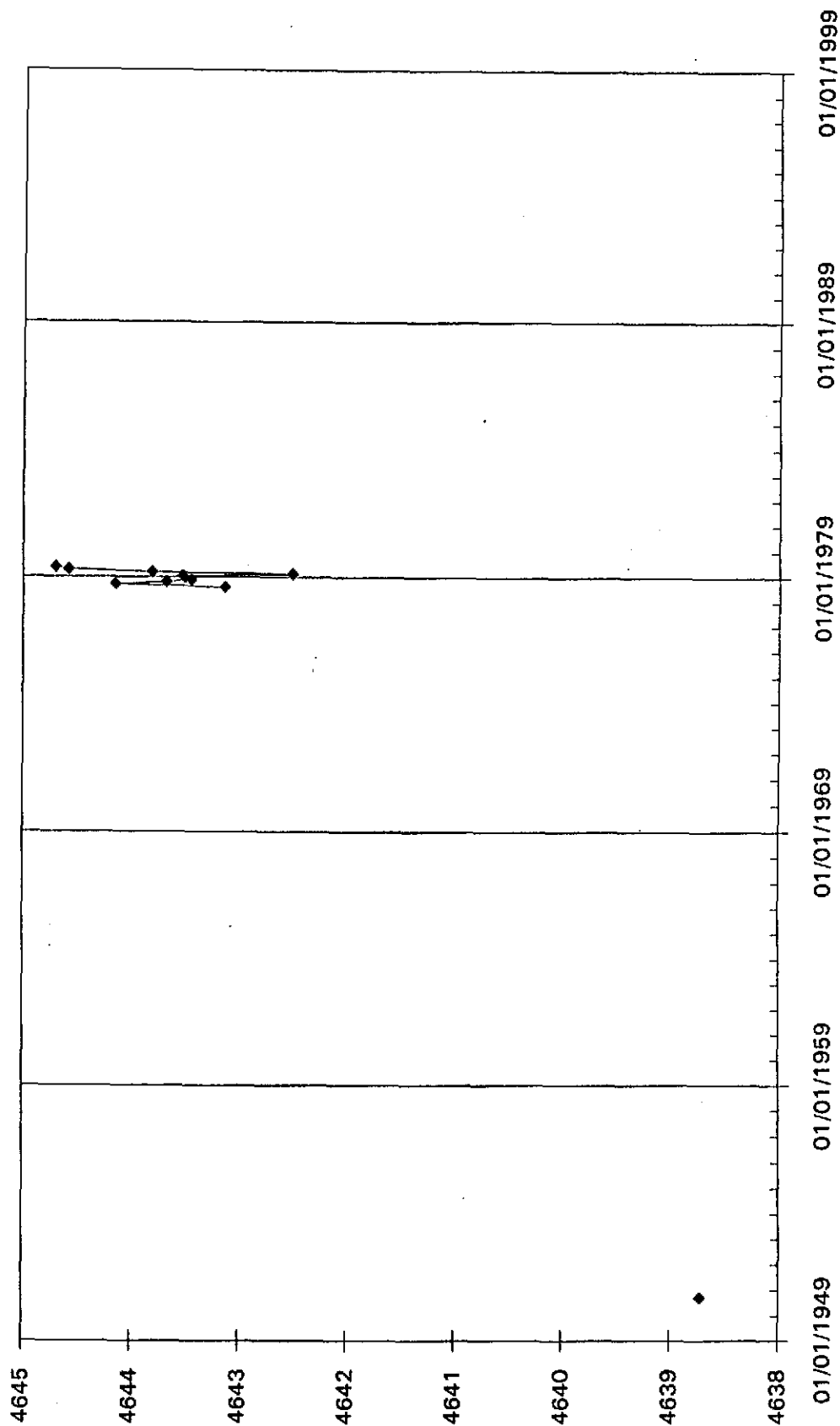
Recorder of Oneida Co.,

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JUN 25 1938



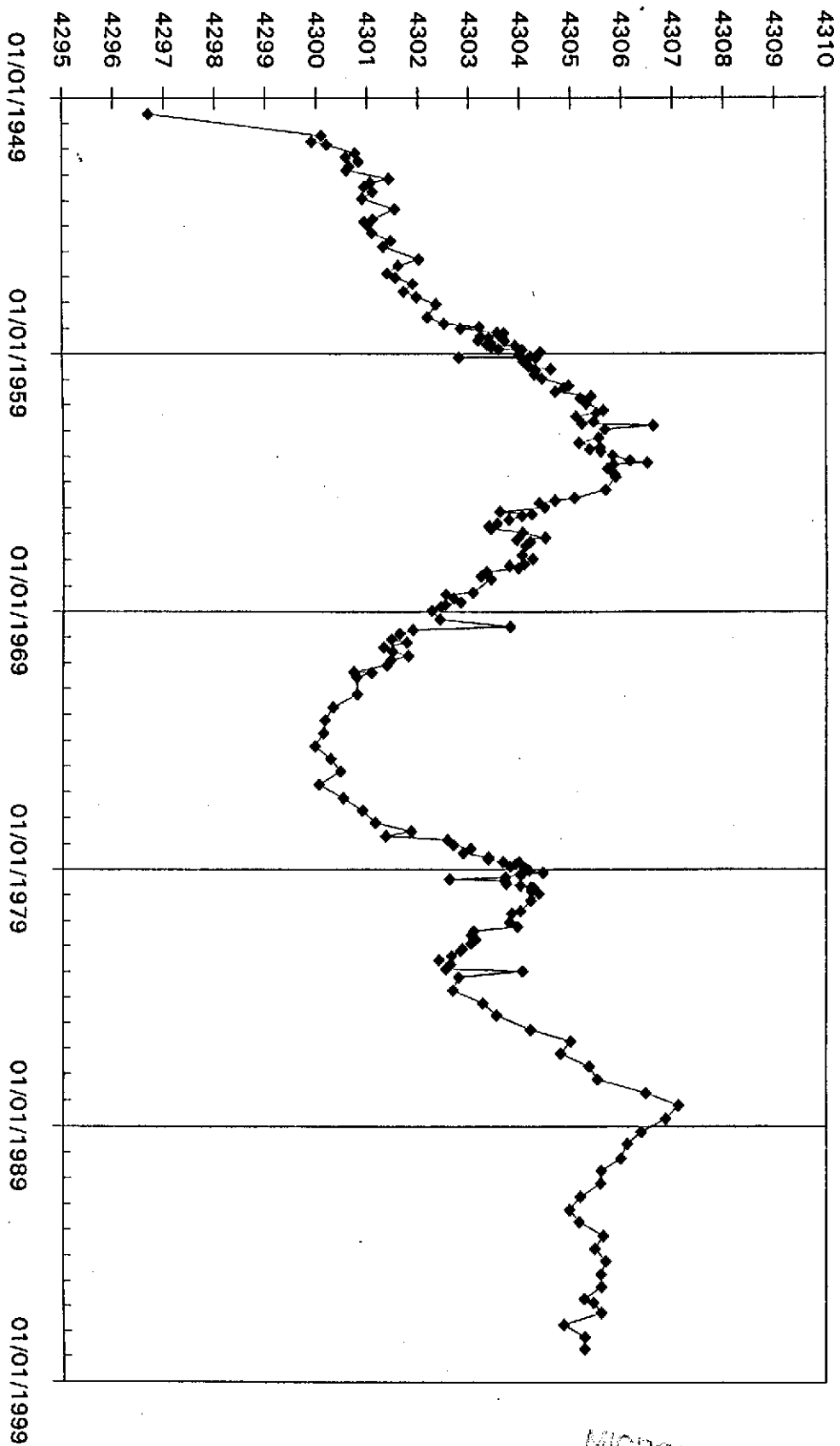


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JUN 23 1988

08S 30E 23DCC1



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JUN 25 1988



## Weirs

A weir is an over-pour notch of fixed dimensions in a vertical bulkhead or head wall through which water may flow. When properly constructed, installed and maintained, it provides a simple and accurate means of measuring water. Weirs are easy to construct and accurate if dimensions are followed carefully. They will handle floating trash and not clog easily.

Every water-measuring device has a set of standard operating conditions that must be met if it is to be accurate. If these conditions cannot be met at a given site, another measuring device should be used. A weir requires approximately a 6-inch drop between the upstream and downstream water surfaces. This loss in head is often not available in ditches with flat grades. The water must approach the weir crest very slowly. This condition is achieved by backing the water up in a weir pond with a bulkhead or head wall.

If the water is carrying silt it may settle out and fill the weir pond. This causes the approach velocity of the water to increase and the device becomes inaccurate. Grass and weeds thrive in the slow water and the weir pond requires maintenance to keep it free of silt and weeds.

Commonly used weirs, classified by the shape of the notch, are the rectangular weir, the Cipolletti weir, and the V-notch weir as illustrated in Fig. 1.

### How to Install a Weir

A weir can perform accurately only if correctly constructed, installed and used. The following standard conditions must be followed:

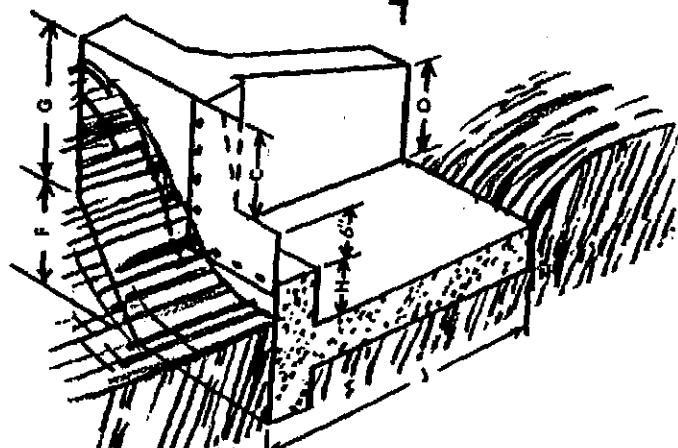
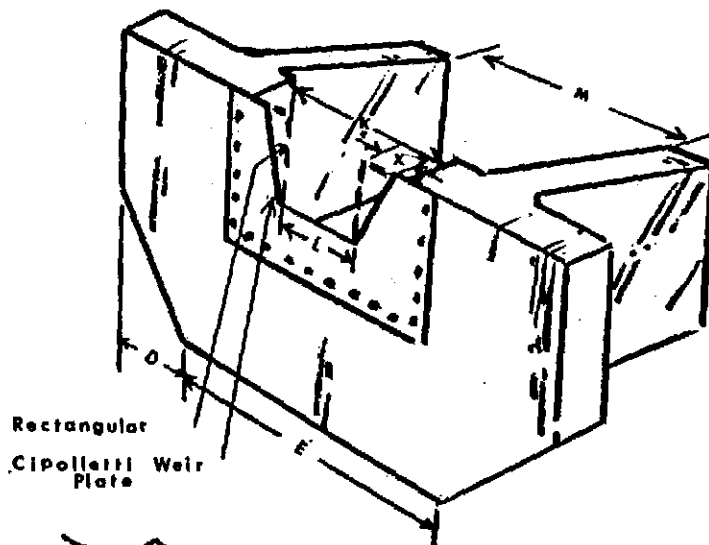
1. Set the weir in a channel that is straight for a distance upstream from the weir of at least 10 times the weir crest length.
2. Place the weir at right angles to the direction of flow, and vertical.
3. The water approaching the weir should be free from eddies and flow slower than one-half foot per second. A weir pond can be created by the way the structure is built. The height of the crest above the bottom of the ditch should be at least twice the maximum head or depth of water flowing over the crest. The distance from the side of the weir notch to the side of the channel should be at least twice the maximum weir head. This is called a contracted weir. A bulkhead of the above proportions is used with a metal weir plate fastened to it.
4. Avoid backing the water up on the downstream side of the weir. Water must flow freely below the device, leaving an air space under the over-falling sheet of water. A concrete or rock apron should be used to prevent washing below the structure.
5. The weir plate containing the notch is usually made of steel plate no thicker than 1/8 inch. It must have exact dimensions and its edges must be rigid, straight and sharp on the upstream face. The notch should be beveled at 45 degrees on the downstream side. Avoid knife edges as they are difficult to maintain. The weir crest should be level and very accurate in length.
6. Select the crest size so the minimum head to be measured exceeds 2 inches and the maximum head is not greater than one-third the length of the weir.

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| Crest<br>length<br>L<br>ft.          | Recommended range<br>of measurement in<br>C.f.s. |            | Symbol dimensions |       |       |       |       |       |       |       |       |       |       |
|--------------------------------------|--------------------------------------------------|------------|-------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
|                                      |                                                  |            | C-H               | D     | E     | F     | G     | J     | K     | M     | N     | O     | X     |
|                                      |                                                  |            | ft-in             | ft-in | ft-in | ft-in | ft-in | ft-in | ft-in | ft-in | ft-in | ft-in | in    |
| For Rectangular and Cipolletti Weirs |                                                  |            |                   |       |       |       |       |       |       |       |       |       |       |
| 1.0                                  | .2 to .6                                         | .2 to .6   | 8                 | 0     | 5-8   | 0     | 2-7   | 3     | 2     | 2-8   | 10    | 1-4   | 2     |
| 1.5                                  | .3 to 1.7                                        | .3 to 1.8  | 1                 | 1-4   | 4-8   | 1-4   | 2     | 3-8   | 2-6   | 3     | 10    | 1-4   | 3     |
| 2.0                                  | .4 to 3.6                                        | .4 to 3.7  | 1-2               | 2     | 5     | 2     | 4     | 3     | 3-6   | 1     | 1-6   | 3 1/2 |       |
| 3.0*                                 | .6 to 9.5                                        | .6 to 10.0 | 1-6               | 2-6   | 7     | 2-6   | 2-6   | 4-6   | 4-4   | 5     | 1-6   | 2     | 4 1/2 |
| 4.0*                                 | .8 to 19.5                                       | .9 to 20.7 | 2                 | 3-10  | 8-4   | 3-10  | 2-10  | 5     | 5-6   | 6     | 2     | 2-6   | 6     |
| For 90° V-Notch Weirs                |                                                  |            |                   |       |       |       |       |       |       |       |       |       |       |
| 2.0                                  | .02 to 1.5                                       |            | 1                 | 1-6   | 5     | 1-6   | 2-8   | 3-8   | 2-6   | 3     | 10    | 1-4   |       |
| 3.0*                                 | .02 to 4.0                                       |            | 1-6               | 2-2   | 6-2   | 2-2   | 3-4   | 4     | 3-6   | 4     | 1     | 1-6   |       |

\*Use 6" x 6" No. 12 wire mesh reinforcing or equivalent.

Fig. 2. Dimensions and capacities for Rectangular, Cipolletti and 90-degree V-notch weirs.

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Southern Region

### How to Measure

The water surface as it flows over the crest is drawn down as velocity increases. For this reason any measurement at or on the crest is not as accurate as the methods described below.

Drive a 2 x 2-inch flat-topped stake in the ground in the weir pool upstream from the crest a distance of 4 times the maximum head. Place the stake to one side in still water out of the way but readily accessible for taking readings. Use a carpenter's level or an engineer's level to set the top of the stake at the same height as the crest of the weir. The depth of flow is measured from the top of the stake to the surface of the water above it. In Idaho, frost will probably heave the stake out of place so that it would have to be re-set and maintained annually to keep the top at the same level as the weir crest.

An observation well (equipped with a staff gauge) next to the weir head wall and fed by a pipe from the weir pond will refine the reading.

Water depth may be measured on a bulkhead wide enough so the gauge can be attached to it in smooth water and be unaffected by the drawdown over the crest. The gauge should be at least 1 to 1½ feet away from the side of the notch. Place the zero on the staff gauge at the same height as the crest.

A rectangular weir is the simplest to construct. Its crest is horizontal and its sides perpendicular. Table 3 gives the discharges over various widths of rectangular weirs with complete contractions.

The Cipolletti weir (named after its inventor, Cesare Cipolletti, an Italian engineer) is used most in Idaho because it will measure slightly more water than a rectangular weir with the same crest length. It is more difficult to construct. The sides diverge outwardly at a 1 to 4 slope (1 inch horizontally to 4 inches vertically). The discharges for various widths of Cipolletti weirs with contractions are shown in Table 4.

The V-notch weir is designed to handle small flows accurately. A 90-degree angle or V-notch can be laid out very easily using a carpenter's square. Discharge tables for the V-notch with complete contractions are shown in Table 5. Construction details and dimensions for the weirs mentioned above are illustrated in Fig. 2.

### Rectangular Submerged Orifice

A rectangular submerged orifice is a sharp-edged rectangular opening in a vertical bulkhead placed in a stream perpendicular to the direction of flow, having the upstream and downstream water surface above the orifice as shown in Fig. 3. The cross-sectional area of the orifice is small in relation to the stream cross-section. These conditions provide complete contraction of stream flow and the approach velocity of the water becomes negligible.

This device is used on relatively flat ditches where fall is not adequate for a weir. It is simple, easy to construct and accurate. Water should be free from floating trash as it will clog very easily.

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Southern Region



Table 4. Flow over Cipolletti weirs in cubic feet per second.\*

| Head<br>in ft.<br>"H" | Head<br>in inches,<br>approx. | Crest length (L)              |          |          |          |          | For each<br>additional<br>foot of crest<br>in excess<br>of 4 ft.<br>(approx.) |
|-----------------------|-------------------------------|-------------------------------|----------|----------|----------|----------|-------------------------------------------------------------------------------|
|                       |                               | 1.0 foot                      | 1.5 feet | 2.0 feet | 3.0 feet | 4.0 feet |                                                                               |
|                       |                               | Flow in cubic feet per second |          |          |          |          |                                                                               |
| 0.10                  | 1-3/16                        | 0.107                         | 0.160    | 0.214    | 0.321    | 0.429    | 0.108                                                                         |
| 0.11                  | 1-5/16                        | 0.123                         | 0.185    | 0.246    | 0.370    | 0.494    | 0.124                                                                         |
| 0.12                  | 1-7/16                        | 0.140                         | 0.210    | 0.280    | 0.421    | 0.562    | 0.141                                                                         |
| 0.13                  | 1-9/16                        | 0.158                         | 0.237    | 0.316    | 0.474    | 0.632    | 0.159                                                                         |
| 0.14                  | 1-11/16                       | 0.177                         | 0.264    | 0.352    | 0.528    | 0.706    | 0.177                                                                         |
| 0.15                  | 1-13/16                       | 0.195                         | 0.293    | 0.390    | 0.588    | 0.782    | 0.196                                                                         |
| 0.16                  | 1-15/16                       | 0.216                         | 0.322    | 0.430    | 0.644    | 0.860    | 0.216                                                                         |
| 0.17                  | 2-1/16                        | 0.237                         | 0.353    | 0.470    | 0.705    | 0.941    | 0.236                                                                         |
| 0.18                  | 2-3/16                        | 0.258                         | 0.384    | 0.512    | 0.768    | 1.024    | 0.257                                                                         |
| 0.19                  | 2-1/4                         | 0.280                         | 0.417    | 0.555    | 0.832    | 1.110    | 0.278                                                                         |
| 0.20                  | 2-3/8                         | 0.302                         | 0.450    | 0.599    | 0.898    | 1.20     | 0.302                                                                         |
| 0.21                  | 2-1/2                         | 0.324                         | 0.484    | 0.644    | 0.966    | 1.29     | 0.324                                                                         |
| 0.22                  | 2-5/8                         | 0.349                         | 0.519    | 0.691    | 1.04     | 1.38     | 0.35                                                                          |
| 0.23                  | 2-3/4                         | 0.374                         | 0.555    | 0.739    | 1.11     | 1.47     | 0.37                                                                          |
| 0.24                  | 2-7/8                         | 0.397                         | 0.591    | 0.786    | 1.18     | 1.57     | 0.39                                                                          |
| 0.25                  | 3                             | 0.423                         | 0.628    | 0.836    | 1.25     | 1.67     | 0.42                                                                          |
| 0.26                  | 3-1/8                         | 0.449                         | 0.667    | 0.886    | 1.33     | 1.77     | 0.44                                                                          |
| 0.27                  | 3-1/4                         | 0.475                         | 0.705    | 0.937    | 1.40     | 1.87     | 0.47                                                                          |
| 0.28                  | 3-3/8                         | 0.502                         | 0.745    | 0.990    | 1.48     | 1.97     | 0.49                                                                          |
| 0.29                  | 3-1/2                         | 0.529                         | 0.785    | 1.04     | 1.56     | 2.08     | 0.52                                                                          |
| 0.30                  | 3-5/8                         | 0.557                         | 0.827    | 1.10     | 1.64     | 2.19     | 0.55                                                                          |
| 0.31                  | 3-3/4                         | 0.586                         | 0.869    | 1.15     | 1.73     | 2.30     | 0.57                                                                          |
| 0.32                  | 3-13/16                       | 0.615                         | 0.911    | 1.21     | 1.81     | 2.41     | 0.60                                                                          |
| 0.33                  | 3-15/16                       | 0.644                         | 0.954    | 1.27     | 1.89     | 2.52     | 0.62                                                                          |
| 0.34                  | 4-1/16                        | 0.675                         | 1.00     | 1.32     | 1.98     | 2.64     | 0.66                                                                          |
| 0.35                  | 4-3/16                        | 0.705                         | 1.04     | 1.38     | 2.07     | 2.75     | 0.69                                                                          |
| 0.36                  | 4-5/16                        | 0.735                         | 1.09     | 1.44     | 2.16     | 2.87     | 0.71                                                                          |
| 0.37                  | 4-7/16                        | 0.767                         | 1.13     | 1.50     | 2.25     | 2.99     | 0.74                                                                          |
| 0.38                  | 4-9/16                        | 0.799                         | 1.18     | 1.57     | 2.34     | 3.11     | 0.78                                                                          |
| 0.39                  | 4-11/16                       | 0.832                         | 1.23     | 1.63     | 2.43     | 3.24     | 0.81                                                                          |
| 0.40                  | 4-13/16                       | 0.866                         | 1.28     | 1.69     | 2.53     | 3.36     | 0.84                                                                          |
| 0.41                  | 4-15/16                       | 0.899                         | 1.32     | 1.76     | 2.62     | 3.49     | 0.87                                                                          |
| 0.42                  | 5-1/16                        | 0.932                         | 1.37     | 1.82     | 2.72     | 3.61     | 0.89                                                                          |
| 0.43                  | 5-3/16                        | 0.967                         | 1.42     | 1.89     | 2.81     | 3.74     | 0.93                                                                          |
| 0.44                  | 5-1/4                         | 1.00                          | 1.47     | 1.95     | 2.91     | 3.87     | 0.97                                                                          |
| 0.45                  | 5-3/8                         | 1.04                          | 1.53     | 2.02     | 3.01     | 4.01     | 1.00                                                                          |
| 0.46                  | 5-1/2                         | 1.07                          | 1.58     | 2.09     | 3.11     | 4.14     | 1.02                                                                          |
| 0.47                  | 5-5/8                         | 1.11                          | 1.63     | 2.16     | 3.21     | 4.28     | 1.06                                                                          |
| 0.48                  | 5-3/4                         | 1.15                          | 1.68     | 2.23     | 3.32     | 4.41     | 1.10                                                                          |
| 0.49                  | 5-7/8                         | 1.18                          | 1.74     | 2.30     | 3.42     | 4.55     | 1.13                                                                          |
| 0.50                  | 6                             | 1.22                          | 1.79     | 2.37     | 3.53     | 4.69     | 1.16                                                                          |
| 0.51                  | 6-1/8                         | 1.26                          | 1.85     | 2.44     | 3.64     | 4.83     | 1.20                                                                          |
| 0.52                  | 6-1/4                         | 1.30                          | 1.90     | 2.51     | 3.74     | 4.97     | 1.24                                                                          |
| 0.53                  | 6-3/8                         | 1.34                          | 1.96     | 2.59     | 3.85     | 5.12     | 1.26                                                                          |
| 0.54                  | 6-1/2                         | 1.38                          | 2.02     | 2.66     | 3.96     | 5.26     | 1.30                                                                          |
| 0.55                  | 6-5/8                         | 1.42                          | 2.07     | 2.74     | 4.07     | 5.41     | 1.33                                                                          |
| 0.56                  | 6-3/4                         | 1.46                          | 2.13     | 2.81     | 4.18     | 5.56     | 1.38                                                                          |
| 0.57                  | 6-13/16                       | 1.50                          | 2.19     | 2.89     | 4.30     | 5.71     | 1.41                                                                          |
| 0.58                  | 6-15/16                       | 1.54                          | 2.25     | 2.97     | 4.41     | 5.86     | 1.44                                                                          |
| 0.59                  | 7-1/16                        | 1.58                          | 2.31     | 3.05     | 4.53     | 6.01     | 1.49                                                                          |

\*Computed from Cote's formula:  $Q = 3.247 L H^{3/2} \left( 1 + \frac{0.566 L}{H} \right) H^{1/4} + 0.609 H^{5/2}$

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Southern Region

WATER RIGHT FORFEITURE TIME LINE  
FOR  
WATER RIGHT # 41-07034  
TRANSFER #5120

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Southern Region

42-222. Change in point of diversion, place of use, period of use, or nature of use of water under established rights — Forfeiture and extension — Appeals. — (1) Any person, entitled to the use of water whether represented by license issued by the department of water resources, by claims to water rights by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for approval of such change. Such application shall be upon forms furnished by the department and shall describe the right licensed, claimed or decreed which is to be changed and the changes which are proposed, and shall be accompanied by the statutory filing fee as in this chapter provided.

(2) All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter; except that all water rights appurtenant to land contracted in a federal cropland set-aside program, shall not be lost and forfeited for nonuse during the contracted period. The five (5) year period of nonuse for forfeiture of a water right shall begin to accrue upon termination of the contract if a period of nonuse did not occur prior to the effective date of the contract or shall continue to accrue if a period of nonuse occurred prior to the effective date of the contract.

| CROP YEAR | FORFEITURE YEAR | DESCRIPTION                         |
|-----------|-----------------|-------------------------------------|
| 1989      | 0               | LAST CONFIRMED POWER RECORD         |
| 1990      | 1               | HRW NI AS PER CROP REPORT           |
| 1991      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1992      | 2               | HRW NI AS PER CROP REPORT           |
| 1993      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1994      | 3               | HRW NI AS PER CROP REPORT           |
| 1995      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1996      | 4               | SWW NI AS PER CROP REPORT           |
| 1997      | --              | CRP CONTRACT ENTERED INTO 3/26/97   |

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JUN 25 1998

|                                                                                                                                                    |                                                                |                                                             |                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------|
| CRP-1<br>(01-30-97)                                                                                                                                | U.S. DEPARTMENT OF AGRICULTURE<br>Commodity Credit Corporation | 1. ST. & CO. C & C/D<br>16 077 1                            | 2. SIGN-UP NUMBER<br>15                                              |
|                                                                                                                                                    |                                                                | 3. CONTRACT NUMBER<br>8731                                  | 4. ACRES FOR ENROLLMENT<br>373.2                                     |
| CONSERVATION RESERVE PROGRAM CONTRACT                                                                                                              |                                                                | 5. FARM NUMBER<br>1372                                      | 6. TRACT NUMBER(S)<br>501                                            |
|                                                                                                                                                    |                                                                | 8. OFFER (Select one)<br>STANDARD<br>ENVIRONMENTAL PRIORITY | 9. CONTRACT PERIOD<br>FROM (M/D/Y) TO (M/D/Y)<br>10/01/97 09/30/2007 |
| 7. COUNTY OFFICE ADDRESS AND PHONE NO. (area code)<br>Power County FSA Office<br>PO Box 180<br>503 N Oregon Trail<br>American Falls, ID 83211-0180 |                                                                |                                                             |                                                                      |

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "Owner", "Operator", and "Tenant", respectively) on the farm identified above. The undersigned person or persons may hereafter collectively be referred to as "the Participant." The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") for the stipulated contract period from the date the Contract is executed by the CCC or other use set by CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; and if applicable, CRP-15 and CRP-1 Continuation.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| 10. OFFER FOR PERMISSION TO ALLEY CROP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |  |
| In order to participate in CRP under CP19, Alley Cropping, I/we submit an offer of \$ _____ per acre reduction, from the amount specified in item 11A, in the annual rental payments for permission to produce agricultural commodities on eligible acres in accordance with the provisions for alley cropping set out in the applicable regulations. I/we understand that for each year of the CRP contract the annual rental payment will be reduced by the amount agreed to above, which reduction must be a reduction of at least 50 percent in the annual rental payment. |  |  |  |  |

|                                                                                                                             |                                                             |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| 11A. Rental Rate Per Acre<br>\$38.67                                                                                        | 12. Identification of CRP Land                              |
| B. Annual Contract Payment<br>\$14,432                                                                                      | A. Tract No. B. Field No. C. Practice D. Acres E. Total C/S |
| C. First Year Payment<br>\$ N/A<br>(Item 11C applicable only to continuous signup when the first year payment is prorated.) | See CRP-1 Continuation                                      |

|                                                                                            |       |                                       |                                                                       |  |
|--------------------------------------------------------------------------------------------|-------|---------------------------------------|-----------------------------------------------------------------------|--|
| 13. OWNERS, OPERATORS, AND TENANTS                                                         |       |                                       |                                                                       |  |
| A. OPERATOR NAME AND ADDRESS<br>Nelson 7UD Ranches<br>PO Box 177<br>Rockland, ID 83271     | 100 % | SOCIAL SECURITY NUMBER<br>82-0407890  | SIGNATURE<br>Nelson 7UD Ranches<br>By: [Signature]<br>DATE<br>3-24-97 |  |
| B. OWNER NAME AND ADDRESS **Only<br>Martin Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112 | 0 %   | SOCIAL SECURITY NUMBER<br>518 62 7476 | SIGNATURE<br>Martin Munk<br>DATE<br>6-17-97                           |  |
| C. NAME AND ADDRESS<br>Susan Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112               | 0 %   | SOCIAL SECURITY NUMBER<br>519 54 3774 | SIGNATURE<br>Susan Munk by Martin Munk<br>DATE<br>6-17-97             |  |

|                                                                   |                                                |                 |
|-------------------------------------------------------------------|------------------------------------------------|-----------------|
| 14. CCC USE ONLY - Payments according to the shares are approved. | SIGNATURE OF CCC REPRESENTATIVE<br>[Signature] | DATE<br>9-11-97 |
|-------------------------------------------------------------------|------------------------------------------------|-----------------|

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended, and regulations promulgated at 7 CFR PART 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, (OMB No. 0560-0126), STOP 7630, Washington, D.C. 20250-7630. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or disability.



USDA-ASCS

1. CONTRACT NO.

2. SIGNUP NO.

**CONTINUATION TO THE CONSERVATION RESERVE PROGRAM  
(CRP) CONTRACT**

3. FARM NO.

1372

4. PAGE

1 OF 1

## 5. IDENTIFICATION OF CRP LAND

| TRACT NO.                                                                                                                                                           | FIELD NO. | PRACTICE NO. | ACRES              | RATE OF COST-SHARES | CONTRACT PERIOD |               | EASEMENT PERIOD |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|--------------------|---------------------|-----------------|---------------|-----------------|----|
|                                                                                                                                                                     |           |              |                    |                     | FROM            | TO            | FROM            | TO |
| 5012                                                                                                                                                                | 1         | CP-10        | 8.2                | n/a                 | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 2         | CP-10        | 44.2               | n/a                 | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 3 **      | CP-40        | 86.3               | 2158                | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 4         | CP-10        | 4.7 38.9           | n/a                 | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 5         | CP-10        | 22.7               | n/a                 | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 6 **      | CP-40        | 118.7              | 2968                | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 8         | CP-10        | 19.6               | n/a                 | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 9         | CP-10        | 20.0               | ↓                   | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 10        | CP-10        | .9                 |                     | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 11        | CP-10        | 3.9                |                     | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 12        | CP-10        | 7.8                |                     | 10 01 1997      | 09 30 2007    |                 |    |
| 501                                                                                                                                                                 | 13 **     | CP-40        | 2.0                | 50                  | 10 01 1997      | 09 30 2007    |                 |    |
|                                                                                                                                                                     |           | Total        | 373.2              | 5176                |                 |               |                 |    |
|                                                                                                                                                                     |           | SIGNATURE:   | <i>[Signature]</i> |                     |                 | DATE: 3-26-97 |                 |    |
|                                                                                                                                                                     |           | SIGNATURE    |                    |                     |                 | DATE          |                 |    |
|                                                                                                                                                                     |           | SIGNATURE    |                    |                     |                 | DATE          |                 |    |
| <p>Fields 3 - 86.3, Field 6 - 118.7 L.W., Field 13 - 2.0 = 207.0 L.W. Operated by Martin Munk</p> <p>Martin Munk will accept 0%, confirmed by L. Wagner, 8 5 97</p> |           |              |                    |                     |                 |               |                 |    |

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LSa-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1996

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-28-96

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/ H | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|

480

| Crop ALFAL | Nirr 29.0 | Irr | Crop BARLY | Nirr | Irr 22.2 | Crop GRASS | Nirr 4.0 | Irr |
|------------|-----------|-----|------------|------|----------|------------|----------|-----|
|------------|-----------|-----|------------|------|----------|------------|----------|-----|

Photo Number/Legal Description: M-18A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | 0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|---|---------------------|----|
|-----------|------|-----------|------|-------------|---|---------------------|----|

|     |    |    |       |     |        |  |        |  |    |   |   |                |              |
|-----|----|----|-------|-----|--------|--|--------|--|----|---|---|----------------|--------------|
| 501 | 2  | Ni | CRP   |     | 1      |  | 44.20  |  | RO | I |   | 1.0000         | 7890         |
|     | 4  | Ni | CRP   | 4.7 | 1      |  | 38.90  |  | RO | I |   | 1.0000         | 7890         |
|     | 5  | Ni | CRP   |     | 1      |  | 22.70  |  | RO | I |   | 1.0000         | 7890         |
|     | 8  | Ni | CRP   |     | 1      |  | 19.60  |  | RO | I |   | 1.0000         | 7890         |
|     | 9  | Ni | CRP   |     | 1      |  | 20.00  |  | RO | I |   | 1.0000         | 7890         |
|     | 1  | Ni | GRASS | WIN | Graze  |  | 8.20   |  |    | I |   | 1.0000         | 7890         |
|     | 10 | Ni | GRASS | WIN | Forage |  | .90    |  |    | I |   | 1.0000         | 7890         |
|     | 11 | Ni | GRASS | WIN | Forage |  | 3.90   |  |    | I |   | 1.0000         | 7890         |
|     | 12 | Ni | GRASS | WIN | Forage |  | 7.80   |  |    | I |   | 1.0000         | 7890         |
|     | 3  | Ni | WHEAT | SNW | Grain  |  | 86.30  |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 13 | Ni | WHEAT | SNW | Grain  |  | 2.00   |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 6  | Ni | WHEAT | SNW | Grain  |  | 118.70 |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |

| Crop CRP | Nirr 145.4 | Irr | Crop GRASS | Nirr 20.8 | Irr | Crop WHEAT | Nirr 207.0 | Irr |
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|

Photo Number/Legal Description: M-20A T10S R631E SEC28,21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |    |       |     |       |  |        |  |  |   |   |                |              |
|-----|----|----|-------|-----|-------|--|--------|--|--|---|---|----------------|--------------|
| 502 | 7  | Ni | WHEAT | HRW | Grain |  | 122.80 |  |  | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 1  | Ir | ALFAL |     | Hay   |  | 6.30   |  |  | I |   | 1.0000         | 7890         |
|     | 2  | Ir | ALFAL |     | Hay   |  | 26.30  |  |  | I |   | 1.0000         | 7890         |
|     | 3  | Ir | ALFAL |     | Hay   |  | 7.10   |  |  | I |   | 1.0000         | 7890         |
|     | 4  | Ir | ALFAL |     | Hay   |  | 40.20  |  |  | I |   | 1.0000         | 7890         |
|     | 5  | Ir | BARLY | SPR | Grain |  | 14.50  |  |  | I | 2 | 1.0000         | 7890         |
|     | 6  | Ir | BARLY | SPR | Grain |  | 7.30   |  |  | I | 2 | 1.0000         | 7890         |
|     | 6A | Ir | HAYMX | SMG | Hay   |  | 5.00   |  |  | I |   | 1.0000         | 7890         |

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1996

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-28-96

Operator Name and Address ID

Original: TW

NELSON 700 RANCHES 7890

Revision: \_\_\_\_\_

PO BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,616.6

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts. The reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share | Crop  | Share | Crop | Share |
|--------------------|------|-------|-------|-------|-------|------|-------|
| BERTIN HUNK        | 7476 | WHEAT | .2323 |       |       |      |       |
| JAMES RUBINSON     | 9880 | BARLY | .1265 |       |       |      |       |
| EDWARD J NELSON    | 7415 | CRP   | .0801 |       |       |      |       |
| NELSON 700 RANCHES | 7890 | WHEAT | .7677 | BARLY | .8735 | CRP  | .9199 |

| Crop   | Reported | Determined | Crop  | Reported | Determined | Crop | Reported | Determined |
|--------|----------|------------|-------|----------|------------|------|----------|------------|
| ALFALF | 324.2    |            | BARLY | 117.0    |            | CRP  | 3,466.1  |            |
| GRASS  | 145.0    |            | HAYHX | 127.9    |            | OATS | .0       |            |
| WHEAT  | 489.9    |            | WHEAT | 946.5    |            |      |          |            |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

*Nelson 700 Ranches By Edward J. Nelson*

6-28-96

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILMED

JUN 25 1998



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 11-30-95

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | D/ H | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|

480

| Crop BARLY | Mirr | Irr 22.2 | Crop CUPCP | Mirr 33.0 | Irr |
|------------|------|----------|------------|-----------|-----|
|------------|------|----------|------------|-----------|-----|

Photo Number/Legal Description: M-18A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |    |    |       |     |        |       |       |       |    |   |  |                |              |
|-----|----|----|-------|-----|--------|-------|-------|-------|----|---|--|----------------|--------------|
| 501 | 2  | Ni | CRP   |     | 1      |       | 44.2  | 44.2  | 00 | I |  | 1.0000         | 7890         |
|     | 4  | Ni | CRP   | 4.7 | 1      |       | 38.9  | 38.9  | 00 | I |  | 1.0000         | 7890         |
|     | 5  | Ni | CRP   |     | 1      |       | 22.7  | 22.7  | 00 | I |  | 1.0000         | 7890         |
|     | 8  | Ni | CRP   |     | 1      |       | 19.6  | 19.6  | 00 | I |  | 1.0000         | 7890         |
|     | 9  | Ni | CRP   |     | 1      |       | 20.0  | 20.0  | 00 | I |  | 1.0000         | 7890         |
|     | 1  | Ni | GRASS | WIN | Graze  | CUPCP | 8.2   | 8.2   | 00 | I |  | 1.0000         | 7890         |
|     | 3  | Ni | SUMFL |     |        | PAY   | 86.3  | 86.3  | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 6  | Ni | SUMFL |     |        | PAY   | 15.0  | 15.0  | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 7  | Ni | SUMFL |     |        | PAY   | 103.7 | 103.7 | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 10 | Ni | GRASS | WIN | Forage | CUPCP | .9    | .9    | 00 | I |  | 1.0000         | 7890         |
|     | 11 | Ni | GRASS | WIN | Forage | CUPCP | 3.9   | 3.9   | 00 | I |  | 1.0000         | 7890         |
|     | 12 | Ni | GRASS | WIN | Forage | CUPCP | 7.8   | 7.8   | 00 | I |  | 1.0000         | 7890         |
|     | 13 | Ni | GRASS | WIN | Forage | CUPCP | 2.0   | 2.0   | 00 | I |  | 1.0000         | 7890         |

| Crop CRP | Mirr 145.4 | Irr | Crop CUPAY | Mirr 205.0 | Irr | Crop CUPCP | Mirr 22.8 | Irr |
|----------|------------|-----|------------|------------|-----|------------|-----------|-----|
|----------|------------|-----|------------|------------|-----|------------|-----------|-----|

Photo Number/Legal Description: M-20A T10S R631E SEC28.21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |    |       |     |       |       |       |       |    |   |   |                |              |
|-----|----|----|-------|-----|-------|-------|-------|-------|----|---|---|----------------|--------------|
| 502 | 1  | Ir | ALFAL |     | Hay   | CUPCP | 6.3   | 6.3   | 00 | I |   | 1.0000         | 7890         |
|     | 2  | Ir | ALFAL |     | Hay   | CUPCP | 26.3  | 26.3  | 00 | I |   | 1.0000         | 7890         |
|     | 3  | Ir | ALFAL |     | Hay   | CUPCP | 7.1   | 7.1   | 00 | I |   | 1.0000         | 7890         |
|     | 4  | Ir | ALFAL |     | Hay   | CUPCP | 40.2  | 40.2  | 00 | I |   | 1.0000         | 7890         |
|     | 5  | Ir | ALFAL |     | Hay   | CUPCP | 14.5  | 14.5  | 00 | I |   | 1.0000         | 7890         |
|     | 6  | Ir | ALFAL |     | Hay   | CUPCP | 6.6   | 6.6   |    | I |   | 1.0000         | 7890         |
|     | 6A | Ir | BARLY | SPR | Grain |       | 5.7   | 5.7   |    | I | 2 | 1.0000         | 7890         |
|     | 7  | Ni | SUMFL |     |       | PAY   | 122.8 | 122.8 | 00 | I |   | .6667<br>.3333 | 7476<br>7890 |

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 11-30-95

Operator Name and Address IO

Original: *my*

NELSON 7UD RANCHES 7890

Revision:

PO BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,616.6

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR CFSA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share  | Crop | Share |
|--------------------|------|-------|--------|-------|--------|------|-------|
| RICHARD J NELSON   | 7415 | CRP   | .0801  |       |        |      |       |
| NELSON 7UD RANCHES | 7890 | WHEAT | 1.0000 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Crop | Reported | Crop  | Reported |
|-------|----------|------|----------|-------|----------|
| BARLY | 56.8     | CRP  | 3,466.1  | CUPAY | 631.7    |
| CUPCP | 941.3    | OATS | .0       | OFAY  | .0       |
| WHEAT | 520.7    |      |          |       |          |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

I understand that if eligible, PACP credit for a zero report shall be credited to the following crops and as a result, PACP credit for other crops may be reduced:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives CFSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 10-21-94

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/ M | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|

|     |   |    |       |             |  |  |  |  |  |  |  |       |      |
|-----|---|----|-------|-------------|--|--|--|--|--|--|--|-------|------|
| 480 | 4 | Ni | GRASS | (continued) |  |  |  |  |  |  |  | .3333 | 7890 |
|-----|---|----|-------|-------------|--|--|--|--|--|--|--|-------|------|

|            |           |     |            |           |
|------------|-----------|-----|------------|-----------|
| Crop CUPCP | Nirr 33.0 | Irr | Crop WHEAT | Nirr 22.2 |
|------------|-----------|-----|------------|-----------|

Photo Number/Legal Description: M-18A T10S, R631E SEC5

|           |      |           |      |             |    |                     |    |
|-----------|------|-----------|------|-------------|----|---------------------|----|
| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |     |    |       |     |        |       |       |       |    |   |    |                |              |
|-----|-----|----|-------|-----|--------|-------|-------|-------|----|---|----|----------------|--------------|
| 501 | 2   | Ni | CRP   |     | 1      |       | 44.2  | 44.2  | 00 | I |    | 1.0000         | 7890         |
|     | 4   | Ni | CRP   | 4.7 | 1      |       | 38.9  | 38.9  | 00 | I |    | 1.0000         | 7890         |
|     | 5   | Ni | CRP   |     | 1      |       | 22.7  | 22.7  | 00 | I |    | 1.0000         | 7890         |
|     | 8   | Ni | CRP   |     | 1      |       | 19.6  | 19.6  | 00 | I |    | 1.0000         | 7890         |
|     | 9   | Ni | CRP   |     | 1      |       | 20.0  | 20.0  | 00 | I |    | 1.0000         | 7890         |
|     | 1   | Ni | GRASS | WIN | Graze  | CUPCP | 8.2   | 8.2   | 00 | I |    | 1.0000         | 7890         |
|     | 3   | Ni | WHEAT | HRW | Grain  |       | 86.3  | 86.3  | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 6   | Ni | WHEAT | HRW | Grain  |       | 15.0  | 15.0  | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 7   | Ni | WHEAT | HRW | Grain  |       | 103.7 | 103.7 | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 10  | Ni | GRASS | WIN | LftStd | CUPCP | .9    | .9    | 00 | I |    | 1.0000         | 7890         |
|     | 11  | Ni | GRASS | WIN | LftStd | CUPCP | 3.9   | 3.9   | 00 | I |    | 1.0000         | 7890         |
|     | 12  | Ni | GRASS | WIN | LftStd | CUPCP | 7.8   | 7.8   | 00 | I |    | 1.0000         | 7890         |
|     | 13  | Ni | GRASS | WIN | LftStd | CUPCP | 2.0   | .0    | 00 | I |    | 1.0000         | 7890         |
|     | 13A | Ni | WHEAT | HRW | Grain  |       | .0    | 2.0   | 00 | I |    | 1.0000         | 7890         |

|          |            |     |            |           |     |            |            |     |
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|
| Crop CRP | Nirr 145.4 | Irr | Crop CUPCP | Nirr 20.8 | Irr | Crop WHEAT | Nirr 207.0 | Irr |
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|

Photo Number/Legal Description: M-20A T10S R631E SEC28,21

|           |       |           |       |             |    |                     |    |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |    |       |     |       |       |       |       |    |   |    |        |      |
|-----|----|----|-------|-----|-------|-------|-------|-------|----|---|----|--------|------|
| 502 | 1  | Ir | ALFAL |     | Hay   | CUPCP | 6.3   | 6.3   | 00 | I |    | 1.0000 | 7890 |
|     | 2  | Ir | ALFAL |     | Hay   | CUPCP | 26.3  | 26.3  | 00 | I |    | 1.0000 | 7890 |
|     | 3  | Ir | BARLY | SPR | Hay   | CUPCP | 7.1   | 7.1   | 00 | I |    | 1.0000 | 7890 |
|     | 4  | Ir | ALFAL |     | Hay   | CUPCP | 40.2  | 40.2  | 00 | I |    | 1.0000 | 7890 |
|     | 5  | Ir | ALFAL |     | Hay   | CUPCP | 14.5  | 14.5  | 00 | I |    | 1.0000 | 7890 |
|     | 6  | Ir | ALFAL |     | Hay   | CUPCP | 7.3   | 7.3   | 00 | I |    | 1.0000 | 7890 |
|     | 6A | Ir | BARLY | SPR | Grain |       | 5.0   | 5.0   | 00 | I | 1  | 1.0000 | 7890 |
|     | 7  | Ni | WHEAT | HRW | Grain |       | 122.8 | 122.8 | 00 | I | 19 | .6667  | 7476 |



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 10-21-94

Operator Name and Address ID  
 NELSON 7UD RANCHES 7890  
 PO BOX 177  
 ROCKLAND, ID 83271-0177

Original: TW  
 Revision: \_\_\_\_\_  
 Cropland: 5,608.2  
 Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts. Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  | Crop | Share |
|--------------------|------|-------|-------|-------|--------|------|-------|
| MARTIN MUNK        | 7476 | WHEAT | .2256 |       |        |      |       |
| JAMES ROBINSON     | 9880 | WHEAT | .0153 |       |        |      |       |
| RICHARD J NELSON   | 7415 | CRP   | .0801 |       |        |      |       |
| NELSON 7UD RANCHES | 7890 | WHEAT | .7591 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop   | Reported | Determined |
|-------|----------|------------|------|----------|------------|--------|----------|------------|
| BARLY | 36.7     | 36.7       | CRP  | 3,466.1  | 3,466.1    | CROPAY | 272.4    | 272.4      |
| CUPCP | 866.3    | 864.3      | OATS | .0       | .0         | OFAY   | .0       | .0         |
| WHEAT | 966.7    | 968.7      |      |          |            |        |          |            |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

I understand that if eligible, PACP credit for a zero report shall be credited to the following crops:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

## REPORT OF ACREAGE

PROGRAM YEAR 1993

## FARM AND TRACT DETAIL LISTING

DATE: 06-15-93

1372

| Tract No. | Crop | Var/Type | Int Use     | Land Use | Reported Acreage | Determined Acreage | O/H | Crop Stat | PltPr FCIC | Prod Share     | Prod ID      |
|-----------|------|----------|-------------|----------|------------------|--------------------|-----|-----------|------------|----------------|--------------|
| 1         | Ir   | BARLY    | (continued) |          |                  |                    |     |           |            | .3333          | 7890         |
| 3         | Ir   | ALFAL    | Hay         | CUPCP    | 22.2             |                    |     | I         |            | .6667<br>.3333 | 9880<br>7890 |
| 4         | Ni   | GRASS    | WIN         | Graze    | CUPCP            | 4.0                |     | I         |            | .6667<br>.3333 | 9880<br>7890 |

Crop      Nirr      Irr  
CUPCP      55.2

Photo Number/Legal Description: M-18A T10S, R631E SEC5

Cropland: 55.2      Reported: 55.2      Difference: .0      Reported O,B,S,R,A: .0

|     |    |    |       |      |        |       |     |    |   |        |      |
|-----|----|----|-------|------|--------|-------|-----|----|---|--------|------|
| 501 | 2  | Ni | CRP   |      |        | 44.2  |     | 00 | I | 1.0000 | 7890 |
|     | 4  | Ni | CRP   | 4.7A |        | 38.9  |     | 00 | I | 1.0000 | 7890 |
|     | 5  | Ni | CRP   |      |        | 22.7  |     | 00 | I | 1.0000 | 7890 |
|     | 8  | Ni | CRP   |      |        | 19.6  |     | 00 | I | 1.0000 | 7890 |
|     | 9  | Ni | CRP   |      |        | 20.0  |     | 00 | I | 1.0000 | 7890 |
|     | 1  | Ni | ALFAL | Hay  | CUPCP  | 8.2   |     |    | I | 1.0000 | 7890 |
|     | 3  | Ni | SUNFL |      | CUPAY  | 86.3  |     |    | I | 1.0000 | 7890 |
|     | 6  | Ni | SUNFL |      | CUPAY  | 15.0  |     |    | I | 1.0000 | 7890 |
|     | 7  | Ni | SUNFL |      | CUPAY  | 103.7 |     |    | I | 1.0000 | 7890 |
|     | 10 | Ni | SUNFL |      | CUPCP  | .9    |     |    | I | 1.0000 | 7890 |
|     | 11 | Ni | SUNFL |      | CUPCP  | 3.9   |     |    | I | 1.0000 | 7890 |
|     | 12 | Ni | SUNFL |      | CUPCP  | 7.8   |     |    | I | 1.0000 | 7890 |
|     | 13 | Ni | GRASS | WIN  | Forage | CUPCP | 2.0 |    | I | 1.0000 | 7890 |

Crop      Nirr      Irr      Crop      Nirr      Irr      Crop      Nirr      Irr  
CRP      145.4           CUPAY      205.0           CUPCP      22.8

Photo Number/Legal Description: M-20A T10S R631E SEC20,21

Cropland: 373.2      Reported: 373.2      Difference: .0      Reported O,B,S,R,A: .0

|     |   |    |       |     |       |       |  |  |   |        |      |
|-----|---|----|-------|-----|-------|-------|--|--|---|--------|------|
| 502 | 1 | Ir | ALFAL | Hay | CUPCP | 6.3   |  |  | I | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL | Hay | CUPCP | 26.3  |  |  | I | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL | Hay | CUPCP | 7.1   |  |  | I | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL | Hay | CUPCP | 40.2  |  |  | I | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL | Hay | CUPCP | 14.3  |  |  | I | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL | Hay | CUPCP | 12.3  |  |  | I | 1.0000 | 7890 |
|     | 7 | Ni | SUNFL |     | CUPAY | 122.6 |  |  | I | 1.0000 | 7890 |

POWER, IDAHO

Form Approved - OMB No. 0560-0004

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1993

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 11-04-93

Operator Name and Address ID

Original:

NELSON 700 RANCHES 7890

Revision:

PO BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share |
|--------------------|------|-------|--------|-------|-------|
| JAMES ROBINSON     | 9880 | BARLY | .1410  |       |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | .8590 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| BARLY | 35.0     |            | CRP  | 3,466.1  |            | CUPAY | 944.5    |            |
| CUPCP | 641.9    |            | OATS | .0       |            | OFAV  | .0       |            |
| WHEAT | 520.7    |            |      |          |            |       |          |            |

Initials

No

R.B.R. Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?

R.B.R. Have all crops and land uses been reported on this farm (not listed on this report of acreage)?

R.B.R. I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

R.B.R. If eligible, PACP credit for a zero report shall be credited to the following crops:

OATS

n/a I do not want nonparticipating program crop acreage to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 700 Ranches by Richard R. Nelson

11/4/93

NOV 25 1993



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-26-92

| Tract Number | Field Number | Irr Prc    | Crop  | Var/ Type | Int Use | Lnd Use    | Reported Acreage | Determined Acreage | O/ N | Crop Stat | Plnt Prac | Prod Share     | Prod ID      |
|--------------|--------------|------------|-------|-----------|---------|------------|------------------|--------------------|------|-----------|-----------|----------------|--------------|
| 480          | 2            | Ir         | ALFAL |           | Hay     | CUPCP      | 16.5             | 16.5               |      | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 2A           | Ir         | WHEAT | HRS       | Grain   |            | 6.4              | 6.4                |      | I         | CC        | .6667<br>.3333 | 9880<br>7890 |
|              | 3            | Ir         | ALFAL |           | Hay     | CUPCP      | 22.2             |                    |      | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 4            | Ni         | GRASS | WIN       | Graze   | CUPCP      | 4.0              |                    |      | I         |           | 1.0000         | 7890         |
|              |              | Crop WHEAT | Nirr  |           | Irr     | Crop CUPCP | Nirr 6.4         | Irr 48.8           |      |           |           |                |              |

Photo Number/Legal Description: M-18A T10S, RG31E SEC5

Cropland: 55.2 Reported: 55.2 Difference: .0 Reported D,B,S,R,A: .0

|     |    |            |       |       |        |          |            |           |  |            |           |        |      |
|-----|----|------------|-------|-------|--------|----------|------------|-----------|--|------------|-----------|--------|------|
| 501 | 2  | Ni         | CRP   |       | 1      |          | 44.2       |           |  | I          |           | 1.0000 | 7890 |
|     | 4  | Ni         | CRP   | 4.7 A | 1      |          | 38.9       |           |  | I          |           | 1.0000 | 7890 |
|     | 5  | Ni         | CRP   |       | 1      |          | 22.7       |           |  | I          |           | 1.0000 | 7890 |
|     | 8  | Ni         | CRP   |       | 1      |          | 19.6       |           |  | I          |           | 1.0000 | 7890 |
|     | 9  | Ni         | CRP   |       | 1      |          | 20.0       |           |  | I          |           | 1.0000 | 7890 |
|     | 1  | Ni         | ALFAL |       | Hay    | CUPCP    | 8.2        |           |  | I          |           | 1.0000 | 7890 |
|     | 3  | Ni         | WHEAT | HRW   | Grain  |          | 86.3       |           |  | I          | SF        | 1.0000 | 7890 |
|     | 6  | Ni         | WHEAT | HRW   | Grain  |          | 15.0       |           |  | I          | SF        | 1.0000 | 7890 |
|     | 7  | Ni         | WHEAT | HRW   | Grain  |          | 103.7      |           |  | I          | SF        | 1.0000 | 7890 |
|     | 11 | Ni         | GRASS | WIN   | Forage | CUPCP    | 3.9        |           |  | I          |           | 1.0000 | 7890 |
|     | 12 | Ni         | GRASS | WIN   | Forage | CUPCP    | 7.8        |           |  | I          |           | 1.0000 | 7890 |
|     | 13 | Ni         | GRASS | WIN   | Forage | CUPCP    | 2.0        |           |  | I          |           | 1.0000 | 7890 |
|     | 10 | Ni         | GRASS | WIN   | Forage | CUPCP    | .9         |           |  | I          |           | 1.0000 | 7890 |
|     |    | Crop WHEAT | Nirr  |       | Irr    | Crop CRP | Nirr 205.0 | Irr 145.4 |  | Crop CUPCP | Nirr 22.8 | Irr    |      |

Photo Number/Legal Description: M-20A T10S RG31E SEC28,21

Cropland: 373.2 Reported: 373.2 Difference: .0 Reported D,B,S,R,A: .0

|     |   |    |       |  |     |       |      |  |  |   |  |        |      |
|-----|---|----|-------|--|-----|-------|------|--|--|---|--|--------|------|
| 502 | 1 | Ir | ALFAL |  | Hay | CUPCP | 6.3  |  |  | I |  | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL |  | Hay | CUPCP | 26.3 |  |  | I |  | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL |  | Hay | CUPCP | 7.1  |  |  | I |  | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL |  | Hay | CUPCP | 40.2 |  |  | I |  | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL |  | Hay | CUPCP | 14.5 |  |  | I |  | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL |  | Hay | CUPCP | 12.3 |  |  | I |  | 1.0000 | 7890 |

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-26-92

Operator Name and Address ID

Original: TG

NELSON 7UD RANCHES 7890

Revision: \_\_\_\_\_

BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

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This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  |
|--------------------|------|-------|-------|-------|--------|
| JAMES ROBINSON     | 9880 | WHEAT | .0045 |       |        |
| NELSON 7UD RANCHES | 7890 | WHEAT | .9955 | BARLY | 1.0000 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 958.3    |            | OATS | .0       |            | BARLY | 20.1     |            |
| ACR   | 75.9     |            | CRP  | 3,466.1  |            | CUPCP | 940.1    |            |
| CUPAY | 147.7    |            |      |          |            |       |          |            |

Initials  
Yes No  
R.N. Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?  
R.N. Do you have other program crops or land uses planted on this farm (not listed on this report of acreage)?

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS R.N.

If eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS R.N.

I do not want nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 7UD Ranches By Richard S. Nelson

6/26/92

ASCS-578(02-01-91)

REPORT OF ACREAGE

Form Approved GSA No. 5010-0004

FARM NUMBER: 1372

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR 1991

DATE: 06-14-91

| Tract Number | Field Number | Irr Perc | Crop | Var/Type | Int Use | Land Use | Reported Acreage | Determined Acreage | O/N | Crop Stat | Plat Proc | Prod Share | Prod ID |
|--------------|--------------|----------|------|----------|---------|----------|------------------|--------------------|-----|-----------|-----------|------------|---------|
|--------------|--------------|----------|------|----------|---------|----------|------------------|--------------------|-----|-----------|-----------|------------|---------|

480

Crop: BARLY, Irr: 4.1, Crop: CUPCP, Irr: 49.1

Photo Number/Legal Description: H-10A T10S, R631E SEC5

Cropland: 55.2, Reported: 55.2, Differences: .0, Reported D,S,R,A: .0

|     |    |           |       |            |        |             |       |  |  |            |  |        |      |
|-----|----|-----------|-------|------------|--------|-------------|-------|--|--|------------|--|--------|------|
| 501 | 1  | NI        | ALFAL |            | Hay    | CUPCP       | 6.2   |  |  | I          |  | 1.0000 | 7890 |
|     | 3  | NI        | SUNFL |            |        | CUPCP       | 86.3  |  |  | I          |  | 1.0000 | 7890 |
|     | 6  | NI        | SUNFL |            |        | CUPAY       | 15.0  |  |  | I          |  | 1.0000 | 7890 |
|     | 7  | NI        | SUNFL |            |        | CUPAY       | 103.7 |  |  | I          |  | 1.0000 | 7890 |
|     | 11 | NI        | GRASS | WCR        | Forage | CUPCP       | 3.9   |  |  | I          |  | 1.0000 | 7890 |
|     | 12 | NI        | GRASS | WCR        | Forage | CUPCP       | 7.8   |  |  | I          |  | 1.0000 | 7890 |
|     | 13 | NI        | SUNFL |            |        | CUPAY       | 2.0   |  |  | I          |  | 1.0000 | 7890 |
|     | 2  | NI        | CRP   |            | 1      |             | 44.2  |  |  | I          |  | 1.0000 | 7890 |
|     | 4  | NI        | CRP   | 4.7A       | 1      |             | 38.9  |  |  | I          |  | 1.0000 | 7890 |
|     | 5  | NI        | CRP   |            | 1      |             | 22.7  |  |  | I          |  | 1.0000 | 7890 |
|     | 8  | NI        | CRP   |            | 1      |             | 19.6  |  |  | I          |  | 1.0000 | 7890 |
|     | 9  | NI        | CRP   |            | 1      |             | 20.0  |  |  | I          |  | 1.0000 | 7890 |
|     | 10 | NI        | GRASS | WCR        | Forage | CUPCP       | .9    |  |  | I          |  | 1.0000 | 7890 |
|     |    | Crop: CRP |       | Irr: 105.4 |        |             |       |  |  |            |  |        |      |
|     |    |           |       |            |        | Crop: CUPCP |       |  |  | Irr: 207.0 |  |        |      |

Photo Number/Legal Description: H-20A T10S R631E SEC20,21

Cropland: 373.2, Reported: 373.2, Differences: .0, Reported D,S,R,A: .0

|     |    |    |       |     |     |       |       |  |  |   |  |        |      |
|-----|----|----|-------|-----|-----|-------|-------|--|--|---|--|--------|------|
| 502 | 1  | Ir | ALFAL |     | Hay | CUPCP | 6.3   |  |  | I |  | 1.0000 | 7890 |
|     | 2  | Ir | HAYNX | OTH | Hay | CUPCP | 26.3  |  |  | I |  | 1.0000 | 7890 |
|     | 3  | Ir | HAYNX | OTH | Hay | CUPCP | 7.1   |  |  | I |  | 1.0000 | 7890 |
|     | 4  | Ir | HAYNX | OTH | Hay | CUPCP | 20.2  |  |  | I |  | 1.0000 | 7890 |
|     | 4A | Ir | ALFAL |     | Hay | CUPCP | 20.0  |  |  | I |  | 1.0000 | 7890 |
|     | 5  | Ir | ALFAL |     | Hay | CUPCP | 14.5  |  |  | I |  | 1.0000 | 7890 |
|     | 6  | Ir | ALFAL |     | Hay | CUPCP | 12.3  |  |  | I |  | 1.0000 | 7890 |
|     | 7  | NI | SUNFL |     |     | ACR   | 122.8 |  |  | I |  | 1.0000 | 7890 |



ADCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1991

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-14-91

Operator Name and Address

ID

Original: TW

NELSON 700 RANCHES

7890

Revision: \_\_\_\_\_

BOX 177

ROCKLAND, ID

83271

Cropland: 5,605.8

Farmland: 7,029.0

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Producer Name  
JAMES ROBINSONID  
9880Crop  
WHEATShare  
.0072Crop  
BARLYShare  
.0696

NELSON 700 RANCHES

7890

WHEAT

.9928

BARLY

.9304

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 516.3    |            | OATS | .0       |            | BARLY | 59.4     |            |
| ACR   | 277.1    |            | CRP  | 3,466.1  | ✓ TW       | CUPEP | 620.9    |            |
| CUPAY | 667.4    |            |      |          |            |       |          |            |

Initials

No

Land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meets cropping requirements and other eligibility requirements as applicable. Other program crops or land uses planted.

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT

BARLY

OATS

R.B.N.

If eligible, PACP credit for a zero report shall be credited to the following crops:

OATS R.B.N.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 700

By Richard B. Nelson

6/14/91

Filed Presented on 626.2 ac. of wheat  
R.B.N. 6/14/91

EV 5. OPERATOR'S ADDRESS BOX 177 ROCKLAND, ID 83271 7890 6. OTHER FARMS

PHOTO NO. - LEGAL DESCRIPTION 06-13-90

| TRACT NO. | FIELD NO. | CROP OR LAND USE | PREC. TYPE | CROP STATUS | 16. CROP OR LAND USE SUMMARY |        |     |     |       |       | KEY | SHARE |
|-----------|-----------|------------------|------------|-------------|------------------------------|--------|-----|-----|-------|-------|-----|-------|
|           |           |                  |            |             | WHEAT                        | BARLEY | ACR | CRP | CUPC? | CUPAY |     |       |
| 180       | 4         | GRASS GRAZING    | IR         | 1           |                              |        |     |     | 4.0   |       | 17  | DEF   |
|           | 2A        | HAYSG            | IR         | 1           |                              |        |     |     | 1.3   |       |     | DEF   |
|           | 2B        | HAYAL            | IR         | 1           |                              |        |     |     | 16.9  |       |     | DEF   |
|           | 1         | HAYAL            | NI         | 1           |                              |        |     |     | 8.2   |       |     | DEF   |
|           | 2         | CRP              | NI         | 1           |                              |        |     |     | 44.2  |       |     | DEF   |
|           | 3         | WHEAT GRAIN      | NI         | 1           | 86.3                         |        |     |     |       |       |     | DEF   |
|           | 4         | CRP              | NI         | 1           |                              |        |     |     | 38.9  |       |     | DEF   |
|           | 5         | CRP              | NI         | 1           |                              |        |     |     | 22.7  |       |     | DEF   |
|           | 6         | WHEAT GRAIN      | NI         | 1           | 15.0                         |        |     |     |       |       |     | DEF   |
|           |           | HARD RED W       |            |             |                              |        |     |     |       |       |     |       |

19. TOTAL OPERATOR REPORT

20. TOTAL DETERMINED ACREAGE

OPERATOR'S CERTIFICATION - I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

OPERATOR'S SIGNATURE DATE OPERATOR'S SIGNATURE DATE

F = Failed Acreage  
PP = Prevented Planted  
A = Abandoned Acreage  
INT = Intended Acreage  
APP = After PP or F

REPORT OF ACREAGE

FARM NO. 1150 2. TRACT NO. 5605 3. FARMLAND CROPLAND 4578.6 4. PROGRAM YEAR KEY 90 NAMES OF OTHER PRODUCERS 7 ID NUMBER 8 OTHER FARMS 9

5. OPERATOR'S HOME ADDRESS BOX 177 ROCKLAND, ID 83271 6. OTHER FARMS 7890

0. PHOTO NO., LEGAL DESCRIPTION 06-13-90

| TRACT NO. | FIELD NO. | CROP OR LAND USE | PREC. TYPE 1/ | CROP STATUS 2/ | 16. CROP OR LAND USE SUMMARY |        |     |      |       |       | KEY 17 | SHARE 18 |
|-----------|-----------|------------------|---------------|----------------|------------------------------|--------|-----|------|-------|-------|--------|----------|
|           |           |                  |               |                | WHEAT                        | BARLEY | ACR | CRP  | DUFCP | DUFRY |        |          |
| 12        | 7         | WHEAT GRAIN      | NI            | I              | 103.7                        |        |     |      |       |       |        | DEF      |
|           |           | HARD RED W       |               |                |                              |        |     |      |       |       |        |          |
| 8         | 04        | CRP              | NI            | I              |                              |        |     | 19.6 |       |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 9         | 04        | CRP              | NI            | I              |                              |        |     | 29.0 |       |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 16        |           | GRASS FORAGE     | NI            | I              |                              |        |     |      |       |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 11        |           | GRASS FORAGE     | NI            | I              |                              |        |     |      |       |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 12        |           | GRASS FORAGE     | NI            | I              |                              |        |     |      |       | 7.8   |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 13        |           | GRASS GRAZING    | NI            | I              |                              |        |     |      | 2.0   |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 1         |           | HAYAL            | IR            | I              |                              |        |     |      | 6.3   |       |        | DEF      |
|           |           |                  |               |                |                              |        |     |      |       |       |        |          |
| 2         |           | WHEAT GRAIN      | IR            | I              | 26.3                         |        |     |      |       |       |        | DEF      |
|           |           | HARD RED S       |               |                |                              |        |     |      |       |       |        |          |

17. IRRIGATED NI=Nonirrigated 2/1=Initial Crop DC=Double Crop SC=Subsequent Crop

18. CERTIFICATION - I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. I understand the accuracy of this report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable. OPERATOR'S SIGNATURE DATE OPERATOR'S SIGNATURE DATE OPERATOR'S SIGNATURE DATE

F=Failed Acreage PP=Prevented Planting A=Abandoned Acreage INT=Intended Acreage APP=After PP or F



T10S  
R 31E

10HE  
185.0

Sand Hollow Rd

(Farola Nelson)

#1372

HEL  
1-  
9.2

To Also  
W. AR 283  
Well

3-  
86.3

4-  
38.9

HEL  
2-  
44.2

HEL  
5-  
22.7

NHEL  
2-  
26.3

Rockland Highway

NHEL  
5-  
14.8

NH  
6-  
6.180

6-  
118.7

HEL  
8-  
19.1

4-  
20.0

10-  
3.9

HEL  
11-  
3.9

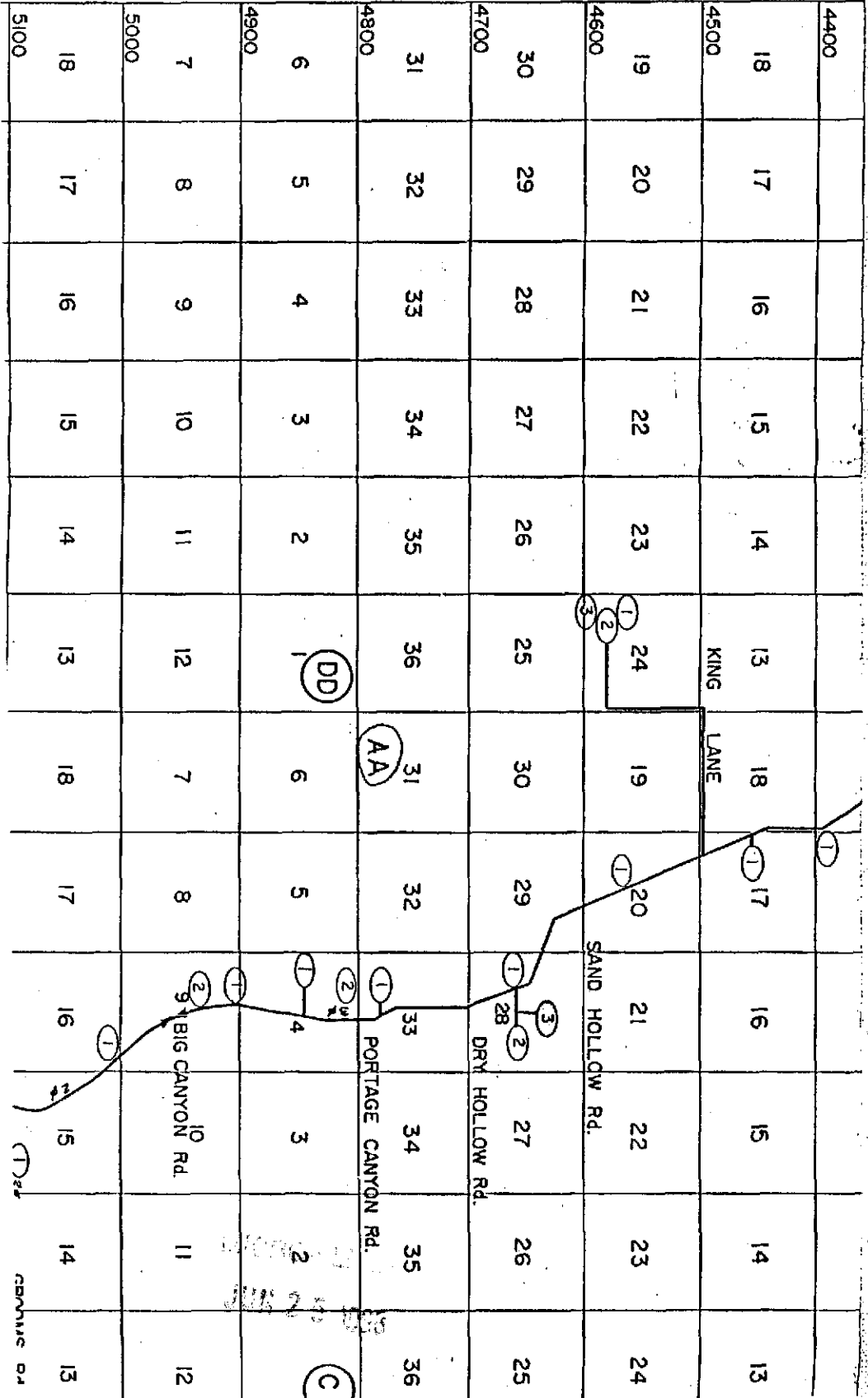
12-  
7.8

Dry Hollow Rd

Vol. Field 7-

111

TIOS.



ACCT NO-- 1071-000022-2 NAME-- HERSCH FROLD J  
ACCT ST-- INACTIVE COAPP--  
CON/DIS-- 10/18/89 *dis* *AA 28 3*  
ACTIVITY-- NONE PENDING CITY-- ROCKLAND ID 83271

DATE 24  
ID

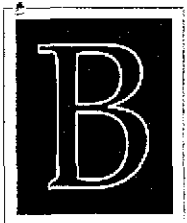
\*\*\*\*\* METER BILLING INFORMATION \*\*\*\*\*  
METER NO S TYP D PH F-SCL CONST INS/RM/CHG CURR PREV RT-ANNIV RTE SEQ RC  
090690135 D 5 5 3 9.6 00040 11/08/89 00000 53445 10/89 01 0310 5

|    | MRC | RCC | READ     | DAYS | DEM-KW | BLC-KW | ENERGY-KWH | BILL ANT |
|----|-----|-----|----------|------|--------|--------|------------|----------|
| 01 |     | 0   | 10/18/00 | 28   | 0      | 0      | 0          | 14.00    |
| 02 |     | 0   | 09/20/00 | 30   | 0      | 0      | 0          | 15.00    |
| 03 |     | 0   | 08/21/00 | 27   | 128    | 0      | 5,240      | 477.40   |
| 04 |     | 0   | 07/25/00 | 00   | 0      | 0      | 0          | 0.00     |
| 05 |     | A   | 11/02/00 | 12   | 0      | 0      | 0          | 6.00     |
| 06 |     | A   | 10/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 07 |     | A   | 09/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 08 |     | A   | 08/22/00 | 30   | 0      | 0      | 0          | 15.00    |
| 09 |     | A   | 07/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 10 |     | A   | 06/21/00 | 30   | 112    | 0      | 2,360      | 344.70   |
| 11 |     | A   | 05/20/00 | 30   | 0      | 0      | 0          | 15.00    |
| 12 |     | A   | 04/21/00 | 00   | 0      | 0      | 0          | 0.00     |
| 13 |     | A   | 04/21/00 | 00   | 0      | 0      | 0          | 0.00     |

ENTER TRAN CODE \_\_\_\_\_ OR NEW NAME/ACCT NO

JUN 25 1992





**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

January 12, 1998

Mr. Allen Merritt  
Idaho Dept. of Water Resources  
222 Shoshone St East  
Twin Falls, ID 83301

Subject: Additional Exhibits for Timothy Deeg Hearing

Dear Allen:

Enclosed are two well hydrographs which may be used as exhibits for the applicant in the water right transfer hearing for Timothy Deeg.

Sincerely,

C. E. Brockway, P.E.

cc: Kent Foster  
Timothy Deeg

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JAN 13 1998

Department of Water Resources  
Southern Region

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

CHARLES G.  
BROCKWAY,  
PH.D.

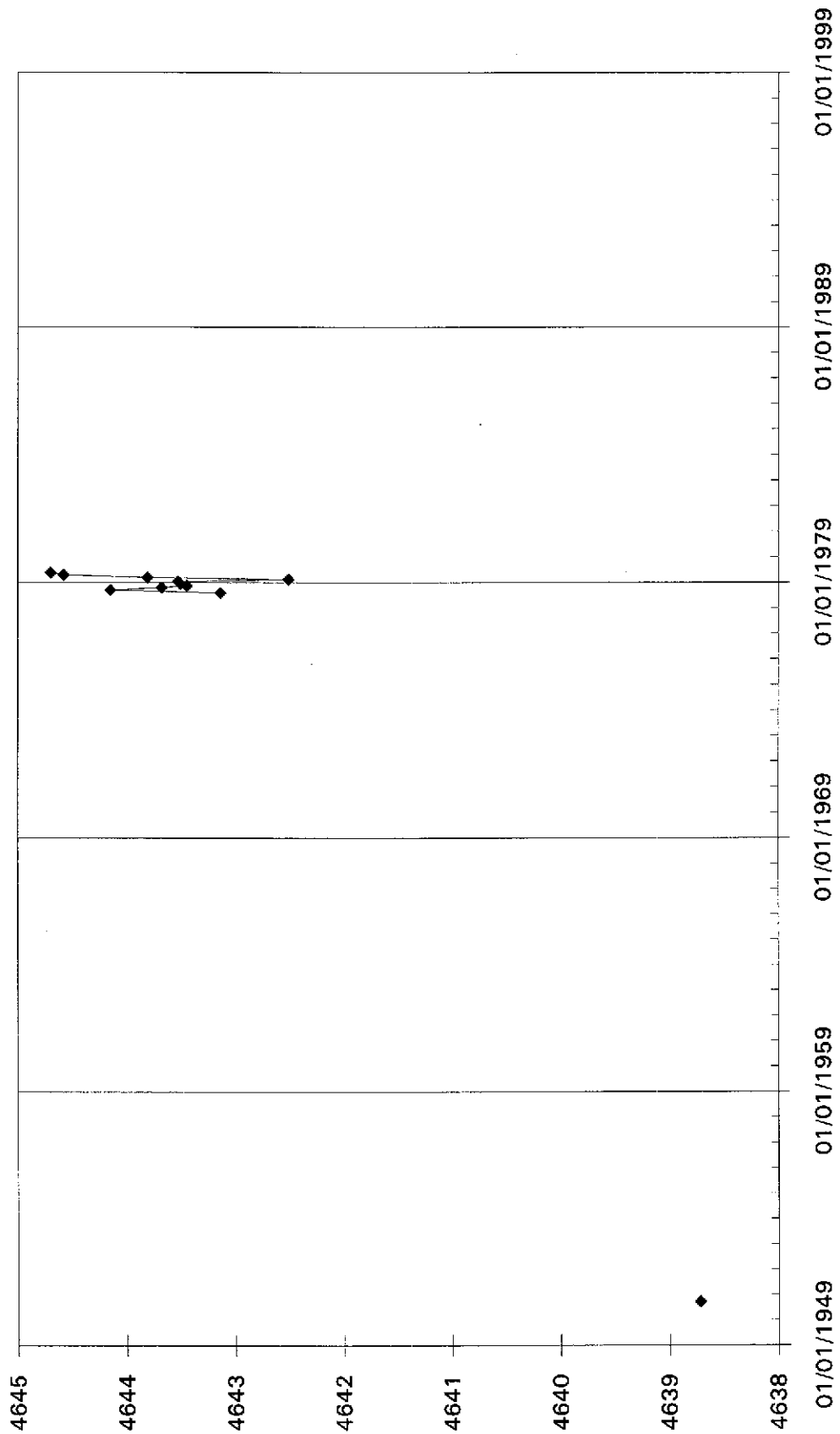
706 SUNRISE  
BOULEVARD  
NORTH

TWIN FALLS,  
IDAHO 83301

208•733•0938  
208•734•2580

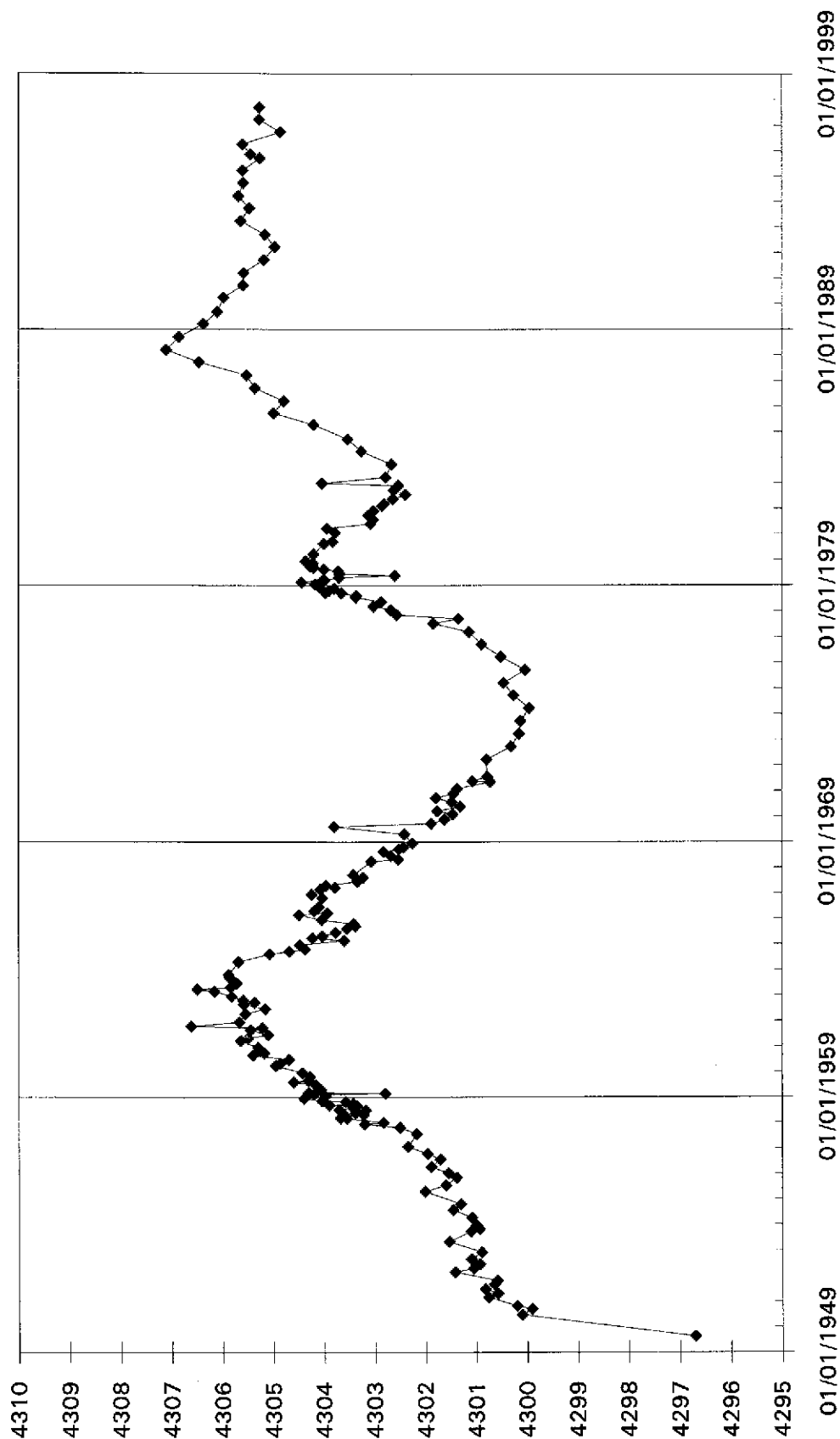
FAX: 736•1746

09S 30E 12AAA1



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08S 30E 23DCC1



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JUN 25 1988



Law Offices  
**HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.**

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KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
CHARLES A. HOMER  
GARY L. MEIKLE  
GAYLE A. SORENSON, P.A.  
DONALD L. HARRIS, P.A.  
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Arthur W. Holden  
(1877-1967)  
Robert B. Holden  
(1911-1971)  
Terry L. Crapo  
(1939-1982)  
William S. Holden  
(1907-1988)

January 5, 1998

**VIA FACSIMILE NO (208) 736-3037**

Allen D. Merritt, P.E.  
Southern Region Manager  
IDAHO DEPARTMENT OF  
WATER RESOURCES  
1341 Fillmore, Ste. 200  
Twin Falls, ID 83301-3380

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JAN 07 1998

Department of Water Resources  
Southern Region

Re: Witness List and Exhibits

Dear Mr. Merritt:

We are enclosing with this letter an exhibit and witness list prepared by Mr. Deeg regarding the documents that will be presented at the hearing scheduled for February 3, 1998. As I indicated to you by telephone, some of the exhibits are such large charts, maps or overlays that we cannot provide them by mail. Our understanding is that Mr. Deeg will take care of delivering copies of the exhibits to the protestants himself. Enclosed with this letter are all of the documents which are of a size that we can provide them by facsimile transmission and by mail, and pursuant to your request we will keep the originals of the maps and charts and overlays in our possession until time for the hearing at which time we can produce them as exhibits.

Thank you for your kind assistance.

Yours very truly,



Kent W. Foster

Enclosures

p.c. Harold Isaac  
Steve Isaac  
Kathleen Barkdull  
Tim Deeg

G:\WPDATA\KWF\1246\ALAN0105.LTR.kmc

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JUN 25 1998

# Well data

## Deeg Irrigation and Domestic Wells and Adjacent Wells Depth to Water -Static Water Levels

| Deeg Wells |                 |                  | Misenhimer |                 |         |                 |                 |
|------------|-----------------|------------------|------------|-----------------|---------|-----------------|-----------------|
| Irrigation |                 | Pumping<br>Depth | Domestic   |                 | Date    | Domestic Unused |                 |
| Date       | Static<br>Depth |                  | Date       | Static<br>Depth |         | Static<br>Depth | Static<br>Depth |
| 9/19/92    | 452             |                  | 3/9/94     | 201             | 5/23/94 | 151.06          | 183.79          |
| 5/6/93     | 452             |                  | 5/9/94     | 201.5           | 7/1/94  | 151.23          | 183.72          |
| 5/3/94     | 451             |                  | 5/11/94    | 203.38          | 8/1/94  | 151.77          |                 |
| 5/20/94    | 453             |                  | 5/15/94    | 201.08          | 8/31/94 | 152.03          | 183.82          |
| 6/3/94     | 453             |                  | 5/26/94    | 202.08          | 10/4/94 | 151.15          | 183.33          |
| 7/5/94     | 466             |                  | 6/20/94    | 202.48          | 11/6/94 | 150.94          | 183.82          |
| 7/12/94    | 464.5           |                  | 6/30/94    | 201.96          | 1/21/95 | 149.77          | 184.82          |
| 7/17/94    | 463.5           |                  | 7/1/94     | 205.62          | 1/22/95 |                 | 184.28          |
| 8/1/94     | 465.5           |                  | 8/31/94    | 202.46          | 1/2/95  |                 | 184.28          |
| 8/15/94    | 466             |                  | 10/4/94    | 201.85          | 3/2/95  | 148.88          | 184.08          |
| 8/26/94    | 464             |                  | 11/6/94    | 199.46          | 4/19/95 | 151.00          |                 |
| 9/14/94    | 464.5           |                  | 1/21/95    | 200.23          | 5/19/95 | 151.07          | 184.50          |
| 9/27/94    | 464.5           |                  | 3/2/95     | 199.85          | 6/5/95  | 149.95          | 184.08          |
| 10/4/94    | 463             |                  | 5/19/95    | 199.92          | 7/10/95 | 149.89          | 183.00          |
| 10/15/94   | 461             |                  | 6/3/95     | 200.75          | 11/3/95 | 151.08          | 184.60          |
| 10/18/94   | 461             |                  | 7/7/95     | 199.87          |         |                 |                 |
| 10/23/94   | 461             |                  | 9/18/95    | 199.46          |         |                 |                 |
| 11/2/94    | 461             |                  | 11/3/95    | 199.42          |         |                 |                 |
| 11/4/94    | 459.5           |                  | 3/17/96    | 199.854         |         |                 |                 |
| 11/13/94   | 459.25          |                  | 5/18/96    | 198.708         |         |                 |                 |
| 11/21/94   | 459             |                  | 7/6/96     | 199.458         |         |                 |                 |
| 12/3/94    | 458             |                  |            |                 |         |                 |                 |
| 12/22/94   | 457             |                  |            |                 |         |                 |                 |
| 12/28/94   | 456.5           |                  |            |                 |         |                 |                 |
| 1/21/95    | 455.5           |                  |            |                 |         |                 |                 |
| 2/15/95    | 455             |                  |            |                 |         |                 |                 |
| 2/25/95    | 454.5           |                  |            |                 |         |                 |                 |
| 3/1/95     | 454.5           |                  |            |                 |         |                 |                 |
| 3/17/95    | 454             |                  |            |                 |         |                 |                 |
| 3/28/95    | 454             |                  |            |                 |         |                 |                 |
| 4/5/95     | 453.5           |                  |            |                 |         |                 |                 |
| 4/16/95    | 453.25          |                  |            |                 |         |                 |                 |
| 4/28/95    | 453             |                  |            |                 |         |                 |                 |
| 5/11/95    | 452.75          |                  |            |                 |         |                 |                 |
| 5/19/95    | 453             |                  |            |                 |         |                 |                 |

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## Well data

|          |        |        |
|----------|--------|--------|
| 5/30/95  | 455.25 |        |
| 6/4/95   | 459.5  | 496.12 |
| 6/15/95  |        | 483    |
| 6/19/95  | 459.25 |        |
| 6/28/95  |        | 493    |
| 7/4/95   |        | 504    |
| 7/8/95   | 468    |        |
| 7/14/95  |        | 506    |
| 11/16/95 | 461.5  |        |
| 11/25/95 | 461    |        |
| 12/19/95 | 459.5  |        |
| 12/26/95 | 459    |        |
| 1/2/96   | 458.75 |        |
| 2/3/96   | 457.5  |        |
| 2/15/96  | 457    |        |
| 3/5/96   | 456    |        |
| 3/10/96  | 456    |        |
| 3/30/96  | 455.5  |        |
| 4/18/96  | 455    |        |
| 4/30/96  | 455    | 462.5  |
| 5/4/96   | 457.5  |        |
| 5/5/96   |        | 482    |
| 5/8/96   | 459    |        |
| 5/8/96   | 458.8  |        |
| 6/2/96   | 458    |        |
| 6/12/96  |        | 502    |
| 6/14/96  |        | 495    |
| 6/19/96  |        | 503    |
| 6/22/96  | 473    |        |
| 6/30/96  | 474    | 505    |
| 7/7/96   |        | 502    |
| 7/12/96  |        | 505    |
| 7/15/96  |        | 509.5  |
| 7/21/96  |        | 505    |
| 8/3/96   | 475.5  |        |
| 8/10/96  | 474    |        |
| 8/15/96  |        | 491    |
| 8/19/96  | 472.5  |        |
| 8/24/96  | 472.25 |        |
| 9/19/96  |        | 479    |
| 10/6/96  | 469.5  |        |
| 10/18/96 | 467    |        |

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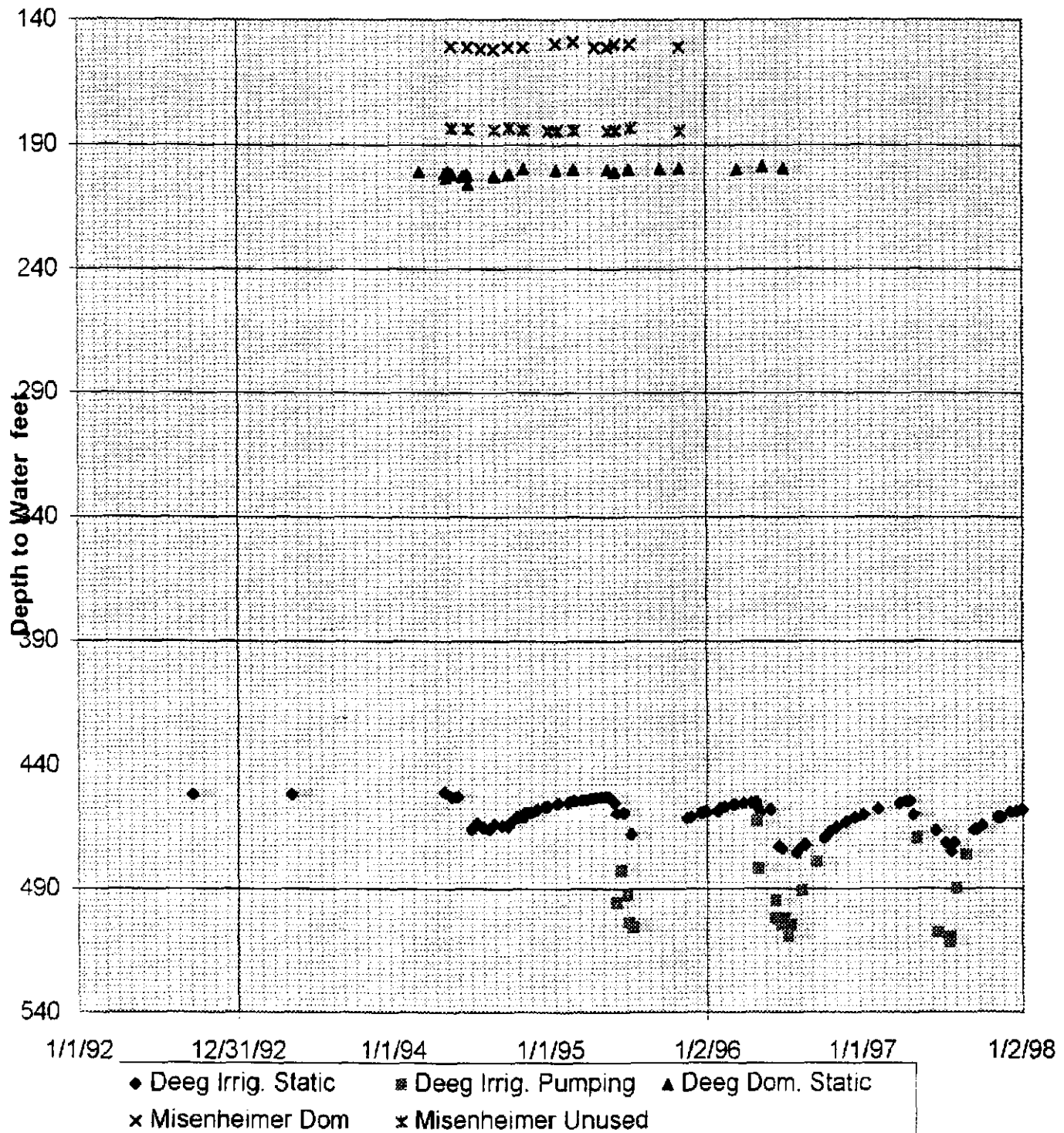
Well data

|          |        |        |
|----------|--------|--------|
| 11/4/96  | 465    |        |
| 11/25/96 | 463    |        |
| 12/16/96 | 461    |        |
| 1/4/97   | 460    |        |
| 1/27/96  | 458.75 |        |
| 2/8/97   | 457.75 |        |
| 3/29/97  | 455.5  |        |
| 4/14/97  | 454.75 |        |
| 4/22/97  | 454.5  |        |
| 5/8/97   |        | 469.5  |
| 4/28/97  | 460    |        |
| 6/19/97  | 466.5  |        |
| 6/23/97  |        | 508    |
| 7/12/97  | 471.5  |        |
| 7/20/97  |        | 511.75 |
| 7/23/97  |        | 510.25 |
| 7/24/97  | 475    |        |
| 7/30/97  | 471.5  |        |
| 8/4/97   |        | 490    |
| 8/28/97  |        | 476.5  |
| 9/14/97  | 466.25 |        |
| 9/21/97  | 466    |        |
| 10/2/97  | 464.5  |        |
| 11/7/97  | 461    |        |
| 11/15/97 | 461    |        |
| 12/7/97  | 459    |        |
| 12/21/97 | 458.8  |        |
| 1/4/98   | 458    |        |

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## Deeg Wells and Misenheimer Wells



# Surface Flows

## Comparison of Surface Flows- Little Creek and Cold Creek Water Right Transfer Application-Timothy Deeg

Little Creek

2' Portable Cippoletti Weir  $Q=3.367 \cdot L \cdot H^{1.5}$  cfs

| LITTLE CREEK- 2 ft Cippoletti Weir |           |           |                 |           | COLD CREEK - 6 ft Cipp.Weir |        |           | SCS            |      |
|------------------------------------|-----------|-----------|-----------------|-----------|-----------------------------|--------|-----------|----------------|------|
| Date                               | At Spring |           | At Permann Farm |           | Date                        | Head   | Discharge | Expected Range |      |
|                                    | Head      | Discharge | Head            | Discharge |                             | Inches | gpm       | Low            | High |
|                                    | Inches    | gpm       | Inches          | gpm       |                             |        |           |                |      |
| 6/24/94                            |           |           | 3.875           | 554.6     |                             |        |           | 630            | 900  |
| 7/1/94                             | 4.875     | 782.6     | 4.250           | 637.0     | 5/9/94                      | 4.0625 | 1785.9    | 630            | 900  |
| 7/10/94                            | 5.125     | 843.5     | 4.500           | 694.0     | 5/15/94                     | 4.0625 | 1785.9    | 630            | 900  |
| 7/31/94                            | 5.1875    | 859.0     | 4.438           | 679.6     | 5/31/94                     | 4.125  | 1827.3    | 630            | 900  |
| 8/31/94                            | 4.875     | 782.6     | 4.375           | 665.3     | 6/15/94                     | 4.125  | 1827.3    | 630            | 900  |
| 9/16/94                            | 5.125     | 843.5     | 4.500           | 694.0     | 6/24/94                     | 4.0625 | 1785.9    | 630            | 900  |
| 10/4/94                            | 4.875     | 782.6 NA  |                 |           | 6/28/94                     | 4.125  | 1827.3    | 630            | 900  |
| 11/4/94                            | 4.4985    | 693.7     |                 |           | 6/30/94                     | 4.125  | 1827.3    | 630            | 900  |
| 1/21/95                            | 5.0       | 812.8 NA  |                 |           | 7/1/94                      | 4.125  | 1827.3    | 630            | 900  |
| 3/2/95                             | 5.187     | 858.9 NA  |                 |           | 7/10/94                     | 4.187  | 1868.7    | 630            | 900  |
| 5/19/95                            | 4.8749    | 782.5     |                 |           | 7/31/94                     | 4.187  | 1868.7    | 630            | 900  |
| 6/11/95                            | 4.8749    | 782.5 NA  |                 |           | 8/31/94                     | 4.25   | 1911.0    | 630            | 900  |
| 7/7/95                             | 5.0       | 812.8 NA  |                 |           | 9/16/94                     | 4.125  | 1827.3    | 630            | 900  |
| 7/24/95                            | 5.0       | 812.8 NA  |                 |           | 10/4/94                     | 4.25   | 1911.0    | 630            | 900  |
| 9/18/95                            | 5.03125   | 820.5 NA  |                 |           | 11/4/94                     | 4.125  | 1827.3    | 630            | 900  |
| 11/3/95                            | 4.9375    | 797.7 NA  |                 |           | 12/15/94                    | 4.125  | 1827.3    | 630            | 900  |
| 6/19/96                            |           |           |                 |           | 1/21/95                     | 4.125  | 1827.3    | 630            | 900  |
| 7/9/96                             |           |           |                 |           | 2/15/95                     | 4.25   | 1911.0    | 630            | 900  |
| 7/10/96                            | 4.75      | 752.7 NA  |                 |           | 3/2/95                      | 4.125  | 1827.3    | 630            | 900  |
| 11/15/97                           | 4.625     | 723.1 NA  |                 |           | 4/5/95                      | 4.31   | 1951.6    | 630            | 900  |
|                                    |           |           |                 |           | 5/3/95                      | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 5/19/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 6/3/95                      | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 6/20/95                     | 4.0938 | 1806.6    | 630            | 900  |
|                                    |           |           |                 |           | 7/7/95                      | 4.0625 | 1785.9    | 630            | 900  |
|                                    |           |           |                 |           | 7/24/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 9/18/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 10/21/95                    | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 11/3/95                     | 4.1563 | 1848.1    | 630            | 900  |
|                                    |           |           |                 |           | 1/25/96                     | 3.9375 | 1704.1    | 630            | 900  |
|                                    |           |           |                 |           | 3/19/96                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 5/1/96                      | 3.8125 | 1623.6    | 630            | 900  |
|                                    |           |           |                 |           | 5/15/96                     | 3.875  | 1663.7    | 630            | 900  |

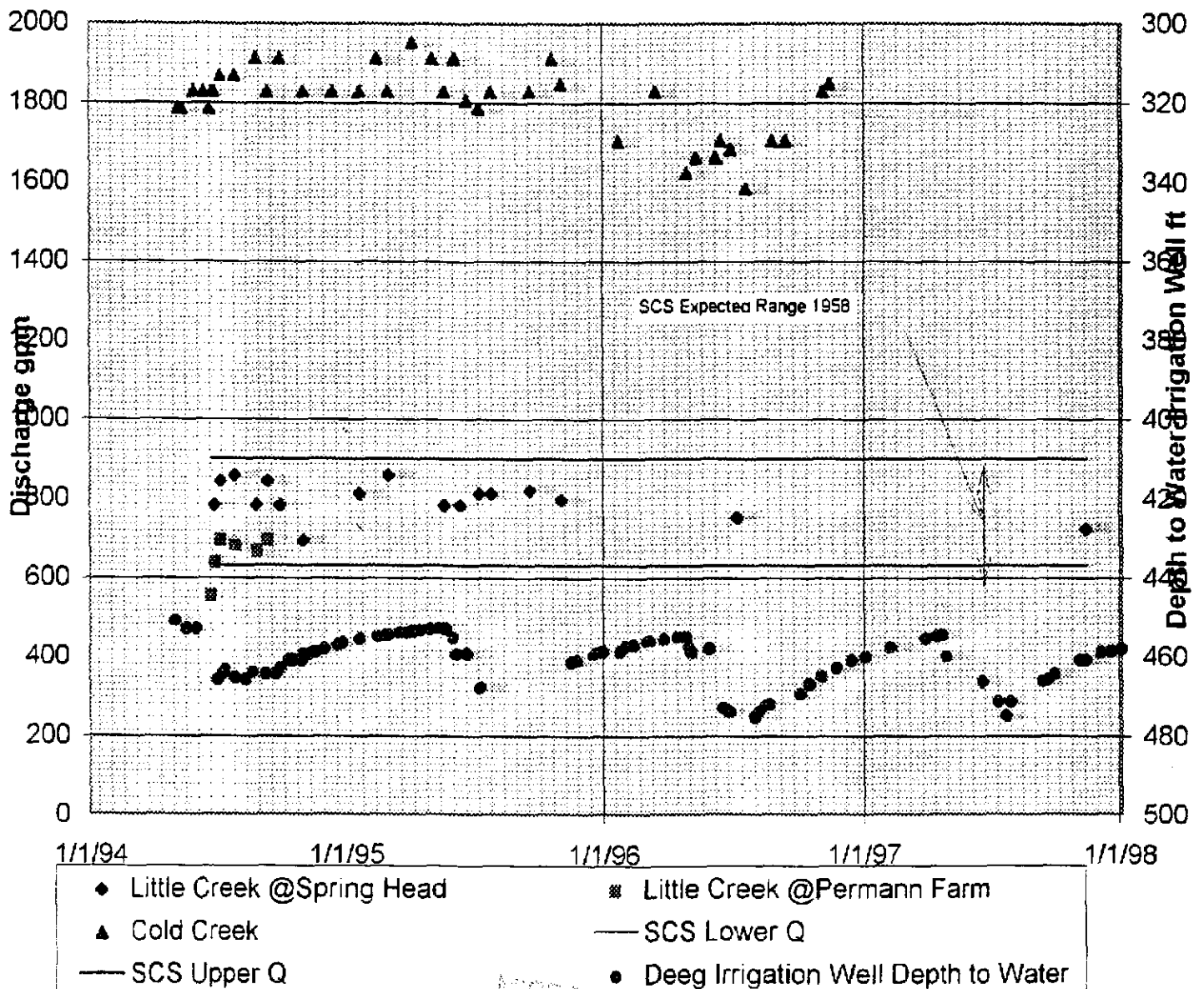
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# Surface Flows

|          |        |        |     |     |
|----------|--------|--------|-----|-----|
| 6/12/96  | 3.875  | 1663.7 | 630 | 900 |
| 6/19/96  | 3.9375 | 1704.1 | 630 | 900 |
| 7/3/96   | 3.9063 | 1683.9 | 630 | 900 |
| 7/22/96  | 3.75   | 1583.9 | 630 | 900 |
| 8/28/96  | 3.937  | 1703.8 | 630 | 900 |
| 9/16/96  | 3.937  | 1703.8 | 630 | 900 |
| 11/6/96  | 4.125  | 1827.3 | 630 | 900 |
| 11/15/96 | 4.156  | 1847.9 | 630 | 900 |

## Little Creek and Cold Creek Flows



NOT RECORDED  
JUN 25 1998

# POTENTIAL WELL INTERFERENCE

## DEEG WELL ROCKLAND VALLEY Addition of Transferred Discharge

C.E. BROCKWAY January 2, 1998

Surflow extra.xls

AQUIFER PROPERTIES BASED ON USGS OPEN FILE REPORT 82-855

AVG. HOLE DIA. 1.5 FEET  
OBSERVATION WELLS VARIOUS  
USING THEIS FORMULA  $S=114.6 \cdot Q/T \cdot W(U)$   
S= DRAWDOWN IN FT  
Q= PUMPING RATE GPM  
T= COEFFICIENT OF TRANSMISSIBILITY GPD/FT  
W(U)= WELL FUNCTION OF 'U'

$$W(U) = -0.5772 - \log_e U + U \cdot U^2 / (2 \cdot 2!) + U^3 / (3 \cdot 3!) - U^4 / (4 \cdot 4!) + \dots$$

$$U = 1.87 \cdot r^2 \cdot S / (T \cdot t)$$

r= DISTANCE IN FT. FROM CENTER OF PUMPED WELL TO DRAWDOWN POINT

S= COEFFICIENT OF STORAGE

T= COEFFICIENT OF TRANSMISSIBILITY, GPD/FT

t= TIME SINCE PUMPING STARTED, DAYS

INPUT K=

50 M/DAY

r1= 0.75 FT

164 FT/DAY

r2= 7920 FT MAYER K=

0.0018981 CFS/FT^2

r3= 10560 FT LITTLE CK=

1.22E+03 GPD/FT^2

r4= 11880 FT COLD CFSAT. DEPTH EST.=

100 FT

r5= 5280 FT TEST TRANSMISSIVITY=

122344 GPD/FT

S= 0.14

1.89E-01 FT^2/SEC

T= 122344 GPD/FT TRANSMISSIVITY=

16356.15 FT^2/DAY

Q/WELL 3000 GPM = 6.684 CFS

| TIME   | TIME | U         | WELL    | DRAW           | SPEC.         | U         | WELL   | DRAW           | U         | WELL      | DRAW           | U         | WELL  | DRAW           | U        | WELL      | DRAW           |
|--------|------|-----------|---------|----------------|---------------|-----------|--------|----------------|-----------|-----------|----------------|-----------|-------|----------------|----------|-----------|----------------|
| MIN    | DAYS | w/r1      | W(U)1   | DOWN @<br>WELL | CAP<br>GPM/FT | W/r2      | W(U)2  | DOWN @<br>WELL | W/r3      | W(U)3     | DOWN @<br>WELL | W/r4      | W(U)4 | DOWN @<br>WELL | FUNCTION | FUNCTION  | DOWN @<br>WELL |
| 1440   | 1    | 1.204E-06 | 13.0529 | 36.68          | 82            | 1.342E+02 | #####  | #####          | 2.386E+02 | #####     | #####          | 3.020E+02 | ##### | #####          | 11880    | W(U)4     | 11880          |
| 7200   | 5    | 2.407E-07 | 14.6624 | 41.20          | 73            | 2.685E+01 | #####  | #####          | 4.772E+01 | #####     | #####          | 6.040E+01 | ##### | #####          | #####    | #####     | #####          |
| 14400  | 10   | 1.204E-07 | 15.3555 | 43.15          | 70            | 1.342E+01 | #####  | #####          | 0.00      | 2.386E+01 | #####          | 3.020E+01 | ##### | #####          | #####    | #####     | #####          |
| 28800  | 20   | 6.018E-08 | 16.0487 | 45.10          | 67            | 6.711E+00 | #####  | #####          | 0.00      | 1.193E+01 | 0.00           | 1.510E+01 | 0.00  | 6.040E+00      | 0.00     | 0.00      | 0.00           |
| 72000  | 50   | 2.407E-08 | 16.9650 | 47.67          | 63            | 2.685E+00 | 0.0195 | 0.0195         | 0.05      | 4.772E+00 | 0.05           | 6.040E+00 | 0.05  | 6.040E+00      | 0.05     | 6.040E+00 | 0.05           |
| 144000 | 100  | 1.204E-08 | 17.6581 | 49.62          | 60            | 1.342E+00 | 0.1269 | 0.1269         | 0.36      | 2.386E+00 | 0.36           | 3.020E+00 | 0.36  | 3.020E+00      | 0.36     | 3.020E+00 | 0.36           |
| 288000 | 200  | 6.018E-09 | 18.3512 | 51.57          | 58            | 6.711E-01 | 0.3950 | 0.3950         | 1.11      | 1.193E+00 | 1.11           | 1.510E+00 | 1.11  | 1.510E+00      | 1.11     | 1.510E+00 | 1.11           |

INPUT

|        |                                                                                      |
|--------|--------------------------------------------------------------------------------------|
| K=     | 50 M/DAY                                                                             |
| r1=    | 0.75 FT                                                                              |
| r2=    | 7920 FT MAYER K=                                                                     |
| r3=    | 10560 FT LITTLE CK=                                                                  |
| r4=    | 11880 FT COLD CFSAT. DEPTH EST.=                                                     |
| r5=    | 5280 FT TEST TRANSMISSIVITY=                                                         |
| S=     | 0.14 TRANSMISSIVITY=                                                                 |
| T=     | 122344 GPD/FT TRANSMISSIVITY=                                                        |
| Q/WELL | 3814.8 GPM = 8.500 CFS                                                               |
| TIME   | TIME                                                                                 |
| MIN    | DAYS                                                                                 |
| 7200   | 1 1.204E-06 13.0529 46.64 64 1.342E+02 ##### 2.386E+02 ##### 3.020E+02 #####         |
| 14400  | 5 2.407E-07 14.6624 52.39 57 2.685E+01 ##### 4.772E+01 ##### 6.040E+01 #####         |
| 28800  | 10 1.204E-07 15.3555 54.87 55 1.342E+01 ##### 2.386E+01 ##### 3.020E+01 #####        |
| 72000  | 20 6.018E-08 16.0487 57.35 52 6.711E+00 0.00 1.193E+01 ##### 0.00 1.510E+01          |
| 144000 | 50 2.407E-08 16.9650 60.62 49 2.685E+00 0.0195 0.07 4.772E+00 0.00 6.040E+00         |
| 288000 | 100 1.204E-08 17.6581 63.10 48 1.342E+00 0.1269 0.45 2.386E+00 0.0290 0.10 3.020E+00 |
|        | 200 6.018E-09 18.3512 65.58 46 6.711E-01 0.3950 1.41 1.193E+00 0.1602 0.57 1.510E+00 |

Difference in drawdown At Well

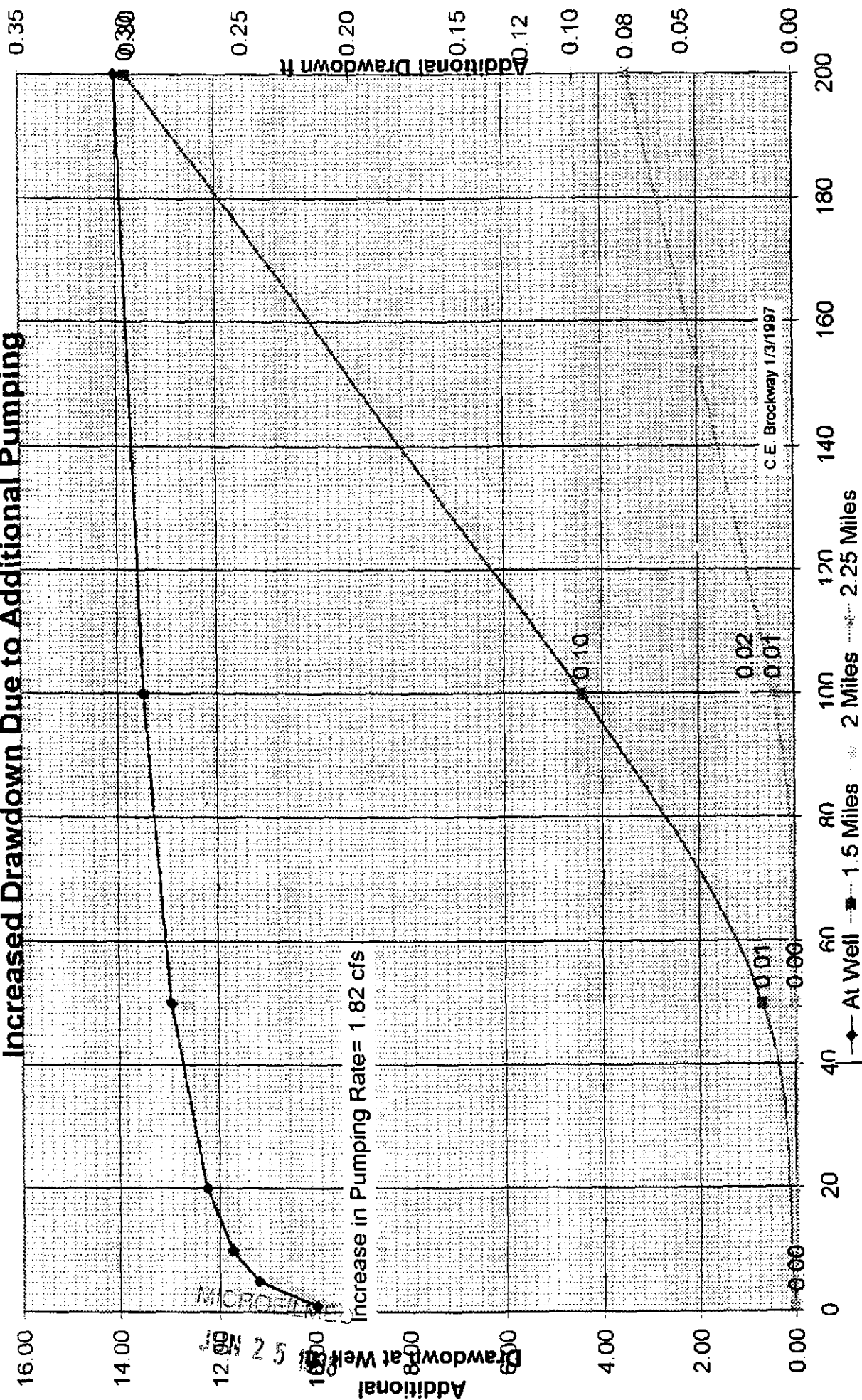
|     |       |        |       |       |
|-----|-------|--------|-------|-------|
| 1   | 9.96  | 7920.0 | 10560 | 11880 |
| 5   | 11.19 | 0.00   | 0.00  | 0.00  |
| 10  | 11.72 |        |       |       |
| 20  | 12.25 |        |       |       |
| 50  | 12.95 | 0.01   | 0.00  | 0.00  |
| 100 | 13.48 | 0.10   | 0.02  | 0.01  |
| 200 | 14.01 | 0.30   | 0.12  | 0.08  |

MICROFILMED  
JUN 25 1988



# Deeg Irrigation Well

Increased Drawdown Due to Additional Pumping



**TIMOTHY DEEG WELL AND SPRING WATER QUALITY**  
**SAMPLES COLLECTED 05/05/94**  
**MOUNTAIN STATES ANALYTICAL LABORATORY**

**ANALYSIS****CONCENTRATION**

|                               | Deeg Well | Cold Creek | Little Creek | Detection Limit | Units    |
|-------------------------------|-----------|------------|--------------|-----------------|----------|
|                               | Spring    | Spring     | Spring       | Limit           |          |
| Silica                        | 21.7      | 5          | 3.7          | 0.1             | mg/l     |
| Calcium                       | 61.6      | 59.3       | 60.8         | 1               | mg/l     |
| Magnesium                     | 16.8      | 13         | 10.5         | 1               | mg/l     |
| Potassium                     | 5.7       | 1.1        | ND           | 1               | mg/l     |
| Sodium                        | 17.2      | 10.8       | 7.5          | 1               | mg/l     |
| pH                            | 7.52      | 7.34       | 7.61         | 0.01            |          |
| Alkalinity                    |           |            |              |                 |          |
| Bicarbonate                   | 164       | 176        | 182          | 1               | mg/l     |
| Carbonate                     | ND        | ND         | ND           | 1               | mg/l     |
| Hydroxide                     | ND        | ND         | ND           | 1               | mg/l     |
| Solids, Total Disso           | 380       | 260        | 230          | 10              | mg/l     |
| Hardness (CaCO <sub>3</sub> ) | 228       | 216        | 212          | 5               | mg/l     |
| Nitrate + Nitrite N           | 0.62      | 0.67       | 0.44         | 0.05            | mg/l     |
| Ortho P as P                  | ND        | ND         | ND           | 0.02            | mg/l     |
| Total P                       | ND        | 0.03       | ND           | 0.02            | mg/l     |
| Fluoride                      | 0.3       | 0.1        | ND           | 0.1             | mg/l     |
| EC                            | 579       | 472        | 430          | 5               | umhos/cm |
| Phosphorus as PO <sub>4</sub> | ND        | 0.08       | ND           | 0.06            | mg/l     |
| Chloride                      | 63        | 27         | 16           | 1               | mg/l     |
| Sulfate                       | 16        | 5          | 4            | 2               | mg/l     |
| Iron(Dissolved)               | ND        | ND         | ND           | 0.1             | mg/l     |
| Manganese Dissolv             | ND        | ND         | ND           | 0.02            | mg/l     |

Significant Differences between Well and Surface Water

MICROFILMED  
 JUN 25 1993

APPLICANT'S EXHIBIT LIST:

1. USGS QUADRANGLE SHEETS, NEELEY/INDIAN SPRINGS
- 1a. USGS OPEN-FILE REPORT 82-755
- 1b. IDWR AMENDED FINAL ORDER, OF TRANSFER NO. 4268
- 1c. IDWR LETERS TO : -TIMOTHY DEEG 2/21/97  
-WARM CREEK IRRIGATION CO. 4/7/97
- 1d. USGS WATER RESOURCES OF ROCKLAND BASIN, HYDROGRAPHS
- 2. ELEVATION CONTOURS
- 3. TECHNICAL DATA: LITTLE CREEK
- 3a. LITTLE CREEK SCS PROJECT REPORT
- 4. TECHNICAL DATA: WARM & COLD CREEK
- 5. TECHNICAL DATA: MAYER WELLS
- 5a. MAYER WELL INTERFERANCE POTENTIAL
6. POTENTIAL WELL INTERFERENCE BY DRAWDOWN OF DEEG WELL
7. BROCKWAY CONCLUSIONS OF WATER ANALYSIS DONE BY MOUNTAIN STATES ANALYTICAL
8. BROCKWAY ANALYSIS OF WATER MEASUREMENTS OF STREAM FLOWS
- 8a. PICTURES OF THE PORTABLE WEIR INSTALLED
- 9. BROCKWAY ANALYSIS OF GROUND WATER MONITORING
- 10. POWER COUNTY ASSESSOR PLAT MAPS #4067, #4069-11-14, #4069
- 10a. WARM CREEK IRRIGATION COMPANY PLACE OF USE OVERLAY
- 10b. PRIVATE WATER RIGHTS PLACE OF USE OVERLAY
- 10c. FALLS IRRIGATION COMPANY PLACE OF USE OVERLAY
- 10d. *Fact Finding Sheets / Assessor Records / FSA Map Acres / Tabulation* D. Z. ARENS  
P. Kendall  
L. Kendall
- 11. WATER RIGHT FORFEITURE TIME LINE
- 12. POWER COUNTY CONSERVATION RESERVE PROGRAM ACREAGE REDUCTION
13. BROCKWAY ANNUAL SNOW PACK DATA AS OF APRIL 1

MICROFILMED

JUN 25 1993

WITNESS LIST:

- |     |                          |                          |
|-----|--------------------------|--------------------------|
| 1.  | TIMOTHY DEEG             |                          |
| 2.  | C. E. BROCKWAY PHD. P.E. |                          |
| 3.  | NORM WRIGHT              | PO. CO. FSA CED          |
| 4.  | TERRILL O. SORENSEN      | FALLS IRRIGATION MANAGER |
| 5.  | DON ZARING               | PROTESTANT WCIC          |
| 6.  | PAUL KENDELL             | PROTESTANT WCIC          |
| 7.  | LANE KENDELL             | PROTESTANT WCIC          |
| 8.  | KATHLEEN BARKDULL        | PROTESTANT WCIC          |
| 9.  | HAROLD ISAAK             | PROTESTANT               |
| 10. | IDAHO POWER CO.          | ELECTRICAL RECORDS       |
| 11. | STEVE GRAVES             | LAYNE PUMPS              |

MICROFILMED

JUN 25 1998



WATER RIGHT FORFEITURE TIME LINE  
FOR  
WATER RIGHT # 41-07034  
TRANSFER #5120

42-222. Change in point of diversion, place of use, period of use, or nature of use of water under established rights — Forfeiture and extension — Appeals. — (1) Any person, entitled to the use of water whether represented by license issued by the department of water resources, by claims to water rights by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for approval of such change. Such application shall be upon forms furnished by the department and shall describe the right licensed, claimed or decreed which is to be changed and the changes which are proposed, and shall be accompanied by the statutory filing fee as in this chapter provided.

(2) All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter; except that all water rights appurtenant to land contracted in a federal cropland set-aside program, shall not be lost and forfeited for nonuse during the contracted period. The five (5) year period of nonuse for forfeiture of a water right shall begin to accrue upon termination of the contract if a period of nonuse did not occur prior to the effective date of the contract or shall continue to accrue if a period of nonuse occurred prior to the effective date of the contract.

| CROP YEAR | FORFEITURE YEAR | DESCRIPTION                         |
|-----------|-----------------|-------------------------------------|
| 1989      | 0               | LAST CONFIRMED POWER RECORD         |
| 1990      | 1               | HRW NI AS PER CROP REPORT           |
| 1991      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1992      | 2               | HRW NI AS PER CROP REPORT           |
| 1993      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1994      | 3               | HRW NI AS PER CROP REPORT           |
| 1995      | --              | CU FOR PAY SMFL (cropland setaside) |
| 1996      | 4               | SWW NI AS PER CROP REPORT           |
| 1997      | --              | CRP CONTRACT ENTERED INTO 3/26/97   |

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JUN 25 1998

|                                                                                                                                                                 |                                                                |                                                             |                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------|
| CRP-1<br>(01-30-97)                                                                                                                                             | U.S. DEPARTMENT OF AGRICULTURE<br>Commodity Credit Corporation | 1. ST. & CO. CODE & C/D<br>16 077 1                         | 2. SIGN-UP NUMBER<br>15                                              |
| <b>CONSERVATION RESERVE PROGRAM CONTRACT</b>                                                                                                                    |                                                                | 3. CONTRACT NUMBER<br>8731                                  | 4. ACRES FOR ENROLLMENT<br>373.2 -                                   |
| 7. COUNTY OFFICE ADDRESS AND PHONE NO. (area code) 208-226-5139<br>Power County FSA Office<br>PO Box 180<br>503 N Oregon Trail<br>American Falls, ID 83211-0180 |                                                                | 5. FARM NUMBER<br>1372                                      | 6. TRACT NUMBER(S)<br>501 -                                          |
|                                                                                                                                                                 |                                                                | 8. OFFER (Select one)<br>STANDARD<br>ENVIRONMENTAL PRIORITY | 9. CONTRACT PERIOD<br>FROM (M/D/Y) TO (M/D/Y)<br>10/01/97 09/30/2007 |

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "Owner", "Operator", and "Tenant", respectively) on the farm identified above. The undersigned person or persons may hereafter collectively be referred to as "the Participant." The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") for the stipulated contract period from the date the Contract is executed by the CCC or other use set by CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; and if applicable, CRP-15 and CRP-1 Continuation.

**10. OFFER FOR PERMISSION TO ALLEY CROP**

In order to participate in CRP under CP19, Alley Cropping, I/we submit an offer of \$ \_\_\_\_\_ per acre reduction, from the amount specified in item 11A, in the annual rental payments for permission to produce agricultural commodities on eligible acres in accordance with the provisions for alley cropping set out in the applicable regulations. I/we understand that for each year of the CRP contract the annual rental payment will be reduced by the amount agreed to above, which reduction must be a reduction of at least 50 percent in the annual rental payment.

|                                                                                           |           |                                                             |
|-------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------|
| 11A. Rental Rate Per Acre                                                                 | \$38.67 - | 12. Identification of CRP Land                              |
| B. Annual Contract Payment                                                                | \$14,432  | A. Tract No. B. Field No. C. Practice D. Acres E. Total C/S |
| C. First Year Payment                                                                     | \$ N/A    | See CRP-1 Continuation                                      |
| (Item 11C applicable only to continuous sign up when the first year payment is prorated.) |           |                                                             |

**13. OWNERS, OPERATORS, AND TENANTS**

|                                                                                            |       |                                                                                                         |
|--------------------------------------------------------------------------------------------|-------|---------------------------------------------------------------------------------------------------------|
| A. OPERATOR NAME AND ADDRESS<br>Nelson 7UD Ranches<br>PO Box 177<br>Rockland, ID 83271     | 100 % | SOCIAL SECURITY NUMBER<br>82-0407890<br>SIGNATURE <i>Nelson 7UD Ranch</i> DATE <i>3-24-97</i>           |
| B. OWNER NAME AND ADDRESS **Only<br>Martin Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112 | 0 %   | SOCIAL SECURITY NUMBER<br>518 62 7476<br>SIGNATURE <i>Martin Munk</i> DATE <i>6-17-97</i>               |
| C. NAME AND ADDRESS<br>Susan Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112               | 0 %   | SOCIAL SECURITY NUMBER<br>519 54 3774<br>SIGNATURE <i>Susan Munk by Martin Munk</i> DATE <i>6-17-97</i> |

|                                                                   |                                                            |                 |
|-------------------------------------------------------------------|------------------------------------------------------------|-----------------|
| 14. CCC USE ONLY - Payments according to the shares are approved. | SIGNATURE OF CCC REPRESENTATIVE<br><i>Robert Holmquist</i> | DATE<br>9-11-97 |
|-------------------------------------------------------------------|------------------------------------------------------------|-----------------|

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended, and regulations promulgated at 7 CFR PART 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 651, 1001; 18 USC 714m; and 31 USC 3729, may be applicable to the information provided.

Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, (OMB No. 0560-0125), STOP 7630, Washington, D.C. 20250-7630. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or disability.

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JUN 25 1998

ORIGINAL-COUNTY OFFICE COPY

**USDA-ASCS**

1. CONTRACT NO.

2. SIGNUP NO.

15

## 3. FARM NO.

1372

4. PAGE

1 OF 1

## 5. IDENTIFICATION OF CRP LAND

ORIGINAL - COUNTY OFFICE COPY

~~MICROFILMED~~

JUN 25 1998

FSA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-17-97

| Tract Number | Field Num | Irr Prc    | Var/Type  | Int Use     | Land Use   | Reported Acreage | Determined Acreage | O/H | Crop Stat | Prod Share | Prod ID | Ins Elig | Crop Type | Planting Date | Irr Area |
|--------------|-----------|------------|-----------|-------------|------------|------------------|--------------------|-----|-----------|------------|---------|----------|-----------|---------------|----------|
| 480          | 4         | Ir         | ALFAL     | (continued) |            |                  |                    |     |           | .3333      | 7890    |          |           |               |          |
|              |           | Crop ALFAL | Nirr 38.7 | Irr         | Crop BARLY | Nirr 16.5        |                    |     |           |            |         |          |           |               |          |

Photo Number/Legal Description: N-18A T10S, R631E SEC5

Cropland: 55.2 Reported: 55.2 Difference: .0 Reported 0.8, S, R, A: .0

|     |   |          |            |     |            |           |  |    |            |            |      |   |  |  |  |
|-----|---|----------|------------|-----|------------|-----------|--|----|------------|------------|------|---|--|--|--|
| 501 | 2 | Ni       | CRP        | 1   |            | 44.20     |  | RO | I          | 1.0000     | 7890 | N |  |  |  |
| 4   |   | Ni       | CRP        | 1   | 4.7        | 38.90     |  | RO | I          | 1.0000     | 7890 | N |  |  |  |
| 5   |   | Ni       | CRP        | 1   |            | 22.70     |  | RO | I          | 1.0000     | 7890 | N |  |  |  |
| 8   |   | Ni       | CRP        | 1   |            | 19.60     |  | RO | I          | 1.0000     | 7890 | N |  |  |  |
| 9   |   | Ni       | CRP        | 1   |            | 20.00     |  | RO | I          | 1.0000     | 7890 | N |  |  |  |
| 1   |   | Ni       | GRASS      | WIN | Graze      | 8.20      |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 3   |   | Ni       | SUMFL      |     |            | 86.30     |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 6   |   | Ni       | SUMFL      |     |            | 118.70    |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 10  |   | Ni       | GRASS      | WIN | Graze      | .90       |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 11  |   | Ni       | GRASS      | WIN | Graze      | 3.90      |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 12  |   | Ni       | GRASS      | WIN | Graze      | 7.80      |  |    | I          | 1.0000     | 7890 | N |  |  |  |
| 13  |   | Ni       | GRASS      | WIN | Graze      | 2.00      |  |    | I          | 1.0000     | 7890 | N |  |  |  |
|     |   | Crop CRP | Nirr 145.4 | Irr | Crop GRASS | Nirr 22.8 |  |    | Crop SUMFL | Nirr 205.0 | Irr  |   |  |  |  |

Photo Number/Legal Description: N-20A T10S, R631E SEC28, 21

Cropland: 373.2 Reported: 373.2 Difference: .0 Reported 0.8, S, R, A: .0

|     |   |    |       |  |  |        |  |  |   |        |      |   |  |  |  |
|-----|---|----|-------|--|--|--------|--|--|---|--------|------|---|--|--|--|
| 502 | 7 | Ni | SUMFL |  |  | 122.80 |  |  | I | 1.0000 | 7890 | N |  |  |  |
|-----|---|----|-------|--|--|--------|--|--|---|--------|------|---|--|--|--|

MICROFILMED  
JUN 25 1998



POWER, IDAHO

PROGRAM YEAR 1997

REPORT OF ACREAGE

FSA-578(02-01-91)

DATE: 06-17-97

FARM SUMMARY

FARM NUMBER: 1372

Original: *JP*

Operator Name and Address ID

Revision:

NELSON 700 RANCHES 7890

Cropland: 5,616.6

PO BOX 177 83271-0177

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share |
|--------------------|------|-------|--------|-------|-------|
| JAMES ROBINSON     | 9880 | BARLY | .0990  |       |       |
| RICHARD J NELSON   | 7415 | CRP   | .0801  |       |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | .9010 |
|                    |      |       |        | CRP   | .9199 |

| Crop    | Reported | Determined | Crop  | Reported | Determined |
|---------|----------|------------|-------|----------|------------|
| ALFALFA | 324.9    |            | CRP   | 3,466.1  |            |
| GRASS   | 185.8    |            | OATS  | .0       |            |
| ORCHARD | 36.6     |            | WHEAT | 489.9    |            |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature *Nelson 700 Ranches* Date *6-17-97*

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

JUN 25 1998

DA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1996

FORM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-28-96

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Land Use | Reported Acreage | Determined Acreage | O/ H | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|----------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|----------|------------------|--------------------|------|-----------|------------|------------|---------|

480

| Crop ALFAL | Nirr 29.0 | Irr | Crop BARLY | Nirr | Irr 22.2 | Crop GRASS | Nirr 4.0 | Irr |
|------------|-----------|-----|------------|------|----------|------------|----------|-----|
|------------|-----------|-----|------------|------|----------|------------|----------|-----|

Photo Number/Legal Description: N-19A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | 0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|---|---------------------|----|
|-----------|------|-----------|------|-------------|---|---------------------|----|

|     |    |    |       |     |        |     |        |  |    |   |   |                |              |
|-----|----|----|-------|-----|--------|-----|--------|--|----|---|---|----------------|--------------|
| 501 | 2  | Ni | CRP   |     | 1      |     | 44.20  |  | RO | I |   | 1.0000         | 7890         |
|     | 4  | Ni | CRP   |     | 1      | 4.7 | 38.90  |  | RO | I |   | 1.0000         | 7890         |
|     | 5  | Ni | CRP   |     | 1      |     | 22.70  |  | RO | I |   | 1.0000         | 7890         |
|     | 8  | Ni | CRP   |     | 1      |     | 19.60  |  | RO | I |   | 1.0000         | 7890         |
|     | 9  | Ni | CRP   |     | 1      |     | 20.00  |  | RO | I |   | 1.0000         | 7890         |
|     | 1  | Ni | GRASS | WIN | Graze  |     | 8.20   |  |    | I |   | 1.0000         | 7890         |
|     | 10 | Ni | GRASS | WIN | Forage |     | .90    |  |    | I |   | 1.0000         | 7890         |
|     | 11 | Ni | GRASS | WIN | Forage |     | 3.90   |  |    | I |   | 1.0000         | 7890         |
|     | 12 | Ni | GRASS | WIN | Forage |     | 7.80   |  |    | I |   | 1.0000         | 7890         |
|     | 3  | Ni | WHEAT | SWW | Grain  |     | 86.30  |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 13 | Ni | WHEAT | SWW | Grain  |     | 2.00   |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 6  | Ni | WHEAT | SWW | Grain  |     | 113.70 |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |

| Crop CRP | Nirr 145.4 | Irr | Crop GRASS | Nirr 20.8 | Irr | Crop WHEAT | Nirr 207.0 | Irr |
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|

Photo Number/Legal Description: N-20A T10S R631E SEC28,21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |       |       |     |       |  |        |  |  |   |   |                |              |
|-----|----|-------|-------|-----|-------|--|--------|--|--|---|---|----------------|--------------|
| 502 | 7  | Ni    | WHEAT | HRW | Grain |  | 122.80 |  |  | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 1  | Ir    | ALFAL |     | Hay   |  | 6.30   |  |  | I |   | 1.0000         | 7890         |
|     | 2  | Ir    | ALFAL |     | Hay   |  | 26.30  |  |  | I |   | 1.0000         | 7890         |
|     | 3  | Ir    | ALFAL |     | Hay   |  | 7.10   |  |  | I |   | 1.0000         | 7890         |
|     | 4  | Ir    | ALFAL |     | Hay   |  | 40.20  |  |  | I |   | 1.0000         | 7890         |
|     | 5  | Ir    | BARLY | SPR | Grain |  | 14.50  |  |  | I | 2 | 1.0000         | 7890         |
|     | 6  | Ir    | BARLY | SPR | Grain |  | 7.30   |  |  | I | 2 | 1.0000         | 7890         |
| 6A  | Ir | HAYMX | SMG   |     | Hay   |  | 5.00   |  |  | I |   | 1.0000         | 7890         |

MICROFILMED

JUN 25 1998

No Field 7

SEWER, IDAHO

Form Approved - OMB No. 0560-0004

578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1996

Form NUMBER: 1372

FARM SUMMARY

DATE: 06-28-96

Operator Name and Address ID  
 NELSON 700 RANCHES 7890  
 PO BOX 177  
 SHOSHONE, ID 83271-0177

Original: TW  
 Revision:  
 Cropland: 5,616.6  
 Farmland: 7,029.0

The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts. The reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Operator Name      | ID   | Crop  | Share | Crop  | Share | Crop | Share |
|--------------------|------|-------|-------|-------|-------|------|-------|
| W. H. HUNK         | 7476 | WHEAT | .2323 |       |       |      |       |
| ROBINSON           | 9880 | BARLY | .1265 |       |       |      |       |
| NELSON             | 7415 | CRP   | .0801 |       |       |      |       |
| NELSON 700 RANCHES | 7890 | WHEAT | .7677 | BARLY | .8735 | CRP  | .9199 |

| Reported | Determined | Crop  | Reported | Determined | Crop | Reported | Determined |
|----------|------------|-------|----------|------------|------|----------|------------|
| 324.2    |            | BARLY | 117.0    |            | CRP  | 3,466.1  |            |
| 145.0    |            | HAYMX | 127.9    |            | QATS | .0       |            |
| 489.9    |            | WHEAT | 946.5    |            |      |          |            |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature: Nelson 700 Ranches By Richard M. Nelson Date: 6-28-96  
 This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILMED  
 JUN 25 1998  
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ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 11-30-95

| Tract<br>Number                                           | Field<br>Num ID | Irr<br>Prc | Crop          | Var/<br>Type | Int<br>Use    | Lnd<br>Use | Reported<br>Acreage | Determined<br>Acreage | O/<br>H | Crop<br>Stat | PltPr<br>FCIC       | Prod<br>Share  | Prod<br>ID   |
|-----------------------------------------------------------|-----------------|------------|---------------|--------------|---------------|------------|---------------------|-----------------------|---------|--------------|---------------------|----------------|--------------|
| 480                                                       |                 |            |               |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Crop<br>BARLY |              | Nirr<br>22.2  |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Irr<br>22.2   |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Crop<br>CUPCP |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Nirr<br>33.0  |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Irr           |            |                     |                       |         |              |                     |                |              |
| Photo Number/Legal Description: M-16A T10S, R631E SEC5    |                 |            |               |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Cropland:     |              | 55.2          | Reported:  | 55.2                | Difference:           | .0      |              | Reported D,B,S,R,A: |                | .0           |
| 501                                                       | 2               | Ni         | CRP           |              | 1             |            | 44.2                | 44.2                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 4               | Ni         | CRP           |              | 1             |            | 4.7 38.9            | 38.9                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 5               | Ni         | CRP           |              | 1             |            | 22.7                | 22.7                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 8               | Ni         | CRP           |              | 1             |            | 19.6                | 19.6                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 9               | Ni         | CRP           |              | 1             |            | 20.0                | 20.0                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 1               | Ni         | GRASS         | WIN          | Graze         | CUPCP      | 8.2                 | 8.2                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 3               | Ni         | SUMFL         |              |               | PAY        | 86.3                | 86.3                  | 00      | I            |                     | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 6               | Ni         | SUMFL         |              |               | PAY        | 15.0                | 15.0                  | 00      | I            |                     | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 7               | Ni         | SUMFL         |              |               | PAY        | 103.7               | 103.7                 | 00      | I            |                     | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 10              | Ni         | GRASS         | WIN          | Forage        | CUPCP      | .9                  | .9                    | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 11              | Ni         | GRASS         | WIN          | Forage        | CUPCP      | 3.9                 | 3.9                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 12              | Ni         | GRASS         | WIN          | Forage        | CUPCP      | 7.8                 | 7.8                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 13              | Ni         | GRASS         | WIN          | Forage        | CUPCP      | 2.0                 | 2.0                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           |                 |            | Crop<br>CRP   |              | Nirr<br>145.4 |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Irr           |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Crop<br>CUPAY |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Nirr<br>205.0 |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Irr           |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Crop<br>CUPCP |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Nirr<br>22.8  |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            |               |              | Irr           |            |                     |                       |         |              |                     |                |              |
| Photo Number/Legal Description: M-20A T10S R631E SEC28.21 |                 |            |               |              |               |            |                     |                       |         |              |                     |                |              |
|                                                           |                 |            | Cropland:     |              | 373.2         | Reported:  | 373.2               | Difference:           | .0      |              | Reported D,B,S,R,A: |                | .0           |
| 502                                                       | 1               | Ir         | ALFAL         |              | Hay           | CUPCP      | 6.3                 | 6.3                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 2               | Ir         | ALFAL         |              | Hay           | CUPCP      | 26.3                | 26.3                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 3               | Ir         | ALFAL         |              | Hay           | CUPCP      | 7.1                 | 7.1                   | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 4               | Ir         | ALFAL         |              | Hay           | CUPCP      | 40.2                | 40.2                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 5               | Ir         | ALFAL         |              | Hay           | CUPCP      | 14.5                | 14.5                  | 00      | I            |                     | 1.0000         | 7890         |
|                                                           | 6               | Ir         | ALFAL         |              | Hay           | CUPCP      | 6.6                 | 6.6                   |         | I            |                     | 1.0000         | 7890         |
|                                                           | 6A              | Ir         | BARLY         | SPR          | Grain         |            | 5.7                 | 5.7                   |         | I            | 2                   | 1.0000         | 7890         |
|                                                           | 7               | Ni         | SUMFL         |              |               | PAY        | 122.8               | 122.8                 | 00      | I            |                     | .6667<br>.3333 | 7476<br>7890 |

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JUN 25 1998



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 11-30-95

Operator Name and Address ID  
 NELSON 7UD RANCHES 7890  
 PO BOX 177  
 ROCKLAND, ID 83271-0177

Original: me  
 Revision: \_\_\_\_\_  
 Cropland: 5,616.6  
 Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR CESA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share  | Crop | Share |
|--------------------|------|-------|--------|-------|--------|------|-------|
| RICHARD J NELSON   | 7415 | CRP   | .0801  |       |        |      |       |
| NELSON 7UD RANCHES | 7890 | WHEAT | 1.0000 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Crop | Reported | Crop  | Reported |
|-------|----------|------|----------|-------|----------|
| BARLY | 56.8     | CRP  | 3,466.1  | CUPAY | 631.7    |
| CUPCP | 941.3    | OATS | .0       | DFAV  | .0       |
| WHEAT | 520.7    |      |          |       |          |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

I understand that if eligible, P&CP credit for a zero report shall be credited to the following crops and as a result, P&CP credit for other crops may be reduced:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives CESA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILMED

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578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 10-21-94

| Tract Number                                              | Field Num ID | Irr Prc    | Crop      | Var/ Type   | Int Use     | Lnd Use    | Reported Acreage    | Determined Acreage | O/ M | Crop Stat  | PltPr FCIC | Prod Share     | Prod ID      |
|-----------------------------------------------------------|--------------|------------|-----------|-------------|-------------|------------|---------------------|--------------------|------|------------|------------|----------------|--------------|
| 480                                                       | 4            | Ni         | GRASS     | (continued) |             |            |                     |                    |      |            |            | .3333          | 7890         |
|                                                           |              | Crop CUPCP |           | Nirr 33.0   | Irr         | Crop WHEAT |                     | Nirr 22.2          |      |            |            |                |              |
| Photo Number/Legal Description: M-18A T10S, R631E SEC5    |              |            |           |             |             |            |                     |                    |      |            |            |                |              |
| Cropland:                                                 |              | 55.2       | Reported: | 55.2        | Difference: | .0         | Reported D,B,S,R,A: | .0                 |      |            |            |                |              |
| 501                                                       | 2            | Ni         | CRP       |             | 1           |            | 44.2                | 44.2               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 4            | Ni         | CRP       |             | 1           | 4.7        | 38.9                | 38.9               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 5            | Ni         | CRP       |             | 1           |            | 22.7                | 22.7               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 8            | Ni         | CRP       |             | 1           |            | 19.6                | 19.6               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 9            | Ni         | CRP       |             | 1           |            | 20.0                | 20.0               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 1            | Ni         | GRASS     | WIN         | Graze       | CUPCP      | 8.2                 | 8.2                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 3            | Ni         | WHEAT     | HRW         | Grain       |            | 86.3                | 86.3               | 00   | I          | 19         | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 6            | Ni         | WHEAT     | HRW         | Grain       |            | 15.0                | 15.0               | 00   | I          | 19         | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 7            | Ni         | WHEAT     | HRW         | Grain       |            | 103.7               | 103.7              | 00   | I          | 19         | .6667<br>.3333 | 7476<br>7890 |
|                                                           | 10           | Ni         | GRASS     | WIN         | LftStd      | CUPCP      | .9                  | .9                 | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 11           | Ni         | GRASS     | WIN         | LftStd      | CUPCP      | 3.9                 | 3.9                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 12           | Ni         | GRASS     | WIN         | LftStd      | CUPCP      | 7.8                 | 7.8                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 13           | Ni         | GRASS     | WIN         | LftStd      | CUPCP      | 2.0                 | .0                 | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 13A          | Ni         | WHEAT     | HRW         | Grain       |            | .0                  | 2.0                | 00   | I          |            | 1.0000         | 7890         |
|                                                           |              | Crop CRP   |           | Nirr 145.4  | Irr         | Crop CUPCP |                     | Nirr 20.8          |      | Crop WHEAT |            | Nirr 207.0     | Irr          |
| Photo Number/Legal Description: M-20A T10S R631E SEC28,21 |              |            |           |             |             |            |                     |                    |      |            |            |                |              |
| Cropland:                                                 |              | 373.2      | Reported: | 373.2       | Difference: | .0         | Reported D,B,S,R,A: | .0                 |      |            |            |                |              |
| 502                                                       | 1            | Ir         | ALFAL     |             | Hay         | CUPCP      | 6.3                 | 6.3                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 2            | Ir         | ALFAL     |             | Hay         | CUPCP      | 26.3                | 26.3               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 3            | Ir         | BARLY     | SPR         | Hay         | CUPCP      | 7.1                 | 7.1                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 4            | Ir         | ALFAL     |             | Hay         | CUPCP      | 40.2                | 40.2               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 5            | Ir         | ALFAL     |             | Hay         | CUPCP      | 14.5                | 14.5               | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 6            | Ir         | ALFAL     |             | Hay         | CUPCP      | 7.3                 | 7.3                | 00   | I          |            | 1.0000         | 7890         |
|                                                           | 6A           | Ir         | BARLY     | SPR         | Grain       |            | 5.0                 | 5.0                | 00   | I          | 1          | 1.0000         | 7890         |
|                                                           | 7            | Ni         | WHEAT     | HRW         | Grain       |            | 122.8               | 122.8              | 00   | I          | 19         | .6667          | 7476         |

MICROFILMED  
PAGE  
JUN 25 1993

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 10-21-94

Operator Name and Address ID

Original: TW

NELSON 7UD RANCHES 7890

Revision: \_\_\_\_\_

PO BOX 177

ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  | Crop | Share |
|--------------------|------|-------|-------|-------|--------|------|-------|
| MARTIN MUNK        | 7476 | WHEAT | .2256 |       |        |      |       |
| JAMES ROBINSON     | 9880 | WHEAT | .0153 |       |        |      |       |
| RICHARD J NELSON   | 7415 | CRP   | .0801 |       |        |      |       |
| NELSON 7UD RANCHES | 7890 | WHEAT | .7591 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| BARLY | 36.7     | 36.7       | CRP  | 3,466.1  | 3,466.1    | CUPAY | 272.4    | 272.4      |
| CUPCP | 866.3    | 864.3      | OATS | .0       | .0         | OFAV  | .0       | .0         |
| WHEAT | 966.7    | 968.7      |      |          |            |       |          |            |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT      BARLY      OATS

I understand that if eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature \_\_\_\_\_

Date \_\_\_\_\_

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILM  
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JUN 25 1998

# REPORT OF ACREAGE FARM AND TRACT DETAIL LISTING

PROGRAM YEAR 1970

DATE: 05-15-93

1372

| Tract | Crop | Var/<br>Type | Int<br>Use  | Land<br>Use | Reported<br>Acreage | Determined<br>Acreage | O/<br>M | Crop<br>Stat | FltPr<br>FCID | Prod<br>Share  | Prod<br>ID   |
|-------|------|--------------|-------------|-------------|---------------------|-----------------------|---------|--------------|---------------|----------------|--------------|
| 24    | Ir   | BARLY        | (continued) |             |                     |                       |         |              |               | .3333          | 7890         |
| 3     | Ir   | ALFAL        | Hay         | CUPCF       | 23.2                |                       |         | I            |               | .6667<br>.3333 | 9830<br>7890 |
| 4     | Ni   | GRASS        | WIN         | Graze       | CUPCF               | 4.0                   |         | I            |               | .6667<br>.3333 | 9830<br>7890 |

Crop      Nitrr      Irr  
CUPCF      55.2

Photo Number/Legal Description: H-18A T108, R631E SEC5

Cropland:      55.2      Reported:      55.2      Difference:      .0      Reported D,B,S,R,A:      .0

|     |    |    |       |     |        |       |     |    |   |        |      |
|-----|----|----|-------|-----|--------|-------|-----|----|---|--------|------|
| 501 | 2  | Ni | CRP   |     |        | 44.2  |     | 00 | I | 1.0000 | 7890 |
|     | 4  | Ni | CRP   |     |        | 38.9  |     | 00 | I | 1.0000 | 7890 |
|     | 5  | Ni | CRP   |     |        | 22.7  |     | 00 | I | 1.0000 | 7890 |
|     | 8  | Ni | CRP   |     |        | 19.6  |     | 00 | I | 1.0000 | 7890 |
|     | 9  | Ni | CRP   |     |        | 20.0  |     | 00 | I | 1.0000 | 7890 |
|     | 1  | Ni | ALFAL | Hay | CUPCF  | 6.2   |     |    | I | 1.0000 | 7890 |
|     | 3  | Ni | SUMFL |     | CUPCF  | 86.3  |     |    | I | 1.0000 | 7890 |
|     | 6  | Ni | SUMFL |     | CUPAY  | 15.0  |     |    | I | 1.0000 | 7890 |
|     | 7  | Ni | SUMFL |     | CUPAY  | 103.7 |     |    | I | 1.0000 | 7890 |
|     | 10 | Ni | SUMFL |     | CUPCF  | .9    |     |    | I | 1.0000 | 7890 |
|     | 11 | Ni | SUMFL |     | CUPCF  | 3.9   |     |    | I | 1.0000 | 7890 |
|     | 12 | Ni | SUMFL |     | CUPCF  | 7.6   |     |    | I | 1.0000 | 7890 |
|     | 13 | Ni | GRASS | WIN | Forage | CUPCF | 2.0 |    | I | 1.0000 | 7890 |

Crop      Nitrr      Irr      Crop      Nitrr      Irr      Crop      Nitrr      Irr  
CRP      145.4      For      CUPAY      205.0      For      CUPCF      22.8

Photo Number/Legal Description: H-20N T108 R631E SEC10,21

Cropland:      373.2      Reported:      373.2      Difference:      .0      Reported D,B,S,R,A:      .0

|     |   |    |       |     |       |       |  |  |   |        |      |
|-----|---|----|-------|-----|-------|-------|--|--|---|--------|------|
| 502 | 1 | Ir | ALFAL | Hay | CUPCF | 6.8   |  |  | I | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL | Hay | CUPCF | 26.3  |  |  | I | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL | Hay | CUPCF | 7.1   |  |  | I | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL | Hay | CUPCF | 40.2  |  |  | I | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL | Hay | CUPCF | 14.5  |  |  | I | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL | Hay | CUPCF | 12.3  |  |  | I | 1.0000 | 7890 |
|     | 7 | Ni | SUMFL |     | CUPAY | 122.6 |  |  | I | 1.0000 | 7890 |

MICROFILMED  
PAGE 3  
JUN 25 1998



POWER, IDAHO

Form Approved - DHB No. 0560-0004

ASCS-578(02-01-91)

## REPORT OF ACREAGE

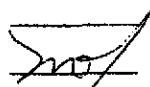
PROGRAM YEAR 1993

FARM NUMBER: 1372

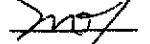
## FARM SUMMARY

DATE: 11-04-93

Operator Name and Address ID

Original: 

NELSON 700 RANCHES 7890

Revision: PO BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a), Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (DHB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share |
|--------------------|------|-------|--------|-------|-------|
| JAMES ROBINSON     | 9880 | BARLY | .1410  |       |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | .8590 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| BARLY | 35.0     |            | CRP  | 3,466.1  |            | CUPAY | 944.5    |            |
| CUPCF | 641.9    |            | OATS | .0       |            | OFAV  | .0       |            |
| WHEAT | 520.7    |            |      |          |            |       |          |            |

Initials

No

*R.B.R.* Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?

*R.B.R.* Have all crops and land uses been reported on this farm (not listed on this report of acreage)?

*R.B.R.* I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

*R.B.R.* If eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS

*n/a* I do not want nonparticipating program crop acreage to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

*Nelson 700 Ranches by Richard E. Nelson*

*11/4/93*

MICROFILMED

JUN 25 1993

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-26-92

| Tract Number | Field Number | Irr Pct | Crop       | Var/Type | Int Use | Lnd Use    | Reported Acreage | Determined Acreage | O/M | Crop Stat | Plnt Prac | Prod Share     | Prod ID      |
|--------------|--------------|---------|------------|----------|---------|------------|------------------|--------------------|-----|-----------|-----------|----------------|--------------|
| 480          | 2            | Ir      | ALFAL      |          | Hay     | CUPCP      | 16.5             | 16.5               |     | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 2A           | Ir      | WHEAT      | HRS      | Grain   |            | 6.4              | 6.4                |     | I         | CC        | .6667<br>.3333 | 9880<br>7890 |
|              | 3            | Ir      | ALFAL      |          | Hay     | CUPCP      | 22.2             |                    |     | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 4            | Ni      | GRASS      | WIN      | Graze   | CUPCP      | 4.0              |                    |     | I         |           | 1.0000         | 7890         |
|              |              |         | Crop WHEAT | Nirr     | Irr     | Crop CUPCP | Nirr 6.4         | Irr 48.8           |     |           |           |                |              |

Photo Number/Legal Description: M-16A T10S, RG31E SEC5

Cropland: 55.2 Reported: 55.2 Difference: .0 Reported D,B,S,R,A: .0

|     |    |    |            |      |        |          |            |           |  |   |    |        |      |
|-----|----|----|------------|------|--------|----------|------------|-----------|--|---|----|--------|------|
| 501 | 2  | Ni | CRP        |      | 1      |          | 44.2       |           |  | I |    | 1.0000 | 7890 |
|     | 4  | Ni | CRP        |      | 1      |          | 4.7 38.9   |           |  | I |    | 1.0000 | 7890 |
|     | 5  | Ni | CRP        |      | 1      |          | 22.7       |           |  | I |    | 1.0000 | 7890 |
|     | 8  | Ni | CRP        |      | 1      |          | 19.6       |           |  | I |    | 1.0000 | 7890 |
|     | 9  | Ni | CRP        |      | 1      |          | 20.0       |           |  | I |    | 1.0000 | 7890 |
|     | 1  | Ni | ALFAL      |      | Hay    | CUPCP    | 8.2        |           |  | I |    | 1.0000 | 7890 |
|     | 3  | Ni | WHEAT      | HRW  | Grain  |          | 86.3       |           |  | I | SF | 1.0000 | 7890 |
|     | 6  | Ni | WHEAT      | HRW  | Grain  |          | 15.0       |           |  | I | SF | 1.0000 | 7890 |
|     | 7  | Ni | WHEAT      | HRW  | Grain  |          | 103.7      |           |  | I | SF | 1.0000 | 7890 |
|     | 11 | Ni | GRASS      | WIN  | Forage | CUPCP    | 3.9        |           |  | I |    | 1.0000 | 7890 |
|     | 12 | Ni | GRASS      | WIN  | Forage | CUPCP    | 7.8        |           |  | I |    | 1.0000 | 7890 |
|     | 13 | Ni | GRASS      | WIN  | Forage | CUPCP    | 2.0        |           |  | I |    | 1.0000 | 7890 |
|     | 10 | Ni | GRASS      | WIN  | Forage | CUPCP    | .9         |           |  | I |    | 1.0000 | 7890 |
|     |    |    | Crop WHEAT | Nirr | Irr    | Crop CRP | Nirr 205.0 | Irr 145.4 |  |   |    |        |      |

Photo Number/Legal Description: M-20A T10S RG31E SEC28,21

Cropland: 373.2 Reported: 373.2 Difference: .0 Reported D,B,S,R,A: .0

|     |   |    |       |  |     |       |      |  |  |   |  |        |      |
|-----|---|----|-------|--|-----|-------|------|--|--|---|--|--------|------|
| 502 | 1 | Ir | ALFAL |  | Hay | CUPCP | 6.3  |  |  | I |  | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL |  | Hay | CUPCP | 26.3 |  |  | I |  | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL |  | Hay | CUPCP | 7.1  |  |  | I |  | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL |  | Hay | CUPCP | 40.2 |  |  | I |  | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL |  | Hay | CUPCP | 14.5 |  |  | I |  | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL |  | Hay | CUPCP | 12.3 |  |  | I |  | 1.0000 | 7890 |

MICROFILMED  
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JUN 25 1993

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-26-92

Operator Name and Address ID

Original: TW

NELSON 7UD RANCHES 7890

Revision: \_\_\_\_\_

BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

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This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  |
|--------------------|------|-------|-------|-------|--------|
| JAMES ROBINSON     | 9880 | WHEAT | .0045 |       |        |
| NELSON 7UD RANCHES | 7890 | WHEAT | .9955 | BARLY | 1.0000 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 958.3    |            | OATS | .0       |            | BARLY | 20.1     |            |
| ACP   | 75.9     |            | CRP  | 3,466.1  |            | CUPCP | 940.1    |            |
| CUPAY | 147.7    |            |      |          |            |       |          |            |

## Initials

Yes No

R.K. \_\_\_\_\_

Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?

R.K. \_\_\_\_\_

Do you have other program crops or land uses planted on this farm (not listed on this report of acreage)?

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS R.K.

If eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS R.K.

I do not want nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 7UD Ranches By Richard S. Nelson6/29/92

MICROFILMED PAGE 7

JUN 25 1993

AGCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1991

FARM NUMBER: 1372

FARM AND TRACT DETAIL LISTING

DATE: 08-14-91

| Tract Number | Field Number | Irr Arc | Crop | Var/Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/H | Crop Stat | Plot Prac | Prod Share | Prod ID |
|--------------|--------------|---------|------|----------|---------|---------|------------------|--------------------|-----|-----------|-----------|------------|---------|
|--------------|--------------|---------|------|----------|---------|---------|------------------|--------------------|-----|-----------|-----------|------------|---------|

480

| Crop  | Irr | Crop  | Irr  |
|-------|-----|-------|------|
| BARLY | 6.1 | CUPCP | 49.1 |

Photo Number/Legal Description: N-10A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |    |    |       |     |        |       |       |  |   |  |  |        |      |
|-----|----|----|-------|-----|--------|-------|-------|--|---|--|--|--------|------|
| 501 | 1  | NI | ALFAL |     | Hay    | CUPCP | 8.2   |  | I |  |  | 1.0000 | 7890 |
|     | 3  | NI | SUNFL |     |        | CUPAY | 86.3  |  | I |  |  | 1.0000 | 7890 |
|     | 6  | NI | SUNFL |     |        | CUPAY | 15.0  |  | I |  |  | 1.0000 | 7890 |
|     | 7  | NI | SUNFL |     |        | CUPAY | 103.7 |  | I |  |  | 1.0000 | 7890 |
|     | 11 | NI | GRASS | WCR | Forage | CUPCP | 3.9   |  | I |  |  | 1.0000 | 7890 |
|     | 12 | NI | GRASS | WCR | Forage | CUPCP | 7.8   |  | I |  |  | 1.0000 | 7890 |
|     | 13 | NI | SUNFL |     |        | CUPAY | 2.0   |  | I |  |  | 1.0000 | 7890 |
|     | 2  | NI | CRP   |     | I      |       | 44.2  |  | I |  |  | 1.0000 | 7890 |
|     | 4  | NI | CRP   |     | I      |       | 38.9  |  | I |  |  | 1.0000 | 7890 |
|     | 5  | NI | CRP   |     | I      |       | 22.7  |  | I |  |  | 1.0000 | 7890 |
|     | 8  | NI | CRP   |     | I      |       | 19.6  |  | I |  |  | 1.0000 | 7890 |
|     | 9  | NI | CRP   |     | I      |       | 20.0  |  | I |  |  | 1.0000 | 7890 |
|     | 10 | NI | GRASS | WCR | Forage | CUPCP | .9    |  | I |  |  | 1.0000 | 7890 |

| Crop | Irr   | Crop  | Irr  |
|------|-------|-------|------|
| CRP  | 145.4 | CUPCP | 20.8 |

Photo Number/Legal Description: N-20A T10S R631E SEC20,21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |    |       |     |     |       |       |  |   |  |  |        |      |
|-----|----|----|-------|-----|-----|-------|-------|--|---|--|--|--------|------|
| 502 | 1  | Ir | ALFAL |     | Hay | CUPCP | 6.3   |  | I |  |  | 1.0000 | 7890 |
|     | 2  | Ir | HAYNX | OTH | Hay | CUPCP | 26.3  |  | I |  |  | 1.0000 | 7890 |
|     | 3  | Ir | HAYNX | OTH | Hay | CUPCP | 7.1   |  | I |  |  | 1.0000 | 7890 |
|     | 4  | Ir | HAYNX | OTH | Hay | CUPCP | 20.2  |  | I |  |  | 1.0000 | 7890 |
|     | 4A | Ir | ALFAL |     | Hay | CUPCP | 20.0  |  | I |  |  | 1.0000 | 7890 |
|     | 5  | Ir | ALFAL |     | Hay | CUPCP | 14.5  |  | I |  |  | 1.0000 | 7890 |
|     | 6  | Ir | ALFAL |     | Hay | CUPCP | 12.3  |  | I |  |  | 1.0000 | 7890 |
|     | 7  | NI | SUNFL |     |     | ACR   | 123.8 |  | I |  |  | 1.0000 | 7890 |



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1991

FARM NUMBER: 1322

## FARM SUMMARY

DATE: 06-14-91

Operator Name and Address TO

Original: TW

NELSON 700 RANCHES 7890

Revision: \_\_\_\_\_

BOX 177  
ROCKLAND, ID 83271

Cropland: 5,605.8

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

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This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share | Crop  | Share |
|--------------------|------|-------|-------|-------|-------|
| JAMES ROBINSON     | 9880 | WHEAT | .0072 | BARLY | .0696 |
| NELSON 700 RANCHES | 7890 | WHEAT | .9928 | BARLY | .9304 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 515.3    |            | OATS | 0        |            | BARLY | 58.4     |            |
| BAR   | 277.1    |            | CRP  | 3,466.1  | ✓ TW       | CUPCP | 620.9    |            |
| CUPAY | 667.4    |            |      |          |            |       |          |            |

Initials

R.E.N.

Land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meets cropping requirements and other eligibility requirements as applicable. Other program crops or land uses planted.

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS R.E.N.

If eligible, PACP credit for a zero report shall be credited to the following crops:

OATS R.E.N.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Nelson 700

By Richard G. Nelson

Date

6/14/91

Filed Presented on 626.2 ac. of wheat  
R.E.N. 3/11/92

MICROFILM

JUN 23 1991

USDA - ASCS

ASCS-578  
(10-02-86)

REPORT OF ACREAGE

Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data NOTE: will be used to determine eligibility for assistance. Furnishing the data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

PAGE

|                                                      |              |                     |                    |                     |                     |
|------------------------------------------------------|--------------|---------------------|--------------------|---------------------|---------------------|
| 1. FARM NO.<br>1150                                  | 2. TRACT NO. | 3. FARMLAND<br>5605 | CROPLAND<br>4578.6 | 4. PROGRAM YR<br>90 | 5. OTHER FARMS<br>9 |
| 5. OPERATOR ADDRESS<br>BOX 177<br>ROCKLAND, ID 83271 |              |                     |                    |                     |                     |
| 10. PHOTO NO. - LEGAL DESCRIPTION<br>06-13-90        |              |                     |                    |                     |                     |

| 15. CROP OR LAND USE SUMMARY |           |                           |              |                |       |       |      |      |       |
|------------------------------|-----------|---------------------------|--------------|----------------|-------|-------|------|------|-------|
| TRACT NO.                    | FIELD NO. | CROP OR LAND USE          | Prac. Use 1/ | CROP STATUS 2/ | WHEAT | EARLY | ACR  | CRP  | CUPAY |
| 12                           | 4         | GRASS GRAZING             | IR           | I              |       |       |      | 4.0  |       |
| 2A                           | 18        | HAYTE                     | IR           | I              |       |       |      | 1.3  |       |
| 2B                           | 19        | HAYAL                     | IR           | I              |       |       |      | 16.9 |       |
| 1                            | 1         | HAYAL                     | NI           | I              |       |       |      | 8.2  |       |
| 2                            | 2         | CRP 04                    | NI           | I              |       |       | 44.2 |      |       |
| 3                            | 3         | WHEAT GRAIN<br>HARD RED W | NI           | I              | 84.3  |       |      |      |       |
| 4                            | 4         | CRP 04                    | NI           | I              |       |       | 38.9 | 4.7  |       |
| 5                            | 5         | CRP 04                    | NI           | I              |       |       | 22.7 |      |       |
| 6                            | 6         | WHEAT GRAIN<br>HARD RED W | NI           | I              | 15.0  |       |      |      |       |

|                                                                                                                                                                                                                                                                                                                                              |      |                      |      |                      |      |                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------------|------|----------------------|------|----------------------|
| 19. TOTAL OPERATOR REPORT                                                                                                                                                                                                                                                                                                                    | DATE | OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE |
| 20. TOTAL DETERMINED ACREAGE                                                                                                                                                                                                                                                                                                                 |      |                      |      |                      |      |                      |
| 21. OPERATOR'S CERTIFICATION - I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable. |      |                      |      |                      |      |                      |
| F=Failed Acreage<br>PP=Prevented Planted<br>A=Abandoned Acreage<br>INT=Intended Acreage<br>APPE=After PP or F                                                                                                                                                                                                                                |      |                      |      |                      |      |                      |

1/ IR=Irrigated  
NI=Nonirrigated  
2/ 1=Initial Crop  
DC=Double Crop  
SC=Subsequent Crop

ASCS-578  
(10-02-86)

USDA - ASCS

## REPORT OF ACREAGE

Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data NOTE: will be used to determine eligibility for assistance. Furnishing the data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

PAGE

OF

OTHER FARMS

|                                                        |              |                     |                         |                       |                        |
|--------------------------------------------------------|--------------|---------------------|-------------------------|-----------------------|------------------------|
| 1. FARM NO.<br>1150                                    | 2. TRACT NO. | 3. FARMLAND<br>5605 | 4. PROGRAM YR KEY<br>90 | 5. CROPLAND<br>4578.6 | 6. OTHER FARMS<br>7890 |
| 5. OPERATOR'S ADDRESS<br>BOX 177<br>ROCKLAND, ID 83271 |              |                     |                         |                       |                        |
| 10. PHOTO NO. - LEGAL DESCRIPTION<br>06-13-90          |              |                     |                         |                       |                        |

## 16. CROP OR LAND USE SUMMARY

| TRACT NO. | FIELD NO. | CROP OR LAND USE | PRG-<br>TICS<br>1/2/3/ | CROP STATUS<br>1/2/3/ | WHEAT | BARLEY | ACR | CRP  | CUPCP | CUPAY | KEY | SHARE     |
|-----------|-----------|------------------|------------------------|-----------------------|-------|--------|-----|------|-------|-------|-----|-----------|
| 501       | 12 7      | WHEAT GRAIN      | NI                     | I                     | 103.7 |        |     |      |       |       | 17  | 18<br>DEF |
|           |           | HARD RED W       |                        |                       |       |        |     |      |       |       |     |           |
|           | 8         | CRP 04           | NI                     | I                     |       |        |     | 19.6 |       |       |     | DEF       |
|           | 9         | CRP 04           | NI                     | I                     |       |        |     | 20.0 |       |       |     | DEF       |
|           | 10        | GRASS FORAGE     | NI                     | I                     |       |        |     |      |       | .9    |     | DEF       |
|           | 11        | GRASS FORAGE     | NI                     | I                     |       |        |     |      |       | 3.9   |     | DEF       |
|           | 12        | GRASS FORAGE     | NI                     | I                     |       |        |     |      |       | 7.8   |     | DEF       |
|           | 13        | GRASS GRAZING    | NI                     | I                     |       |        |     |      | 2.0   |       |     | DEF       |
|           | 1         | HAYAL            | IR                     | I                     |       |        |     |      | 6.3   |       |     | DEF       |
|           | 2         | WHEAT GRAIN      | IR                     | I                     | 26.3  |        |     |      |       |       |     | DEF       |
|           |           | HARD RED S       |                        |                       |       |        |     |      |       |       |     |           |

OPERATOR REPORT

TERMINED ACREAGE

CERTIFICATION - I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. I under-

stand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

F=Failed Acreage

PP=Prevented Planted

A=Abandoned Acreage

INT=Intended Acreage

APPF=After PP or F

1/ IR=Irrigated  
NI=Nonirrigated

2/ I=Initial Crop

DC=Double Crop

SC=Subsequent Crop

T10S  
R 31E

185.0

Sand Hollow

(Farola Nelson)

#1372

HEL  
1-  
8.2

HEL  
2-  
44.2

3-  
86.3

35.9

NHEL  
2-  
26.3

NHEL  
5-  
14.5

NHEL  
6-  
12.0

NHEL  
8-  
19.2

4-  
20.0

6118.7

13-  
2.0

Dry Hollow

Vol Field 7 -



111

[illegible]

ACCT NO-- 1871-00000000-2 NAME-- NELSON CAROLD J  
 ACCT ST-- INACTIVE COAPP-  
 CON/DIS-- 10/18/89 *dist* *AA 28 3*  
 ACTIVITY- NONE PENDING CITY-- ROCKLAND ID 83271

DATE 04  
 ID

\*\*\*\*\* METER BILLING INFORMATION \*\*\*\*\*  
 METER NO S TYP D PH F-SCL CONST INS/RM/CHG CURR PREV RT-ANNIV RTE SEQ RC  
 390690139 D 5 5 3 9.6 00040 11/08/89 00000 53445 10/89 81 0310 5

|    | MRC | RCC | READ     | DAYS | DEN-KW | BLC-KW | ENERGY-KWH | BILL AMT |
|----|-----|-----|----------|------|--------|--------|------------|----------|
| 01 |     | 0   | 10/18/00 | 28   | 0      | 0      | 0          | 14.00    |
| 02 |     | 0   | 09/20/00 | 30   | 0      | 0      | 0          | 15.00    |
| 03 |     | 0   | 08/21/00 | 27   | 128    | 0      | 6,240      | 477.40   |
| 04 |     | 0   | 07/25/00 | 00   | 0      | 0      | 0          | 0.00     |
| 05 |     | A   | 11/02/00 | 12   | 0      | 0      | 0          | 6.00     |
| 06 |     | A   | 10/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 07 |     | A   | 09/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 08 |     | A   | 08/22/00 | 30   | 0      | 0      | 0          | 15.00    |
| 09 |     | A   | 07/21/00 | 30   | 0      | 0      | 0          | 15.00    |
| 10 |     | A   | 06/21/00 | 30   | 112    | 0      | 2,360      | 344.70   |
| 11 |     | A   | 05/20/00 | 30   | 0      | 0      | 0          | 15.00    |
| 12 |     | A   | 04/21/00 | 00   | 0      | 0      | 0          | 0.00     |
| 13 |     | A   | 04/21/00 | 00   | 0      | 0      | 0          | 0.00     |

ENTER TRAN CODE \_\_\_\_\_ OR NEW NAME/ACCT NO

MICROFILM  
 JUN 25 1996

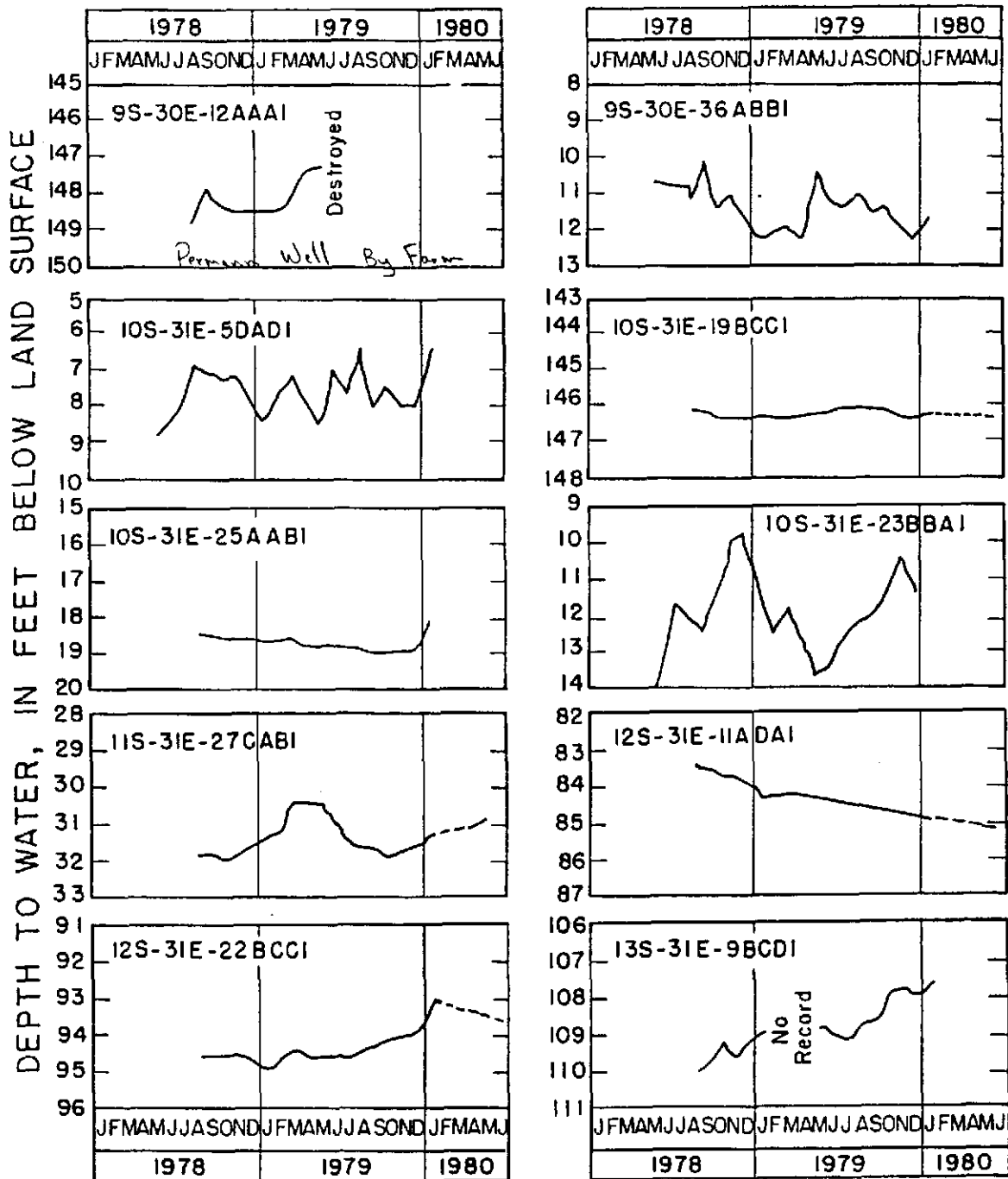


Figure 14. -- Ground-water levels in selected wells.

WORLD FILMS  
JUL 23 1988

*Timothy Deeg*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

April 7, 1997

PHILIP E. BATT  
GOVERNOR

Kathleen Barkdull, Secretary  
Warm Creek Irrigation Company  
3202 Hedstrom Lane  
American Falls, Idaho 83211

KARL J. DREHER  
DIRECTOR

**REFERENCE: Deeg Well Concerns**

Dear Ms. Barkdull,

Thank you for your letter dated March 26, 1997 inquiring about our findings relative to the down-hole camera and temperature logging conducted on the well located in SWSE, Section 6, T9S, R31E, B.M. The well was logged with the video and temperature probe to determine if Low Temperature Geothermal water existed at the bottom of the hole and to observe the extent of commingling of shallow cool waters with the deeper, warm water believed to be present. Idaho Code 42-233 defines Low Temperature Geothermal water resources as having a water temperature of 85-212 degrees F and requires such water to be used principally for heat value. Department Rules require that waters of unlike quality, pressure or temperature to not be commingled if such commingling would constitute a waste or cause contamination of the water resources.

The video camera showed a small amount of water dripping into the hole at about 261 feet and at 298 feet about 5-10 gpm was observed running down the slotted liner. Static water was found at 458 feet. The temperature probe measured the bottom hole temperature at 60.76 degrees F. Therefore, the department determined the well was not commingling cold water with Low Temperature Geothermal water resources and that use of the water was not in violation to Idaho Code 42-233. The Department further determined that reconstruction of the well is not necessary.

Concerning your question related to the measuring device, this is part of the field examination which the Department will conduct prior to issuance of the license for water right 41-07076.

The Department is not authorizing further drilling under this water right.

I hope this information is helpful to you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mark Slifka'.

Mark Slifka

MICROFILMED

JUN 25 1998

cc: Allen Merritt  
*Timothy Deeg*





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 21, 1997

Mr. Timothy P. Deeg  
2957 Deeg Road  
American Falls, Idaho 83211

REFERENCE: DP# 41-92-S-002/WR# 41-07081

Dear Mr. Deeg,

Thank you for cooperating with the Department in the logging of your well. The Department ran a video camera and a temperature probe in your well on February 18, 1997. The results of the camera work and temperature logging provided no indication of the presence of Low Temperature Geothermal (85-212 degrees F) waters in your well. Therefore, it does not appear that the shallower aquifers are entering any thermal systems through your well.

This satisfies the Department's concern relating to the well construction described in the Stipulation and Order for Dismissal signed in March 1995.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mark Slifka'.

Mark Slifka, Manager  
Ground Water Protection

cc: Kent W. Foster

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JUN 25 1998

3a

Combined  
Reconnaissance and Project Survey  
LITTLE CREEK IRRIGATION COMPANY  
POWER SCD

Class F. Group Enterprise

Name and Location

This project will be known as the Little Creek Irrigation Company. It is located in Sections 14, 23, 25, 26 and 36, Township 8 South, Range 30 East, which is within the Power Soil Conservation District. It is about 8 miles southwest of the town of American Falls, Idaho, near the community of Neeley. The location is sketched on the attached district map.

Origin of the Request

The request was made by the farmers through the Power Soil Conservation District for technical assistance from the Soil Conservation Service. The group has also made application to the Power ASC office for cost sharing assistance on the group project.

This is an unorganized group which has combined their efforts voluntarily for a solution of their mutual problem and have no funds owned jointly by the group.

This group consists of four landowners, Mr. A. W. Isaak, Mr. William Isaak, Mr. Harold Isaak, and Mr. A. R. Krammer.

The owners will share the cost involved in this enterprise on the basis of the shares of water received by each.

A share of water is described as the full stream for 24 hours due to the fact that, as the summer progresses, the stream diminishes slightly. At the beginning of the irrigation season, the flow diverted from the creek is approximately 100 inches. Towards the end of the irrigation season it is approximately 70 inches of water.

The shares of water owned by each individual and the cost involved in the group enterprise are as follows:

| <u>Cooperator</u> | <u>Shares of Water</u> | <u>% of costs</u> |
|-------------------|------------------------|-------------------|
| A. W. Isaak       | 3                      | 25%               |
| Harold Isaak      | 2-3/4                  | 23%               |
| William Isaak     | 3                      | 25%               |
| A. R. Drammer     | 3-1/4                  | 27%               |
|                   | <hr/> 12 shares        | <hr/> 100%        |

All the farmers show considerable interest in the improvement of the canal and are financially able to pay their share of improvement costs encountered in this group enterprise.

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JUN 25 1998

### District Board

The application for technical assistance was reviewed and approved by the Board of Supervisors of the Power Soil Conservation District at their regular meeting held May 6, 1957.

### Description of the Problem

The present canal diverts water from Little Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 36, T8S, R30E and carries it through a system of ditches about four miles long to the approximately 125 acres of land irrigated. (See the location map.)

The upper end of the canal crosses an area characterized by steep slopes and irregular topography. Leaks from rodent burrows, cracking or sloughing of bank result in ditch washouts that are hard to repair. Silt deposits from erosion of dry farmed lands above the ditch also cause washouts.

Some parts of the ditch are on erosive grades and the ditch has deepened and meanders through these sections.

The farmer group wants to construct an inverted siphon at the location shown in Section 25 to eliminate a long gooseneck which fills up with silt in spring runoffs and is a constant source of trouble from leakage. They also want to construct a pipeline in a deep cut trench to eliminate the loop above the proposed siphon. About 700 feet of pipe in the pipeline and siphon would replace about 2,000 feet of ditch which the group thinks is leaking excessively.

### Previous Investigation and Reports

In September of 1952, A. R. Bevan, engineering aid, made water measurements on the creek and canal. The measurements were apparently made with a portable weir although no mention of the method of measurement was made. The loss amounted to .44 cfs, or 22 miners inches, - or 14 $\frac{1}{2}$  percent of the flow at that time. Of this loss, 63 percent, or .28 cfs, or 14 miners inches was lost in a section  $\frac{3}{4}$  miles long immediately above the diversion structure on the creek.

### Relation of Problem to SCD Program

This problem is related to the district program of proper use of our soil and water resources.

Conservation practices needed to obtain irrigation water management on the four farms are:

Land Leveling  
Improved water application

Irrigation Reservoirs  
Ditch Construction  
Crop Rotation

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JUN 25 1993

Relation of Problem to SCD Program (cont)

A safer ditch with a more stable water supply will result from the construction of the project. It may increase the rate of application of needed conservation practices by showing the benefits to be secured by one practice installed.

Annual Plan of Operations

This group enterprise was not included in the Annual Plan of Operations for the Power Soil Conservation District.

Technical Time Needed

|                   |                                      |
|-------------------|--------------------------------------|
| Surveys           | 1/2 day Aid                          |
| Planning          | 1 day, each, GS-7 and GS-9 Engineers |
| Design            |                                      |
| Reports           |                                      |
| Construction Plan |                                      |
| Construction      | 1 day GS-7 Engineer                  |

Feasibility

The project is considered feasible and practical

Job Classification

The project will be in the "F" classification for work approvals.

Organization to Operate Facility

The organization to operate the facility is an unorganized group of four farmers having about 125 acres under irrigation. They are financially able to construct the facility.

Physical Data

The land irrigated is in capability Classes II, III and IV. Only portions of each landowner's acreage is irrigated. Location of lands irrigated can be shifted to practically eliminate the steeper, irregular sloping land in Class IV.

Precipitation at American Falls amounts to about 13 inches annually, with about 3.5 inches falling in the five-months period May 1 to September 30. The water requirement of alfalfa is 17 inches, small grains 14 inches and beets and potatoes 15 inches. No stream flow data is available on the creek, but it is a perennial stream varying from 1.0 to 2.0 cfs during the irrigation season.

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JUN 25 1968



Physical Data (cont)

A small overnight storage reservoir is located on the A. W. Izaak farm in the NE $\frac{1}{4}$ , Section 26. No good long-time storage sites are available on the stream. No drainage problems are anticipated.

Prepared by: A.C. Radfield W.U.C. Date 3/24/58  
Work Unit Conservationist

Technical Approval: Paul G. King Date 3-21-58  
Engineer

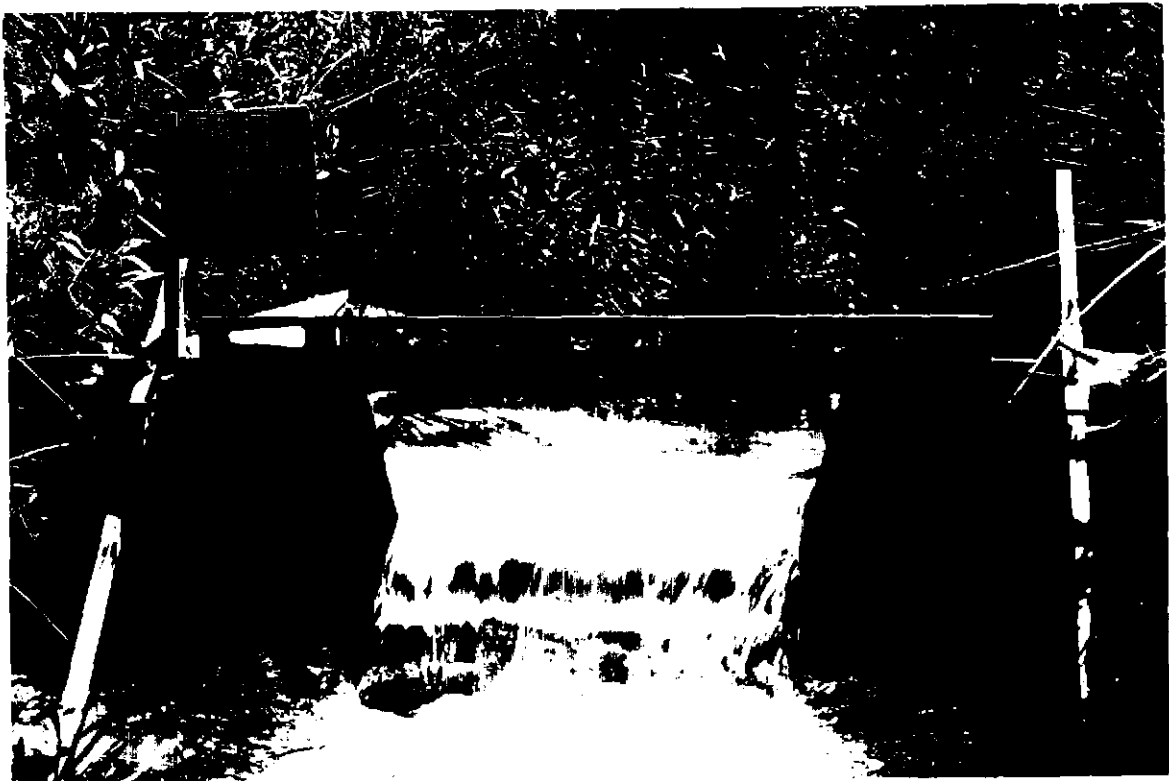
Administrative Approval A.C. Radfield Date 5/24/58  
Work Unit Conservst.

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JUN 25 1958



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JUN 25 1998



MICROFILMED

JUN 25 1988

FROM: Allen Merritt

DATE: December 19, 1997

TO: Deeg Protested Transfer

SUBJECT: Phone conversation with Kathleen Barkdull

I returned a phone call to Mrs. Barkdull and she indicated that she talked to the former owner of the water right, Mr. Nelson, and he indicated that the well had not been used for more than five years and the land was only put in CRP this year. It was also in CRP in around 1992.

She was wondering with this information do we have to have a hearing. I told her that usually that type of information to properly be presented to the department in this case would be at a hearing and that they should document these statements and provide copies to the applicant's attorney.

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JUN 25 1998



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION  
FOR TRANSFER NO. 5120

---

TIMOTHY P. DEEG,        Applicant  
WARM CREEK IRRIGATION CO.,  
HAROLD & STEVE ISAAK,  
                         Protestants

---

)  
)  
)        NOTICE OF HEARING  
)  
)  
)

)        SOURCE:    groundwater  
)  
)

)        COUNTY:    Power  
)  
)

On May 29, 1997-Timothy P. Deeg (applicant) filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. The Department has received protests against the approval of said application from the above captioned protestants.

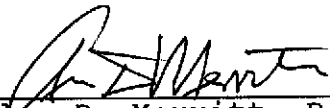
The Conference held on December 11, 1997 did not resolved the protest; THEREFORE, The Department has scheduled the matter for hearing on **Tuesday- February 3, 1998 at 10:00 a.m. in the American Falls City Hall Council Chambers, 550 North Oregon Trail Street.** The hearing will be held in accordance 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 department upon request. The presiding officer at the hearing will be L. Glen Saxton.

IT IS FURTHER NOTED, in accordance with IDAPA Rule of Procedure 37.01.01606, all parties have agreed to exchange witness lists and copies of documents that may be offered as exhibits to each party and to the presiding officer on or before January 5, 1998.

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 15th day of December, 1997.

  
\_\_\_\_\_  
Allen D. Merritt, P.E.  
Southern Region Manager

MICROFILMED

JUN 25 1998

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of December, 1997, a true and correct copy of the foregoing Notice of Hearing was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin  
Secretary

TIMOTHY P DEEG  
2597 DEEG ROAD  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular \_\_\_\_\_  
U.S. Mail-Certified   x    
Fax \_\_\_\_\_

HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CR RD  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular \_\_\_\_\_  
U.S. Mail-Certified   x    
Fax \_\_\_\_\_

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LANE  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular \_\_\_\_\_  
U.S. Mail-Certified   x    
Fax \_\_\_\_\_

KENT FOSTER ESQ  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular \_\_\_\_\_  
U.S. Mail-Certified   x    
Fax \_\_\_\_\_

MICROFILMED

JUN 25 1998

## CONFERENCE AND HEARING PROCEDURE

### APPLICATION FOR TRANSFER ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?
2. Will the proposed transfer constitute an enlargement in the use of the original right?
3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
4. 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 for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of 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.

### CONFERENCE

The purpose of a pre-hearing 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 or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

### HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon 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 by 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 the 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. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

### EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

### 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 (10) days prior to the hearing.

MICROFILMED

JUN 25 1998

Is your RETL - ADDRESS complete? If not, on the front of the mailpiece, attach this form to the front of the mailpiece, or on the back if space does not permit.

# SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete item 3 and 4a & b.
- 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: **TR # 5120**

4a. Article Number

**1754**

**HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CR RD  
AMERICAN FALLS ID 83211**

4b. Service Type

- |                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

**12-16-97**

5. Signature (Addressee)

*Steve W. Isak*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

**STEVE W. ISAAK**

**JUN 25 1998**

Thank you for using Return Receipt Service.



UNITED STATES POSTAL SERVICE



Official Business

RECEIVED  
JUN 25 1998  
DEPT OF WATER RESOURCES  
TWIN FALLS, ID

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS, ID 83301-3380

Is your RETURN ADDRESS completed on the reverse? If not, please complete it.

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- 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.
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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: *TR# 5120*

4a. Article Number *1753*

- 4b. Service Type
- |                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery *MICROFILMED 12-16-97*

5. Signature (Addressee) *Timothy P. Deeg* **JUN 25 1998**

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent) *Timothy P. Deeg*

PS Form 3811, December 1991

★U.S. GPO: 1993-352-714

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



DEC 12 1995  
861 525  
MICROFILMED  
Department of  
South

Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS, ID 83301-3380

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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: *TR # 5120*

4a. Article Number

*1756*

KENT FOSTER ESQ  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

*MICROFILM 2016-97*

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

*TERI HOOPS*  
*TERI HOOPS*  
**JUN 25 1998**



UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



RECEIVED

DEC 17 1997

Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS, ID 83301-3380

Is your RETURN ADDRESS complete? on the back of the mailpiece.

**SENDER:**

- Complete item 1 and/or 2 for additional services.
- Complete item 3 and 4a & b.
- 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.
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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: *TR# 5120*

4a. Article Number

*1755*

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LANE  
AMERICAN FALLS ID 83211

4b. Service Type

- |                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

*12-16-97*

5. Signature (Addressee)

MICROFILM

*CARL BARKDULL*

6. Signature (Agent)

*Carl Barkdull*

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE

Official Business  
JUN 25 1998  
MICROFILMED  
DEC 1997



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Department of Water Resources  
Southern Region

Print your name, address and ZIP Code here

IDAHO DEPARTMENT OF WATER RESOURCES  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS, ID 83301-3380

NAME AND ADDRESS OF SENDER

Indicate type of mail  
☐ Registered  
☐ Insured  
☐ COD  
☐ Certified

Name of Addressee, Street, and Post-Office Address

Check appropriate block for Registered Mail:  
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PS Form 3877, Feb. 1982

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|-----------------------------------------|-------------------|------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------|-----|---------------------------|----------------------|---------------|------------------------------------------------------------------------|
| 1                                       | 1743              | Kevin Trainor ESQ cont.                                                                                    |                                                                                                                                                                        |                                          | .32                                          | .35 | 1.10                      | 2.77                 |               |                                                                        |
| 2                                       | 1744 (6)          | Roger Jones<br>Kodimc Drilling<br>Winston IN 46046<br>Re: TR # 5098 (36.07460) 11/24/97<br>Gary Storey ADM |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 3                                       | 1745              |                                                                                                            |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 4                                       | 1746              |                                                                                                            |                                                                                                                                                                        |                                          | 32                                           | 135 | 110                       | 277                  |               |                                                                        |
| 5                                       | 1747              |                                                                                                            |                                                                                                                                                                        |                                          | .32                                          | .35 | 1.10                      | 2.77                 |               |                                                                        |
| 6                                       | 1748              | Douglas Albright                                                                                           |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 7                                       | 1749              | Carl Pendleton                                                                                             |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 8                                       | 1750              | Fred Hechler                                                                                               |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 9                                       | 1751 (6)          | Ed Sheer                                                                                                   |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 10                                      | 1752              | Lawrence Tene                                                                                              |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 11                                      | 1753              | Charlie Lambner ADM<br>Re: TR 514801 2/4/97                                                                |                                                                                                                                                                        |                                          | .32                                          | .35 | 1.10                      | 2.77                 |               |                                                                        |
| 12                                      | 1754              | Timothy P. Adeg ADM<br>Re: TR 51597                                                                        |                                                                                                                                                                        |                                          | .32                                          | .35 | 1.10                      | 2.77                 |               |                                                                        |
| 13                                      | 1755              | Harold Leach<br>Re: TR 5120                                                                                |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 14                                      | 1756 (4)          | Warm Creek Inv. Co.                                                                                        |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| 15                                      | 1757              | Kent Foster ESQ                                                                                            |                                                                                                                                                                        |                                          |                                              |     |                           |                      |               |                                                                        |
| Total Number of Pieces Listed by Sender |                   | Total Number of Pieces Received at Post Office                                                             |                                                                                                                                                                        |                                          | POSTMASTER, PER (Name of receiving employee) |     |                           |                      |               |                                                                        |

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

---

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

December 15, 1997

CAROL GILTSON CLERK  
AMERICAN FALLS CITY HALL  
550 N OREGON TRAIL ST  
AMERICAN FALLS ID 83211

Dear Ms. Giltson:

This is a follow-up to our telephone conversation of this date to confirm the reservation of the Council Chambers for a hearing to be held by this office on **Tuesday-February 3, 1998** from 9:00 a.m.- 5:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin  
Senior Secretary

MICROFILMED

JUN 25 1998

FROM: Allen Merritt

DATE: December 11, 1997

TO: Glen Saxton & Mary Baldwin

SUBJECT: Deeg Transfer #5120 Pre-hearing conference

On this day I conducted a pre-hearing conference in this matter in American Falls. The conference was scheduled to be at the library but it was locked and nobody showed up to let us in. We moved the meeting to City Hall.

All parties were present. The applicant was represented by Attorney Kent Foster, the protestants did not have an attorney.

Mr. Deeg represented that he just wanted to move acres to his site and would not pump at a rate larger than the recent measurement of his well during licensing of other rights found (around 6.68 cfs).

I discussed the issues with the protestants and narrowed them to potential injury and possible enlargement (forfeiture). The Warm Creek folks have been keeping records since the last Deeg hearing and they continue to notice affect on their water rights. They suspect another well other that Deeg may be the main cause but think Deegs may have some to do with it and fear continued degradation of their rights. We discussed making a call on other junior right holders as a separate process. Part of the protestants feared that if they didn't protest now they couldn't do anything later.

No resolution of the matter was found although the parties seemed closer together and indicated that they would continue to discuss the issues. They all decided to set a hearing and it was agreed to have it Tuesday, February 3rd, 1998. It was also agreed to exchange witness lists and copies of documents that may be offered as exhibits on or before January 5th. I told them I would send notice of the hearing and would set it in American Falls.

After the meeting I looked at a room at the Amalgamated Sugar that was offered but it is too small. I talked with the City Hall people and they said we might reserve it at no cost but I did not reserve it. I went to the library and found that we need to pick up a key the day before if we start in the morning. They don't open until noon. I suggest we reserve the City Hall but we need to find out if they have tables we could set up; there was only one in the room other than the raised commissioner's table.

MICROFILMED

JUN 25 1998

RE: TR# 5120 WR# 41-07034 (Timothy P. Deeg)  
Council City Hall  
PLACE: ~~Community Rm-American Falls Public Library;~~  
American Falls, ID  
DATE: 10:00 a.m., Thursday-December 11, 1997  
CONFERENCE OFFICER: Allen D. Merritt  
ASSISTED BY:

## ROSTER OF ATTENDANCE

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION  
FOR TRANSFER NO. 5120

TIMOTHY P. DEEG,        Applicant  
WARM CREEK IRRIGATION CO.,  
HAROLD & STEVE ISAAK,  
                         Protestants

)  
)  
)        NOTICE OF  
PRE-HEARING CONFERENCE

)  
)        SOURCE:    groundwater

)  
)        COUNTY:    Power  
)

On May 29, 1997-Timothy P. Deeg (applicant) filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. The Department has received protests against the approval of said application from the above captioned protestants.

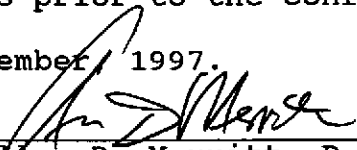
The Department has set the matter of protest for conference on **Thursday-December 11, 1997** at 10:00 a.m. in the Community Room, American Falls Public Library, 308 Roosevelt Street; American Falls, ID.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

The conference 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 conference, please advise the department within (10) days prior to the conference.

Dated this 24th day of November 1997.

  
Allen D. Merritt, P.E.  
Regional Manager

MICROFILMED  
JUN 25 1998



CERTIFICATE OF MAILING

I hereby certify that on the 24th day of November, 1997, a true and correct copy of the foregoing Notice of Pre-Hearing Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin  
Secretary

TIMOTHY P DEEG  
2597 DEEG ROAD  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular   x    
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CR RD  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular   x    
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LANE  
AMERICAN FALLS ID 83211

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular   x    
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

KENT FOSTER ESQ  
HOLDEN KIDWELL HAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405

Hand delivered \_\_\_\_\_  
U.S. Mail-Regular   x    
U.S. Mail-Certified \_\_\_\_\_  
Fax \_\_\_\_\_

MICROFILMED

JUN 25 1998

11/4/97

Dees

226-5588

220-5588 mobile

Will call back Friday with dates 202/66

Iszek

226-5742

Left message.

Wm CK

226-5817

Kathleen Burkhardt

Spk Don Zervin, 226-2013

She will call back tomorrow morning.

11/4/97

Any dr in Doc OK  
per phone call from Burkhardt.

11/19/97

K L Foster avail  
12/10-12

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JUN 25 1998



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

November 24, 1997

ATTENTION EILEEN  
AMERICAN FALLS PUBLIC LIBRARY  
308 ROOSEVELT STREET  
AMERICAN FALLS ID 83211

Dear Eileen:

This is a follow-up to our telephone conversation on this date to confirm the reservation of the Community Room for a meeting to be held by this office on **Thursday-December 11, 1997** from 10:00 a.m.- 12:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

*Mary Baldwin*

Mary Baldwin  
Senior Secretary

MICROFILMED

JUN 25 1998

T#5120

WATER RIGHT NO.

41-07034

**MICROFILMED**

JUN 25 1968



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 7, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

NORMAN M SEMANKO ESQ  
ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
TWIN FALLS ID 83303-1906

RE: Application for Transfer No. 5120 (41-07034-Timothy P. Deeg)

Dear Mr. Semanko:

This office acknowledges receipt of a withdrawal of the protest against the above referenced application on behalf of the Twin Falls Canal Company and North Side Canal Company.

Since there were multiple protestants, the concerns of the other protestants will need to be addressed by the Department before final processing of the application can be completed.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

cc: Timothy P. Deeg

MICROFILMED

JUN 25 1998



RECEIVED

OCT 02 1997

Department of Water Resources  
Eastern Region

Norman M. Semanko  
ROSHOLT, ROBERTSON & TUCKER  
P.O. Box 1906  
Twin Falls, ID 83303-1906  
Telephone: 208-734-0700  
Fax: 208-736-0041  
10019701.NMS/bh

RECEIVED

OCT 07 1997

Department of Water Resources  
Southern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF  
LICENSE NO. 41-07034  
and Transfer No. 5120  
Applicant: Timothy P. Deeg

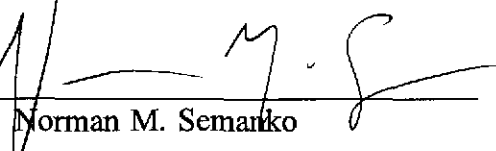
NOTICE OF WITHDRAWAL  
OF PROTEST

Twin Falls Canal Company and North Side Canal Company, by and through their attorneys, Rosholt, Robertson & Tucker, hereby withdraw their Notice of Protest with regard to License No. 41-07034 and Transfer No. 5120 which was filed with the Department on September 8, 1997.

SUBMITTED this 1st day of October, 1997.

ROSHOLT, ROBERTSON & TUCKER

By:

  
Norman M. Semanko

MICROFILMED

JUN 25 1998

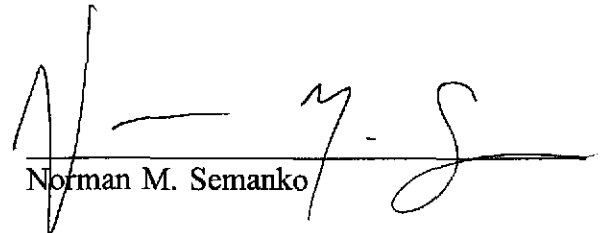
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CERTIFICATE OF MAILING

I hereby certify that on this 1st day of October, 1997, I served a copy of the foregoing  
NOTICE OF WITHDRAWAL OF PROTEST, by depositing same in the United States mail,  
postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources  
Eastern Regional Office  
900 N. Skyline  
Idaho Falls, ID 83401-3653

Timothy P. Deeg  
2597 Deeg Road  
American Falls, ID 83211

  
Norman M. Semanko

MICROFILMED

JUN 25 1998

MAILING LIST FOR TR# 5120, 41-07034 Timothy P. Deeg

Applicant:

TIMOTHY P DEEG  
2597 DEEG ROAD  
AMERICAN FALLS ID 83211

226-5588

Protestants:

HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CR RD  
AMERICAN FALLS ID 83211

226-5742

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LANE  
AMERICAN FALLS ID 83211

226-5817

~~TWIN FALLS CANAL COMPANY &  
NORTH SIDE CANAL CO~~

~~Legal Counsel for TFCC & NSCC-~~

~~NORMAN M SEMANKO  
ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
TWIN FALLS ID 83303-1906~~

*Withdrawn  
10/7/97*

MICROFILMED

JUN 25 1998



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 11, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

TIMOTHY P DEEG  
2597 DEEG ROAD  
AMERICAN FALLS ID 83211

RE: APPLICATION FOR TRANSFER NO. 5120 (41-07034)

Dear Mr. Deeg:

Enclosed are copies of protests filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

Enclosure(s)

MICROFILMED  
JUN 25 1998



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**  
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380  
Phone: (208) 736-3033 FAX: (208) 736-3037

September 11, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

NORMAN M SEMANKO  
ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
TWIN FALLS ID 83303-1906

RE: APPLICATION FOR TRANSFER NO. 5120, (41-07034: Timothy P. Deeg)

Dear Mr. Semanko:

The protest against the approval of the above referenced application filed on behalf of the Twin Falls Canal Company and the North Side Canal Company has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

Enclosure(s)

MICROFILMED

JUN 25 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 11, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

KATHLEEN BARKDULL SECRETARY  
WARM CREEK IRRIGATION CO  
3202 HEDSTROM LANE  
AMERICAN FALLS ID 83211

RE: APPLICATION FOR TRANSFER NO. 5120, (41-07034: Timothy P. Deeg)

Dear Protestant(s):

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

Enclosure(s)

MICROFILMED

JUN 25 1998



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 11, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

HAROLD ISAAK &  
STEVE ISAAK  
3315 ROCK CR RD  
AMERICAN FALLS ID 83211

RE: APPLICATION FOR TRANSFER NO. 5120, (41-07034: Timothy P. Deeg)

Dear Protestant(s):

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.  
Southern Region Manager

AM:MB

Enclosure(s)

MICROFILM

JUN 25 1998

1  
2 Norman M. Semanko  
3 ROSHOLT, ROBERTSON & TUCKER  
4 P. O. Box 1906  
5 Twin Falls, Idaho 83703-1906  
6 Telephone: (208) 734-0700  
7 09089701.NMS/bh

RECEIVED  
SEP 08 1997  
Department of Water Resources  
Southern Region

8  
9 BEFORE THE DEPARTMENT OF WATER RESOURCES  
10 OF THE STATE OF IDAHO  
11

12  
13 IN THE MATTER OF )  
14 )  
15 APPLICATION FOR TRANSFER )  
16 NUMBER 5120; )  
17 APPLICANT: )  
TIMOTHY P. DEEG )  
\_\_\_\_\_ )

NOTICE OF PROTEST

18 \*\*\*\*\*

19 TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY  
20 (hereinafter the "Companies"), by and through their attorneys, Rosholt, Robertson & Tucker,  
21 file their Notice of Protest to the approval of the above-numbered Application for Transfer filed  
22 by Timothy P. Deeg. The basis for the Protestants' protest is as follows:  
23

24 1. The application filed by the applicant seeks to divert non-trust groundwaters that  
25 are tributary to the flow of the Snake River above Milner Dam; and  
26

MICROFILM

JUN 25 1998

NOTICE OF PROTEST - 1

Receipt # 50 20549  
4/8/97  
MB

2. The proposed diversion and use of the waters described in the aforesaid application may violate all or portions of the criteria set forth in Idaho Code Sections 42-108, 42-203A(5) and 42-222(1); and

3. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 8th day of September 1997.

ROSHOLT, ROBERTSON &amp; TUCKER

By: Norman M. Semanko

## CERTIFICATE OF MAILING

I hereby certify that on this 8th day of September, 1997, I served a copy of the foregoing NOTICE OF PROTEST, by hand delivery or by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

**Idaho Department of Water Resources  
Eastern Regional Office  
900 N. Skyline  
Idaho Falls, ID 83401-3653**

by U.S. Mail

Timothy P. Deeg  
2597 Deeg Road  
American Falls, ID 83211

by U.S. Mail

Norman M. Semanko

MICROFILMED:

JUN 25 1978

SEP 02 1997

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF PROTEST

Department of Water Resources  
Southern Region

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Transfer of permit # 41-07034 from 7 UD Ranches, Inc to Timothy Deeg, NO. T5120
2. Name of protestant Warm Creek Irrigation Co.
3. Protestant's representative for service (If different than protestant)  
Kathleen Barkdull, secretary
4. Service mailing address 3202 Hedstrom Lane Am Falls, ID 83211
5. Service telephone no. 208-226-5817
6. Basis of protest (including statement of facts and law upon which the protest is based)  
Transfer will injure existing water rights  
Transfer will enlarge right sought to be transferred  
Transfer is not in local public interest.  
Water right transferred from Rock Creek drainage 12 miles  
Water will be taken from Little Cold & Warm Creek drainage  
(additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? Show proof that underground water isn't coming from Little Creek, Cold Creek, Warm Creek drainage and will not affect Warm Creek Irrigation Co. water users.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 28 day of August, 19 97

Warm Creek Irrigation Co.  
PROTESTANT

Kathleen Barkdull, secretary  
PROTESTANT'S REPRESENTATIVE

MICROFILMED

JUN 25 1998



**NOTE:**

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

**INSTRUCTIONS**

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. \_\_\_\_\_ in the name of \_\_\_\_\_" or "Application for Transfer No. \_\_\_\_\_ in the name of \_\_\_\_\_".

2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If the protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.

3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.

4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.

5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.

6. Specifically describe the nature of the protest.

7. Describe the relief being sought by the protestant.

**FOR DEPARTMENT USE ONLY**

Received by MB Date 9/2/97 Time 11:00 am  
\$25.00 fee Received by MB # 5020528 Date 9/2/97

MICROFILMED  
JUN 23 1998

SEP 02 1997

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF PROTEST

Department of Water Resources  
Southern Region

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested NOT 5120 Transfer T-110 Ranches Inc  
to Ernst Germann and Jim Deeg
2. Name of protestant Harold & Steve Isaac
3. Protestant's representative for service (If different than protestant)  
\_\_\_\_\_
4. Service mailing address 3315 Rock Cr. Rd. Am. Falls, Id. 83211
5. Service telephone no. 208-226-5742
6. Basis of protest (including statement of facts and law upon which the protest is based)  
Transfer will injure existing water right  
Transfer will enlarge right sought to be transferred  
Transfer is not in local public interest  
Water transfer is not in Warm Creek Cold Creek Potlatch Creek but  
comes from Rock Creek drainage 12 miles south  
(additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 28 day of August, 1997.

Harold W. Isaac  
PROTESTANT

PROTESTANT'S REPRESENTATIVE

MICROFILMED  
JUN 25 1998

**NOTE:**

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

---

**INSTRUCTIONS**

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. \_\_\_\_\_ in the name of \_\_\_\_\_" or "Application for Transfer No. \_\_\_\_\_ in the name of \_\_\_\_\_."
2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

---

**FOR DEPARTMENT USE ONLY**

Received by MB Date 9/2/97 Time 11:00 am  
\$25.00 fee Receipted by MB # 3020527 Date 9/2/97

MICROFILMED  
JUN 25 1998

## IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Timothy L. Hugg

TRANSFER NO.

5120

1. Right number(s)

41-0-1034

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim  
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☐ Add P/D ☒ Change P/U  
☐ Change N/U ☐ Change Source ☐ Split Right  
☐ Other: \_\_\_\_\_

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose  
☒ Period ☒ SRBA Claim  
☒ Description of original point(s) of diversion  
☒ Description of original place of use  
☒ Overlapping rights on original place of use

Comments:

2 permits awaiting licensing need to be finalized prior to approval of transfer

5. Check Proposed Right for amount of land &/or water transferred:

- ☒ Also see attached memo for more analysis information
- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: SEE MEMO TO FILE

BEFORE TRANSFER ATTACHED AGREEMENT LEASE AFTER TRANSFER DEEDS

- i. ✓ Existing rights from same source, on land water is being transferred to; right number(s):

SEE" MEMO TO FILE"

- j. ✓ SRBA claim(s) - Comments (**NOTE!** Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

- k. \_\_\_\_\_ Comment letters \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes \_\_\_\_\_ Water District #  
\_\_\_\_\_ Lienholder, others, see #2  
\_\_\_\_\_ below for name and address

INITIAL ALLOCATION REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_  
 SRBA SUPERVISOR REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_  
 PUBLICATION REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_

1. Legal Notice electronically sent to DWR03::VAULT

☒ Yes @ 9:15 on 8/12/97

- ## 2. COMMENT LETTERS

Watermaster recommendation requested on \_\_\_\_\_, Received on \_\_\_\_\_

**Other comments letters - send to the following name(s) & address(es):**

3. Transfer published correctly?           \_\_\_ Yes     \_\_\_ No
4. Affidavit of publication received?       \_\_\_ Yes     \_\_\_ No
5. Protests received?     \_\_\_ Yes     \_\_\_ No;     Acknowledgement sent?     \_\_\_ Yes
6. Copies made for Region file (see attached supplemental page)?           Yes

### RECOMMENDED ACTION

1.        Approve
2.        Deny due to

3. Conditions (special conditions in Water Districts) \_\_\_\_\_

Also see attached memo for recommendation dated:

4. By \_\_\_\_\_ Date \_\_\_\_\_



## Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the editor and co-publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 20 day of August 1997 and the date of the last publication being the 27 day of August 1997.

Signed

Brett Crompton

State of Idaho

County of Power

On this 28 day of August in the year of 1997, before me, a Notary Public, personally appeared Brett Crompton, 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 he executed the same.

Dolly Morris  
Notary Public for Idaho  
Residing at American Falls, Idaho  
My commission expires: January 21, 2003

RECEIVED

SEP 05 1997

Water Resources  
Southern Region

## Notice of proposed water right change

Published in The Power County Press

Aug. 20, 27, 1997.

### NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. TW5120

Notice is hereby given that TIMOTHY P. DEEG, 2597 DEEG ROAD, AMERICAN FALLS ID 83211 has applied to the Department of Water Resources for changes to a water right. The purpose of Transfer No. 5120 is to change point of diversion and place of use for a Licensed water right for the duration of a water lease.

PRESENTLY, Licensed Water Right No. 41-07034 (1.82 cfs) with a priority date of 4/7/1978 is diverted from groundwater within SE1/4NW1/4, S28, T10S, R31E; Power County for irrigation of 91 acres within parts of the N1/2, S28, T10S, R31E; Power County.

### PROPOSED CHANGES

The applicant wishes to divert 1.82 cfs of water within SW1/4SE1/4, S06, T09S, R31E; Power County to irrigate 91 acres within parts of the S1/2, S12, T09S, R30E; Power County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 8, 1997 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

RECEIVED

SEP 05 1997

Department of Water Resources  
Southern Region

THE POWER COUNTY PRESS  
P.O. BOX 547  
174 IDAHO ST.  
AMERICAN FALLS, ID. 83211

DEPARTMENT OF WATER  
1341 FILLMORE  
SUITE 200  
TWIN FALLS, ID. 83301

STATEMENT DATE:  
ACCOUNT NUMBER:

08/31/97  
DEPTWATE

STATEMENT OF ACCOUNT  
=====

08/01/97  
08/27/97  
08/27/97

OPENING BALANCE  
LGL: TIM DEES  
AFFIDAVIT

T # 5120  
41 - 07034

CHARGES

45.10  
5.00

PAYMENTS

\$

BALANCE  
0.00  
45.10  
50.10  
50.10

AMOUNT DUE:

\$

OK  
MB  
9/5/97

CURRENT

31 - 60 DAYS  
61 - 90 DAYS  
90 + DAYS

TOTAL DUE

50.10  
0.00  
0.00  
0.00  
50.10

We appreciate your business.

MICROFILMED  
JUN 25 1998

**NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the Power County Press on  
8/20 & 8/27/97.

MICROFILMED

JUN 25 1998



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 12, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

POWER COUNTY PRESS  
174 IDAHO STREET  
AMERICAN FALLS ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

**If you cannot publish the notice on the proposed dates, please contact us immediately.**

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin  
Sr. Secretary

Enclosure

MICROFILMED  
JUN 25 1998

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
No. T# 5120

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Karl J. Dreher, Director

Published in the Power County Press on 8/20 & 8/27/97.

MICROFILMED

JUN 25 1998

AP





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 11, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

TIMOTHY P. DEEG  
2597 DEEG ROAD  
AMERICAN FALLS ID 83211

Re: Application for Transfer No. 5120 (41-07034)

Dear Mr. Deeg:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The Power County Press for 8/20 and 8/27/97.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Georgia Satterlee  
Water Resource Agent

GS:mb

MICROFILMED

JUN 25 1998

# M E M O   T O   F I L E

FROM: Georgia Satterlee  
 DATE: 06 August 1997  
 RE: Deed Transfer 41-07034

Application for transfer proposes to tie the licensed right, 41-07034, with 2 licenses and 2 permits (permits had field examinations, completed July 1997, waiting for licensing).

The water rights are as follows:

| <u>RIGHT#</u> | <u>RATE</u> | <u>ACRES</u> | <u>VOLUME</u>  |
|---------------|-------------|--------------|----------------|
| 41-07030      | 1.40 cfs    | 126.0        | 504.00         |
| 41-07071      | 0.12 cfs    | 11.0         | 45.20          |
| 41-07076**    | 2.02 cfs    | 227.5        | 857.42         |
| 41-07081**    | 6.68 cfs    | <u>338.0</u> | <u>1352.00</u> |
|               |             | 702.5        | 2758.62        |

\*\*Recommendation for the Permits to be licensed per Dan Nelson, Field Examination completed 7/97.

If approval of transfer, water rights:

| <u>RIGHT#</u> | <u>RATE</u>     | <u>ACRES</u> | <u>VOLUME</u>  |
|---------------|-----------------|--------------|----------------|
| 41-07030      | 1.40 cfs        | 126.0        | 504.00         |
| 41-07071      | 0.12 cfs        | 11.0         | 45.20          |
| 41-07076**    | 2.02 cfs        | 227.5        | 857.42         |
| 41-07081**    | 6.68 cfs        | 338.0        | 1352.00        |
| 41-07034      | <u>1.82 cfs</u> | <u>91.0</u>  | <u>318.50</u>  |
| <b>TOTAL</b>  | <b>6.68 cfs</b> | <b>793.5</b> | <b>3077.12</b> |

If transfer is approved, some of the conditions:

- All rights are limited to the system capacity
- To prevent expansion these rights should be limited to the acres relative to the licensed rights
- Not to exceed total volume
- The rights are subject to SRBA review
- The measuring device that is installed at the point of diversion must be maintained

MICROFILM

JUN 25 1998

T # 5120

PHOTO 1/2



Photo looking W'ly



Well to be Abandoned/Pump Removed 5/97



MICROFILM

JUN 25 1998

Deeg, Tim 23 June 1997 1400 hrs.

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$   
Before Transfer  
Sec 28, T10S, R31E

T# 5120

PHOTO 2/2

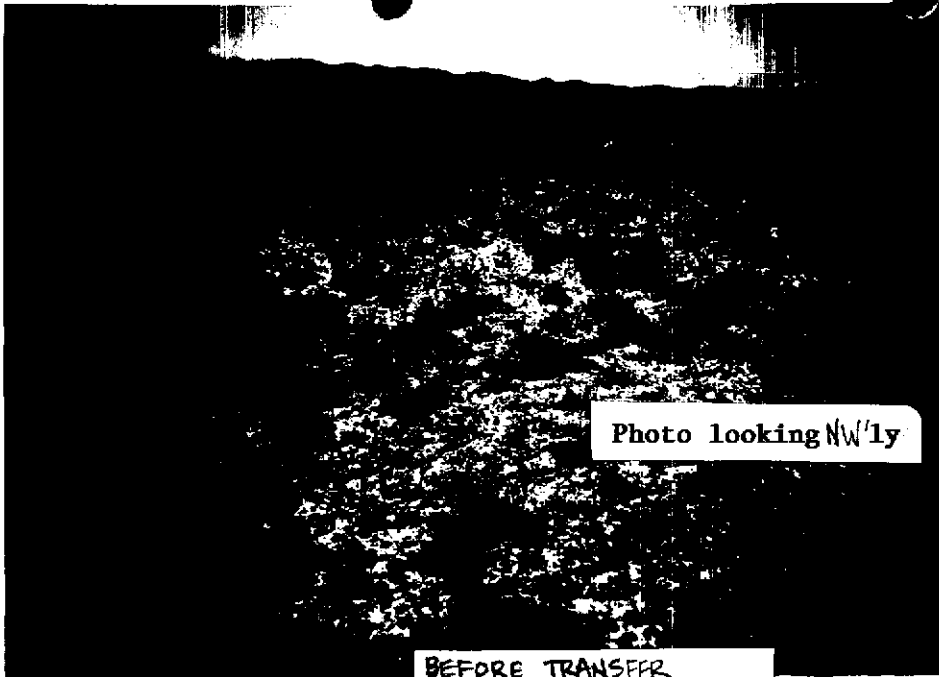


Photo looking NW'ly

PTNS. OF NE  $\frac{1}{4}$  & NW  $\frac{1}{4}$   
SEC 28, T10S, R31E

BEFORE TRANSFER  
PLACE OF USE



Photo looking E'ly

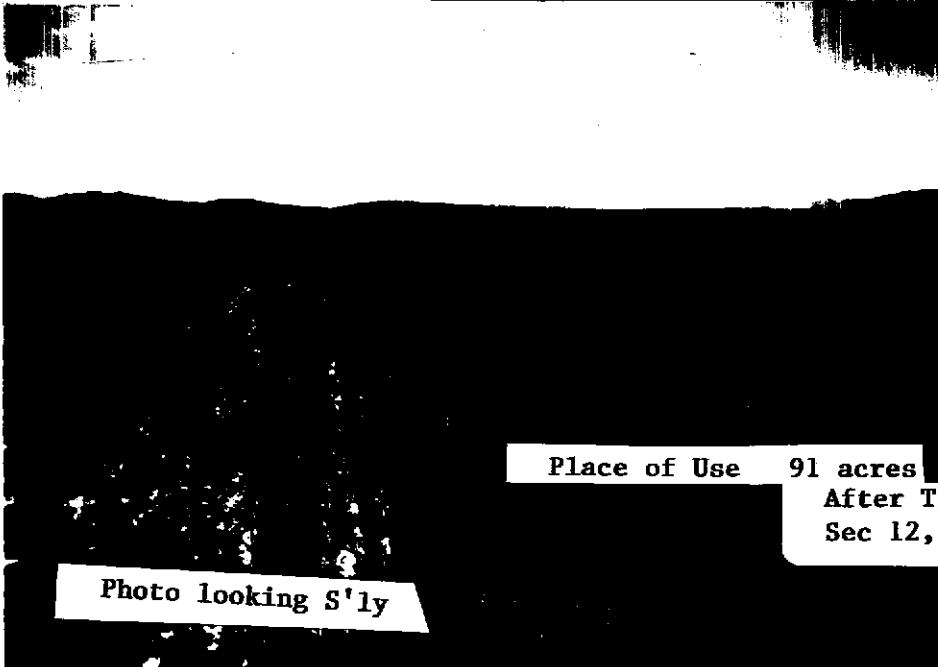


Photo looking S'ly

Place of Use 91 acres

After Transfer

Sec 12, T09S, R30E NE-SE/SW  $\frac{1}{4}$  NW-SW/SE  $\frac{1}{4}$

MICROFILMED

JUN 25 1998

T#5120

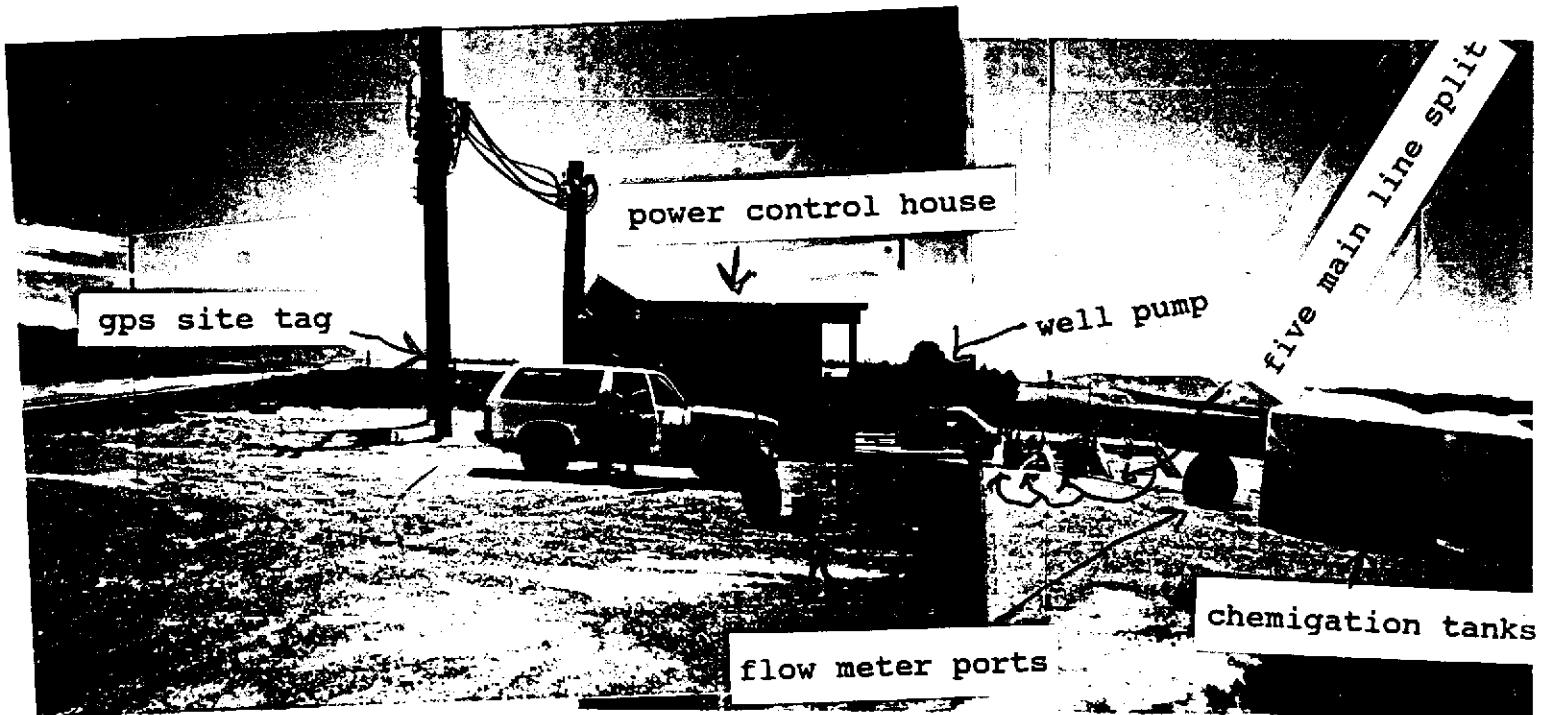


PHOTO LOOKING S'LY

Both the above and below pictures are of the point of diversion. These pictures show the two booster pumps and the five mainlines that come off of the well.

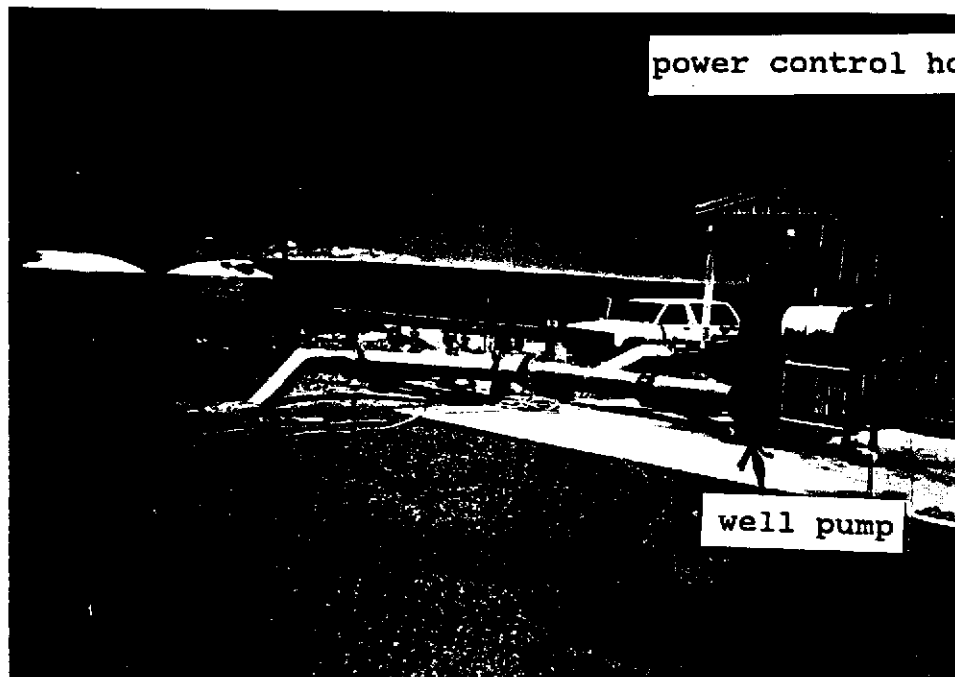


PHOTO LOOKING NE'LY

P/D  
Sec 6, T9S, R31E  
SW 1/4 SE 1/4

MICROFILMED

JUN 25 1998

T#5120



6/9/94

## COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE  
July 29, 1997 9:44am

CUSTOMER  
Deeg, Tim

SUBJECT: Transfer Pending/Abandonment of Well  
phone call (x) walk-in (.)

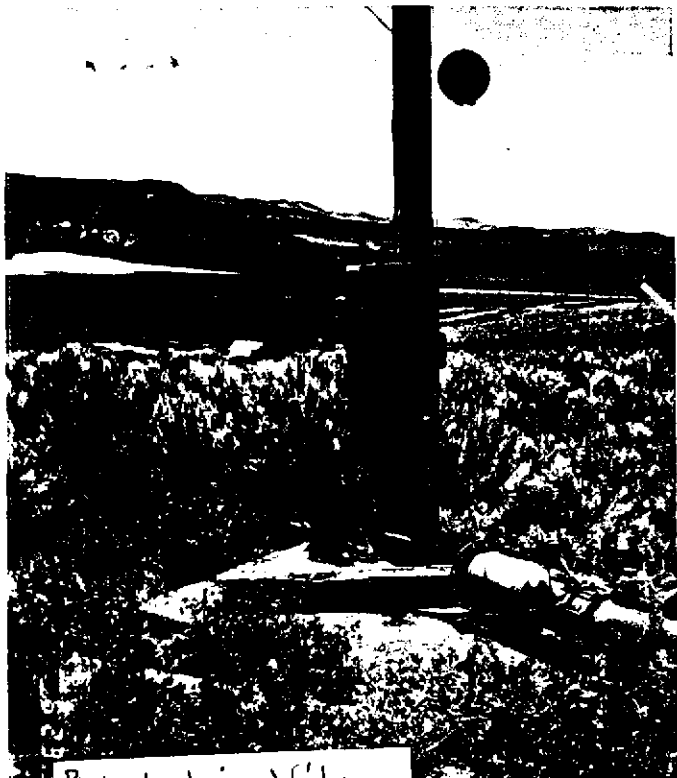
He called Gary Funderberg and never received a call back. He wants to abandon the well appurtenant to the transfer pending in our office. Carrie gave me a form {Form 238(4)-2 3/95} plus Well Abandonment hand book. Sent him the information. Dan Nelson said he recently told Deeg he needed to get a well driller to abandon the well.

cc: Gary F.  
File

MICROFILMED

JUN 25 1998

T#5120



PRE-TRANSFER  
FIELD EXAMINATION

Photo Looking W'ly

P/D= Sec 28, T10S, R31E SE $\frac{1}{4}$  NW $\frac{1}{4}$



Well To Be Abandon By T. Deeg

MICROFILMED

JUN 25 1998



23 JUNE 1997  
EXAMINER=SATTERLEE, GL T# 5120

6/9/94

## COMMUNICATION DOCUMENTATION

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**IDWR Employee/Agent** Georgia Satterlee

**DATE**  
June 9, 1997 11:38am

**CUSTOMER**  
DEEG, TIMOTHY

**SUBJECT:** 41-07076,-07081 & App. for Transfer per same P/D  
phone call (x) walk-in (.)

**MOBILE PHONE#** 220-5588

I called per the above permit numbers and the application for transfer I am staffing. He said he is coordinating with Dan Nelson to get the permits examined. I will pass the mobile phone number on to Dan because Mr. Deeg says his booster pump is repaired and he's ready for Dan to come out and do a field examination.

DAN please call him at the above number at your earliest convenience.

MICROFILMED

JUN 25 1998

T#5120

FROM: Allen Merritt  
TO: FILE

DATE: March 26, 1997

SUBJECT: Concern about Deeg Well

On 3/25/97 I met with a group of people from the American Falls area that was investigating Timothy Deeg's water rights associated with his well in SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 6, Twp.09S, Rge.31E, B.M. This well is the same well that was recently inspected by Gary Funderburg and Helen Thornton. I understand that a down hole camera and temperature probe was used in the inspection.

The group, including Lamar Issack was concerned about the affect of the Deeg well on their wells &/or surface water located north of the Deeg well in Basin 29. Members of the group had protested the Deeg transfer of 41-07030.

A review of the rights presently associated with the well are:

→ 41-07030 lic 1.40 cfs 01/02/1978 \* approved transfer to this location. Amended Final Order 3/21/1995.

→ 41-07071 lic 0.12 cfs 07/13/1983

→ 41-07076 permit 4.80 cfs 09/11/1985 \* amended to this location on 12/8/1995. Drilling permit 41-96-S-0004-000 issued 11/14/1996. No log submitted so well was not drilled. Proof filed 12/23/1996. Field exam pending.

→ 41-07081 permit 6.95 cfs 02/28/1990 Proof filed 6/9/1990. Field exam pending.

41-07089 applic 1.78 cfs 02/25/1993 \* moratorium hold

After reviewing these rights with them they concluded that the development they had been observing was according to permits (apparently they had missed the advertising of the 41-07076 amendment) The group suspects Deeg is drilling a new well but review of files finds that he does not have a current drilling permit, nor should he be allowed to modify use since proof has been submitted on 41-07076.

I have attempted to contact Deeg by phone 226-5588 to discuss this matter with him but have not been able to get a hold of him. It seems to rotate into a data line.

Since the group wanted to know what to do if they feel they have better information as far as interference with their rights; I provided them with a copy of the conjunctive management rules where they may initiate a "call" if they feel it is warranted.

I recommend that the field exams for 41-07076 & 41-07081 be scheduled as soon as possible. No additional drilling permits should be issued without close consideration. Contact Deeg.

MICROFILM  
JUN 25 1998

T#5120



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

*copy*

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

June 15, 1988 DIRECTOR

RONALD R. NELSON  
4647 S. HWY. 37  
ROCKLAND, ID 83271

RE: PERMIT NO. 41-07034

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MAILED**

JUN 21 1988



April 26, 1988

RONALD R. NELSON  
4647 S. HWY. 37  
ROCKLAND, ID 83271

RE: Permit No. 41-7034

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

JUN 21 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

Permit No. \_\_\_\_\_

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.5 = 318.5$   
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 884.4$   
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

c) Volume Calculations for Other Uses:

2. **Overlap Review** *per VAX:*

a) Other water rights with same place of use: *none ok*

b) Other water rights with same point of diversion: *none ok*

c) Analysis:

**RECEIVED**

JUN 21 1988

pd. \$175.00  
exam fee  
late

RECOMMENDED AMOUNTS

10 day

| Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
|------------|----------|--------|-----------|----------------------|-----------------|

3. Permit Holder: Ronald B. Nelson

4. Address: 4647 S. Highway 37, Rockland, ID 83271

5. Source: gw

6. Beneficial Use

Irrig. 3-15 From 11-15 To

Rate of Diversion 1.82 cfs Q (cfs)

Annual Volume 318.5 AFA V (afa)

7. Point(s) of Diversion: ✓

| No. | Govt. Lot | 1/4 | 1/4 | 1/4   | Sec. | Twp. | Rge. | County |
|-----|-----------|-----|-----|-------|------|------|------|--------|
|     |           |     |     | SE NW | 28   | 105  | 3/E  | Boyer  |
|     |           |     |     |       |      |      |      |        |
|     |           |     |     |       |      |      |      |        |
|     |           |     |     |       |      |      |      |        |
|     |           |     |     |       |      |      |      |        |
|     |           |     |     |       |      |      |      |        |
|     |           |     |     |       |      |      |      |        |

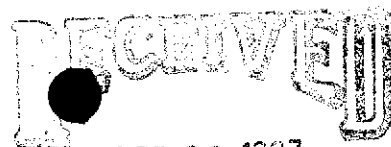
| 8. Place(s) of Use <u>✓</u> |      |      |        |        |        |        |        |        |        |
|-----------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|
| Total Acres <u>91</u>       |      |      |        |        |        |        |        |        |        |
| Twp.                        | Rge. | Sec. | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 |
| 105                         | 3/E  | 28   | 2.25   | 35     | 4      | 7      | 18     |        |        |
| Totals                      |      |      |        |        |        |        |        |        |        |

9. Recommended Conditions/Remarks:

Needs an Order advancing the priority date  
due to late exam fee submittal -

10. 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

11. Examiner's Signature \_\_\_\_\_  
Checked in Regional Office by \_\_\_\_\_  
Approved in State Office by J. Walker  
Date \_\_\_\_\_  
Date 2/4/88



SEP 30 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

1. Owner: Ren Nelson  
Current Address: 4647 So. Highway 37 Rockland Idaho 83271  
2. Accompanied by: Ren Nelson  
Address: same  
Relationship to Permit Holder: owner  
3. Source: groundwater tributary to \_\_\_\_\_

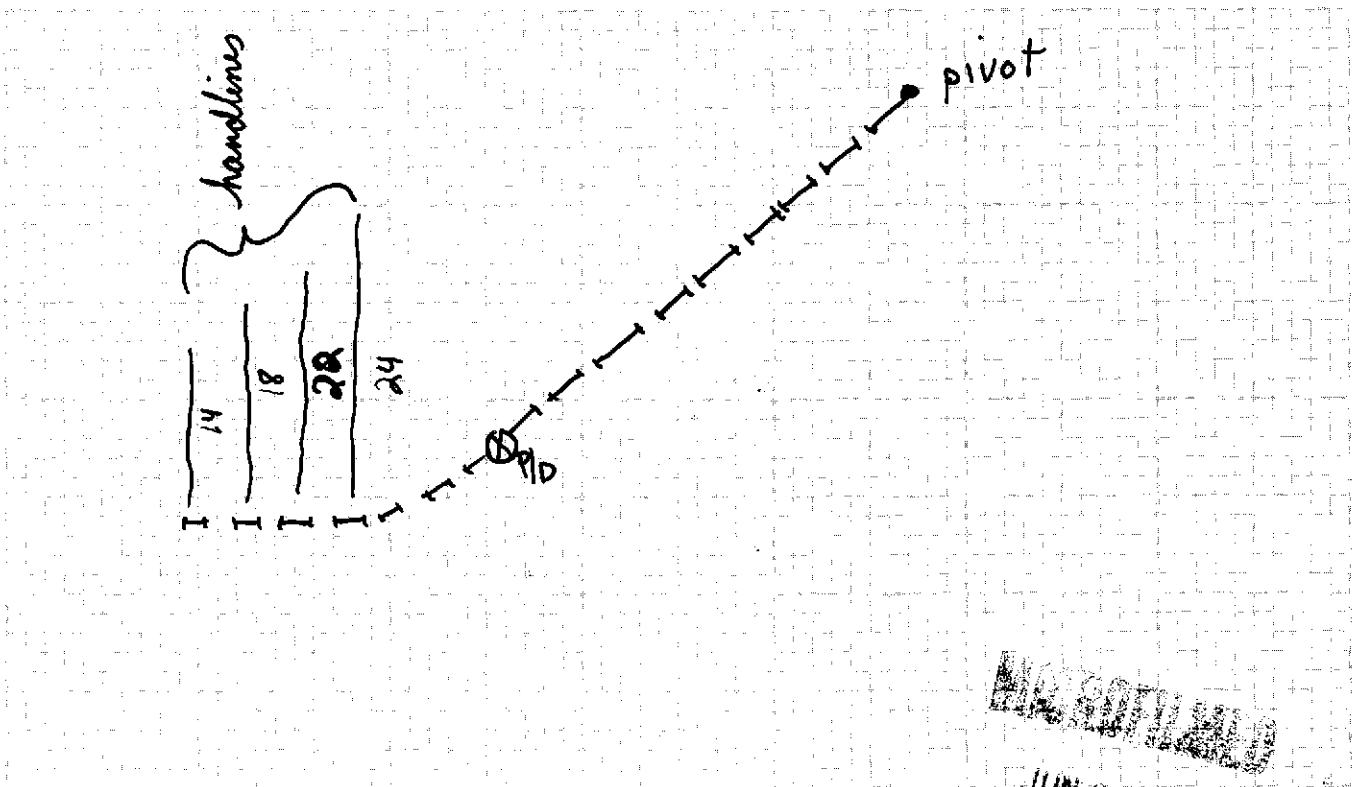
Permit No. 41-7034  
Phone No. 548-2348  
EXAM. DATE: 8-6-87  
Phone No. 548-2348

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: no overlap ☐ Copies Attached  
2. Other water rights with same point of diversion: no overlap ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

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



MAINTENANCE  
JUN 21 1988

Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required). ☒ Aerial Photo Attached  
(required for irrigation of 10 acres or more).  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).

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

1 pivot and 4 handlines (total of 28 trucks)

☐ See Remarks on page 4 for continuation

| Well or Diversion Identification No.* | Motor Make | Hp        | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----------|------------------|-----------|-----------------------------------|
| 6E                                    | 150        | FPJ607137 | Quincy Division  | 38071611  |                                   |

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

4. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec.   | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|--------|------|------|--------|---------------------------------|
|            |            |     |     |     | SE 1/4 | 28   | 105  | 31E    | Power                           |

5. Place(s) of Use:

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE 1/4 | NW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 105  | 31E  | 28   | 2      | 25     | 35     | 4      | 7      | 18     |        |        |        |        |        |        |        |        |        | 91     |

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Do not use this space



Do not use this space

## D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

| Measurement Equipment  | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|------------------------|------|------|-----------|------------|------|-------------|
| Annular with manometer |      |      |           |            | 10"  |             |
|                        |      |      |           |            |      |             |
|                        |      |      |           |            |      |             |

2. Measurements:

$$Q = 2.48 \text{ cfs (measured)}$$

$$Q = (.02 \times 91 \text{ acres}) = 1.82 \text{ cfs (allowable)}$$

## E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\frac{(150 \text{ H.P.}) \times (8.8) \times (0.7 \text{ eff.})}{498 \text{ TDH}} = 1.86 \text{ cfs}$$

## F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 92 psi x 2.31 = 213 ft (1); Dynamic pumping level: 285 ft (2)

Total Head: (1) + (2) = 498 (3) : Flow rate: 2.48 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 140 (5)

Meter Input KW: 3.6 x 4.8 KH x 40 CTR or 40 MULT x 10 PTR x 55.6 T =        (6)

Meter Input HP: (6) x 1.34 =        (7)

Panel Input KW:        Ave PF x        Ave Volts x        Ave Amps x .001732 =        (6)

Panel Input HP: (6) x 1.34 =        (7) Efficiency: (5)/(7) x 100 =        %

## G. VOLUME CALCULATIONS

Idaho Power # 33 024 810

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (91)(3.5) = 319 \text{ Afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (2.48)(246)(1.9835) = 1210 \text{ Afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 319 \text{ Afa}$$

2. Volume Calculations for Other Uses:

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# H. REMARKS AND OVERLAP REVIEW ANALYSIS

Point of diversion made to be changed from  
 NE 1/4 & SE 1/4 of S 28  
 to  
 SE 1/4 & NW 1/4 of S 28

## I. RECOMMENDATIONS

### 1. Recommended Amounts

Beneficial Use

irrigation

From 3-15  
 To 11-15

Period of Use

Rate of Diversion 1.82  
 Q (cfs)

Annual Volume 319  
 V (afa)

Totals:

1.82

319

### 2. Recommended Amendments

- ☒ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☒ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

## J. AUTHENTICATION

Field Examiner's Name

Jarren Knutson

Signature

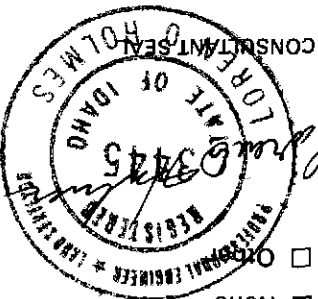
Certification Date

5/15/87

Field Report Preparation Date

9/24/87

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



- ☐ None
- ☐ Other

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State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Danen Knutson  
Owner: Ron Nelson

Date 8-6-87  
Permit No. 41-7034

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 34.08  
T = Pipe Thickness in Inches = 3/32  
ID =  $2 [ ( 0.1592 \times \text{CIR} ) - T ] = \dots\dots\dots 10.66$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10"

State ID No. \_\_\_\_\_

Select C based on size from Table below.

| Nominal Pipe Size | C    |
|-------------------|------|
| 4"                | 4.23 |
| 6"                | 3.75 |
| 8"                | 3.87 |
| 10"               | 3.94 |
| 12"               | 3.99 |
| 14"- 16"          | 4.01 |
| 18"- 24"          | 4.02 |
| 30" or larger     | 4.03 |

C selected ..... 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H<sub>2</sub>O (H)

High Reading = 30.2  
Low Reading = 24.0  
High - Low = H = ..... 6.2

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$
$$Q = \frac{(10.66)^2 \cdot (\sqrt{6.2}) \cdot (3.94)}{448.8} = 2.48 \text{ cfs}$$

SKETCH (If not shown on Field Report)

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✓  
ADW

1421

28 27

31-

CPT 38.9

1981  
6.2

50.2  
ACR

2-  
65.8

T 501

NO  
CR  
19.6

D 20.0  
A.R.

0-198

~~Ronald~~ Ray Nelson

F  
12.3

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22/25.3

H  
7.8

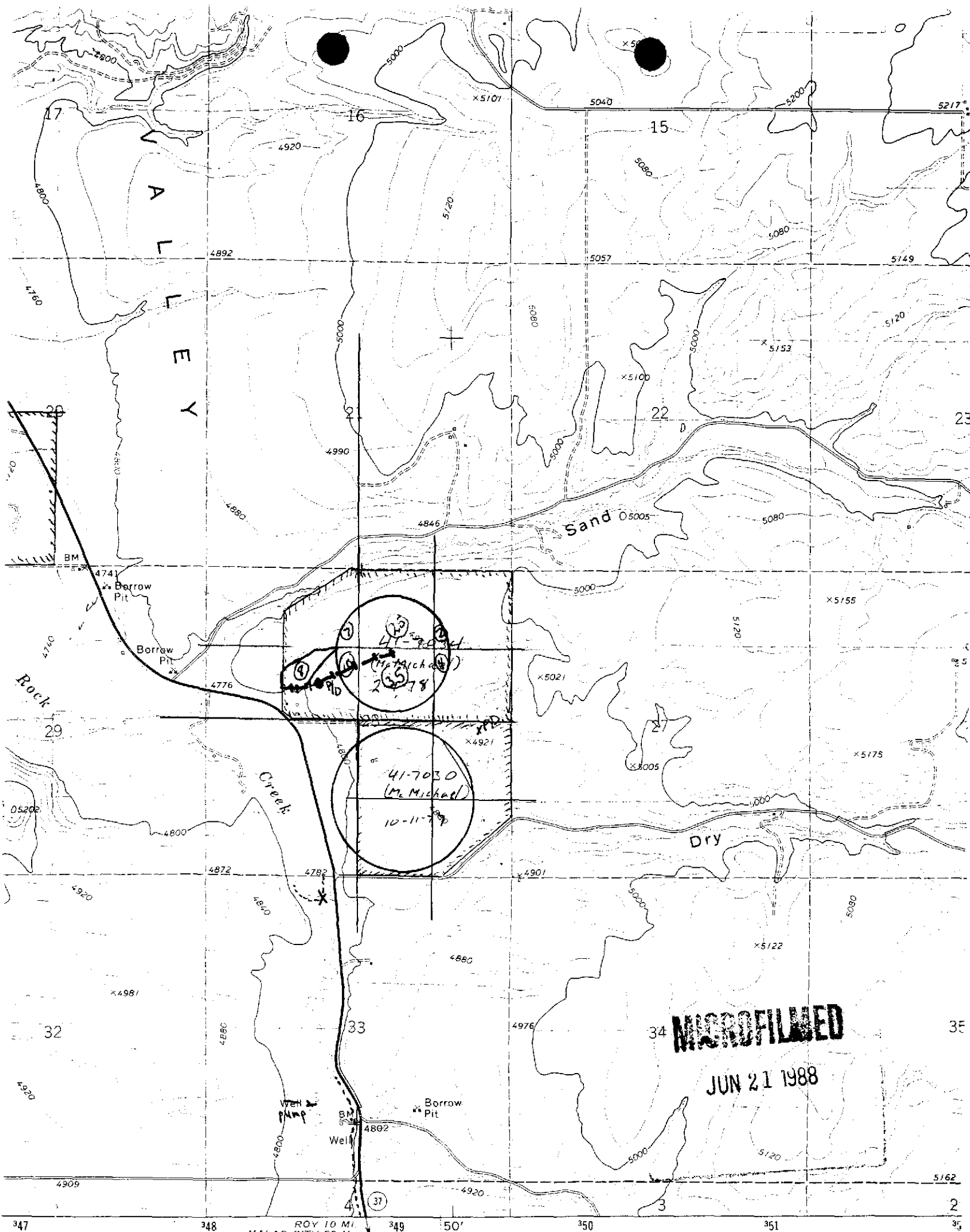
28

27

33 34

11/6/40

502





41-7034



*Point of Diversion*

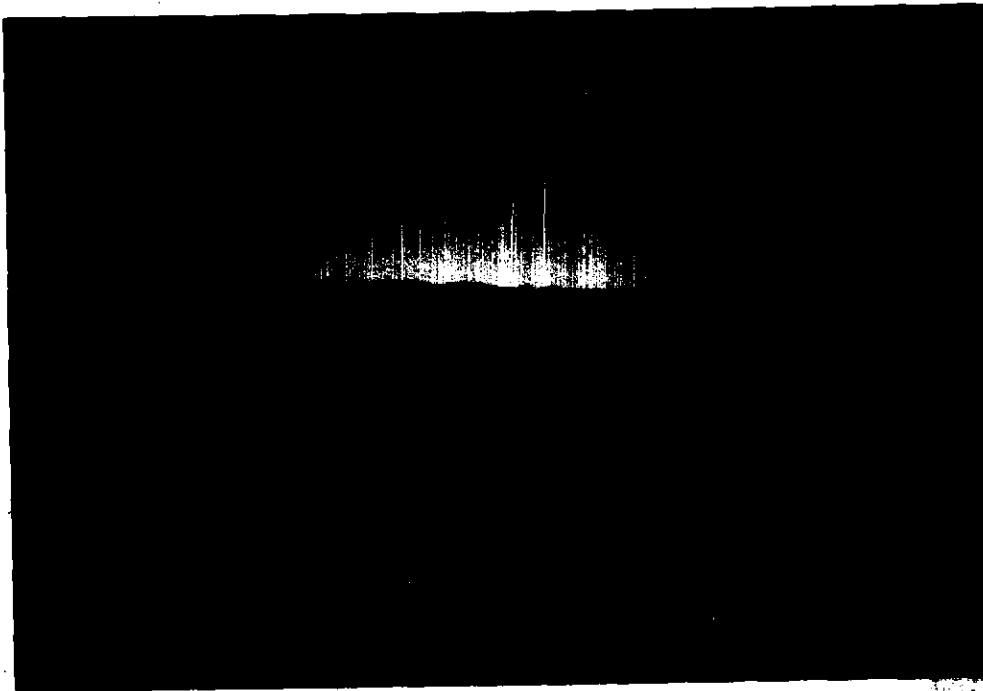
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JUN 21 1988

41-7034



Place of use



Place of use

JUN 21 1988

| 15 | SENE | 04    | 41-4092 | 04-01-1940 UNNAMED STREAM                            | ROBINSON  |
|----|------|-------|---------|------------------------------------------------------|-----------|
| 16 | SENE | 04.43 | 41-4001 | 01-15-1915 SPRING <td>ROBINSON</td>                  | ROBINSON  |
| 17 | SASH | 01    | 41-7032 | 12-13-1977 UNNAMED <td>WESTON</td>                   | WESTON    |
| 18 | SASH | 01    | 41-7018 | 07-30-1975 GROUNDWATER <td>WESTON</td>               | WESTON    |
| 19 | SASH | 01    | 41-7018 | 07-30-1975 GROUNDWATER <td>WESTON</td>               | WESTON    |
| 20 | NEBH | 01    | 41-0005 | 04-10-1880 ROCK CREEK, SOUTH FORK <td>SHOON</td>     | SHOON     |
|    | NEBH | 01    | 41-0007 | 05-06-1883 ROCK CREEK, SOUTH FORK <td>FURGERSON</td> | FURGERSON |

J16

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS BY POINT OF DIVERSION

PAGE 3163  
01/02/1987

| TWN | RNG | SEC | TRACT | LOT      | USES | WATER RIGHT NUMBER | STAGE PRIORITY | RELG                              | SOURCE OF WATER | LAST NAME                                                  | OWNER CODE |
|-----|-----|-----|-------|----------|------|--------------------|----------------|-----------------------------------|-----------------|------------------------------------------------------------|------------|
| 105 | 31E | 20  | NESE  | 01.43    |      | 41-7053            | P              | 05-13-1981 GROUNDWATER            |                 | SPILLETT                                                   |            |
|     |     | 23  | NHSH  | 04       |      | 41-4035            | S              | 06-12-1915 SPRING                 |                 | NELSON                                                     |            |
|     |     |     | SESE  | 01.04.43 |      | 41-4025            | S              | 04-01-1900 SAND HOLLOW CREEK      |                 | TAYSON                                                     |            |
|     |     |     | SESE  | 01.04.43 |      | 41-4036            | S              | 06-12-1915 SPRING                 |                 | NELSON                                                     |            |
|     |     |     | SESE  | 01.04.43 |      | 41-4025            | S              | 04-01-1900 SAND HOLLOW CREEK      |                 | TAYSON                                                     |            |
|     |     | 27  | SASH  | 01       |      | 41-4003            | S              | 06-01-1949 GROUNDWATER            |                 | MOSS                                                       |            |
|     |     | 28  | SASH  | 04       |      | 41-4034            | S              | 06-12-1915 SPRINGS UNNAMED STREAM |                 | 7 U D RANCHES, INC.                                        |            |
|     |     |     | SESH  | 01       |      | 41-7034            | P              | 02-01-1978 GROUNDWATER            |                 | MC MICHAEL NELSON                                          |            |
|     |     |     | NESE  | 01       |      | 41-7030            | P              | 10-29-1977 GROUNDWATER            |                 | MC MICHAEL NELSON                                          |            |
|     |     |     | NESE  | 01       |      | 41-7034            | P              | 02-01-1978 GROUNDWATER            |                 | MC MICHAEL NELSON                                          |            |
|     |     | 29  | SASH  | 01       |      | 41-7048            | P              | 12-03-1980 GROUNDWATER            |                 | TAYSON                                                     |            |
|     |     |     | NEBH  | 01       |      | 41-0013            | D              | 05-01-1881 ROCK CREEK, SOUTH FORK |                 | JACKSON                                                    |            |
|     |     | 30  | SASH  | 01       |      | 41-7018            | P              | 07-30-1975 GROUNDWATER            |                 | WESTON                                                     |            |
|     |     | 33  | NEBH  | 01       |      | 41-0008            | D              | 10-01-1879 ROCK CREEK, SOUTH FORK |                 | TAYSON, SR.<br>WESTON<br>SPILLETT<br>TAYSON<br>TAYSON, JR. |            |
|     |     |     | NEBH  | 01       |      | 41-0008            | D              | 10-01-1879 ROCK CREEK, SOUTH FORK |                 | TAYSON<br>7 U D RANCHES                                    |            |
|     |     |     | NEBH  | 01       |      | 41-0008            | D              | 10-01-1879 ROCK CREEK, SOUTH FORK |                 | ADSHARD<br>7 U D RANCHES                                   |            |
|     |     |     | SESH  | 01       |      | 41-0009            | D              | 05-17-1880 ROCK CREEK, SOUTH FORK |                 | FRODSHAM<br>MUIR                                           |            |
|     |     |     | SESH  | 01       |      | 41-4011            | S              | 08-01-1961 GROUNDWATER            |                 | MUIR                                                       |            |

K16

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS BY POINT OF DIVERSION

PAGE 3164  
01/02/1987

| TWN | RNG | SEC | TRACT | LOT   | USES | WATER RIGHT NUMBER | STAGE PRIORITY | RELG                            | SOURCE OF WATER | LAST NAME              | OWNER CODE |
|-----|-----|-----|-------|-------|------|--------------------|----------------|---------------------------------|-----------------|------------------------|------------|
| 105 | 31E | 33  | SESH  | 01    |      | 41-7058            | A              | 11-23-1981 GROUNDWATER          |                 | MUIR                   |            |
| 105 | 32E | 07  | NAME  | 04    |      | 41-2035            | S              | 08-10-1953 UNNAMED STREAM       |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 14  | SESH  | 05.17 |      | 29-4250            | S              | 10-01-1962 STREAM               |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 18  | NAME  | 01.34 |      | 41-7074            | A              | 09-12-1984 EAST FORK ROCK CREEK |                 | STATE OF IDAHO         |            |
|     |     | 22  | NHSH  | 05    |      | 41-2034            | S              | 08-10-1953 UNNAMED STREAM       |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 23  | NHSH  | 05.17 |      | 29-4238            | S              | 10-01-1968 STREAM               |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 27  | SASH  | 04.16 |      | 41-4022            | S              | 09-01-1969 UNNAMED STREAM       |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 29  | SEBH  | 05    |      | 41-2029            | L              | 01-24-1942 UNNAMED STREAM       |                 | U.S. DEPT. OF INTERIOR |            |
|     |     | 31  | NHSH  | 04    |      | 41-2031            | L              | 06-29-1947 GROUNDWATER          |                 | U.S. DEPT. OF INTERIOR |            |

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SEP 30 1987

CALCULATION OF NEW PRIORITY DATES    Department of Water Resources  
LATE EXAM FEES

FOR PERMIT NO. 41-7034  
BY: *Adm*

|                                                          | <u>DATE</u>       | <u>NUMBER OF DAYS</u><br><u>(From Table of Days</u><br><u>Between Two Dates)</u> |
|----------------------------------------------------------|-------------------|----------------------------------------------------------------------------------|
| A. EXAMINATION FEE NOTICE SENT                           | <u>8-12-86</u> ✓  | <u>224</u> ✓                                                                     |
| B. DATE FEE DUE (60 days)                                | <u>10-11-86</u> ✓ | <u>284</u> ✓                                                                     |
| C. DATE FEE RECEIVED                                     | <u>12/15/86</u> ✓ | <u>349</u> ✓                                                                     |
| D. NUMBER OF DAYS LATE (C - B)                           |                   | <u>65</u> ✓                                                                      |
| E. ORIGINAL PRIORITY DATE<br>(Check Reinstatement, etc.) | <u>2-1-78</u> ✓   | <u>32</u> ✓                                                                      |
| F. NEW PRIORITY DATE (D + E)                             | <u>4-7-78</u> ✓   | <u>97</u> ✓                                                                      |

*ok - kw*

REMARKS:

MICROFILMED

JUN 21 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

41-7034  
Permit No.

Staff Analysis Sheet  
for  
Beneficial Use Field Report

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SEP 30 1987

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Department of Water Resources

Check of P/D index 66 7/10/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: \_\_\_\_\_

Check of P/U index 66 7/10/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed DK 8/6/87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent Adm 7/11/87 (Initial and date)

Exam Reviewed by Manager of Regional Office Ld 9/24/87 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)



4/86

DEC 17 1986

For Office Use Only  
 Fee Received 175.00  
 Date 12/15/85  
 Receipt # 40630  
 Receipt by M. Baldwin  
 Sent to S.O. 12/15/86

RECEIVED

DEC 15 1986

Department of Water Resources  
 Southern Region Office

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## EXAMINATION FEE INFORMATION

1. Permit No. 41-7034

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Ronald R. Nelson3. Post Office Address: P.O. Box 15 Rockland Idaho 83271Telephone No. 208-548-23484. Source of Water: Ground

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation 222 (acres) Other/Remark \_\_\_\_\_6. Total rate &/or volume for which proof is submitted 4.0 cfs \_\_\_\_\_ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

?

8. Person to contact to accompany the department representative during the field examination:

Same as Line 2 + 3

(Name)

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner that I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

X 10-13-86  
 Date

X Ronald R. Nelson  
 Signature of Permit Holder (and title, if appropriate)

JUN 21 1988

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee    |
|--------------|-------------|--------|
| 0 - 0.04     | 0 - 4       | \$ 0   |
| .05 - 0.20   | 5 - 20      | 50.00  |
| .21 - 1.0    | 21 - 100    | 100.00 |
| 1.01 - 2.0   | 101 - 200   | 125.00 |
| 2.01 - 3.0   | 201 - 300   | 150.00 |
| 3.01 - 4.0   | 301 - 400   | 175.00 |
| 4.01 - 5.0   | 401 - 500   | 200.00 |
| 5.01 - 6.0   | 501 - 600   | 225.00 |
| 6.01 - 7.0   | 601 - 700   | 250.00 |
| 7.01 - 8.0   | 701 - 800   | 275.00 |
| 8.01 - 9.0   | 801 - 900   | 300.00 |
| 9.01 - 10.0  | 901 - 1000  | 325.00 |
| 10.01 - 11.0 | 1001 - 1100 | 350.00 |
| 11.01 - 12.0 | 1101 - 1200 | 375.00 |
| 12.01 - 13.0 | 1201 - 1300 | 400.00 |
| 13.01 - 14.0 | 1301 - 1400 | 425.00 |
| 14.01 - 15.0 | 1401 - 1500 | 450.00 |
| 15.01 - 16.0 | 1501 - 1600 | 475.00 |
| 16.01 - 17.0 | 1601 - 1700 | 500.00 |
| 17.01 - 18.0 | 1701 - 1800 | 525.00 |
| 18.01 - 19.0 | 1801 - 1900 | 550.00 |
| 19.01 - 20.0 | 1901 - 2000 | 575.00 |
| 20.01 & over | 2001 & over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

41-7034  
NELSON, RONALD F.  
P.O. BOX 15  
ROCKLAND, ID 83271

138053

August 12, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

JUN 23 1986

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region  
Idaho Dept. of Water Resources  
1041 Blue Lakes Blvd. North  
Twin Falls, ID 83301  
Phone: 734-3578

Sincerely,

*Loren Holmes*  
LOREN HOLMES  
Southern Regional Manager

Enclosures

APR 21 1988

September 20, 1984

RE: Permit Nos. 41-7030 & 41-7034

Ronald R. Nelson  
Box 15  
Rockland, ID 83271

Dear Mr. Nelson:

This office acknowledges receipt of the Assignment of the above referenced permits to you.

Enclosed for your records are copies of the permits. Be sure to note the special conditions of approval on the fourth pages that identify requirements necessary for developing the permits into licensed water rights.

In reviewing the permits, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met. The next step towards licensing of the permits will be for our regional office to examine your water right system.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:sc  
Enclosures

UNRECORDED



## ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. a. Full Assign?  
b. Partial Assign?
4. "No assignment" condition on permit? NO
5. Commencement of works received? *proof in file -*
6. Affidavit of Residency required? NO

1. Type Permit Summary sheet ✓
2. Coding sheet ✓
3. Acknowledgement letter type #1ape
4. Copy to region ✓

Date: 9-18-84Employee: R. Walker

May 16, 1984

RE: Permit Nos. 41-7030 & 41-7034

Farmers Home Administration  
250 South 4th, Suite 112  
Pocatello, ID 83201

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permits to you.

Enclosed for your records are copies of the permits. Be sure to note the special conditions of approval on the fourth pages that identify requirements necessary for developing the permits into licensed water rights.

In reviewing the permits, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met. The next step towards licensing of the permits will be for our regional office to examine your water right system.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:sc  
Enclosures

RECEIVED



United States  
Department of  
Agriculture

Farmers  
Home  
Administration

250 South 4th, Suite 112  
Pocatello, ID 83201  
Tel. No. (208) 236-6903

May 4, 1984

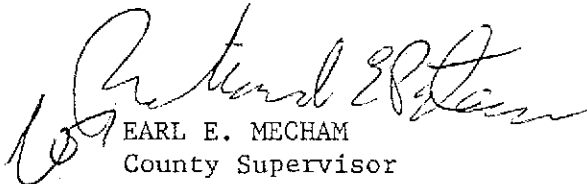
Department of Water Resources  
Southern Region  
1041 Blue Lakes Blvd. N.  
Twin Falls, Idaho 83301

Dear Sirs:

Please find enclosed "Assignment of Permit" from Kent O. McMichael to Farmers Home Administration. The Permit No.'s are 41-7030 and 4107034.

If you have any questions concerning this, please contact our office at the above telephone number.

Sincerely,

  
EARL E. MECHAM  
County Supervisor

Enclosure



Farmers Home Administration is an Equal Opportunity Lender.  
Complaints of discrimination should be sent to:  
Secretary of Agriculture, Washington, D.C. 20250

# DEPARTMENT OF WATER RESOURCES

Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 41-7030

Name(s) of Permit Holder: Kent O. McMichael & Farmers Home Administ.

Office Address: 250 South 4th, Suite 112, Pocatello, ID 83201

Tel. No. 123-6903

Source of Water:

Well

Int of Use:

☒ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes

☐ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☒ Yes

☐ No

Installed?

☐ Yes

☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

4/12/83

Date

*Kent O. McMichael*  
Signature of Permit Holder

Original in  
41-7030

May 12, 1980

Kent O. McMichael  
Star Route  
Rockland, Idaho 83271

Dear Mr. McMichael,

RE: Permit No. 41-7034

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

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

Sincerely,

JAN GROVER  
Water Right Supervisor

JG:mr

Enclosure

State of Idaho  
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 41-7034 Applicant McMICHAEL, Kent O.

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

☐ Increase amount. ☒ Change place of use. ☐ Other \_\_\_\_\_

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) \_\_\_\_\_
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed. None
- ☒ Approve.
- ☐ Deny.
- Conditions As Per Original Permit

By Leland Talma Date 3-18-80

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By \_\_\_\_\_ Date \_\_\_\_\_
- ☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_





# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-0016

February 8, 1980

Power County Press  
174 Idaho Street  
American Falls, ID 83211

RE: Application for Amendment of Permits 41-7030 & 41-7034  
In the name of Kent O. McMichael

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Loren Holmes  
Southern Regional Supervisor

LOH:adm

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 41-7034

Notice is hereby given that Kent O. McMichael is the holder of approved permit No. 41-7034 authorizing the diversion of 4.00 cubic feet per second of water from Groundwater in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. County of Power, to be used for Irrigation from March 15 to November 15 (on 222 acres) within NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

The permit holder has applied to the Department of Water REsources for an Amendment to add a point of diversion and change the place of use to the permit, ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ as follows:

Point(s) of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

~~(Applicant must conform to original conditions of approval in drilling additional well)~~

Place of Use: 222 acres within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

Any protest against approval of the amending of Permit No. 41-7034 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before March 17, 1980

C. STEPHEN ALLRED  
Director

Published in the Power County Press

on 2/27 AND 3/5/80

# Legal Notice

Published in The Power County  
Press on February 27 and March  
5, 1980.

## NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 41-7034

Notice is hereby given that Kent  
O. McMichael is the holder of  
approved permit No. 41-7034 authorizing the diversion of 4.00 cubic feet per second of water from

Groundwater in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. County of Power, to be used for Irrigation from March 15 to November 15 (on 222 acres) within NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to add a point of diversion and change the place of use as follows: Point(s) of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M. (Applicant must conform to original conditions of approval in drilling additional well). Place of Use: 222 acres within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 10S., Rge. 31E., B.M.

Any protest against approval of the amending of Permit No. 41-7034 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before March 17, 1980.

C. STEPHEN ALLRED  
Director

OK JDA  
2/20/80



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

March 29, 1979

Re: Permit No. 41-7034

Kent O. McMichael  
Star Route  
Rockland, Idaho 83271

Dear Mr. McMichael:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

*David R. Tuthill Jr.*

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:lr

Enclosure

100

41-7034

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. ✓ Point of Diversion
4. 4 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 222 Place of Use for irrigation (add acres)
9. other Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 55 Fee & Rec't. No. 2/1/78

Copies Sent To:

|                                    |                         |
|------------------------------------|-------------------------|
| <u>NO</u> Idaho Health Department  | <u>NO</u> U.S.F.S.      |
| <u>/</u> Idaho Fish & Game Dept.   | <u>/</u> Dept. of Lands |
| <u>/</u> Bureau of Land Management | <u>/</u> Other          |

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

(wait for response from Southern)

Other rights on same land 41-7030 - does not overlap both applications  
have land in SESE S28 T05 R31E But total acres do not exceed 40

Withdrawals of all protests received X Per stipulation yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. /

Snake River Condition /

Payette River Letter /

Priority Date 2/1/78

Water Quality #16 NO

Water Quality #10 /

intrastate / interstate /

Meas. Dev. or Sc. Meas. Yes

Totalizing meter NO

Supplemental /

Right-of-Way Cond. Yes

Watermaster Cond. NO

Wtr. Dist No. /

Meas. Dev. Cond. for apps within a Water Dist. /

# see attached sheet for additional condition

Jim

Reviewer

2/7/79

Date

RECOMMENDED

CONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed \_\_\_\_\_ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of \_\_\_\_\_ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. \_\_\_\_\_, \_\_\_\_\_ River.
- ☐ The proposed well shall not be drilled within \_\_\_\_\_ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☒ Other: Water shall be cased out of the well  
to a depth of 75 feet

RECEIVED



DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 41-7034-Kent O. McMichael

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

(1) OP 2-3-78

In form to receipt

(2) OP 2-3-78

Send Copies to:

☐ Idaho State Health Department  
☐ Idaho Fish and Game Department  
☐ Bureau of Land Management

(3) JP 2-3-78

☐ Request Special Use Permit from U.S.F.S.  
☐ Request Easement from B.L.M.  
☐ Request Information from Applicant  
☐ Request Dam Safety Information

(4) DS 2/4/78

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. BLS-86

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no \_\_\_\_\_

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) Dj 2/28/78

Affidavit of Publication received(date) 2/27/78

(12) Dj 2/6/78

Final date for protests 3/6/78  
Protests received: yes ☒ no ☐ 3/6/78

(13) LH 1-30-79

All requested information received from agencies or applicant: yes ☒ no ☐

(14) LH 1-30-79

Action recommended:

☒ Approve \_\_\_\_\_ Deny

2-1-78 Proposed Priority

\_\_\_\_\_ Reason for Reduction \_\_\_\_\_

☒ Measuring device required

☒ See attached sheet for other conditions of approval

\_\_\_\_\_ No special conditions for approval

(15) District S By Loren O. Halmer Date 1-30-79

cc sent to Boise by 2/7/78

RECEIVED  
FEB 05 1979

Department of Water Resources

MICROFILMED

BEFORE THE STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES

APPLICATION OF KENT O. McMICHAEL,        )    AMENDED  
                                                      )    STIPULATION  
Application Nos. 41-7030 and 41-7034    )  
-----

COMES NOW, Kent O. McMichael, applicant in the above numbered permits, Ben Cavaness, his attorney, and John Kugler, attorney for water users, Farold J. Nelson, Stan Groom, and Richard May, as representatives of the water users of the Rockland Valley Water District, who herewith individually and collectively stipulate that the protests filed by the above named protestants may be withdrawn by the Idaho Department of Water Resources and permits issued to the applicant provided that the applicant consents to the following condition being placed upon his permits and licenses by the department, to-wit:

"That applicant shall cause each and every water bearing strata encountered in the drilling of the well pursuant to the above numbered permits from the surface elevation of said well to the depth of 75 feet to be cased out by emplacement of solid casing material through the entire water bearing strata and into the next impervious soil strata encountered. Failure to so case the well or perforation of the casing so placed between the surface level and the said 75 foot depth or through the next pervious layer, shall be considered to be a violation of the conditions of these permits and the permits shall then be subject to cancellation by the Department."

That applicant, by his execution of this stipulation consents to the terms hereof and protestants by their execution hereof through their attorney, agree to withdraw their protests and allow applicant to receive permits to proceed with the drilling of the well subject to the terms of this stipulation.

RECEIVED  
JAN 10 1971  
IDAHO DEPARTMENT OF WATER RESOURCES

DATED this 23<sup>rd</sup> day of January, 1978.

APPLICANT

Kent O. McMichael  
Kent O. McMichael  
Ben Cavaness  
Ben Cavaness, his attorney

PROTESTANTS

ROCKLAND VALLEY WATER DISTRICT

By Farold J. Nelson  
Farold J. Nelson

By Stan Groom  
Stan Groom

By Richard May  
Richard May

John B. Kugler  
John B. Kugler, their attorney

RECEIVED

#41-7034 - Kent O. McMichael

● SENDER: Complete items 1, 2, and 3.

Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

☒ Show to whom and date delivered. \_\_\_\_\_☐ Show to whom, date, and address of delivery. \_\_\_\_\_☐ RESTRICTED DELIVERY

Show to whom and date delivered. \_\_\_\_\_

☐ RESTRICTED DELIVERY

Show to whom, date, and address of delivery. \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Kent O. McMichael

Star Route, Rockland, ID 83271

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

040

(Always obtain signature of addressee or agent).

I have received the article described above.

SIGNATURE

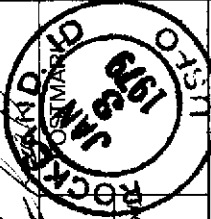
☐ Addressee☒ Authorized agent

DATE OF DELIVERY

1/3/79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S  
INITIALS

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



**RETURN  
TO**



IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN DISTRICT OFFICE  
1041 BLUE LAKES BLVD. NORTH  
TWIN FALLS, IDAHO 83301

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

- Kent O. McMichael

✓ER: Complete items 1, 2, and 3.

Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered ..... \$  
☐ Show to whom, date, and address of delivery ..... \$  
☐ RESTRICTED DELIVERY  
Show to whom and date delivered ..... \$  
☐ RESTRICTED DELIVERY  
Show to whom, date, and address of delivery \$ \_\_\_\_\_  
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

John Kugler - Attorney at Law  
216 Idaho - American Falls, ID

83211

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

039

Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☒ Authorized agent

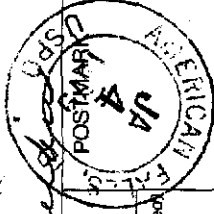
DATE OF DELIVERY

1-4-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S  
INITIALS



**MICROFILMED**



UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



RETURN  
TO

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN DISTRICT OFFICE  
1041 BLUE LAKES BLVD. NORTH

JAN 7 1979

TWIN FALLS, IDAHO (Name of Sender)

Department of Water Resources  
Southern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

ORIGINAL

Name and Address of Sender

IDaho DEPARTMENT OF WATER RESOURCES  
SOUTHERN DISTRICT OFFICE  
1041 BLUE LAKES BLVD. NORTH  
TWIN FALLS, IDAHO 83301

Indicate type of mail:  
☐ REGISTERED ☐ C.O.D.  
☐ CERTIFIED

Stix stamp here if issued as certificate of mailing or for additional copies of this bill.  
POSTMARK AND DATE OF RECEIPT

Postage # 44-7034 - Post one month

| NUMBER OF ARTICLE | NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS    | POSTAGE | FEE | R.R. FEE | POST. FEE | ACTUAL VALUE | HANDLING CHARGE | REMARKS* |
|-------------------|------------------------------------------------------|---------|-----|----------|-----------|--------------|-----------------|----------|
| 1                 | 039                                                  |         |     |          |           |              |                 |          |
| 2                 | 040                                                  | 15      | 80  | 45       |           |              |                 |          |
| 3                 | John R. Hughes - attorney<br>Dept. of Land and Water |         |     |          |           |              |                 |          |
| 4                 |                                                      |         |     |          |           |              |                 |          |
| 5                 |                                                      |         |     |          |           |              |                 |          |
| 6                 |                                                      |         |     |          |           |              |                 |          |
| 7                 |                                                      |         |     |          |           |              |                 |          |
| 8                 |                                                      |         |     |          |           |              |                 |          |
| 9                 |                                                      |         |     |          |           |              |                 |          |
| 10                |                                                      |         |     |          |           |              |                 |          |
| 11                |                                                      |         |     |          |           |              |                 |          |
| 12                |                                                      |         |     |          |           |              |                 |          |
| 13                |                                                      |         |     |          |           |              |                 |          |
| 14                |                                                      |         |     |          |           |              |                 |          |
| 15                |                                                      |         |     |          |           |              |                 |          |
| 16                |                                                      |         |     |          |           |              |                 |          |
| 17                |                                                      |         |     |          |           |              |                 |          |
| 18                |                                                      |         |     |          |           |              |                 |          |
| 19                |                                                      |         |     |          |           |              |                 |          |
| 20                |                                                      |         |     |          |           |              |                 |          |

TOTAL NO. OF PIECES LISTED BY SENDER

TOTAL NO. OF PIECES RECD. AT P.O.

POSTMASTER, PER (Name of receiving employee)

\* Show under "Remarks" class postage paid, if sent by registered mail or if insured.

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

(Declaration of value is required on international registered mail)

\* U. S. GOVERNMENT PRINTING OFFICE: 1974-0-351-725

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

PS Form 3877, Dec. 1973

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

In the Matter of Protest Against Approval)  
of Application for Permit No. 41-7034 in )  
the name of Kent O. McMichael )  
\_\_\_\_\_ )

NOTICE OF CONFERENCE AND/OR HEARING

On February 1, 1978, Kent O. McMichael filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 6, 1978, the Department received protests against approval of said application from John B. Kugler, Attorney at Law, in behalf of Farold J. Nelson and Richard May.

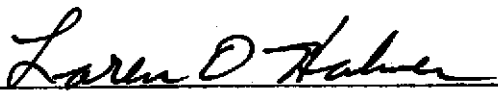
The Department has set the matter of protest for conference and/or hearing for Wednesday, January 24, 1979, at 1:00 p.m., in the County Courthouse at the County Agent's Office in American Falls, Idaho.

Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2nd day of January, 1979.

  
LOREN O. HOLMES  
Southern Region Supervisor

41-7034 - KENT McMICHAEL

County Agent's Office - Power County Courthouse, American Falls, Idaho

January 24, 1979 - 1:00 P.M.

ROSTER OF ATTENDANCE

| Name | Address | Representing |
|------|---------|--------------|
|------|---------|--------------|

RECEIVED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

December 5, 1978

John Kugler  
Attorney at Law  
216 Idaho  
American Falls, Idaho 83211

Re: Applications for Permit No. 41-7034 - Kent McMichael  
41-7035 - Ralph Woodworth & Sons  
41-7027) - Grant Udy & Sons  
41-7028)  
41-7033 - Clifford Nelson  
41-7032 - H. Roscoe Weston  
41-7036 - Farren &/or MarDee Porath

Dear Mr. Kugler:

Conferences and/or hearings on the above referenced applications have tentively been scheduled for January 23 & 24, 1979 at the County Agent's Office in the County Courthouse in American Falls, Idaho.

Notices formally setting the conferences and/or hearings will be sent by certified mail early in January. These notices will set the time and place for the meetings.

If you have any questions, please contact me.

Sincerely,

Loren O. Holmes  
Southern Region Supervisor

LOH:marya

RECEIVED  
JAN 10 1979  
TWIN FALLS, IDAHO



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

December 5, 1978

Ben Cavaness  
Attorney at Law  
376 Roosevelt  
American Falls, Idaho 83211

Re: Applications for Permit No. 41-7034 - Kent McMichael  
41-7035 - Ralph Woodworth & Sons  
41-7027) - Grant Udy & Sons  
41-7028)  
41-7033 - Clifford Nelson  
41-7032 - H. Roscoe Weston  
41-7036 - Farren &/or MarDee Porath

Dear Mr. Cavaness:

Conferences and/or hearings on the above referenced applications have tentively been scheduled for January 23 & 24, 1979 at the County Agent's Office in the County Courthouse in American Falls, Idaho.

Notices formally setting the conference and/or hearings will be sent by certified mail early in January. These notices will set the time and place for the meetings.

If you have any questions, please contact me.

Sincerely,

*Loren O. Holmes*  
Loren O. Holmes  
Southern Region Supervisor

LOH:marya





**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

December 5, 1978

Kent O. McMichael  
Star Route  
Rockland, Idaho 83271

Re: Applications for Permit No. 41-7034 - Kent McMichael  
41-7035 - Ralph Woodworth & Sons  
41-7027)- Grant Udy & Sons  
41-7028)-  
41-7033 - Clifford Nelson  
41 7032 - H. Roscoe Weston  
41-7036 - Farren &/or MarDee Porath

Dear Mr. McMichael:

Conferences and/or hearings on the above referenced applications have tentively been scheduled for January 23 & 24, 1979 at the County Agent's Office in the County Courthouse in American Falls, Idaho.

Notices formally setting the conference and/or hearings will be sent by certified mail early in January. These notices will set the time and place for the meetings.

If you have any questions, please contact me.

Sincerely,

*Loren O. Holmes*  
Loren O. Holmes  
Southern Region Supervisor

LOH:marya



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

December 5, 1978

Sterling Schow - Chairman  
Agriculture Extension Agent  
P. O. Box 179  
American Falls, Idaho 83217

Dear Mr. Schow:

This is to confirm the use of the conference room for conference and/or hearing to be held by this office on Tuesday and Wednesday, January 23 and 24, 1979.

Thank you for your cooperation in this matter.

Sincerely,

Mary A. Hill  
Secretary

for  
  
Loren O. Holmes  
Southern Region Supervisor

Mc



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
SOUTHERN REGION

John V. Evans  
Governor

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

C. Stephen Allred  
Director

March 7, 1978

Mr. Kent O. McMichael  
Star Route  
Rockland, Idaho 83271

Re: Application for Permit No. 41-7034 - Kent O. McMichael

Dear Mr. McMichael:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 41-7034. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, 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?

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

Sincerely,

Michael L. Steele  
Southern Region Supervisor

MLS:sm  
Enc.



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

March 7, 1978

Mr. John B. Kugler  
P. O. Box 386  
American falls, Idaho 83211

Re: Application for Permit No. 41-7033, 41-7034, 41-7035

Dear Mr. Kugler:

Your protest against the approval of the above referenced application submitted in behalf of Nelson and May has been received and a copy has been sent to the applicant. 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 you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, 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 purpose 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?

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

Sincerely,

Michael L. Steele  
Southern Region Supervisor

MLS:sm

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

|                         |   |         |
|-------------------------|---|---------|
| Application of          | ) |         |
|                         | ) | PROTEST |
| KENT O. McMICHAEL       | ) |         |
| Application No. 41-7034 | ) |         |
|                         | ) |         |

COMES NOW the water users, Farold J. Nelson and Richard May, as representatives of the water users of the Rockland Valley Water District, the same being users of water from the U. S. Ditch, the South Fork of Rock Creek, the East Fork of Rock Creek and other springs and ditches within Rockland Valley by and through their attorney, John B. Kugler, and protest the application of Kent O. McMichael.

I.

The proposed application and diversion will reduce and adversely affect the existing water rights of water users in the Rockland Valley.

II.

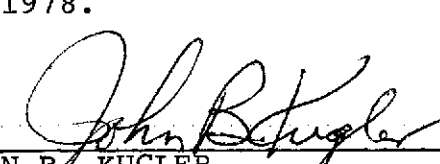
The diversion of water as sought in the above application has or will result in reduction of stream flow now decreed to the water users above named and other water users of the same class, which uses have been continuous through said users and their said predecessors for more than twenty years.

III.

The applicant has at all times heretofore willfully encroached upon and invaded existing water rights of protestants, and the application is made for speculative purposes.

WHEREFORE, Protestants pray that the application be denied and that the Department issue immediate cease and desist orders directing applicant to refrain from diverting waters, pumping the wells or ponding of waters in the areas which are the subject matter of the application.

Dated this 2nd day of March, 1978.

  
JOHN B. KUGLER  
Attorney for Protestants

February 6, 1978

Power County Press  
174 Idaho Street  
American Falls, Idaho 83211

Re: Application for Permit: No. 41-7033 - Clifford E. Nelson  
41-7034 - Kent O. McMichael

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele  
Southern Region Supervisor

MICROFILMED

Bill submitted: \_\_\_\_\_



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Kent O. McMichael  
Rockland, Idaho 83271  
has on 2/1/78 submitted Application No. 41-7034  
for a permit to appropriate 4.0 cubic feet per second ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~  
of water from ground water  
by means of well, pump, sprinkler system  
within the NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 28, Twp. 10S, Rge. 31E, B.M. Power County

to be used from Mar. 15 to Nov. 15 for irrigation purposes of 222 acres

~~XXX~~  
~~for~~

within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 28, Twp. 10S, Rge. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 6, 1978.

C. STEPHEN ALLRED

Director

Published in the Power County Press

on 2/15 and 2/22/78

MICROFILMED

3/79

IDENT. NO. 41-7034

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]

State of Idaho  
Department of Water Resources



ROSTER OF ATTENDANCE

IN THE MATTER OF APPLICATION FOR TRANSFER NO.  
5120 IN THE NAME OF TIMOTHY P. DEEG

Date: February 3, 1998  
Time: 10:00 a.m.  
Location: Council Chambers  
American Falls City Hall  
550 North Oregon Trail Street  
American Falls, Idaho  
Hearing Officer: L. Glen Saxton

\* \* Please Print \* \*

| NAME              | ADDRESS             | REPRESENTING<br>(Applicant or Protestant) |
|-------------------|---------------------|-------------------------------------------|
| Richard Nelson    | Box 335             | Rockland, Ida 84271                       |
| Kathleen Barkdull | 3202 Hedstrom Lane  | Am. Falls. Warm Creek Irrigator Co.       |
| Don Hering        | 3114 McClellan Loop | Am. Falls, Ida 83221                      |
| Carl Barkdull     | 3202 Hedstrom Lane  | Am. Falls. Warm Creek Irrigator Co.       |
| Paul P. Kendall   | 3131 McClellan Loop | Am. Falls. Warm Creek Water               |
| Tom Kendall       | 3115 McClellan Loop | Am. Falls. Warm Creek Irr.                |
| KENT W. FOSTER    | PO BOX 50130        | IF 83405 APPLICANT                        |
| C. E. Brockway    | 706 Spring N.       | Two Falls Applicant                       |
| Steve Deeg        | 3002 Deeg Rd        | Am. Falls Applicant                       |
| Timothy P. Deeg   | 2957 Deeg Rd.       | Am. Falls Applicant                       |

MICROFILMED

JUN 25 1998



**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

PHILIP E. BATT  
GOVERNOR

**MEMORANDUM**

KARL J. DREHER  
DIRECTOR

To: L. Glen Saxton  
From: Karl J. Dreher   
RE: **APPOINTMENT AS HEARING OFFICER - PROCEDURE RULE 410**  
Date: January 26, 1998

You are hereby appointed as hearing officer and are authorized to represent the department as provided by IDAPA Rule 37.01.01410 (Procedure Rule 410) in the following matter:

**In the Matter of Application for Transfer No. 5120 in the name of Timothy P. Deeg**

The department has scheduled a hearing in the matter as follows:

Date: February 3, 1998  
Time: 10:00 a.m.  
Place: Council Chambers  
American Falls City Hall  
550 North Oregon Trail Street  
American Falls, Idaho

MICROFILMED  
JUN 25 1998

## EXHIBIT LOG

RE: Deeg Transfer No. 5120  
 PLACE: American Falls, Id  
 DATE: 10:00 am , Tuesday, February 3, 1998  
 HEARING OFFICER: Glen Saxton  
 ASSISTED BY: Allen Merritt

| APPLICANT  |                               |          | PROTESTANT |                            |          |
|------------|-------------------------------|----------|------------|----------------------------|----------|
| EXHIBIT ID | DESCRIPTION                   | ENTERED? | EXHIBIT ID | DESCRIPTION                | ENTERED? |
| 1          | USGS Quad                     | yes      | A          | Warm CK maps.              | yes      |
| 2          | USGS Report                   | yes      | B          | Cold CK maps.              | yes      |
| 3          | Trans 4268 d order slip       | yes      | C          |                            |          |
| 4          | 2/21/97 letter                | yes      | D          |                            |          |
| 5          | 4/7/97 letter                 | yes      | E          |                            |          |
| 6          | hydrographs                   | yes      | F          |                            |          |
| 7          | contour chart                 | yes      | G          |                            |          |
| 8          | Little CK poster              | yes      | H          |                            |          |
| 9          | Little CK report              | yes      | I          |                            |          |
| 10         | Cold down CK poster           | yes      | J          |                            |          |
| 11         | Mayer well poster             | yes      | K          |                            |          |
| 12         | Brookings report              | yes      | L          |                            |          |
| 13         | weir picture                  | yes      | M          |                            |          |
| 14         | zevial photo                  | yes      | N          |                            |          |
| 15         | sewerage report 93            | yes      | O          |                            |          |
| 16         | sewerage report 95            | yes      | P          |                            |          |
| 17         | map                           | yes      | Q          |                            |          |
| 18         | weir <sup>Cold CK</sup> photo | yes      | R          |                            |          |
| 19         | sewerage report 91            | yes      | S          |                            |          |
| 20         | sewerage report               | yes      | T          |                            |          |
| 21         |                               |          | U          |                            |          |
| 22         |                               |          | V          |                            |          |
| 23         |                               |          | W          |                            |          |
| 24         |                               |          | X          | MICROFILMED<br>JUN 25 1998 |          |
| 25         |                               |          | Y          |                            |          |
| 26         |                               |          | Z          |                            |          |

|                               |                           |
|-------------------------------|---------------------------|
| Department of Water Resources |                           |
| APPLICANT'S                   |                           |
| Exhibit #                     | <del>1</del> 2 <i>for</i> |
| Date Admitted                 | 2/3/98                    |

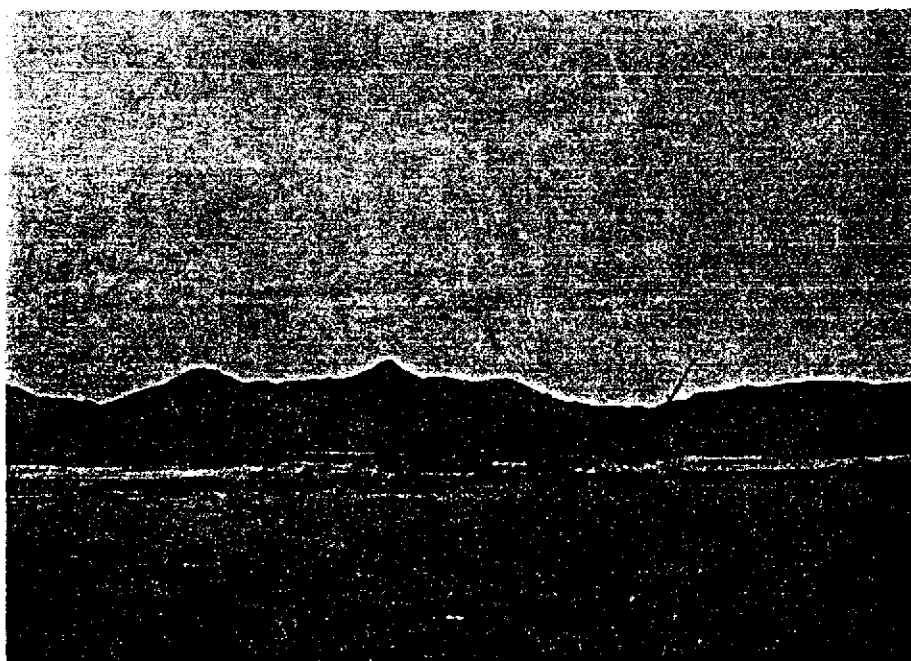
# WATER RESOURCES OF ROCKLAND BASIN, SOUTHEASTERN IDAHO

---

## U.S. GEOLOGICAL SURVEY

Open-File Report 82-755

Prepared in cooperation with the  
Idaho Department of Water Resources



MICROFILMED

JUN 25 1998



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

WATER RESOURCES OF ROCKLAND BASIN,  
SOUTHEASTERN IDAHO

By R. P. Williams and H. W. Young

---

U.S. GEOLOGICAL SURVEY

Open-File Report 82-755

Prepared in cooperation with the  
Idaho Department of Water Resources

Boise, Idaho  
December 1982

MICROFILMED  
JUN 25 1998

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II MICROFILMED

JUN 25 1998

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## CONVERSION FACTORS

For the convenience of those who prefer SI (International System of Units) rather than the inch-pound system, conversion factors for terms used in this report are listed below. Constituent concentrations are given in mg/L (milligrams per liter) or  $\mu\text{g/L}$  (micrograms per liter), which are equal to parts per million or parts per billion, respectively. Specific conductance is expressed as  $\mu\text{mho/cm}$  (micromhos per centimeter at 25 degrees Celsius). Dissolved-solids concentrations reported in ton/acre-ft are equal to 0.00136 mg/L.

| <u>Multiply inch-pound unit</u>                     | <u>By</u>              | <u>To obtain SI unit</u> |
|-----------------------------------------------------|------------------------|--------------------------|
| <u>Length</u>                                       |                        |                          |
| inch (in.)                                          | 25.40                  | millimeter               |
| foot (ft)                                           | 0.3048                 | meter                    |
| mile (mi)                                           | 1.609                  | kilometer                |
| <u>Area</u>                                         |                        |                          |
| acre                                                | 4047                   | square meter             |
| square mile ( $\text{mi}^2$ )                       | 2.590                  | square kilometer         |
| <u>Volume</u>                                       |                        |                          |
| gallon (gal)                                        | 3.785                  | liter                    |
| acre-foot (acre-ft)                                 | 1234                   | cubic meter              |
| <u>Flow</u>                                         |                        |                          |
| cubic foot per second<br>( $\text{ft}^3/\text{s}$ ) | 0.02832                | cubic meter per second   |
| gallon per day (gal/d)                              | $4.381 \times 10^{-8}$ | cubic meter per second   |
| gallon per minute<br>(gal/min)                      | $6.309 \times 10^{-5}$ | cubic meter per second   |
| <u>Mass Per Unit Time</u>                           |                        |                          |
| ton per day (ton/d)                                 | 0.9072                 | megagram per day         |
| <u>Transmissivity</u>                               |                        |                          |
| foot squared per day<br>( $\text{ft}^2/\text{d}$ )  | 0.0929                 | meter squared per day    |
| <u>Specific Conductance</u>                         |                        |                          |
| micromho ( $\mu\text{mho}$ )                        | 1.00                   | microsiemen              |

Temperature

Conversion of °C to °F is by the equation  $^{\circ}\text{F} = (1.8)(^{\circ}\text{C}) + 32$ . Water temperatures are reported to the nearest 0.5 degree.



WATER RESOURCES OF ROCKLAND BASIN,  
SOUTHEASTERN IDAHO

---

By

R. P. Williams and H. W. Young

---

USGS- IDWR  
230 Collins Rd.

Boise, Idaho 83702

387-1314

ABSTRACT

Rockland basin comprises about 320 square miles of the Snake River drainage in southeastern Idaho. Mountain ranges bordering the basin are composed predominantly of limestone and are complexly faulted. Major aquifers include Holocene alluvium, Quaternary-Tertiary volcanic rocks, and Tertiary sedimentary rocks. Ground water occurs under water-table conditions except where it is locally confined. Ground water discharges to springs in the Deep Creek Mountains and maintains perennial streamflow. Near the mouth of Rock Creek, ground-water movement is northward toward the Snake River. Underflow is estimated to be 51,000 acre-feet per year.

Total water yield available to Rockland basin is estimated to be 5.0 inches (85,000 acre-feet) of the estimated 17.3 inches of annual precipitation. Evapotranspiration ranges from 9.9 to 17 inches per year, depending, in part, on altitude of the land surface.

An estimated 12,000 acre-feet of surface water and 3,500 acre-feet of ground water are used annually for irrigation. Less than 100 acre-feet of water is used for public supply, domestic, and stock supplies. East Fork Rock Creek supplies the most surface water for irrigation of agricultural lands.

At the present (1980) state of ground-water development in Rockland basin, streams and aquifers are hydraulically connected. Pumping of ground water in increased quantities from wells near streams will affect ground-water movement and may diminish streamflow. There are no long-term regional water-table declines at the present time. Continued water-level monitoring of selected wells may aid in documenting effects of future management practices on the ground-water system.

## INTRODUCTION

Rockland basin comprises an area of about 320 mi<sup>2</sup> in southeastern Idaho (fig. 1). The basin is inhabited by fewer than 400 persons. The principal town is Rockland, with a population of 283 (1980). The basic economy in the basin is agriculture, using both dryland and irrigated farming practices.

Prior to about 1950, irrigators in the basin depended almost entirely on diversions of surface water from Rock, South Fork Rock, and East Fork Rock Creeks. Irrigated acreage was limited primarily to lowlands adjacent to these creeks, where surface water could be diverted by gravity flow. The increase in the amount of irrigated acreage was restricted by the amount of flow in the creeks and the amount of ground-water discharge from a number of relatively small perennial springs scattered throughout the central and eastern parts of the basin. Also, a small amount of spring discharge was collected in ponds for watering of stock.

Since the early 1950's, irrigation of agricultural lands from surface water has been supplemented by an increasing amount of ground water. Development of ground water has resulted in expanded acreage of irrigated lands. Landowners consequently are interested in the future availability of water and the effects the increase in ground-water pumping might have on the amount of surface water and spring flow available for development. Historic hydrologic data collected on streamflow and water-level fluctuations in wells and the limited understanding of the interconnection between the surface-water and ground-water systems in the basin are not sufficient to provide answers to these questions.

### Purpose

The purpose of this 2-year study was to document and describe the present (1980) water-resource conditions in Rockland basin so that management decisions can be made to optimize use of the water resources in the basin. Objectives of the report are to: (1) Describe the geology and hydrology, (2) estimate a water budget and water yield, (3) evaluate present water-resource development, (4) describe the interrelation between ground water and surface water, and (5) evaluate water-quality conditions.

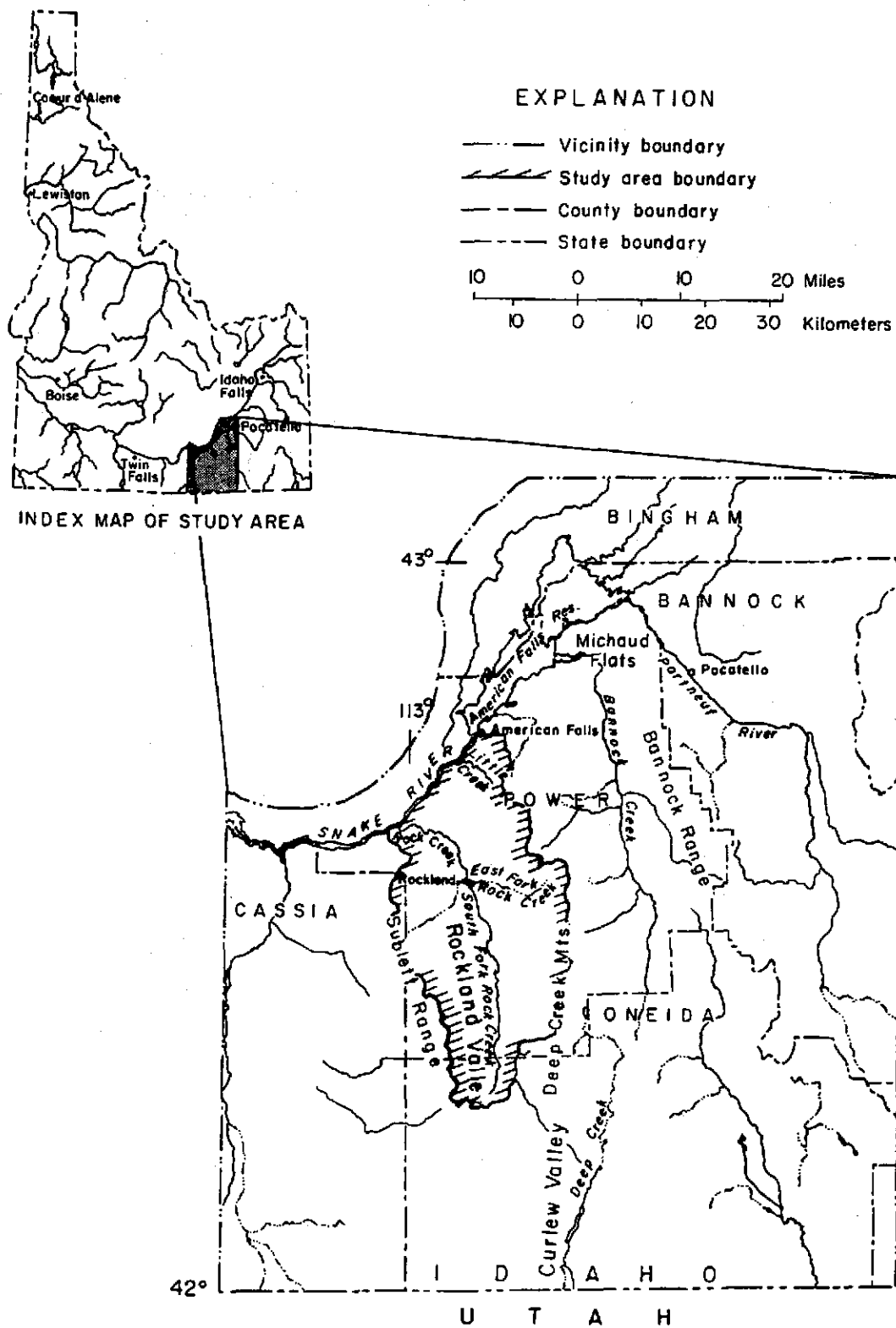


Figure 1.-- Study area and vicinity.

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### Acknowledgments

Many farmers and landowners in Rockland basin cooperated fully in this study by supplying information on water use and allowing access to their property, supplying construction and hydrologic data pertaining to their wells, and permitting water levels to be measured. Officials and employees of Idaho Power Company supplied power records useful in computing the amount of ground water pumped. To all the above, the authors are grateful.

### Well- and Spring-Numbering System

The well- and spring-numbering system (fig. 2) used by the U.S. Geological Survey in Idaho indicates the location of wells or springs within the official rectangular subdivision of the public lands, with reference to the Boise base line and meridian. The first two segments of the number designate the township and range. The third segment gives the section number, followed by three letters and a numeral, which indicate the  $\frac{1}{4}$  section (160-acre tract), the  $\frac{1}{4}$ - $\frac{1}{4}$  section (40-acre tract), the  $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$  section (10-acre tract), and the serial number of the well within the tract, respectively. Quarter sections are lettered A, B, C, and D in counterclockwise order from the northeast quarter of each section. Within the quarter sections, 40-acre and 10-acre tracts are lettered in the same manner. Well 8S-30E-23DCC1 is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  sec. 23, T. 8 S., R. 30 E., and was the first well inventoried in that tract. Springs are designated by the letter "S" following the last numeral; for example, 11S-32E-18AAC1S.

### Gaging-Station Numbering System

Each gaging station and partial-record station in Idaho has been assigned a number in accordance with the permanent numbering system used by the U.S. Geological Survey. Numbers are assigned in a downstream direction along the main stream, and stations on tributaries between main-stream stations are numbered in the order that the tributaries enter the main stream. A similar order is followed on other ranks of tributaries. The complete 8-digit number, such as 13077650, which is used for the station "Rock Creek near American Falls," includes the part number "13," indicating that Rock Creek is in the Snake River basin, plus a 6-digit station number.

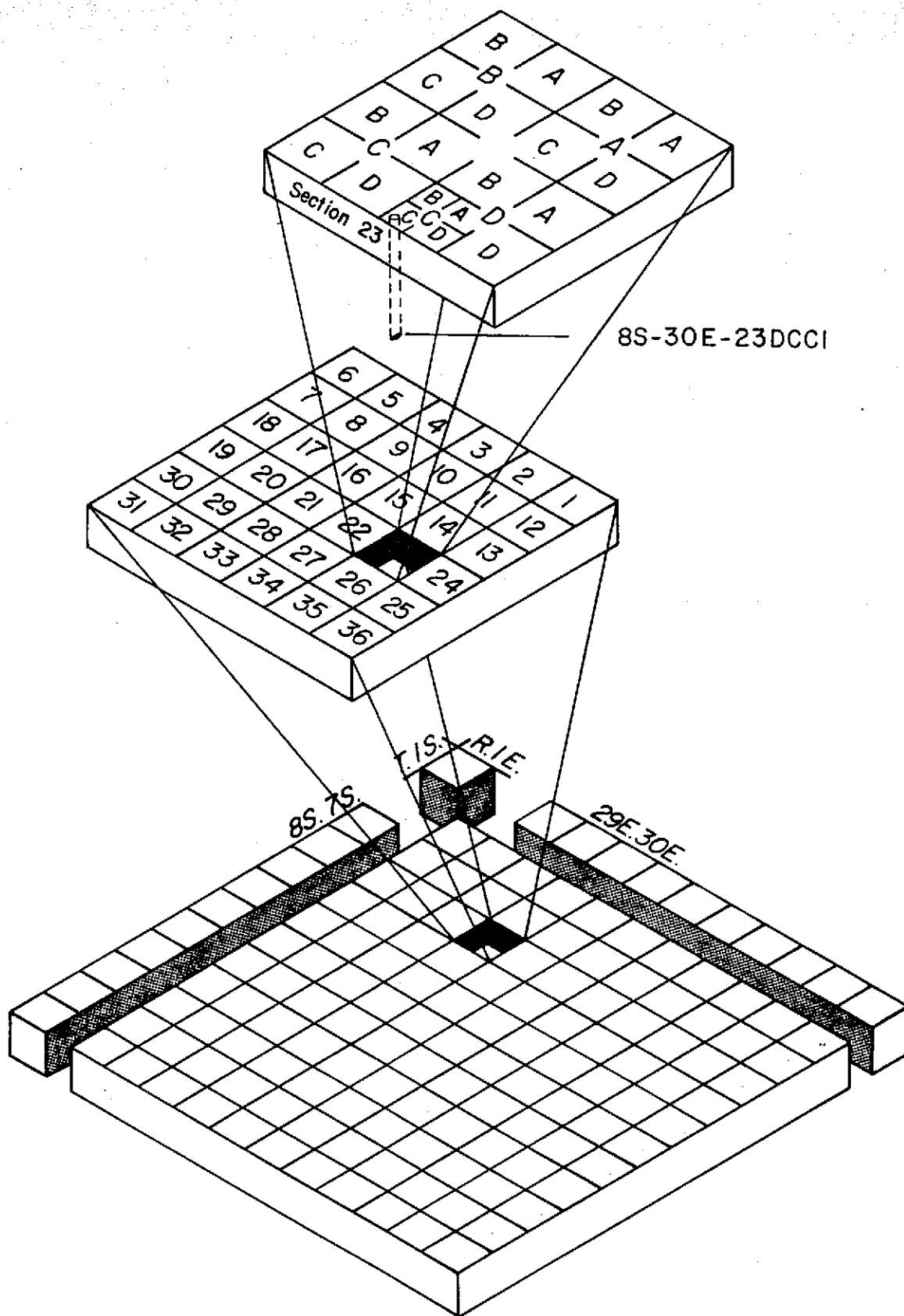


Figure 2.-- Well- and spring-numbering system.

## HYDROLOGIC SETTING

## Topography and Drainage

Rockland basin is in the northern part of the Basin and Range physiographic province (Fenneman, 1931). The basin is roughly elliptical; the long axis is oriented in an approximate north-south direction. Land-surface altitudes range from 4,200 ft NGVD (National Geodetic Vertical Datum of 1929), where Rock Creek joins the Snake River, to 8,700 ft NGVD at Deep Creek Peak in the Deep Creek Mountains, which form the eastern border of the basin. The western border is formed by the Sublett Range, which rises to an altitude of 7,500 ft at Hartley Peak. The southern border is the divide (altitude 5,690 ft) between Rockland basin and Curlew Valley and is formed by a relatively narrow swale that lies between the Deep Creek Mountains and Sublett Range. The northern border is formed by a subtle divide between the drainages of Rock Creek and Little Creek.

The central part of the basin is a valley about 30 mi long and 10-15 mi wide and has an average altitude of about 5,000 ft. On the eastern and western sides of the valley, broad piedmonts extend from the mountain fronts to the valley floor, which is essentially composed of the flood plains of Rock and South Fork Rock Creeks. The northern part of the valley is characterized by rolling foothills that merge with Michaud Flats, a broad, alluvial plain 3-4 mi wide adjacent to the Snake River.

Drainage in Rockland basin is provided by Rock Creek, which flows generally in a northward direction to the Snake River. Although Rock Creek is intermittent in much of its upper reaches, it is perennial in its lower reaches, where it is sustained by ground-water discharge.

With the exception of East Fork Rock and Spring Creeks, tributary streams to Rock Creek are intermittent and flow only during periods of heavy rainfall. Perennial flow in East Fork Rock and Spring Creeks is sustained by springs.

## Climate

Climatic conditions vary in the basin from semiarid on the valley floor to subhumid in the bordering mountains because of the appreciable differences in topographic relief. Summers are generally warm and dry and winters are cold and wet. No weather stations are located in the basin; however, annual average temperatures recorded at the National Weather Service station at American Falls (altitude 4,318 ft), about 8 mi north of the basin, range from 23.9°F

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(-4.5°C) in January to 70.7°F (21.5°C) in July. Annual average precipitation at American Falls is 10.4 in. for 63 years of record.

As part of this study, three precipitation-storage cans were installed at high-altitude locations (fig. 3) in the basin. Using data obtained from these stations and nearby National Weather Service stations and altitude-precipitation relations of nearby basins, an estimated precipitation-altitude relation curve (fig. 4) was derived for Rockland basin.

The straight-line slope of the curve is idealistic, because effects of rain shadows and any unique weather patterns common to subareas of the basin are not accounted for in the calculations. However, the curve can be used to draw a map of the generalized distribution of precipitation (fig. 3). Average annual precipitation ranges from 11 in. near the Snake River in the northern part of the basin to more than 35 in. near Bannock Peak in the Deep Creek Mountains (fig. 3). The climatic data indicate that precipitation increases rapidly with altitude and is greatest on west-facing slopes. The eastern slopes of the Sublett Range are in a rain shadow, whereas the western slopes of the Deep Creek Mountains are more directly exposed to moisture-laden air masses. On the basis of a mean altitude of 5,700 ft, mean annual precipitation for Rockland basin is 17.3 in. (fig. 4).

Yearly variation in precipitation was compared for five stations by plotting the cumulative departure of yearly precipitation from the long-term mean for the period 1950-78 (fig. 5). The graph trends can be used to infer a near-"normal" precipitation condition in the late 1970's (the time of this study). The Conda (precipitation station) data were included to compare long-term trends of precipitation differences at a distant location and at a higher altitude. Conda is about 65 mi east of the study area at an altitude of 6,200 ft. Precipitation trends seem to be compatible at all sites used, indicating that the regional precipitation pattern is similar.

### Geology

For purposes of this study, geologic formations in Rockland basin are divided into (1) undifferentiated pre-Tertiary sedimentary rocks, (2) Tertiary sedimentary rocks, (3) Quaternary-Tertiary volcanic rocks, (4) Pleistocene gravel, (5) Pleistocene windblown (loess) deposits, and (6) Holocene alluvium. Areal distribution of these units is shown in figure 6.

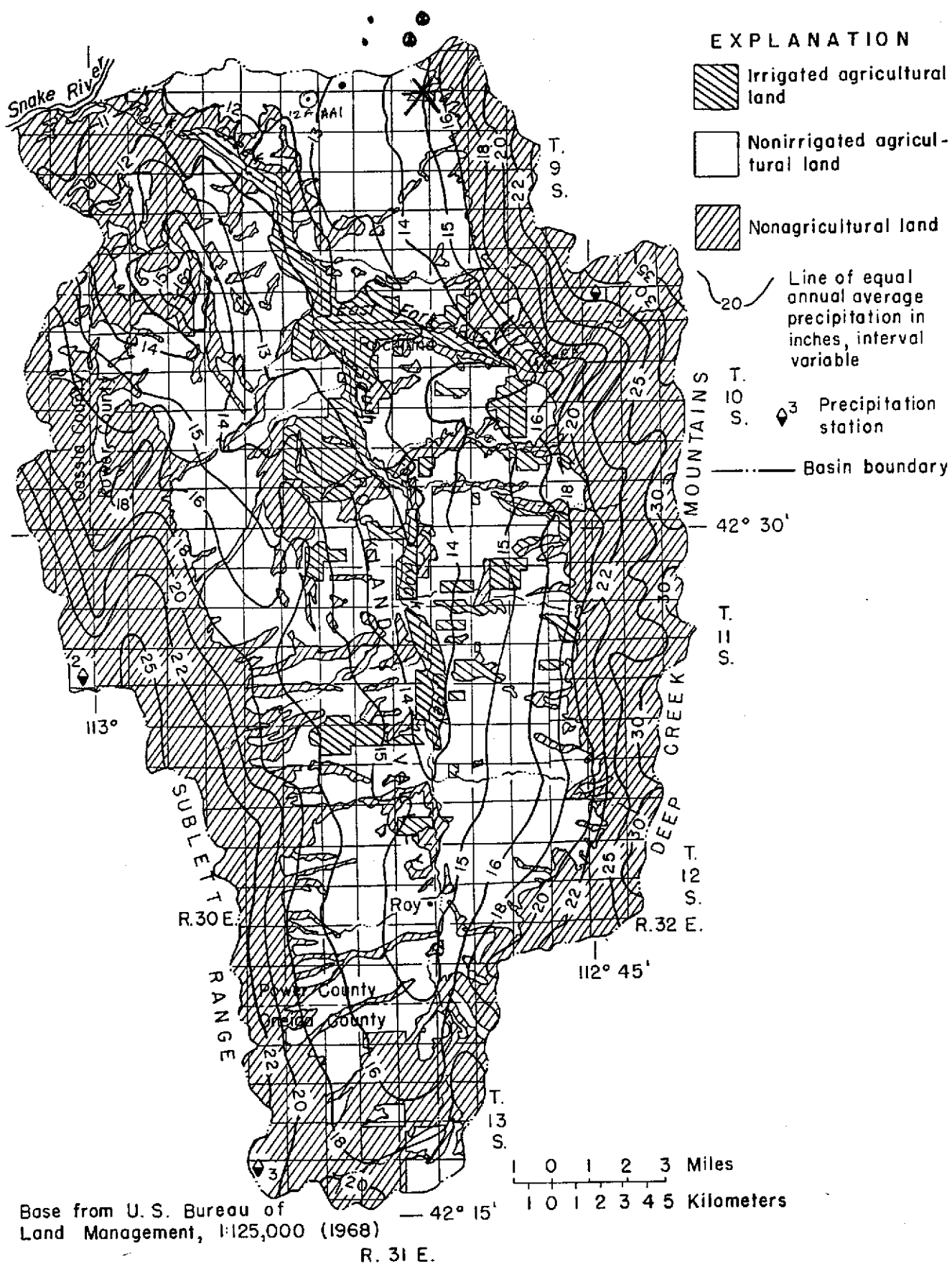


Figure 3.-- Distribution of

Precipitation data for Rockland basin  
(From three U.S. Geological Survey precipitation stations)

| Period of data<br>collection           | Precipitation, in inches |                  |                |
|----------------------------------------|--------------------------|------------------|----------------|
|                                        | East Fork (1)            | Houtz Canyon (2) | South Fork (3) |
| August 24, 1978-<br>January 18, 1979   | 11.1                     | 8.8              | 6.4            |
| January 19, 1979-<br>November 15, 1979 | 19.2                     | 19.0             | 13.8           |
| November 16, 1979-<br>June 4, 1980     | 31.4                     | 26.9             | 16.3           |

precipitation and agricultural land use.

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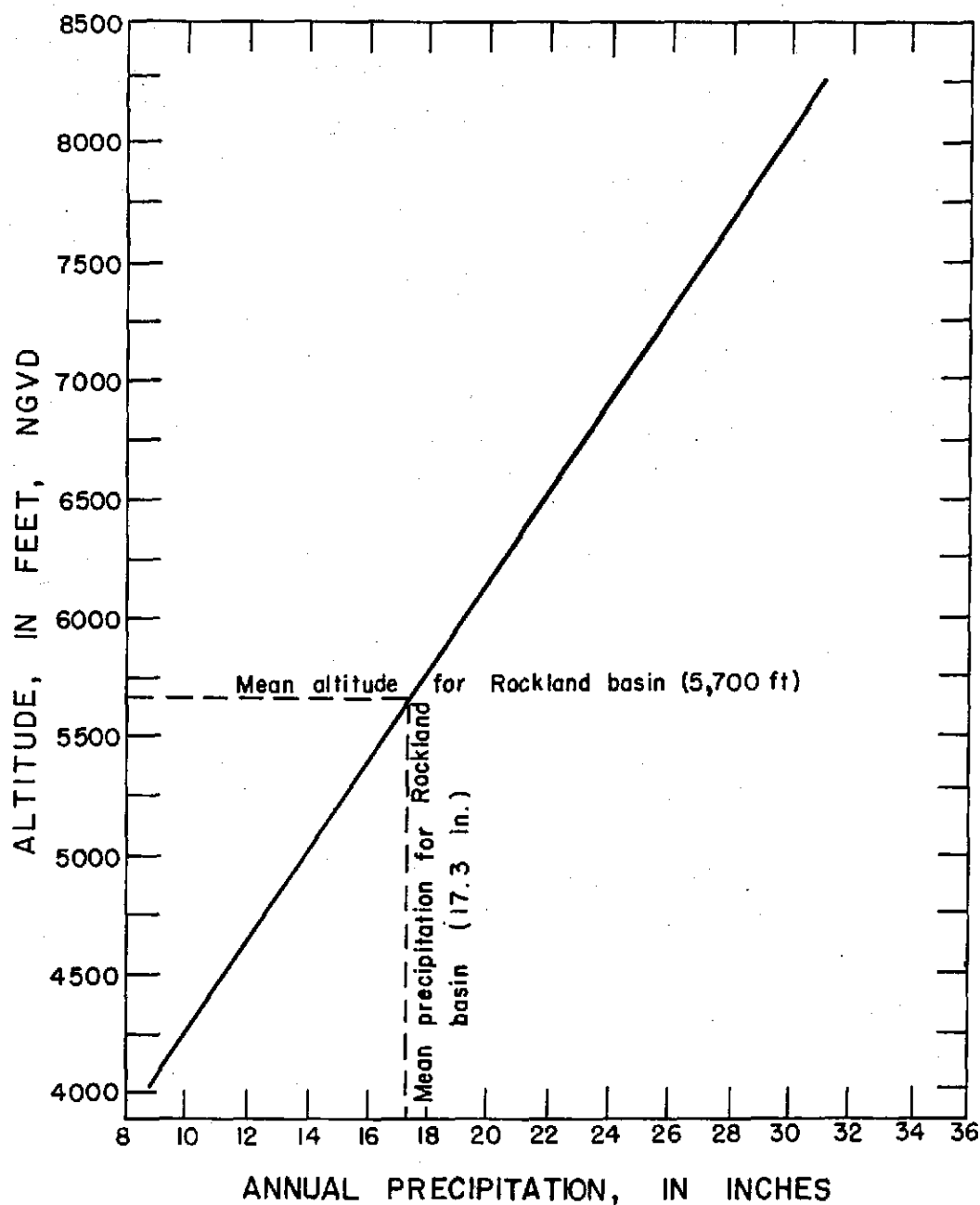


Figure 4. -- Estimated precipitation-altitude relation.

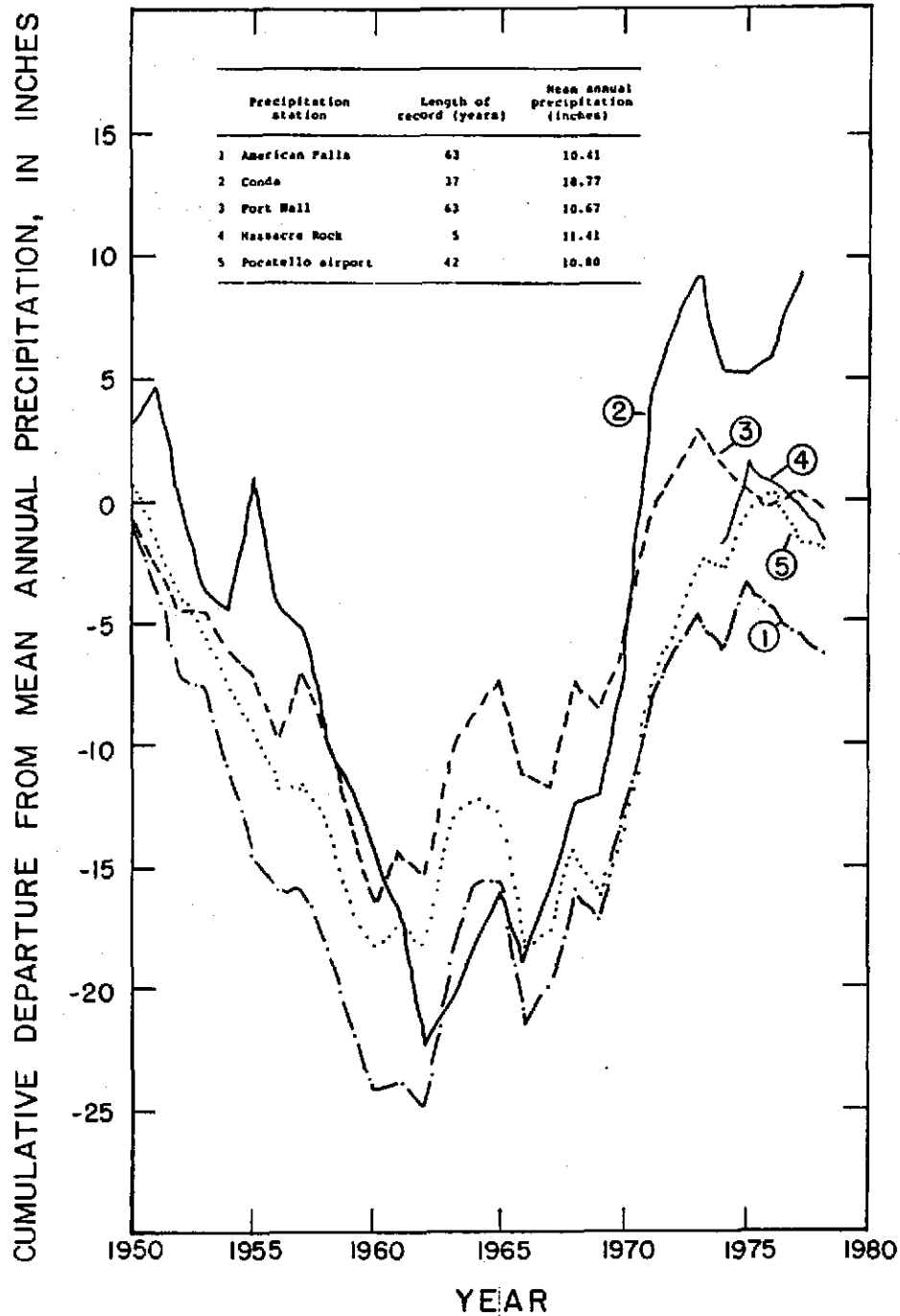
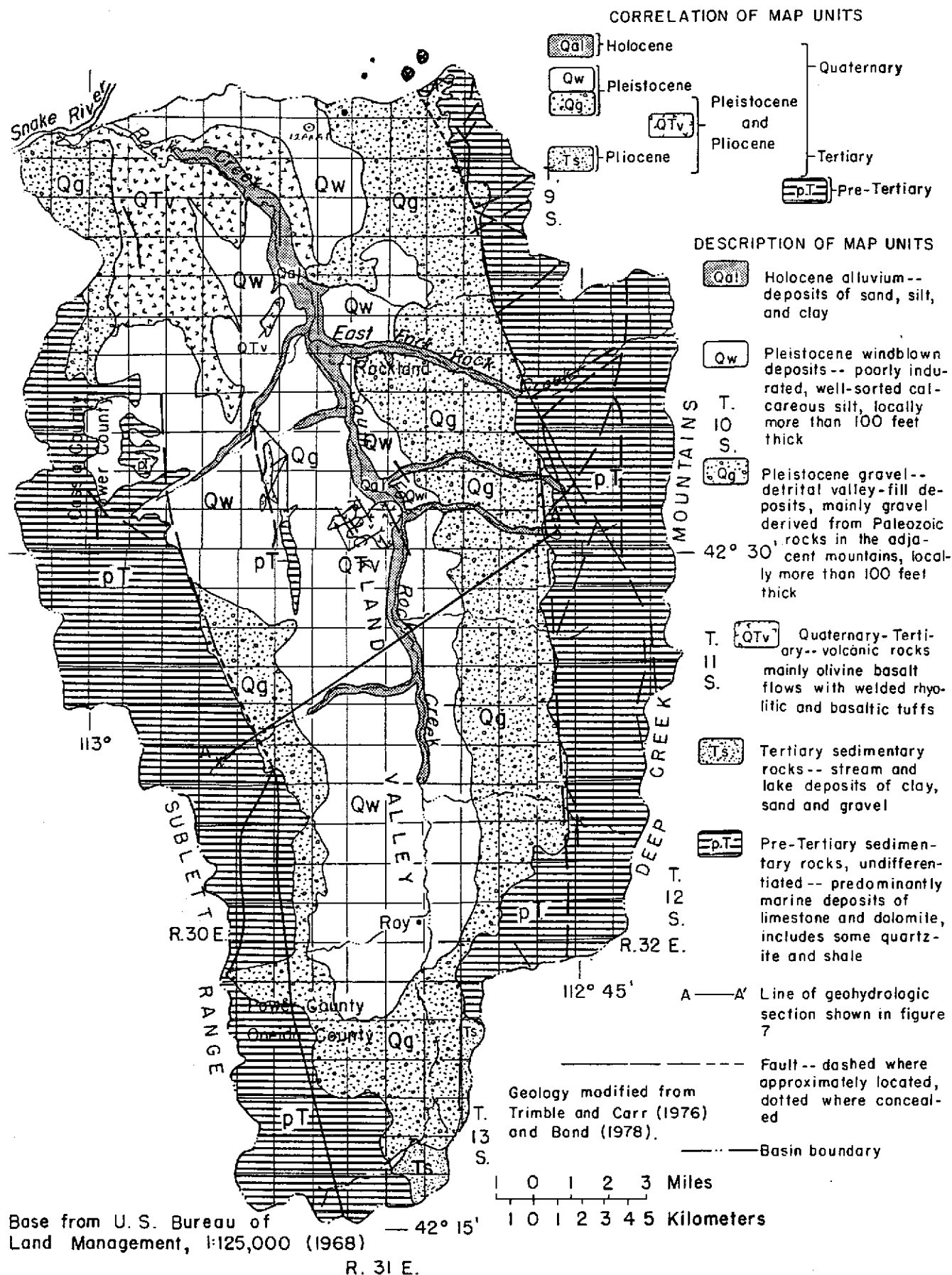


Figure 5.-- Cumulative departure of yearly precipitation for the period 1950-79 from the long-term mean.  
(Data from National Weather Service)





Pre-Tertiary sedimentary rocks, consisting chiefly of marine deposits of limestone and dolomite, comprise the mountainous parts of the basin and are thought to underlie the valley fill. Rocks in this unit are intensely folded and faulted. Structural details are largely unknown, but the unit is thought to be comprised of individual fault blocks that are separately tilted northeastward (fig. 7). The thickness of the unit may exceed 25,000 ft (Trimble and Carr, 1976).

Tertiary sedimentary rocks, derived mainly from detrital material from the surrounding mountains, constitute the lowermost unit of the valley fill. This unit consists primarily of gravel, sand, and silt, which locally include some rhyolitic material and interbedded volcanic tuff. The Tertiary sedimentary rocks crop out only in the southern part of the basin (fig. 6), but they are the principal rocks underlying the upper parts of the valley fill (fig. 7). The thickness of the unit is unknown.

Quaternary-Tertiary volcanic rocks are composed primarily of olivine basalt flows. These rocks crop out in the northern part of the basin where the flows served as dams that formed a series of ancient lakes, in which deposits of gravel, sand, silt, and clay accumulated. Thicknesses of individual basalt flows are highly variable but are generally less than 100 ft.

Pleistocene gravel, derived mainly from detrital material from the nearby mountains, form broad piedmonts along the mountain fronts on both sides of the valley. The thickness of the gravel is highly variable but locally may exceed 100 ft.

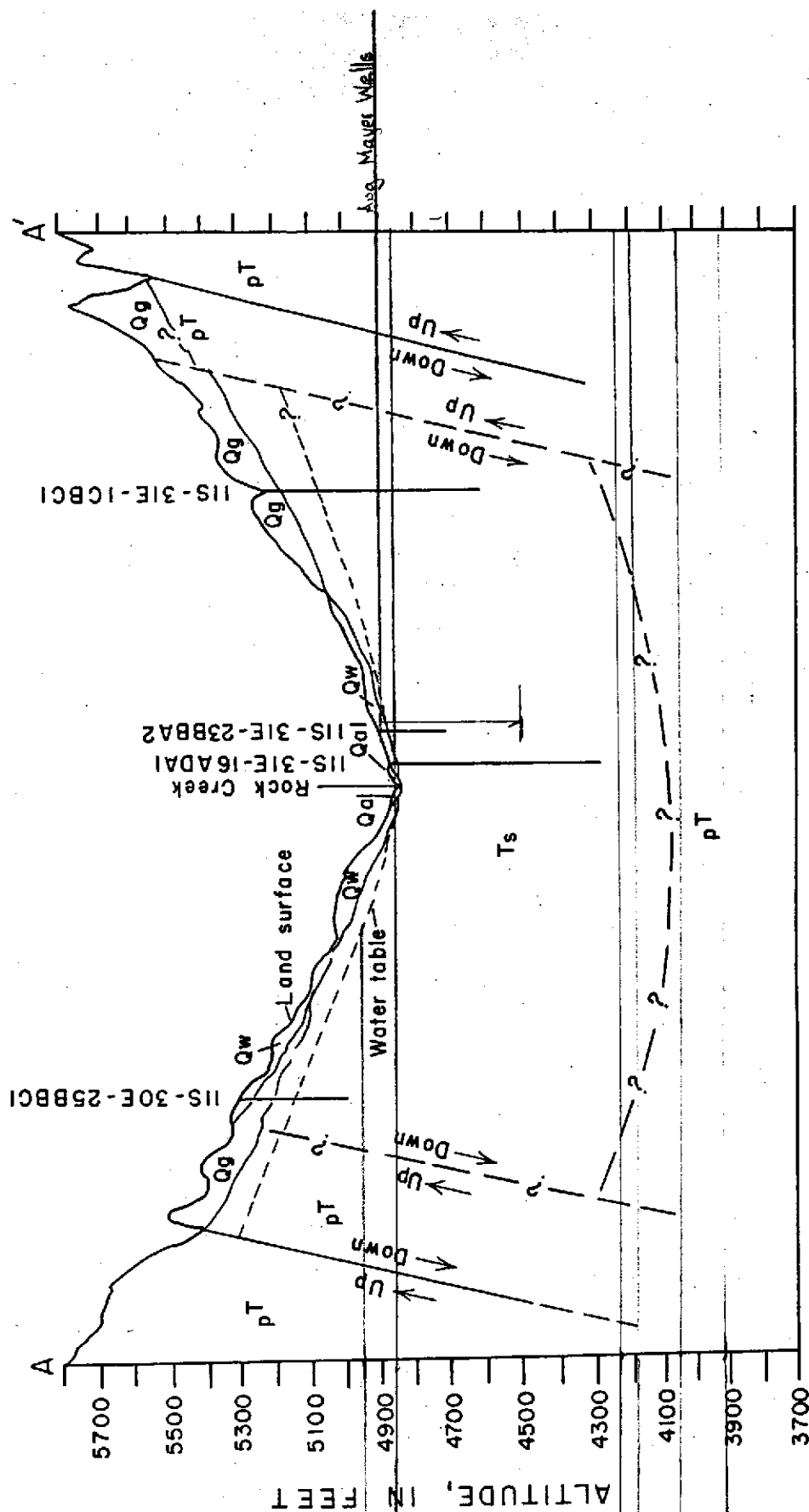
Pleistocene windblown deposits, consisting chiefly of calcareous silt, mantle much of the valley. These deposits are generally less than 100 ft thick.

Holocene alluvium, composed chiefly of sand, silt, and clay, is exposed in the streambeds of the valley. These deposits are of variable thickness and generally are restricted to narrow bands along the stream courses. The maximum thickness of the unit is probably less than 50 ft.

## WATER RESOURCES

### Water Yield

The water supply of the basin is the total quantity of water available from all sources. The ultimate and total source of the supply comes from precipitation on the basin.



Vertical Exaggeration x 17.6  
Datum is National Geodetic Vertical Datum of 1979

Figure 7.-- Generalized geohydrologic section.  
(Line of section is shown in figure 6.)

Although precipitation ranges from 11 to 35 in./yr on the basin, the basin average was calculated to be about 17.3 in./yr, or a total of 295,000 acre-ft. It is assumed that any difference in interbasin underflow is negligible and that the ground-water divide bordering the basin lies directly beneath the surface-water divide. No water is exported from or imported to the basin. Quantities of the water available are consumed by evaporation, transpiration from natural vegetation and crops, and domestic and other water uses. After these water demands are met, any remaining water leaves the basin as surface flow and as underflow to the Snake River.

The usable part of the basin's water supply, or the water yield, is defined as the volume of precipitation minus the volume of water lost to evaporation and transpiration by natural vegetation. Subtracting the water consumptively used by crops, principally on irrigated fields, and by other man-related uses, from the water yield gives the quantity of water leaving the basin as combined surface flow and underflow.

Four methods were used to estimate water yield. They are: (1) a method proposed by Langbein (Nace and others 1961); (2) a method based on the difference between monthly precipitation and monthly potential ET (evapotranspiration) summed over a seasonal basis, using a modified procedure by Walker, Dutcher, Decker, and Dyer (1970); (3) a method using estimated soil-moisture requirement at the time of snowmelt subtracted from the amount of precipitation accumulated as snow from November to April; and (4) a method suggested by Mundorff, Crosthwaite, and Kilburn (1964), which uses a curve relating water yield to average annual precipitation.

A comparison of water-yield estimates made using the four methods is shown in figure 8. It is significant that an average altitude of 5,700 ft for Rockland basin corresponds with a water yield (on the basis of the average of methods 1-3) of 5.0 in., or 85,000 acre-ft/yr, or similar to the amount obtained by using the relation of Mundorff, Crosthwaite, and Kilburn (1964, method 4). Also of interest is the merging of water yields of 10.4 in. near the 7,000-ft altitude line shown in figure 8. The pre-Tertiary sedimentary rocks, which are exposed at this altitude, are thought to supply the majority of water to the basin.

All yield values are based on an estimated precipitation distribution. Because precipitation in Rockland basin can vary greatly at any one place during any particu-

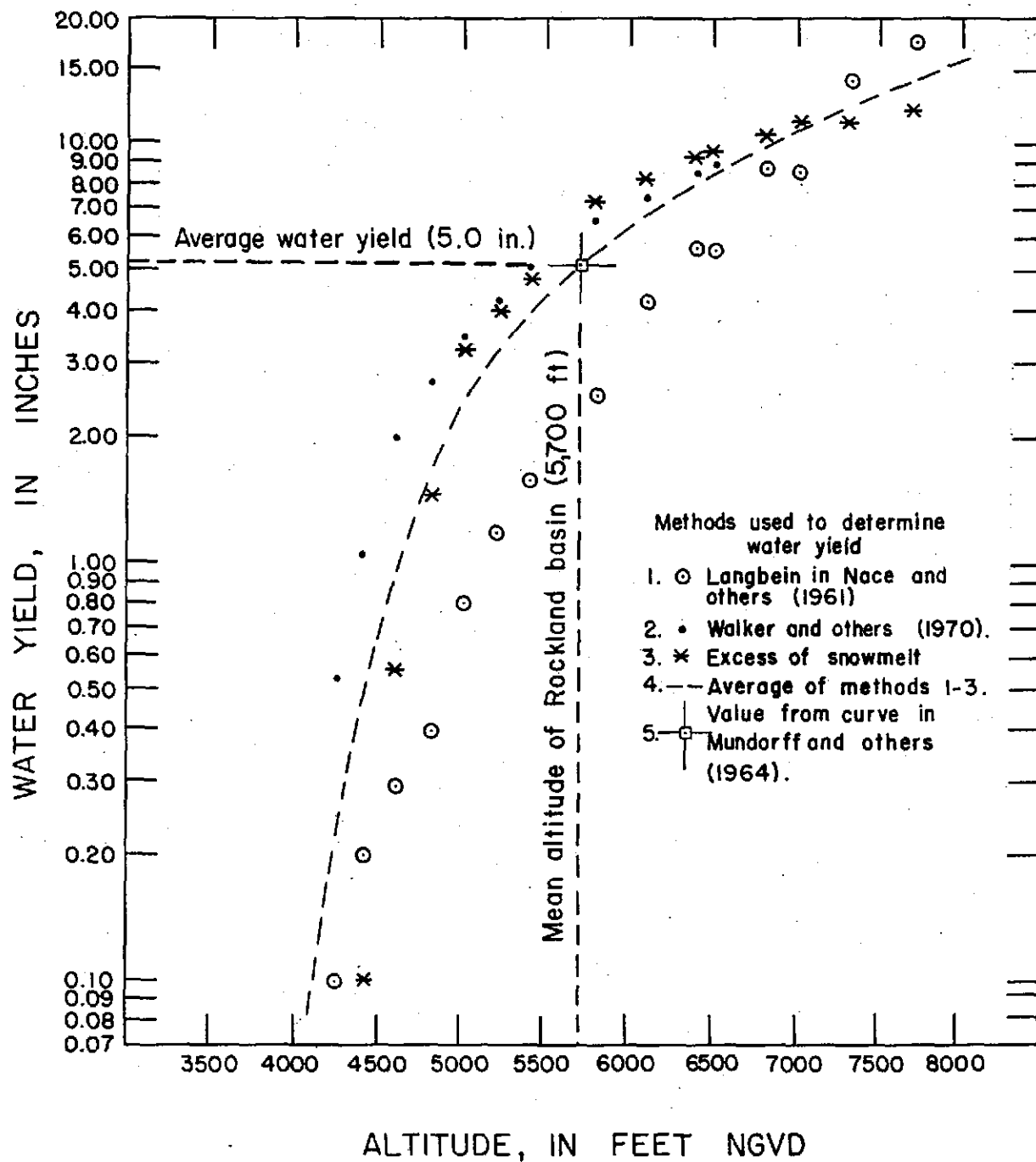


Figure 8. -- Estimated water yield.

lar period, any estimate of precipitation should be considered tentative. Records of rainfall from December 1979 to June 1980 were not included in the precipitation analysis of long-term trends because recurrence frequency of such rainfall intensities is in excess of long-term averages.

The estimation of 5.0 in. of water yield used in the remainder of this report is considered to be a reasonable value for water yield. This estimate agrees with estimated water yields for most adjacent basins (table 1).

### Surface Water

Collection of streamflow data in Rockland basin began in 1955 with establishment of the gaging station Rock Creek near Rockland (13077500). Since 1955, various gages were operated intermittently to record daily flows. From 1955 to 1960, a gaging station was operated on the East Fork Rock Creek near Rockland (13077600). From 1960 to 1964, the station was relocated about 2 mi upstream. The station was discontinued in 1964.

During this study, the upper gage on East Fork Rock Creek (13077600) was reactivated to provide continuous flow record, and a continuous-recording gage was installed on Rock Creek near American Falls (13077650). In addition, discharge measurements were made monthly at 12 miscellaneous sites to aid in defining flow distribution within the basin. Peak discharge was estimated at five crest-stage sites during periods of high flow during 1978-80. Additional flow measurements were made during high runoff in January 1980. Locations of the measuring sites are shown in figure 9.

Discharge measurements made prior to 1967 are summarized by Decker and others (1970). Subsequent miscellaneous measurements made in the basin are published in annual reports by the U.S. Geological Survey.

### Annual Discharge

Total surface-water discharge from the basin is measured at the gaging station Rock Creek near American Falls (13077650, fig. 9). Annual discharge for the 1979 and 1980 water years, which include the period of this study, was 19,800 and 28,900 acre-ft, respectively. The major contributor of flow to Rock Creek is East Fork Rock Creek (13077600), with a mean annual discharge of 10,500 acre-ft during 1961-64. Mean annual discharge was 12,900 acre-ft for the 1979 water year and 13,700 acre-ft for the 1980 water year.

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Table 1.--Estimated water yields in southeastern Idaho basins

| River basin                         | Drainage<br>area<br>(mi <sup>2</sup> ) | Precipitation<br>(in./yr) | Evapotrans-<br>piration<br>(in./yr) | Water<br>yield<br>(in./yr) |
|-------------------------------------|----------------------------------------|---------------------------|-------------------------------------|----------------------------|
| Malad <sup>1</sup>                  | 485                                    | 18.5                      | 14.5                                | 4.0                        |
| Raft River <sup>2</sup>             | 1,560                                  | 15.5                      | 13.3                                | 2.2                        |
| Raft River <sup>2</sup><br>(Valley) | 716                                    | 13.7                      | 12.3                                | 1.4                        |
| Little Lost <sup>3</sup>            | 900                                    | 22.6                      | 17.4                                | 5.2                        |
| Portneuf <sup>4</sup>               | 1,160                                  | 19.6                      | 14.1                                | 5.5                        |
| Big Lost <sup>5</sup>               | 1,400                                  | 20.2                      | 13.9                                | 6.3                        |
| Bannock <sup>6</sup>                | 413                                    | 18.0                      | 12.0                                | 6.0                        |
| Rockland <sup>7</sup>               | 320                                    | 17.3                      | 12.3                                | 5.0                        |

<sup>1</sup>Pluhowski (1970).

<sup>2</sup>Mundorff, Crosthwaite, and Kilburn (1964).

<sup>3</sup>Clebsch, Waite, and Decker (1974).

<sup>4</sup>Norvitch and Larson (1970).

<sup>5</sup>Crosthwaite, Thomas, and Dyer (1970).

<sup>6</sup>Balmer and Noble (1979).

<sup>7</sup>This study.

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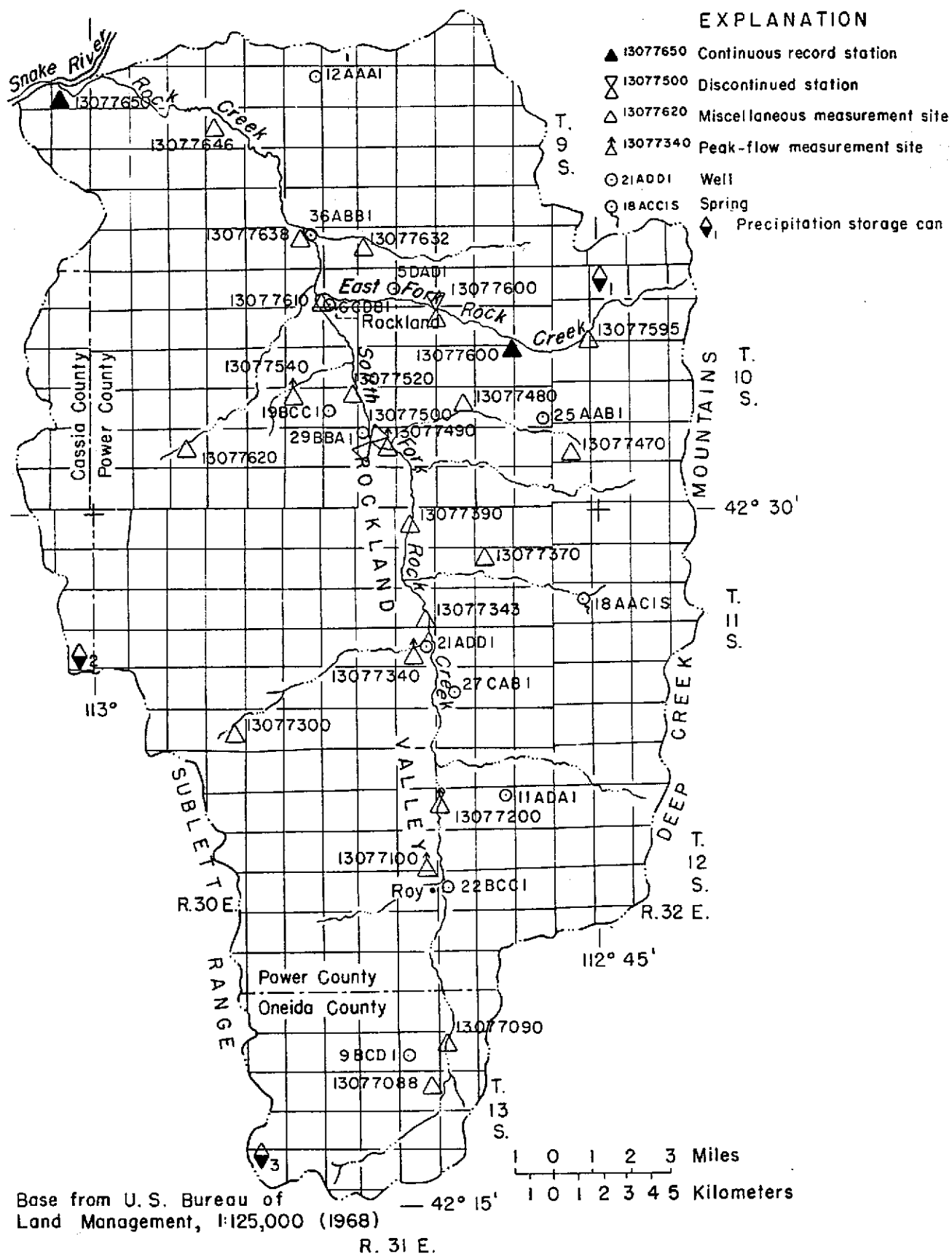


Figure 9. -- Locations of measuring sites.

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During 1979, monthly flow measurements were made at tributary sites shown in figure 9, and hydrographs were prepared to determine annual distribution of flow. Perennial discharge at some of the sites is sustained by springs; however, at other sites, flow is seasonal.

Discharge records (1955-58) for Rock Creek near Rockland (13077500) were correlated with those for Bannock Creek near Pocatello (drainage area of  $230 \text{ mi}^2$ ) to estimate periods of no flow, owing to upstream irrigation diversions. The average annual discharge (1956-60), after upstream diversion of about 1,050 acre-ft during the irrigation season, was 3,780 acre-ft at Rock Creek near Rockland (13077500). Unfortunately, the record at Bannock Creek was too short to make an estimate of long-term average annual discharge for Rock Creek. No acceptable correlation could be made with nearby basin streams, nor could correlation of precipitation records with discharges of Rock Creek be done satisfactorily.

On the basis of the annual discharge from tributaries (1979), Rock Creek (1955-60, 1979), and East Fork Rock Creek (1955-64, 1979), the estimated annual average surface-water outflow from Rockland basin is 16,500 acre-ft. In comparison, Mundorff, Crosthwaite, and Kilburn (1964) estimated that the annual surface-water discharge from Rockland basin averaged about 13,000 acre-ft.

#### Daily Discharge

Daily-discharge records provide detailed information about the flow characteristics of a stream. When daily records are available for many years, duration hydrographs and flow-duration curves can be developed. A flow-duration curve shows the percentage of time that a specific daily discharge has been equaled or exceeded for the period examined. The daily hydrographs of continuous-record stations for water year 1979 on Rock Creek (13077650) and East Fork Rock Creek (13077600) are shown in figure 10. They show a wide variability of flows in Rock Creek and unusually stable flows in East Fork Rock Creek. Duration curves for selected periods of record are shown in figure 11. The flow-duration curve of East Fork Rock Creek shows that, during the period of record,  $24 \text{ ft}^3/\text{s}$  was equaled or exceeded about 1 percent of the time and  $11 \text{ ft}^3/\text{s}$  nearly 100 percent of the time; whereas flow at two sites about 14 mi apart on Rock Creek was greater than  $1 \text{ ft}^3/\text{s}$  about 48 and 92 percent of the time. The flat slope of the East Fork Rock Creek flow-duration curve indicates uniform sustained perennial flow conditions in the East Fork caused by springs

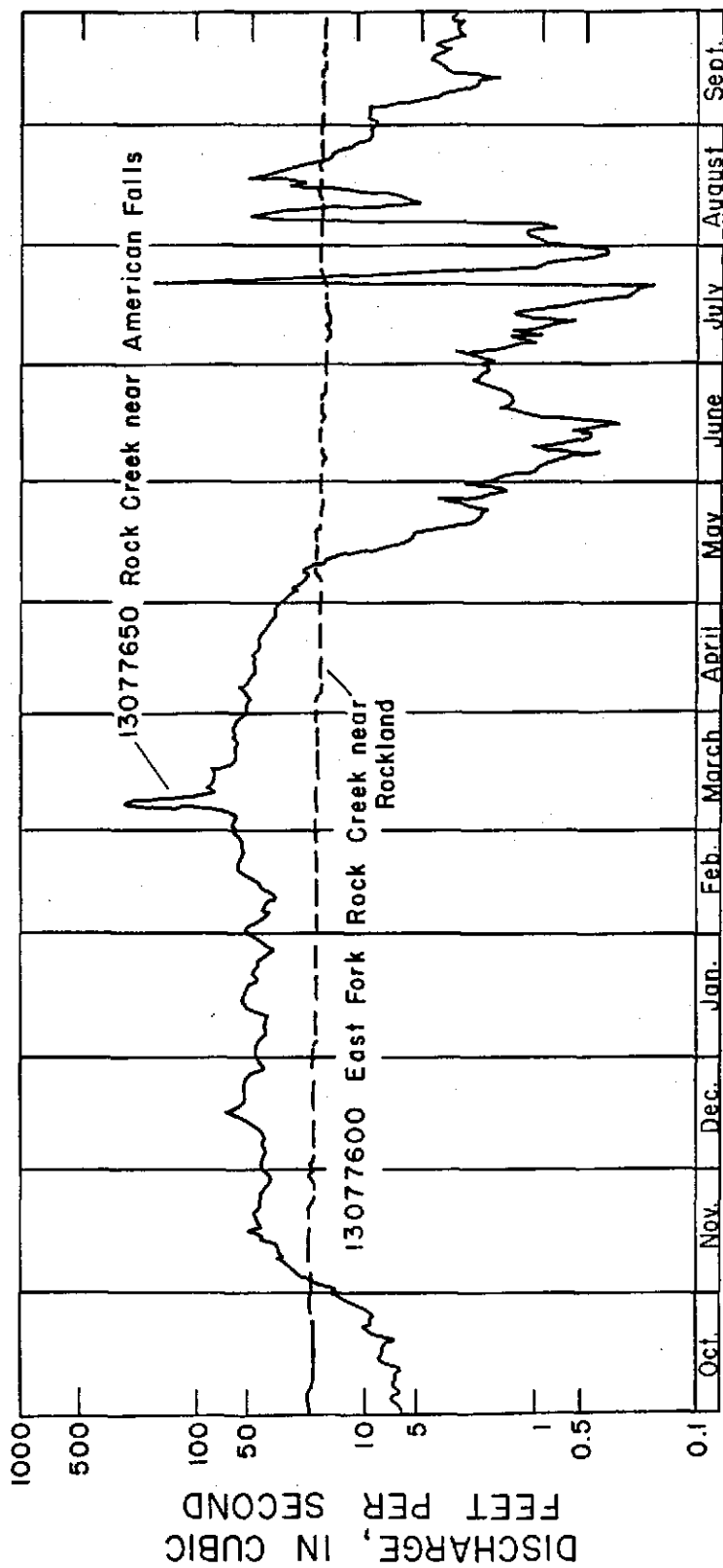


Figure 10. -- Mean daily discharge in Rock Creek near American Falls and East Fork Rock Creek near Rockland, 1979 water year.

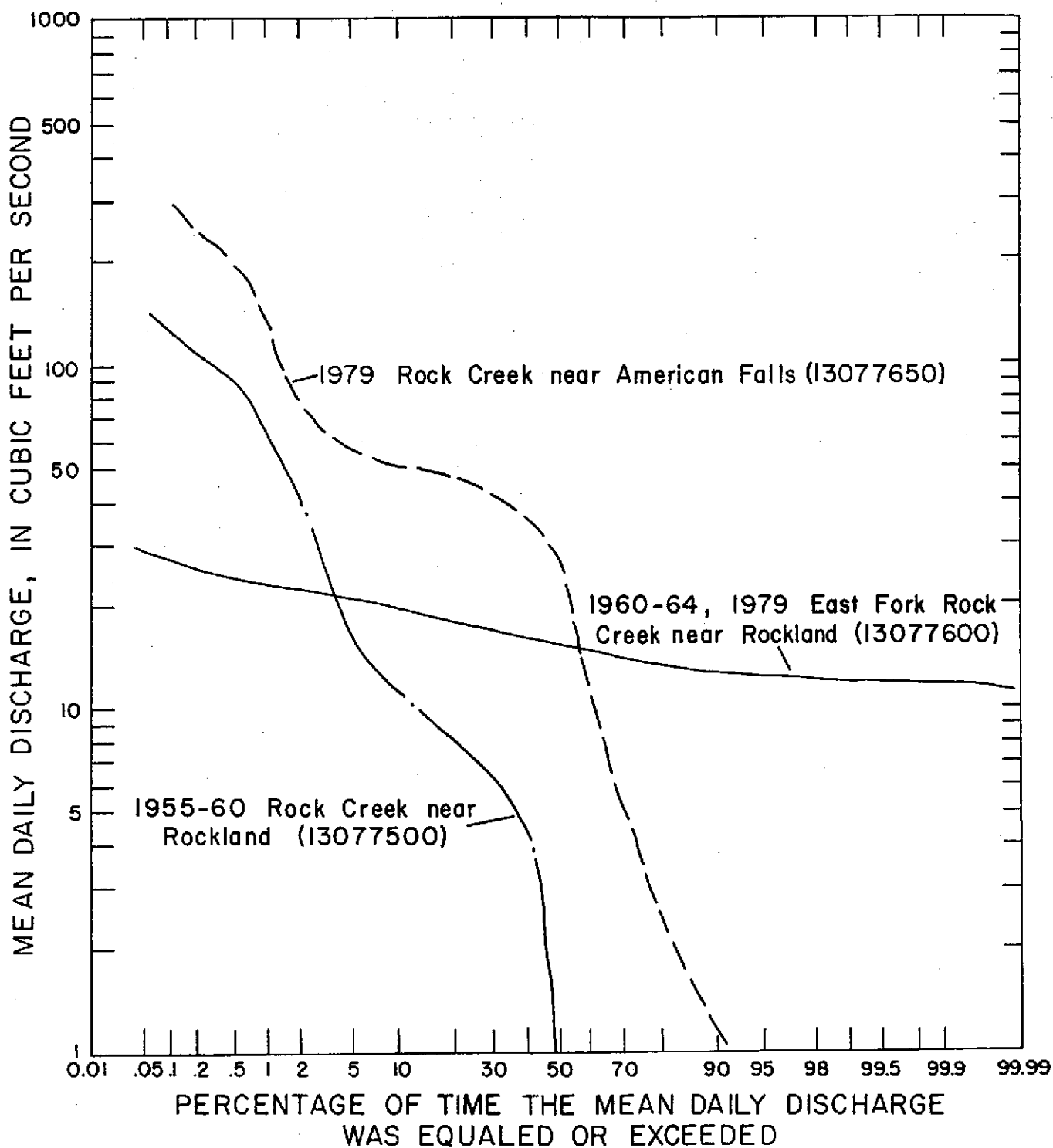


Figure II.-- Flow-duration curves for Rock Creek and East Fork Rock Creek for periods of record.

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in the upper reaches of the creek. The steep slopes of the Rock Creek curves show a flashiness in surface flows, which indicates little ground-water contribution above the gaging-station sites.

### Peak Runoff

The magnitude and distribution of floods in Rockland basin are affected by climate, basin physiography, and geology. Warm temperatures (causing snowmelt), precipitation on frozen ground, and minimal ET losses during late winter and early spring maximize potential flooding. Occasionally, localized thunderstorms produce high-magnitude floods during the summer in some of the tributary basins.

Peak discharges from streams measured since data collection began in Rockland basin are shown in table 2. Also shown in the table are peak discharges estimated from indirect measurements made in July 1979 and January 1980, shortly after substantial flooding occurred in the basin.

Generally, long-term annual peak discharges are evaluated statistically to determine magnitude and recurrence intervals of floods, but peak-flow records within Rockland basin are too short for an accurate appraisal. Therefore, recurrence interval and discharge magnitude of floods were estimated (table 3) using regression equations recently developed for southern Idaho by Kjelstrom and Moffatt (1981). These equations were determined for the mean and standard deviation of annual maximum discharges that result from the combined effects of snowmelt and rainfall, conditions similar to those in Rockland basin. On the basis of comparison of flood peaks (table 2) at South Fork Rock Creek (13077200), Sand Hollow Creek (13077490), and Rock Creek near American Falls (13077650) with data in table 3, the January 1980 peak flows occurred at a 50-year recurrence interval; that is, these flow magnitudes would be equaled or exceeded on the average of once every 50 years.

### Ground Water Occurrence

Ground water occurs in most of the geologic units mapped in Rockland basin (fig. 6). Major aquifers in the basin occur in Quaternary-Tertiary volcanic rocks and in Tertiary sedimentary rocks. Basalt and sedimentary rocks interbedded in the Quaternary-Tertiary volcanic rocks are the principal aquifers in the northern part of the basin. Ground water is generally under water-table conditions and

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Table 2.--Measured peak discharges at selected sites

| Site No. | Site name              | Drainage area (mi <sup>2</sup> ) | Date measured                             | Discharge (ft <sup>3</sup> /s)       |
|----------|------------------------|----------------------------------|-------------------------------------------|--------------------------------------|
| 13077100 | Trail Creek            | 11                               | 9- 9-61<br>1-13-80                        | 487<br><sup>1</sup> 40               |
| 13077200 | South Fork Rock Creek  | 96                               | 2-11-62<br>2- 1-63<br>1-13-80             | 1,770<br>1,470<br><sup>1</sup> 1,190 |
| 13077340 | Hartley Canyon Creek   | 11                               | 1-13-80                                   | <sup>1</sup> 40                      |
| 13077400 | South Fork Rock Creek  | 156                              | 2- 1-63<br>12-23-64                       | 5,100<br>3,750                       |
| 13077490 | Sand Hollow Creek      | 12.3                             | 1-13-80                                   | <sup>1</sup> 440                     |
| 13077540 | Warm Springs           | 22                               | 7-21-79                                   | <sup>1</sup> 390                     |
| 13077550 | Rock Creek             | 216                              | 2-11-62                                   | 2,120                                |
| 13077600 | East Fork Rock Creek   | 13.7                             | 9-18-61<br>3-27-62<br>2- 1-63<br>6-12-64  | 23<br>26<br>39<br>43                 |
| 13077630 | Spring Creek tributary | 6.8                              | 8-18-61                                   | 152                                  |
| 13077640 | Rocky Hollow tributary | 2.3                              | 5-30-63                                   | 498                                  |
| 13077650 | Rock Creek             | 320                              | 2-11-62<br>12-23-64<br>7-21-79<br>1-13-80 | 3,300<br>7,950<br>1,480<br>3,990     |

<sup>1</sup> Estimated from indirect measurements.



Table 3.--Estimated peak discharges (Q) at selected stream sites<sup>1</sup>  
 [Discharge in cubic feet per second.  $Q_5$  designates a  
 recurrence interval of 5 years]

| Site No.<br>(location<br>shown in<br>fig. 9) | Recurrence interval |            |       |       |          |          |          |           |
|----------------------------------------------|---------------------|------------|-------|-------|----------|----------|----------|-----------|
|                                              | $Q_{1.01}$          | $Q_{1.02}$ | $Q_2$ | $Q_5$ | $Q_{10}$ | $Q_{25}$ | $Q_{50}$ | $Q_{100}$ |
| 13077088                                     | 3.0                 | 9.2        | 45    | 92    | 136      | 209      | 278      | 361       |
| 13077090                                     | 12                  | 32         | 124   | 229   | 320      | 461      | 588      | 734       |
| 13077100                                     | 5.4                 | 15         | 62    | 118   | 168      | 247      | 318      | 402       |
| 13077200                                     | 11                  | 35         | 186   | 393   | 593      | 929      | 1,250    | 1,640     |
| 13077300                                     | .4                  | 1.3        | 7.8   | 17    | 27       | 43       | 59       | 79        |
| 13077340                                     | 7.8                 | 21         | 89    | 170   | 242      | 356      | 459      | 580       |
| 13077370                                     | 2.9                 | 8.5        | 38    | 75    | 108      | 162      | 212      | 272       |
| 13077390                                     | 19                  | 64         | 362   | 791   | 1,210    | 1,930    | 2,630    | 3,500     |
| 13077470                                     | .9                  | 2.9        | 14    | 28    | 42       | 64       | 84       | 109       |
| 13077480                                     | .2                  | .8         | 7.6   | 21    | 37       | 68       | 101      | 146       |
| 13077490                                     | 8.9                 | 23         | 90    | 167   | 233      | 336      | 428      | 539       |
| 13077540                                     | 22                  | 52         | 180   | 312   | 423      | 590      | 736      | 900       |
| 13077595                                     | 4.9                 | 12         | 46    | 83    | 115      | 164      | 208      | 256       |
| 13077600                                     | 11                  | 27         | 89    | 153   | 206      | 285      | 354      | 431       |
| 13077620                                     | 7.2                 | 19         | 79    | 148   | 209      | 305      | 391      | 492       |
| 13077632                                     | 2.8                 | 8.7        | 44    | 90    | 134      | 208      | 277      | 360       |
| 13077646                                     | 41                  | 127        | 619   | 1,270 | 1,870    | 2,870    | 3,810    | 4,940     |
| 13077650                                     | 43                  | 132        | 637   | 1,300 | 1,910    | 2,910    | 3,860    | 5,000     |

<sup>1</sup>Based on regression equations developed by Kjelstrom and Moffatt (1981).

occurs mainly in fractures, joints, and breccia zones within individual lava flows and in sand and gravel lenses that are interbedded within the flows. Sand and gravel sequences in the Tertiary sedimentary rocks are the principal aquifers in the central and southern parts of the basin. Ground water in the Tertiary sedimentary rocks generally is also under water-table conditions; however, artesian conditions may exist locally.

Holocene alluvium along the major streambeds on the valley floor is locally an important aquifer. Ground water here is under water-table conditions and occurs mainly in sand lenses.

Pleistocene gravel and windblown deposits are thin and are generally above the water table (fig. 7). Small quantities of water are available where the deposits are below the water table. Of hydrologic significance is the occurrence of springs that issue from the contact between the gravel and the underlying Tertiary sedimentary rocks. The presence of these springs at the geologic contact indicates that precipitation readily percolates through the gravel but is retarded by the underlying rocks.

The hydrologic significance of the pre-Tertiary sedimentary rocks as aquifers in Rockland basin is largely unknown. However, owing to their faulted and highly jointed condition and the absence of well-defined stream channels on their surface, the rocks may readily absorb and transmit water to the ground-water system.

#### Source and Movement

The source of recharge to aquifers in Rockland basin is precipitation. Part of the precipitation runs off overland, part is consumed by ET, and the remainder percolates downward and recharges the ground-water system. The greatest part of the recharge originates in the mountains that border the basin (fig. 3). Recharge also occurs as percolation losses from stream channels, irrigation canals, irrigated fields, and from precipitation on the valley floor.

Recharge to the aquifers also may occur as interbasin flow from the eastern side of the Deep Creek Mountains (Balmer and Noble, 1979). Recharge also may occur as upward leakage from deep thermal aquifers below the Sublett Range, located about 5 mi west of the study area (Nichols, 1979). Present data are insufficient, however, to quantify the amount of recharge from these two possible sources.

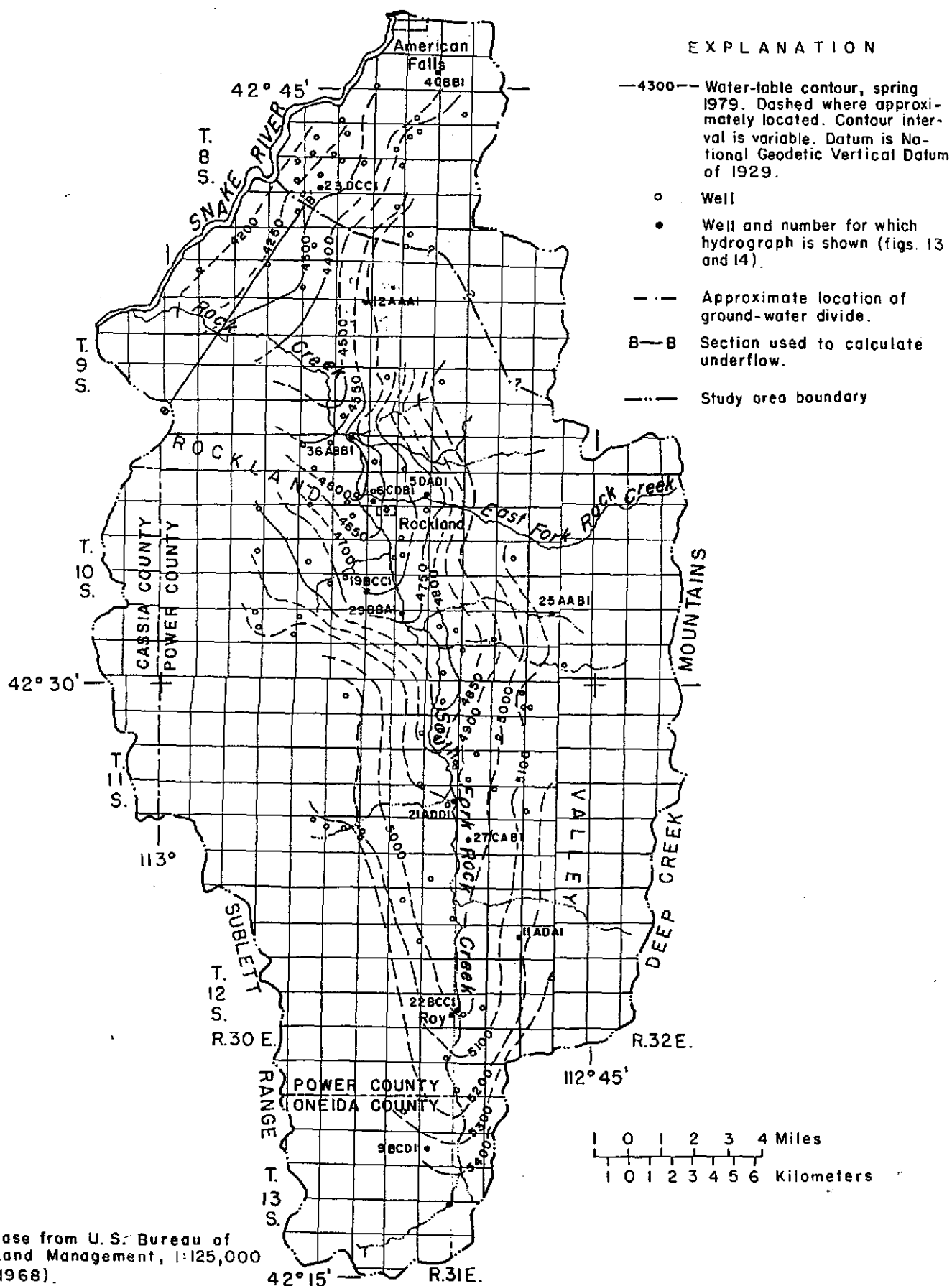
From a preceding section on water yield, it is estimated that an annual average of 10.4 in. of net precipitation recharges the mountain areas at altitudes of 7,000 ft, whereas less than 0.2-0.5 in. recharges the ground-water system through the valley floor at altitudes below 4,500 ft.

The movement of water to the Tertiary sedimentary rocks underlying the valley floor is influenced by the geologic characteristics and hydrologic parameters of the pre-Tertiary sedimentary rocks at the higher altitudes. Fractured and weathered limestone, talus, and rock fragments on steep slopes bordering the basin receive rainfall and snowmelt and discharge it through springs near the base of the mountains and by underflow to the Tertiary sedimentary rocks in the valley. Snowmelt seldom directly reaches the network of stream channels that have formed at low altitudes, as evidenced by poorly developed stream channels at the higher altitudes.

Ground water moves from areas of recharge, down the hydraulic gradient, to areas of discharge. The rate of movement depends on the hydraulic conductivity of the material through which water moves and the slope of the hydraulic gradient.

Water from the pre-Tertiary sedimentary rocks, which border the basin and are thought to underlie the Tertiary sedimentary rocks, discharges naturally through springs and seeps and as leakage, both laterally and vertically upward, into the Tertiary sedimentary rocks. Typical, and most notable of these springs (fig. 12), are those in the NW $\frac{1}{4}$  sec. 18, T. 10 S., R. 32 E., which contribute a large part of the perennial flow to East Fork Rock Creek. Water from the Tertiary sedimentary rocks discharges naturally into the stream system through springs and seeps on the valley floor, as direct evaporation where the water table is at or near land surface, as transpiration, and as underflow northward.

Additional discharge occurs through springs near the base of the Pleistocene gravel where the gravel contacts underlying Tertiary sedimentary rocks. Most of this water is derived from direct precipitation, which percolates through the gravel more rapidly than it can infiltrate the underlying rocks. Some of the springs are intermittent; some are perennial. Where they are perennial, local perched water-table aquifers have sufficient areal extent to maintain perennial spring flow. Some of these springs discharge to small streams that flow a distance of only several feet before they disappear into the ground. Most springs occur



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on the eastern side of Rockland basin, from T. 9 S., R. 31 E., through T. 11 S., R. 31 E. In comparison, few springs occur on the western side of the basin and their discharge rates generally are less than 5 gal/min.

In the spring of 1979, prior to the start of the irrigation season, water-level measurements were made in 122 wells (table 4). These measurements were used to draw the water-table contour map in figure 12. In general, ground water moves perpendicular to and downgradient from the contours. Ground water generally follows the surface drainage toward major stream channels, then moves generally northward in the direction of flow in Rock Creek.

The average water-table gradient for the valley is about 25 ft/mi, and slope is toward the mouth of Rock Creek. About 8-10 mi above the mouth of Rock Creek, the gradient flattens. The gradient again steepens downstream toward the mouth of Rock Creek and averages 43 ft/mi (near section B-B', fig. 12).

#### Water-Level Fluctuations

Ground-water levels in wells respond to changes in recharge to and discharge from the ground-water reservoir. If recharge to an aquifer exceeds discharge, water levels, with time, will rise. Conversely, if discharge exceeds recharge, water levels eventually will decline. Generally, water levels rise in late winter and early spring, when recharge from snowmelt and early spring rains is greatest, and decline in summer, when discharge owing to pumpage and ET is greatest. The periodicity of the fluctuations varies throughout the basin, depending on distance of the aquifer to recharge and discharge areas. For example, in areas where ground water is pumped for irrigation, annual low water levels usually occur in late summer, near the end of the irrigation season. Where surface-water irrigation is predominant, annual high water levels occur in late summer, owing to recharge from irrigation percolation and canal leakage. Where surface-water and ground-water irrigated areas overlap, mixed combinations of fluctuations may occur.

As part of this study, 12 wells were selected to monitor water-level fluctuations. Two wells were equipped with continuous recorders; their hydrographs are shown in figure 13. Ten wells were measured periodically; their hydrographs are shown in figure 14. Locations of the wells are shown in figure 12. Well 10S-31E-6CDB1 (fig. 13) is 14.2 ft deep and is completed in the Holocene alluvial

Table 4--Records of wells

**Altitude:** From U.S. Geological Survey topographic maps and field surveys; datum is National Geodetic Vertical Datum of 1929.

**Well Depth:** Reported, in feet below land surface.

**Casing Depth:** Bottom of casing to nearest foot below land surface, or to first perforation where well finish (next column) is shown as P.

**Well finish:** O - Open end, P - Perforated, T - Sand point, X - Open hole.

**Water level:** Measured, in feet below land surface.

**Use of water:** H - Domestic, I - Irrigation, O - Observation, P - Public supply, S - Stock, U - Unused.

**Remarks:** DL - Driller's log, WQ - Water-quality analysis.

**Notation:** -- = No data available.

Long Well Diff. Sur. etc.

164.

168.8

63

131

67.0

| Well No.           | Altitude of land surface (ft) | Well depth (ft) | Casing         |            | Well finish | Water level       |               | Use of water | Remarks |
|--------------------|-------------------------------|-----------------|----------------|------------|-------------|-------------------|---------------|--------------|---------|
|                    |                               |                 | Diameter (in.) | Depth (ft) |             | Depth (ft)        | Date measured |              |         |
| 8S-30E-12CCD1      | 4,370                         | --              | --             | --         | --          | 138.00            | 4-30-79       | I            |         |
| 13BDB1             | 4,405                         | 190             | --             | --         | --          | 164.90            | 4-12-79       | H            |         |
| 14BDD1 4244        | 4,345 3945                    | 400             | 12             | --         | --          | 100.40            | 4-3-79        | I            | DL      |
| 14CDB1 4244        | 4,405 3930                    | 475             | 18             | --         | --          | 160.26            | 4-3-79        | I            | DL      |
| 14DBB1             | 4,370                         | 181             | 10             | --         | --          | --                | --            | I            |         |
| 14DDD1             | 4,420                         | --              | --             | --         | --          | 170.85            | 4-12-79       | H            |         |
| 22AAD1             | 4,352                         | 248             | 16             | 120        | X           | 131.00            | 4-30-79       | I            | DL      |
| 22DAD1             | 4,405                         | 251             | 6              | --         | --          | 156.10            | 4-4-79        | H            |         |
| 23DBB1             | 4,435                         | 360             | 16             | 50         | X           | 195.85            | 4-4-79        | I            | DL      |
| 23DCC1             | 4,505                         | 274             | 5              | --         | --          | 207.80            | 4-18-79       | U            |         |
| V. May 24AAC1 4340 | 4,533 3916                    | 615             | 18             | 285        | X           | 193.10            | 4-12-79       | I            | DL      |
| 24ABAL             | 4,479                         | --              | --             | --         | --          | 162.43            | 8-3-78        | H            |         |
| 24BBAL             | 4,475                         | --              | 6              | --         | --          | 239.96            | 8-3-78        | H            |         |
| 26BBB1             | 4,445                         | 230             | 6              | 174        | X           | 172.55            | 4-12-79       | H            | DL      |
| 27DAA1 4277        | 4,500 3920                    | 580             | --             | --         | --          | 222.45            | 4-30-79       | I            | WQ      |
| 35BDD1 4277        | 4,544                         | 365             | 8              | --         | --          | 205.60            | 4-3-79        | U            |         |
| 8S-31E-6CDB1       | 4,440                         | 297             | 18             | --         | --          | 139.08            | 4-6-79        | I            |         |
| 8CCB1              | 4,547                         | --              | 8              | --         | --          | 5.60              | 4-12-79       | H            |         |
| 8CDAL              | 4,580 3770                    | 810             | 18             | 401        | X           | 249.05            | 4-6-79        | I            | DL      |
| 9DAD1              | 4,800                         | --              | 4              | --         | --          | 223.70            | 4-6-79        | U            |         |
| J. & C. May 17ABC1 | 4,705                         | 387             | 18             | 372        | X           | 139.30            | 4-6-79        | I            | DL      |
| J. & C. May 17BDB1 | 4,650                         | 400             | --             | --         | --          | 115.15            | 4-6-79        | I            |         |
| 18DAB1             | 4,510                         | --              | --             | --         | --          | 17.70             | 8-2-79        | U            |         |
| 18DBB1             | 4,540                         | 18              | --             | --         | --          | 3.35              | 4-12-79       | U            |         |
| 20BBC1             | 4,590                         | --              | 6              | --         | --          | 23.92             | 4-11-79       | H            |         |
| orders/Phon 30ADD1 | 4,805                         | --              | --             | --         | --          | 243.25            | 4-12-79       | H            |         |
| R. May 32BAC1      | 4,955                         | 190             | 18             | 168        | X           | <del>230.00</del> | 4-9-79        | I            | DL WQ   |
| R. May 32CAB1      | 4,910                         | --              | --             | --         | --          | <del>230.00</del> | 4-9-79        | I            |         |
| 9S-30E-2CBC2       | 4,665                         | 500             | 6              | --         | --          | 368.15            | 4-3-79        | H            |         |
| 30ADB1             | 4,670                         | 500             | --             | --         | --          | 452               | 6/3/94        | H            | WQ      |
| Deeg 31E 4408      | 4,860 3916                    | 939             | 18             | 776        | P/X         | 452               | 6/3/94        | I            |         |
| 3BBB2              | 4,563                         | --              | 4              | --         | --          | 315.06            | 4-3-79        | U            |         |
| 5BBC1              | 4,323                         | 173             | 6              | 100        | X           | 129.28            | 4-3-79        | H            |         |
| 12AAAL             | 4,792                         | 162             | 6              | --         | --          | 147.42            | 4-17-79       | U            |         |
| 14CCA1             | 4,502                         | --              | --             | --         | --          | --                | --            | H            | WQ      |
| 14DCC1             | 4,572                         | 160             | 6              | --         | --          | 95.30             | 4-3-79        | U            |         |
| 15DDD1             | 4,495 3795                    | 700             | 16             | --         | --          | 12.15             | 4-16-79       | U            |         |
| 25BDC1             | 4,580                         | --              | --             | --         | --          | 75.30             | 4-4-79        | U            |         |
| 35AAD1             | 4,584                         | 29              | 6              | --         | --          | 25.95             | 4-4-79        | U            |         |
| 35BBB1             | 4,678                         | 144             | 6              | 60         | X           | 127.99            | 4-4-79        | S            |         |
| 35CDD1             | 4,689                         | 147             | --             | --         | --          | 103.75            | 4-4-79        | U            |         |
| 36ABB1             | 4,655                         | 19              | 1.25           | 16.8       | T           | 12.33             | 4-16-79       | O            |         |
| 9S-31E-19ADAL      | 4,910                         | --              | --             | --         | --          | 247.14            | 4-12-79       | H            |         |
| 21BDC1             | 4,980                         | 500             | 8              | --         | --          | 38.90             | 4-9-79        | H            |         |
| 31CAC1             | 4,842                         | 408             | 14             | 30.5       | X           | 51.60             | 4-12-79       | I            | DL WQ   |
| 32CCD1             | 4,842                         | --              | 10             | --         | --          | 153.45            | 11-29-78      | H            |         |
| 33CDAL             | 4,914                         | --              | --             | --         | --          | 80.40             | 4-9-79        | I            |         |
| 10S-30E-1CDD1      | 4,690                         | --              | 16             | --         | --          | 75.19             | 4-4-79        | U            |         |
| 1DAC1              | 4,665                         | --              | --             | --         | --          | 73.64             | 4-12-79       | U            |         |
| 2CDC1              | 4,760                         | 107             | --             | --         | --          | 68.33             | 4-4-79        | U            |         |
| 9AAA1              | 5,091                         | --              | 5.5            | --         | --          | 291.36            | 4-4-79        | U            |         |
| 12ACB1             | 4,715 3415                    | 1,100           | 22             | 21         | X           | 92.89             | 4-4-79        | I            | DL WQ   |
| 16ADAL             | 5,010                         | --              | --             | --         | --          | 163.20            | 4-4-79        | H            |         |
| 23AAD1             | 4,850                         | 214             | 8              | 12         | X           | 75.95             | 4-11-79       | H            |         |
| 24BAAL             | 4,860                         | --              | 6              | --         | --          | 126.70            | 4-11-79       | H            |         |
| 24CDD1             | 4,960                         | --              | 16             | --         | --          | --                | --            | I            |         |

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Table 4... Records of wells (Continued)

| Well No.       | Altitude<br>of land<br>surface<br>(ft) | Well depth<br>(ft) | Casing            |               | Well<br>finish | Water level   |                  | Use<br>of<br>water | Remarks |
|----------------|----------------------------------------|--------------------|-------------------|---------------|----------------|---------------|------------------|--------------------|---------|
|                |                                        |                    | Diameter<br>(in.) | Depth<br>(ft) |                | Depth<br>(ft) | Date<br>measured |                    |         |
| 10S-30E-25BAAL | 4,960                                  | 615                | 20                | 200           | P              | 235.52        | 4-11-79          | I                  | DL      |
| 25BAA2         | 4,967                                  | 650                | 16                | 250           | P              | 251.70        | 6-13-79          | I                  | DL      |
| 26BBC1         | 5,054                                  | --                 | --                | --            | --             | 173.98        | 4-11-79          | U                  |         |
| 27DAD1         | 5,130                                  | 240                | --                | --            | --             | 228.16        | 4-11-79          | U                  |         |
| 28AAB1         | 5,070                                  | --                 | 5                 | --            | --             | 190.58        | 4-11-79          | S                  |         |
| 28DAA1         | 5,177                                  | --                 | --                | --            | --             | 286.50        | 4-11-79          | U                  |         |
| 31CCA1         | 5,480                                  | --                 | 6                 | --            | --             | 277.68        | 8-31-78          | U                  |         |
| 10S-31E-4CAD1  | 4,800                                  | --                 | 6                 | --            | --             | 31.45         | 4-12-79          | H                  |         |
| 5DAD1          | 4,750                                  | 17                 | 1.25              | 14.3          | T              | 7.93          | 4-17-79          | O                  |         |
| 6CAB1          | 4,682                                  | 405                | 16                | 373           | X              | 59.25         | 4-12-79          | I                  | DL      |
| 6CDB1          | 4,644                                  | 14                 | 1.25              | 11.7          | T              | 5.30          | 4-18-79          | O                  |         |
| 7ABB1          | 4,690                                  | 401                | 12                | 110           | P              | 170.65        | 10-19-78         | P                  | DL WQ   |
| 8AAAL          | 4,770                                  | 127                | 6                 | 79            | X              | 52.85         | 4- 9-79          | S                  | DL      |
| 8CCB1          | 4,720                                  | --                 | --                | --            | --             | 62.10         | 5- 1-79          | I                  |         |
| 14ACC1         | 5,220                                  | --                 | --                | --            | --             | 97.50         | 4- 9-79          | S                  |         |
| 17BCD1         | 4,710                                  | --                 | --                | --            | --             | 30.88         | 4-12-79          | I                  |         |
| 18ADD1         | 4,695                                  | --                 | 8                 | --            | --             | 10.61         | 4-12-79          | H                  | WQ      |
| 19BCC1         | 4,842                                  | 815                | 16                | 200           | P              | 146.36        | 4-17-79          | U                  | DL      |
| 25AAB1         | 5,187                                  | 100                | --                | --            | --             | 18.61         | 4-17-79          | S                  |         |
| 27DDA1         | 4,965                                  | --                 | 6                 | --            | --             | 92.76         | 4-10-79          | H                  |         |
| 28BDC1         | 4,810                                  | --                 | --                | --            | --             | 23.90         | 4-11-79          | H                  |         |
| 28DAB1         | 4,921                                  | --                 | --                | --            | --             | 114.20        | 4-11-79          | I                  |         |
| 29BBA1         | 4,730                                  | 17                 | 1.25              | 15.4          | T              | 12.88         | 4-17-79          | O                  |         |
| 33CDA1         | 4,802                                  | 335                | 16                | 34            | P              | 21.28         | 4-11-79          | I                  | DL WQ   |
| 34BBB1         | 4,901                                  | --                 | 4                 | --            | --             | 75.85         | 4-10-79          | U                  |         |
| 10S-32E-31CBA1 | 5,290                                  | --                 | 6                 | --            | --             | 105.43        | 4-10-79          | S                  |         |
| 11S-30E-1AAC1  | 5,260                                  | --                 | 4                 | --            | --             | 89.33         | 4-11-79          | U                  |         |
| 25ACB1         | 5,370                                  | --                 | --                | --            | --             | 123.90        | 4-10-79          | U                  |         |
| 25BBC1         | 5,480                                  | 317                | 6                 | --            | --             | 277.55        | 4-10-79          | U                  |         |
| 26ABA1         | 5,586                                  | --                 | 4                 | --            | --             | 347.50        | 4-10-79          | U                  |         |
| 11S-31E-1CBC1  | 5,200                                  | 600                | 16                | 70            | P              | 81.70         | 5-25-79          | I                  | DL WQ   |
| 2ADA1          | 5,220                                  | --                 | 6                 | --            | --             | 86.55         | 4-10-79          | S                  |         |
| 2DAD1          | 5,210                                  | 104                | 4                 | --            | --             | 86.10         | 4-10-79          | U                  |         |
| 4CAA1          | 4,816                                  | --                 | --                | --            | --             | 38.16         | 9- 1-78          | H                  |         |
| 8ADD1          | 4,860                                  | 33                 | 8                 | --            | --             | 21.63         | 4-12-79          | U                  |         |
| 9BDD1          | 4,865                                  | --                 | --                | --            | --             | 22.50         | 4-12-79          | I                  |         |
| 9CAA1          | 4,865                                  | --                 | --                | --            | --             | 26.62         | 9- 1-78          | H                  |         |
| 11CBA1         | 5,030                                  | --                 | --                | --            | --             | 35.20         | 4- 5-79          | H                  |         |
| 15ABB1         | 5,002                                  | 604                | 16                | 65            | P              | 61.04         | 4- 5-79          | I                  |         |
| 15CDB1         | 4,970                                  | 36                 | 6                 | --            | --             | 23.38         | 4- 5-79          | U                  |         |
| 16ADA1         | 4,880                                  | 125                | 20                | 20            | P              | 7.52          | 4- 5-79          | I                  | DL WQ   |
| 16ADA2         | 4,880                                  | --                 | 6                 | --            | --             | 26.05         | 9- 2-78          | H                  |         |
| 16ADD1         | 4,880                                  | 60                 | --                | --            | --             | 10.23         | 4- 5-79          | H                  | WQ      |
| 17DDO1         | 4,975                                  | 124                | --                | --            | --             | 86.69         | 4- 5-79          | U                  |         |
| 21ADC1         | 4,922                                  | 530                | 12                | --            | P              | 16.42         | 4- 5-79          | I                  |         |
| 21ADD1         | 4,900                                  | 18                 | 1.25              | 16            | T              | 9.49          | 4-18-79          | O                  |         |
| 23BBA1         | 5,083                                  | --                 | --                | --            | --             | 9.73          | 5- 1-79          | I                  |         |
| 23BBA2         | 5,081                                  | 240                | 16                | 170           | X              | 9.83          | 5- 1-79          | I                  | DL      |
| 24CBC1         | 5,235                                  | 106                | 4                 | 89            | X              | 79.20         | 4- 5-79          | U                  |         |
| 27CAB1         | 4,966                                  | 220                | 12                | --            | --             | 30.48         | 4-18-79          | U                  |         |
| 30BCA1         | 5,290                                  | 4170 1,120         | 16                | --            | --             | 243.89        | 4- 5-79          | I                  |         |
| 30BCC1         | 5,322                                  | 273                | 6                 | 273           | O              | 143.13        | 4- 5-79          | H                  | DL WQ   |
| 12S-31E-4DDA1  | 5,065                                  | --                 | 5                 | --            | --             | 70.65         | 4- 2-79          | H                  | WQ      |
| 5BDA1          | 5,100                                  | 72                 | --                | --            | --             | 65.30         | 4- 5-79          | U                  |         |
| 8ADD1          | 5,245                                  | 281                | 5                 | --            | --             | 250.00        | 4- 2-79          | U                  |         |
| 11ADA1         | 5,247                                  | 280                | 6                 | --            | --             | 84.25         | 4- 5-79          | U                  |         |
| 13ADD1         | 5,696                                  | 400                | 6                 | 166           | X              | --            | --               | S                  | DL, WQ  |
| 21CCD1         | 5,205                                  | --                 | 6                 | --            | --             | 110.43        | 4- 2-79          | H                  |         |
| 22ADC1         | 5,223                                  | 240                | 6                 | 40            | X              | 207.84        | 4- 2-79          | H                  |         |
| 22BBB1         | 5,073                                  | --                 | 6                 | --            | --             | 75.55         | 4- 2-79          | H                  |         |
| 22BCC1         | 5,104                                  | 106                | --                | --            | --             | 94.67         | 4-18-79          | U                  |         |
| 22CAB1         | 5,120                                  | 125                | 6                 | --            | --             | 121.80        | 4- 2-79          | U                  |         |
| 29DCA1         | 5,300                                  | 188                | 5                 | --            | --             | 168.10        | 4- 2-79          | U                  |         |
| 34CCB1         | 5,220                                  | 116                | 48                | --            | --             | 97.85         | 4- 2-79          | U                  |         |
| 13S-31E-5ACB1  | 5,315                                  | 80                 | 5                 | --            | --             | 37.53         | 4-10-79          | U                  |         |
| 9BCD1          | 5,435                                  | --                 | 4                 | --            | --             | 104.43        | 4-18-79          | U                  |         |
| 21AAA1         | 5,529                                  | --                 | --                | --            | --             | 46.57         | 4-10-79          | U                  |         |

Recently pumped

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DEPTH TO WATER, IN FEET  
BELOW LAND SURFACE

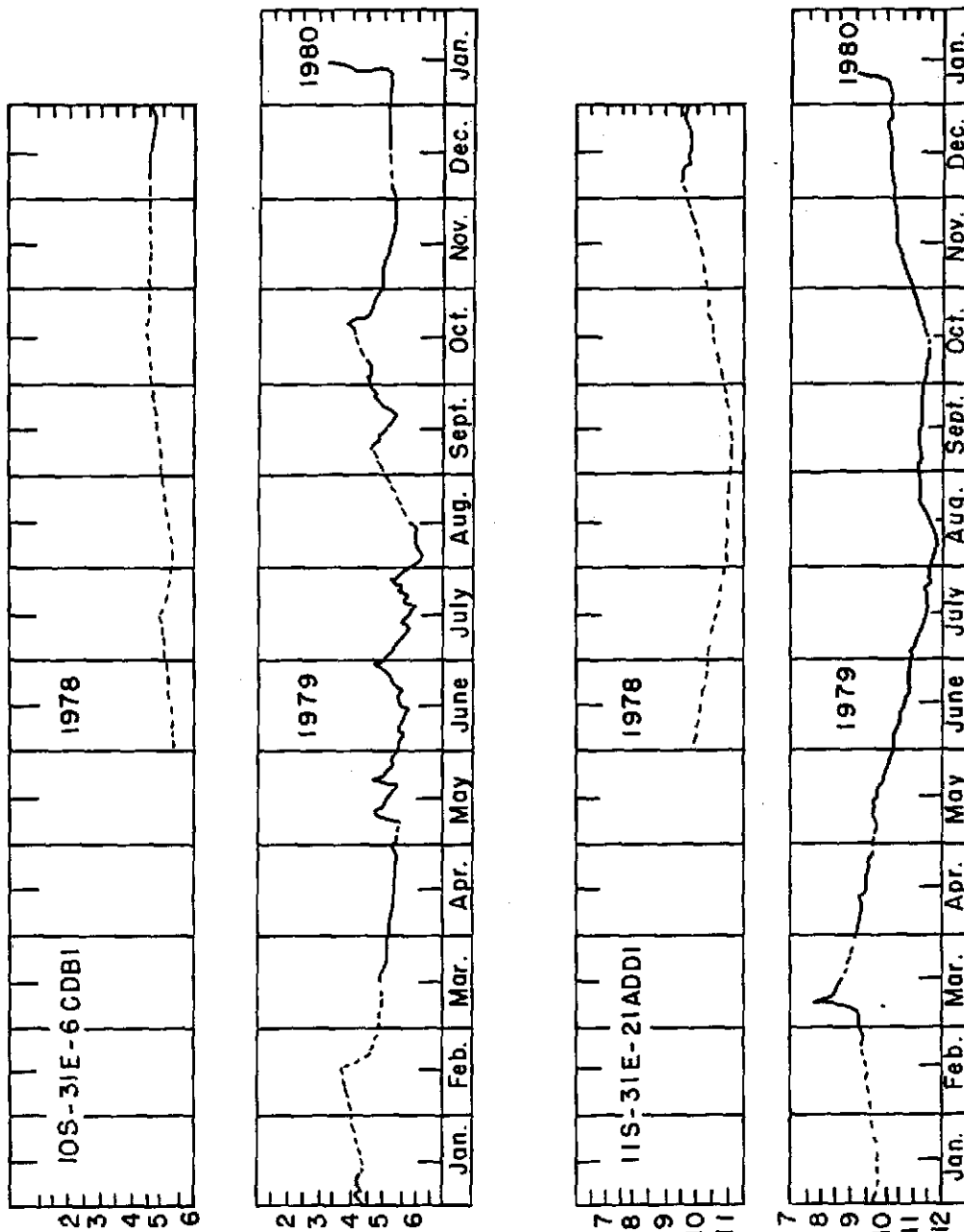


Figure 13.-- Ground-water levels in observation wells.

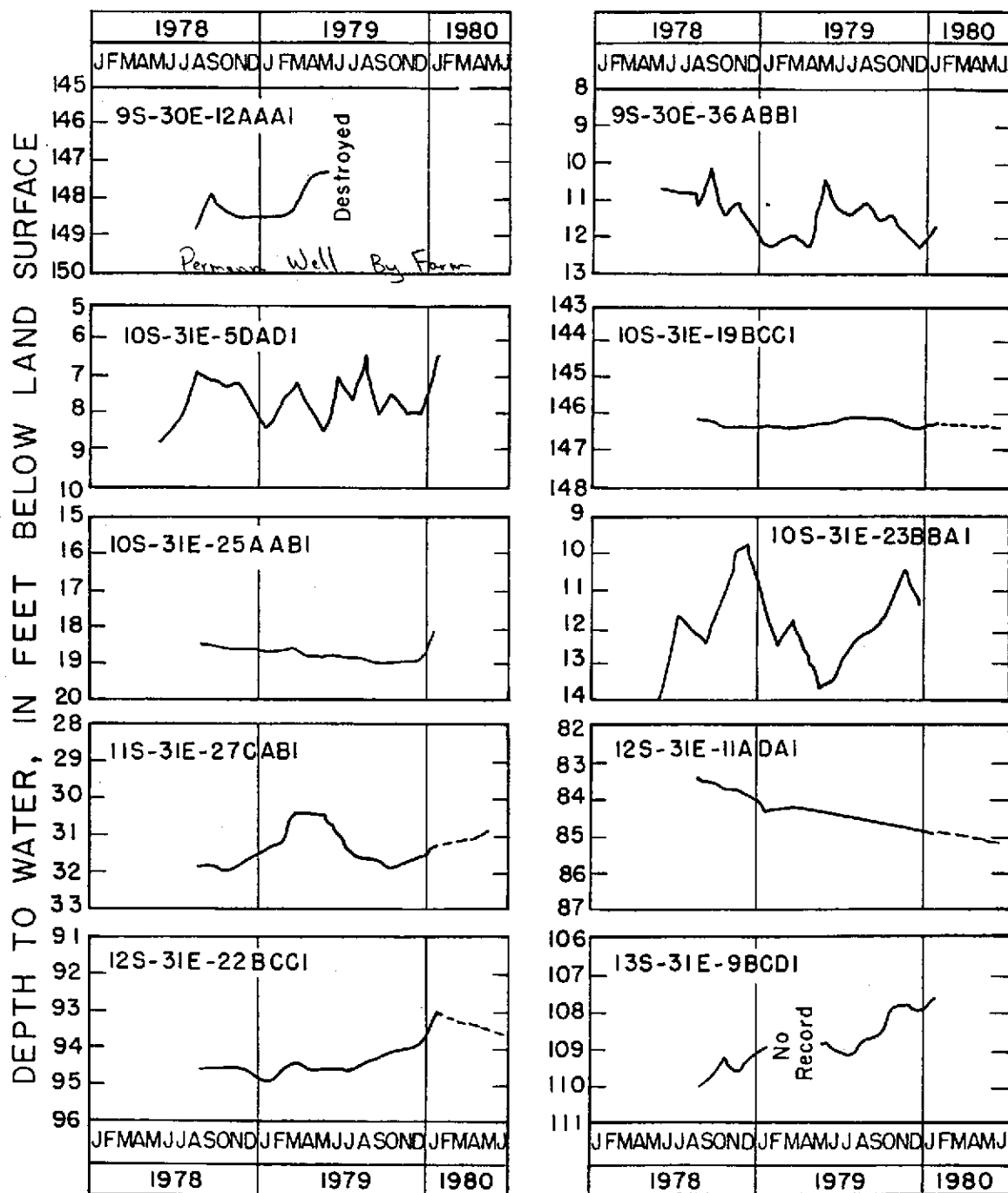


Figure 14. -- Ground-water levels in selected wells.

aquifer adjacent to East Fork Rock Creek in a predominantly surface-water irrigated area. Although the magnitude of fluctuations is not great, the trend shows that water levels rise gradually from August through January and decline gradually from March to July. Well 11S-31E-21ADD1 (fig. 13) is 18.4 ft deep and is completed in the Holocene alluvial aquifer adjacent to Rock Creek. This well is near a well that withdraws water for irrigation, and the water level in the observation well responds to pumping in the irrigation well. Here the water levels decline gradually through the early part of the irrigation season and remain low through the end of the season, when they begin a gradual rise. The declining effects owing to pumpage may be dampened, however, for the water withdrawn from the nearby well is spread for irrigation in the vicinity; hence, part of it may return to the water table as seepage from fields.

The hydrographs of both wells in figure 13 and of several wells in figure 14 show abrupt water-level rises in January 1980. These rises were caused by a mid-winter storm, during which substantial flooding occurred throughout the basin. Stream flood plains were inundated, and part of the water that did not run off in the streams percolated to the water table to recharge the Holocene alluvial and Tertiary sedimentary-rock aquifers.

Hydrographs for the wells measured from 1978 to 1980 during this study are shown in figure 14. The hydrographs demonstrate the wide variation in water-level fluctuations in different parts of the basin and show that the annual range from high to low water levels is generally less than 4 ft. The duration of the records is too short and supporting data are too meager to determine, with any degree of certainty, the causes for the particular fluctuations at any one place; but wells 10S-31E-19BCC1, 10S-31E-25AAB1, and 12S-31E-11ADA1 show little water-level fluctuations. Well 10S-31E-19BCC1 is 815 ft deep and is completed mostly in clay. Clay transmits water slowly and will lag in response to any recharge or discharge stress placed on the ground-water system. This lag is magnified in a large-diameter casing (or open hole) to where any due response would be made almost imperceptible, which is probably the case for this well. Wells 10S-31E-25AAB1 and 12S-31E-11ADA1 lack seasonally responsive fluctuations, but they do show perceptible trends.

The small annual range of water-level fluctuations shown on the hydrographs in figures 13 and 14 suggests that no great stress by pumping is presently being put on the ground-water resources in the basin. The well hydrographs indicate no permanent lowering of water levels for

this short period of record. However, these wells should be measured periodically to monitor long-term hydrologic effects on the basin.

### Aquifer Characteristics

Transmissivity (T) is the rate at which water moves through a unit width of an aquifer under a unit hydraulic gradient. The T of an aquifer can be determined by multiplying the thickness of the aquifer by its average hydraulic conductivity and(or) by using a number of other methods, most of which are described in Lohman (1979). Generally, T is determined from aquifer pump-test data; however, only meager pump-test data are available for aquifers in the valley. Drillers' logs frequently include well production tests, which report pumping rate and level of drawdown. The time period of these tests often is too short to allow determination of T values, but the SC (specific capacity) for the well can be determined. The SC of a well is the yield in gallons per minute per foot of drawdown. Using SC values, T's were estimated for many of the wells by using the empirically derived graphs shown in Walton (1962). Values of T's calculated from SC data from irrigation wells completed in Tertiary sedimentary rocks ranged from less than 150 to 10,500 ft<sup>2</sup>/d. Values of T calculated using SC data from wells completed in Quaternary-Tertiary volcanic rocks (basalt) to the north, outside Rockland basin, ranged from 3,900 to 48,000 ft<sup>2</sup>/d.

Assuming an average SC of 75 gal/min per foot of drawdown, as estimated from averaged pumping rates and drawdowns in the northern area (wells completed in volcanic rocks of Quaternary-Tertiary age), a T value of 20,000 ft<sup>2</sup>/d is assumed to be representative of the basalt rocks in the northern part of Rockland basin (T. 8 S., R. 30-31 E.).

The pre-Tertiary sedimentary rocks are not regarded as having good potential for ground-water development, although southwest of Rockland, two wells completed in fractured limestone are reported to yield 2,200 and 2,500 gal/min. However, these wells produce thermal water and are thought to have penetrated a fault zone, so they probably do not represent the development potential of the pre-Tertiary sedimentary rocks.

Another hydraulic characteristic used to describe the ground-water system is S (storage coefficient), which is the volume of water an aquifer releases from or takes into storage per unit surface area of the aquifer per unit change in head. The S of unconfined aquifers is virtually equal

to the specific yield, as most of the water is released from storage by gravity drainage and expansion of the water. The S, or specific yield, of most unconfined aquifers ranges from about 0.1 to 0.3 and averages about 0.2 (Lohman, 1979, p. 8).

Determination of hydraulic characteristics of the Quaternary and Tertiary sedimentary deposits, considered as one hydrologic unit in this report, was limited to analysis of data from two wells (10S-31E-6CDB1 and 11S-31E-21ADD1). Various periodic segments of record were observed for drawdown caused by nearby pumping wells. Using type curves from Boulton (1964, pl. 7, curve A), for an unconfined aquifer having anisotropic conditions, a T of about 6,000  $\text{ft}^2/\text{d}$  and an S of 0.15 were computed for the alluvial aquifer.

Additional aquifer analysis (method by Rorabaugh, 1964) was applied to observation well 11S-31E-21ADD1 by comparing water-level fluctuations (fig. 15) to stream recharge and discharge. The stream is 170 ft from the well. Aquifer discharge from both sides of the stream was estimated from the change in stage. The T value computed using Rorabaugh's method was 5,630  $\text{ft}^2/\text{d}$ , and the S was 0.14.

On the basis of the above determinations, a value of about 5,700  $\text{ft}^2/\text{d}$  probably represents the local average T of the Quaternary-Tertiary sedimentary aquifer.

Analysis of water-level drawdown and recovery using the above methods allows evaluation of the short- and long-term discharge-recharge effects on the basis of aquifer response. Variables such as distance from the pumping well, type of aquifer, geologic composition, aquifer thickness and width, and boundary effects determine the type of curve to be used. In each case, the applied method reflected the effects of the stream as a recharging boundary.

#### Underflow

Underflow from Rockland basin occurs through basalt and localized clay and sand layers near the mouth of Rock Creek. The amount of underflow, Q, to the Snake River was estimated by using the equation:

$$Q = TIL$$

where

- T = transmissivity, in feet squared per day,
- I = hydraulic gradient, in feet per mile, and
- L = width, in miles, of the cross section through which underflow occurs.

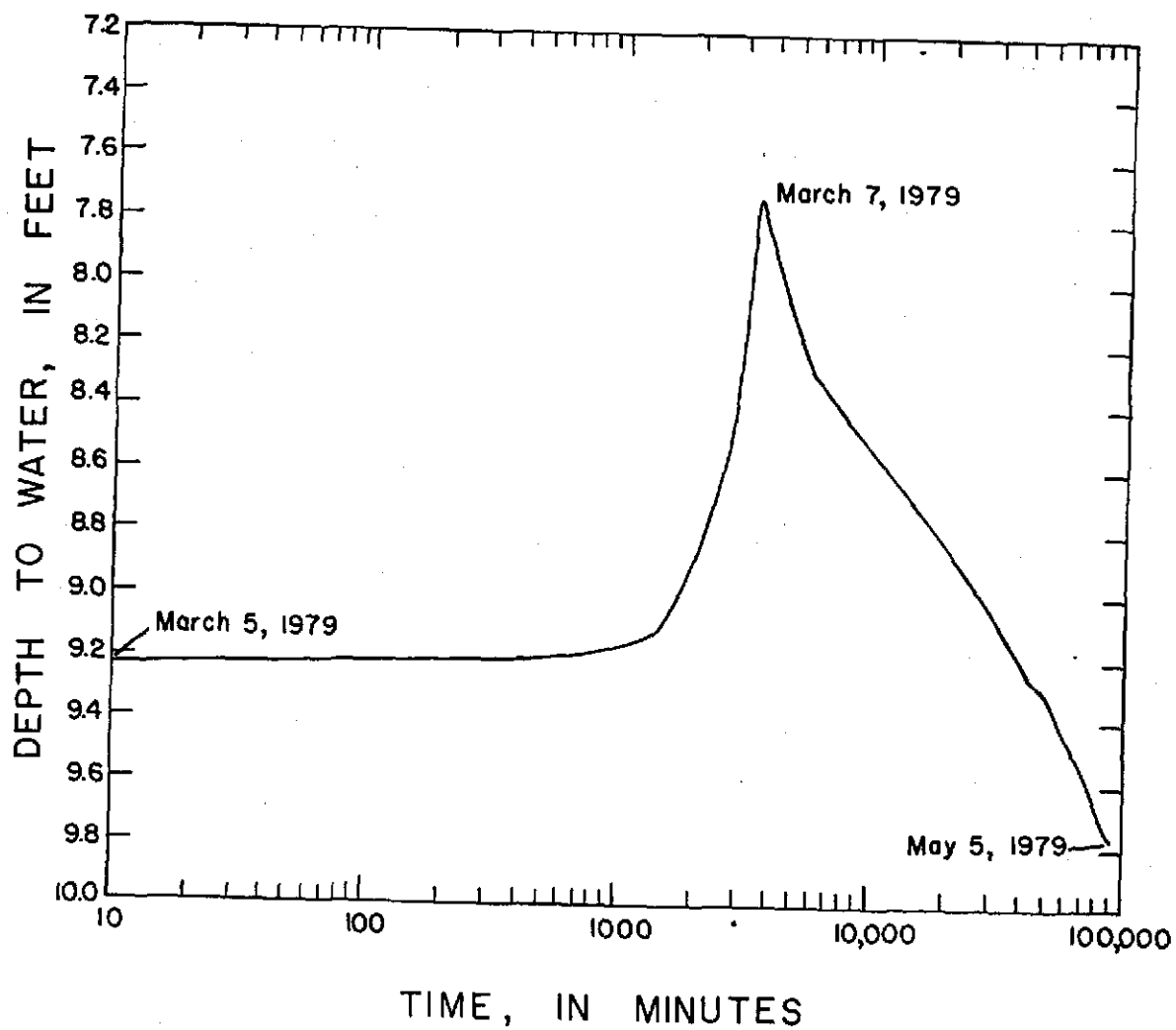


Figure 15.-- Water-level fluctuations in observation well IIS-31E-21ADDI caused by flood recharge.

Using the previously computed T of 20,000 ft<sup>2</sup>/d, a hydraulic gradient of 43 ft/mi (determined from the water-level contour map), and a cross-section width of 7.0 mi (fig. 12), underflow from Rockland basin is computed to be 51,000 acre-ft/yr. This estimate agrees closely with the estimate of 50,000 acre-ft/yr made by Mundorff, Crosthwaite, and Kilburn (1964).

#### WATER USE

The principal use of water in the basin is for irrigation, followed by municipal, stock, and domestic supplies. Irrigation accounts for about 99 percent of the total water use. Of nearly 107,000 acres of arable land in the basin, about 12,000 acres was irrigated in 1979 (see fig. 3) and about 15,500 acre-ft, or about 1.3 acre-ft/acre, of ground and surface water was used. About one-fourth of the irrigation water was supplied by ground water from wells; the remainder was from surface-water sources and from springs.

The actual quantity of water used for irrigation varies from year to year depending on the availability of supply. For example, in dry years when streamflow is low, either more ground water is pumped to augment the short supply or less land is irrigated. About 3,600 acres was left unseeded after being plowed for the 1979 growing season.

Irrigated land in Power County (which includes about 85 percent of Rockland basin) produces 3-4 times the amount of wheat than dryfarmed land produces (U.S. Department of Agriculture, 1966). Development and growth of agricultural land, specifically irrigated land, are shown in figure 16. Conversion of nonirrigated land to irrigated land in Power County has tripled since the 1950's. Because 91,000 acres of nonirrigated farmland is situated in Rockland basin, an increase in demand for water supplies can be expected.

#### Consumptive Water Use and Net Irrigation Requirements

Any increase in consumptive water use for ET by crops will reduce the amount of water normally available for streamflow and ground-water discharge.

Various crops have different consumptive water-use requirements, depending on factors that affect ET and plant maturity during the growing season. Average consumptive



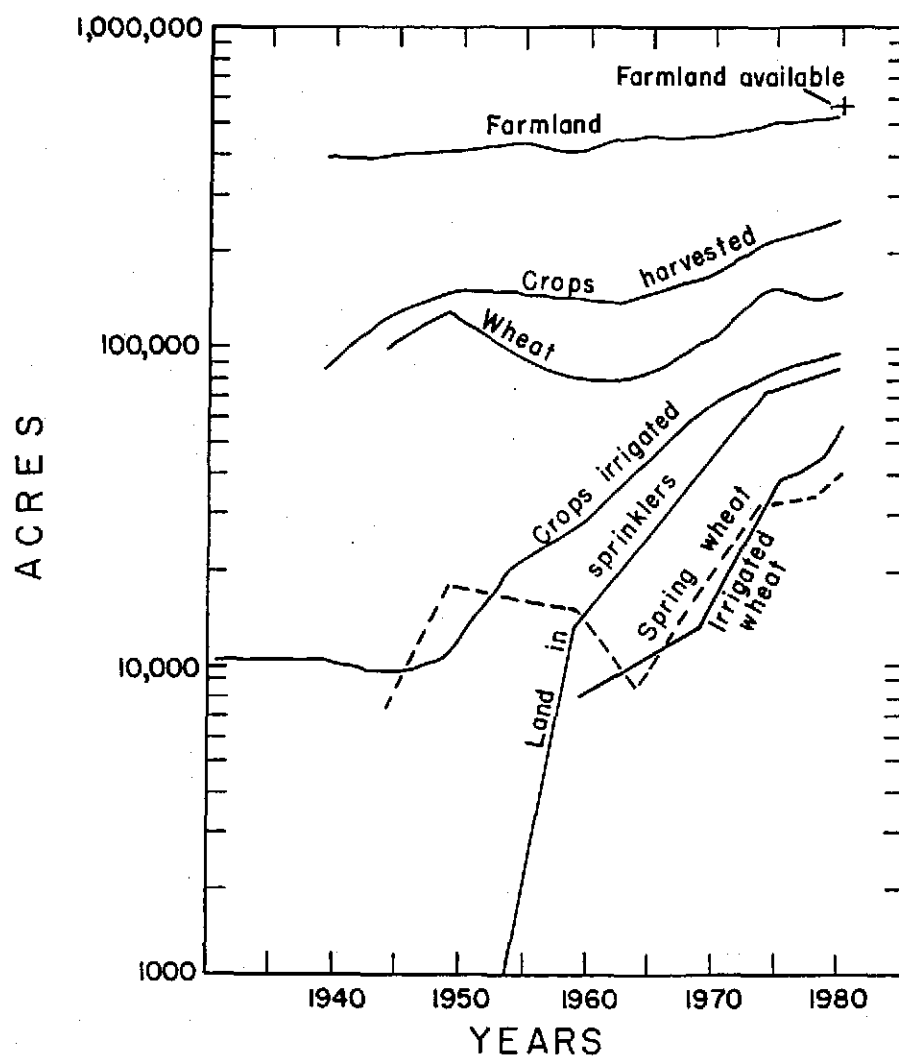


Figure 16.-- Agricultural land use in Power County.  
(Data from U.S. Department of Agriculture census reports.)

water-use requirements for winter and spring wheat in the Pocatello area are 20.1 and 17.4 in., respectively (Sutter and Corey, 1970). The Blaney-Criddle formula (U.S. Soil Conservation Service, 1967), which was used to compute the above figures, also was applied to Rockland basin by adjusting temperature, precipitation, and daylight hours in American Falls to conditions in the basin. The growth stage of spring wheat on the basis of plant maturity (U.S. Soil Conservation Service, 1967, p. 76) coincided with pumpage demand (from power-consumption records). Using the Blaney-Criddle formula, as applied to Rockland data, the estimated average annual water consumption for winter and spring wheat is 20 in., with more spring wheat than winter wheat being irrigated in Rockland basin.

Average rainfall in the Pocatello area during the irrigation season is 2.8 and 3.6 in. for winter and spring, respectively. Thus, the net annual irrigation requirements (or consumptive use minus the rainfall for the irrigation period) for winter and spring wheat in the Pocatello area are 17.3 in. (20.1 in. minus 2.8 in.) and 13.8 in. (17.4 in. minus 3.6 in.), respectively. Estimated rainfall for Rockland basin during the irrigation season is 3.5 in., and the net annual irrigation requirement is 16.5 in. (20.0 in. minus 3.5 in.), or 1.3 acre-ft/acre for both wheat crops.

The rate of surface-water application for Power County is estimated to be 2.1 acre-ft/acre (U.S. Department of Agriculture, 1966). This figure is considerably higher than the net annual irrigation requirement of 1.3 acre-ft. However, it is estimated from hydrograph comparison of two sites on the East Fork Rock Creek, during 1955-64, that about one-fourth of the upstream diverted water (adjusted for seepage losses) returns directly to the lower reaches of the East Fork late in the growing season.

Assuming that one-fourth of the applied water is not consumptively used, and that 3.5 in. of normal rainfall during the growing season is available, then the estimated irrigation requirement from ground-water and surface-water sources would remain about 1.3 acre-ft/acre (75 percent of 2.1 acre-ft/acre minus 0.29 acre-ft/acre of rainfall equals 1.3 acre-ft/acre).

#### Surface-Water Use

Principal sources of surface water available for irrigation of about 9,000 acres are East Fork Rock Creek, Rock Creek, and several small springs. Additional irrigation water not supplied by diversions is pumped directly from the stream and applied to adjacent land tracts.

Monthly streamflow measurements from Rock Creek and East Fork Rock Creek for periods of record 1955-79 were used to estimate the mean streamflow available for irrigation during the growing season. Surface-water discharge for May to October 1979 was estimated to be 13,000 acre-ft, which included additional runoff inflow above site 13077650. Adjusting the 1979 discharge figure by subtracting the excess runoff from summer storms, or nondivertible flows, the amount available in 1979 for irrigation was reduced to 11,700 acre-ft. The 1979 water year had sufficient surface flow to meet irrigation requirements of 9,000 acres x 1.3 acre-ft/acre, or about 12,000 acre-ft. However, during seasons of less runoff, additional irrigation requirements would have to be supplied by ground-water pumping. For example, surface-water discharge available for 1955-60 during May to October when diversion began and ended showed that the flow was about 8,900 acre-ft. The difference between 12,000 acre-ft and the flow of 8,900 acre-ft (3,100 acre-ft) must be supplied from ground-water sources, or the total irrigated acreage must be reduced.

#### Ground-Water Use

In 1979, about 17 wells were pumped to irrigate croplands in the study area. No records were kept by the irrigators of the amount of water pumped. Therefore, power-consumption records were obtained from the Idaho Power Company, from which total pumpage was calculated. Ten of the pumped wells were powered by electricity and seven by diesel engines.

Measurements of flow discharge were made at the irrigation wells during the pumping season. Knowing the rate of discharge, total kilowatt hours consumed, and demand of each motor (kilowatts), total withdrawals were computed by means of the following formula:

$$Q_t = Q_r \times \frac{KwH}{D}$$

where

- $Q_t$  = total withdrawals, in acre-feet,
- $Q_r$  = discharge rate, in acre-feet per hour,
- $KwH$  = total power consumed, in kilowatt hours, and
- $D$  = demand of motor, in kilowatts.

For wells powered by diesel engines, pumpage withdrawals were determined by multiplying the average number of pumping hours for the irrigation season of all wells powered

by electric motors by the discharge rate of each well. Computed withdrawals then were composited by areas within Rockland basin.

Rates of ground-water application, mainly by sprinklers, ranged from 0.72 acre-ft/acre in the southern part of the basin to 2.46 acre-ft/acre in the extreme northern part (T. 8 S., R. 30 E., 31 E.). The average rate of application for Rockland basin is 1.32 acre-ft/acre, similar to the net irrigation requirement of 1.3 acre-ft/acre previously estimated for wheat crops. Thus, estimated ground-water withdrawal to irrigate 2,700 acres in Rockland basin is 3,500 acre-ft/yr.

#### Municipal, Domestic, and Stock Water Use

Municipal and rural domestic use can be estimated by assuming an average rate of withdrawal per household. The town of Rockland uses about 35 acre-ft/yr (98 families at about 320 gal/d per family). Use of water for rural domestic purposes is estimated to be 20 acre-ft/yr, on the basis of a per-capita use rate of 150 gal/d. Use of water by livestock is unknown but is small compared to irrigation volumes. Stock water is obtained mostly from springs or diverted surface water. The small amount consumed can be estimated. For example, the estimated 8,000 head of range cattle in Rockland basin would consume 6.3 gal/d per head, or about 56 acre-ft/yr.

#### Water Budget

The total quantity of water available for use in the 320-mi<sup>2</sup> basin was defined previously as water yield, or water remaining after evaporation and transpiration of natural vegetation. Numerically, these long-term values are:

|                     |                                      |
|---------------------|--------------------------------------|
| Total precipitation | = 17.3 in./yr, or 295,000 acre-ft/yr |
| Natural ET          | = 12.3 in./yr, or 210,000 acre-ft/yr |
| Yield               | = 5.0 in./yr, or 85,000 acre-ft/yr   |

Part of the available water yield is consumed by irrigation, domestic, and livestock use. Any water not consumptively used leaves the basin as surface flow and underflow.

Individual elements of the water budget for 1979 are:

|                                     |                            |
|-------------------------------------|----------------------------|
| Ground water used for irrigation    | = 3,500 acre-ft/yr         |
| Surface water used for irrigation   | = 12,000 acre-ft/yr        |
| Municipal, domestic, and stock uses | = 100 acre-ft/yr           |
| Surface-water outflow               | = 19,800 acre-ft/yr        |
| <u>Underflow</u>                    | <u>= 51,000 acre-ft/yr</u> |
| Total                               | = 86,400 acre-ft/yr        |

In comparing the 1979 water budget to the long-term yield of Rockland basin, water available in 1979 was 2 percent above normal. However, on the basis of the following assumptions, 1979 easily could be 2 percent less than normal: (1) Consumptive use of water for irrigation, municipal, domestic, and stock supplies during 1979 is typical of normal water use (15,600 acre-ft/yr); (2) long-term surface-water outflow averages 16,500 acre-ft/yr; (3) underflow of 51,000 acre-ft/yr is representative of long-term conditions; and (4) no significant change in water levels, hence storage, occurred in 1979.

Despite the relatively small error between budget elements for 1979 and the long-term yield, probable error in excess of 5 percent exists in any of the values. However, because of expected annual fluctuations in any of the elements used to determine yield, the estimate of 5.0 in./yr probably is still indicative of long-term water availability in Rockland basin.

#### SURFACE-WATER/GROUND-WATER RELATIONS

The surface- and ground-water resources of Rockland basin are intricately related. The movement of water from the land surface to the subsurface and back to the land surface occurs naturally in the basin, and the surface-water/ground-water relations are an important hydrologic factor in the availability and use of water.

Flow in Rock Creek is derived from overland runoff of precipitation and snowmelt, springfed tributaries, and ground-water discharge. Because of the lack of surface runoff from the surrounding mountains, overland flow in Rock Creek is derived mainly from precipitation and snowmelt on the valley floor. East Fork Rock Creek, whose flow is derived mainly from spring discharge, is the largest contributor of flow to Rock Creek. Ground-water discharge to Rock Creek is predominantly from the Holocene alluvial aquifer.

#### Gaining and Losing Reaches in Rock Creek and East Fork Rock Creek

The contribution of ground water (or base flow) was assessed by streamflow measurement at selected sites

along Rock Creek and East Fork Rock Creek. Measurements were made between October 31 and November 2, 1978, when effects of irrigation were minimal. Locations of measuring sites, discharge, and cumulative apparent gains and losses to ground water in the two streams are illustrated in figure 17. Measuring sites are numbered in downstream order, with measured inflows and outflows noted.

Rock Creek generally gains or receives ground-water discharge between measuring sites 2-12 (fig. 17). Below measuring site 12 to the Rock Creek near American Falls site, no connection exists between surface and ground water. East Fork Rock Creek gains from the ground-water system in its upper reach (sites 1, 2, and 3) and generally loses to ground water in its middle (site 4) and lower (sites 8, 10, and 12) reaches.

#### Effects of Ground-Water Pumpage on Surface-Water Flows

Pumping of wells adjacent to a stream where there is direct hydraulic connection with an aquifer will result in a decrease in streamflow. The degree to which streamflow is affected depends on proximity of the well to the stream, rate of recharge, quantity of water pumped, and ability of the aquifer and streambed to transmit water. It is the withdrawal of ground water at the expense of appropriated downstream water that is of concern to surface-water users in Rockland basin.

No quantitative measure of streamflow depletion resulting from ground-water withdrawal has been made in Rockland basin. The rate and volume of stream depletion during and after pumping of a nearby well were described by Jenkins (1970) for a system in which the surface-water/ground-water regime was in equilibrium. Figure 18, constructed using Jenkins's method, for the alluvial aquifer in Rockland basin having average  $T$  values of 5,700 ft<sup>2</sup>/d and an average  $S$  of 0.14, shows the percentage of surface water derived from Rock Creek in water pumped from a well placed at selected distances from Rock Creek after specific time periods of pumping. For example, using figure 18, if well 11S-31E-21ADC1, located 520 ft (0.1 mi) from Rock Creek, were pumped for 80 days at 1,100 gal/min, then at the end of that time, 70 percent of the water pumped would be derived from the stream. The values of  $T$  and  $S$  used to draw the curves in figure 18 are thought to be representative of the Tertiary sedimentary-rock aquifer in Rockland basin. If the well pumped 1,100 gal/min, it would, after 80 days, deplete Rock Creek flow by about 1.7 ft<sup>3</sup>/s. As pumping time approached infinity, the volume of stream depletion would approach the volume pumped. After pumping ceased, the

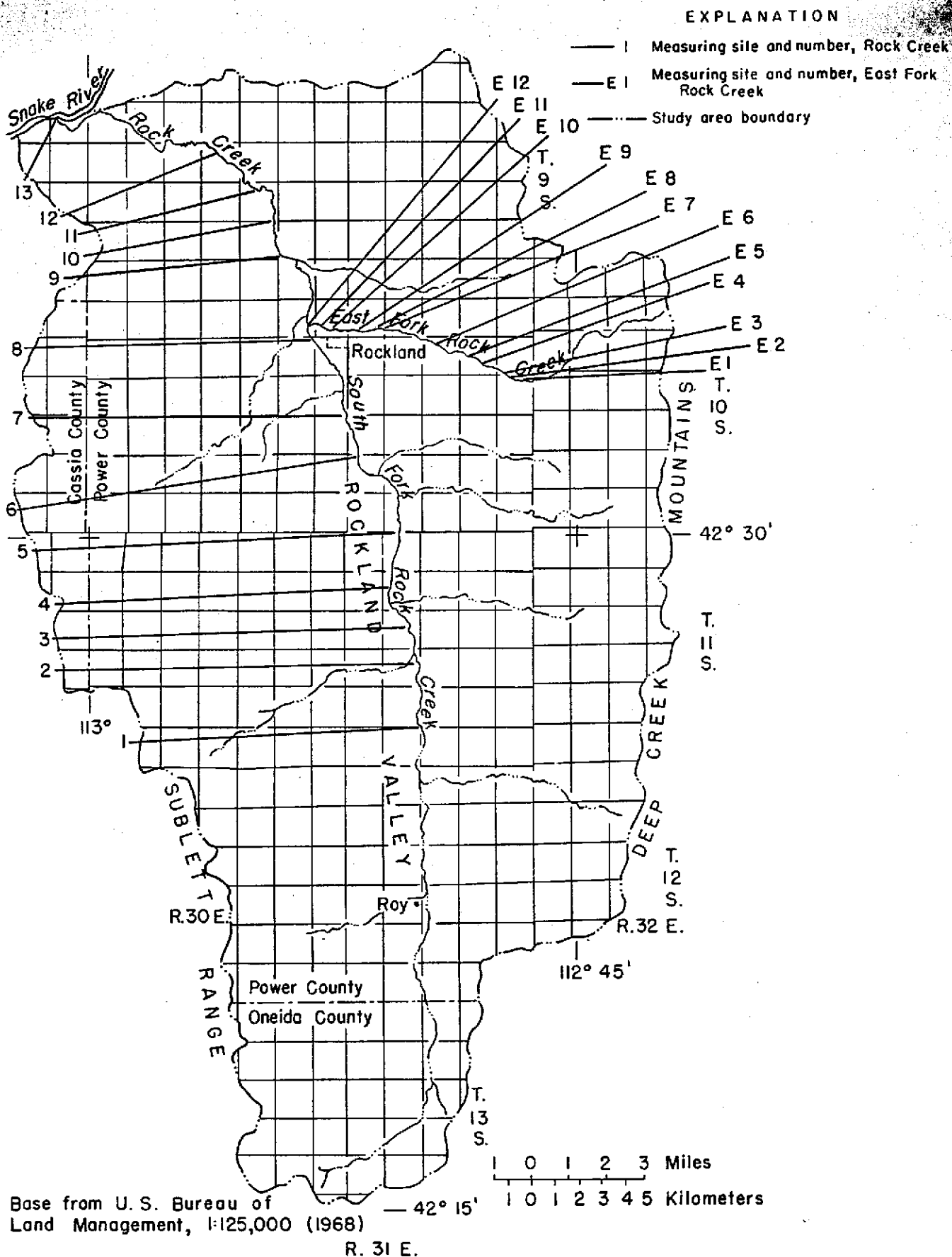


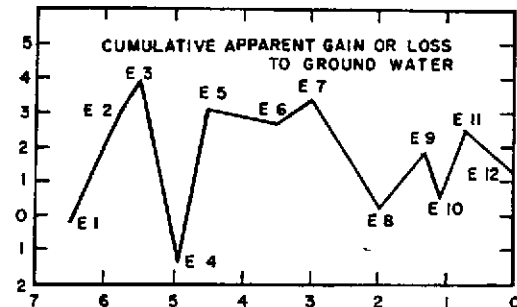
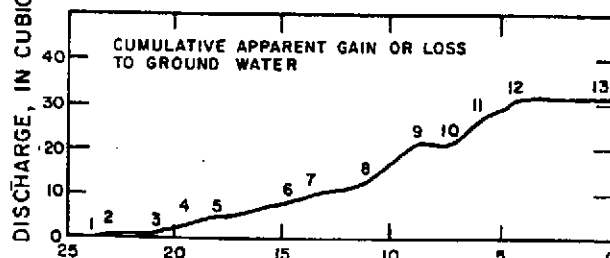
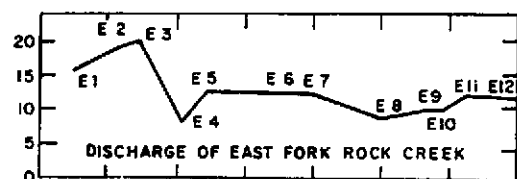
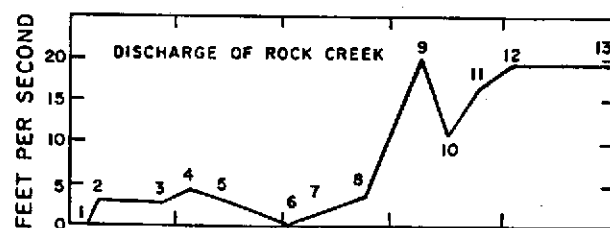
Figure 17.--Discharges and locations

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| Site No.                    | Date measured | Discharge (ft <sup>3</sup> /s) | Inflow (ft <sup>3</sup> /s) | Outflow (ft <sup>3</sup> /s) | Specific conductance (μmho) | Apparent gain or loss to ground water (ft <sup>3</sup> /s) |
|-----------------------------|---------------|--------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------------------------------------|
| <u>ROCK CREEK</u>           |               |                                |                             |                              |                             |                                                            |
| 1                           | 10-30-78      | 0                              | 1.7                         |                              | --                          | --                                                         |
| 2                           | 10-31-78      | 2.8                            |                             |                              | 731                         | +1.1                                                       |
| 3                           | ---do---      | 2.6                            |                             |                              | 796                         | - .2                                                       |
| 4                           | ---do---      | 4.1                            |                             |                              | 801                         | +1.5                                                       |
| 5                           | ---do---      | 2.9                            |                             | 3.1                          | 955                         | +2.0                                                       |
| 6                           | ---do---      | 0                              |                             | 6.3                          | 848                         | +3.4                                                       |
| 7                           | 11- 1-78      | 1.0                            |                             | 1.2                          | 1,110                       | +2.2                                                       |
| 8                           | ---do---      | 3.4                            | 14.0                        |                              | 1,030                       | +2.4                                                       |
| 9                           | ---do---      | 19.3                           |                             | 7.6                          | 802                         | +9.5                                                       |
| 10                          | ---do---      | 10.2                           |                             | 8.3                          | 728                         | - .8                                                       |
| 11                          | 11- 2-78      | 15.6                           |                             | 1.9                          | 904                         | +5.4                                                       |
| 12                          | ---do---      | 18.4                           |                             |                              | 960                         | +4.7                                                       |
| 13                          | ---do---      | 18.4                           |                             |                              | 956                         | 0                                                          |
| <u>EAST FORK ROCK CREEK</u> |               |                                |                             |                              |                             |                                                            |
| E-1                         | 10-30-78      | 16.4                           |                             |                              | 403                         | --                                                         |
| E-2                         | ---do---      | 19.2                           |                             |                              | 367                         | +2.8                                                       |
| E-3                         | 10-31-78      | 20.3                           |                             | 6.7                          | 364                         | +1.1                                                       |
| E-4                         | ---do---      | 8.4                            |                             |                              | 408                         | -5.1                                                       |
| E-5                         | ---do---      | 12.8                           |                             |                              | 317                         | +4.4                                                       |
| E-6                         | ---do---      | 12.4                           |                             | .7                           | 460                         | - .4                                                       |
| E-7                         | 11- 1-78      | 12.4                           |                             |                              | 479                         | + .7                                                       |
| E-8                         | ---do---      | 9.2                            |                             |                              | 504                         | -3.2                                                       |
| E-9                         | ---do---      | 10.9                           |                             |                              | 514                         | +1.7                                                       |
| E-10                        | ---do---      | 10.7                           |                             | 1.1                          | 482                         | -1.3                                                       |
| E-11                        | ---do---      | 12.7                           | 0.6                         |                              | 531                         | +2.0                                                       |
| E-12                        | ---do---      | 12.1                           |                             |                              | --                          | -1.2                                                       |



of inflow and outflow measuring sites.

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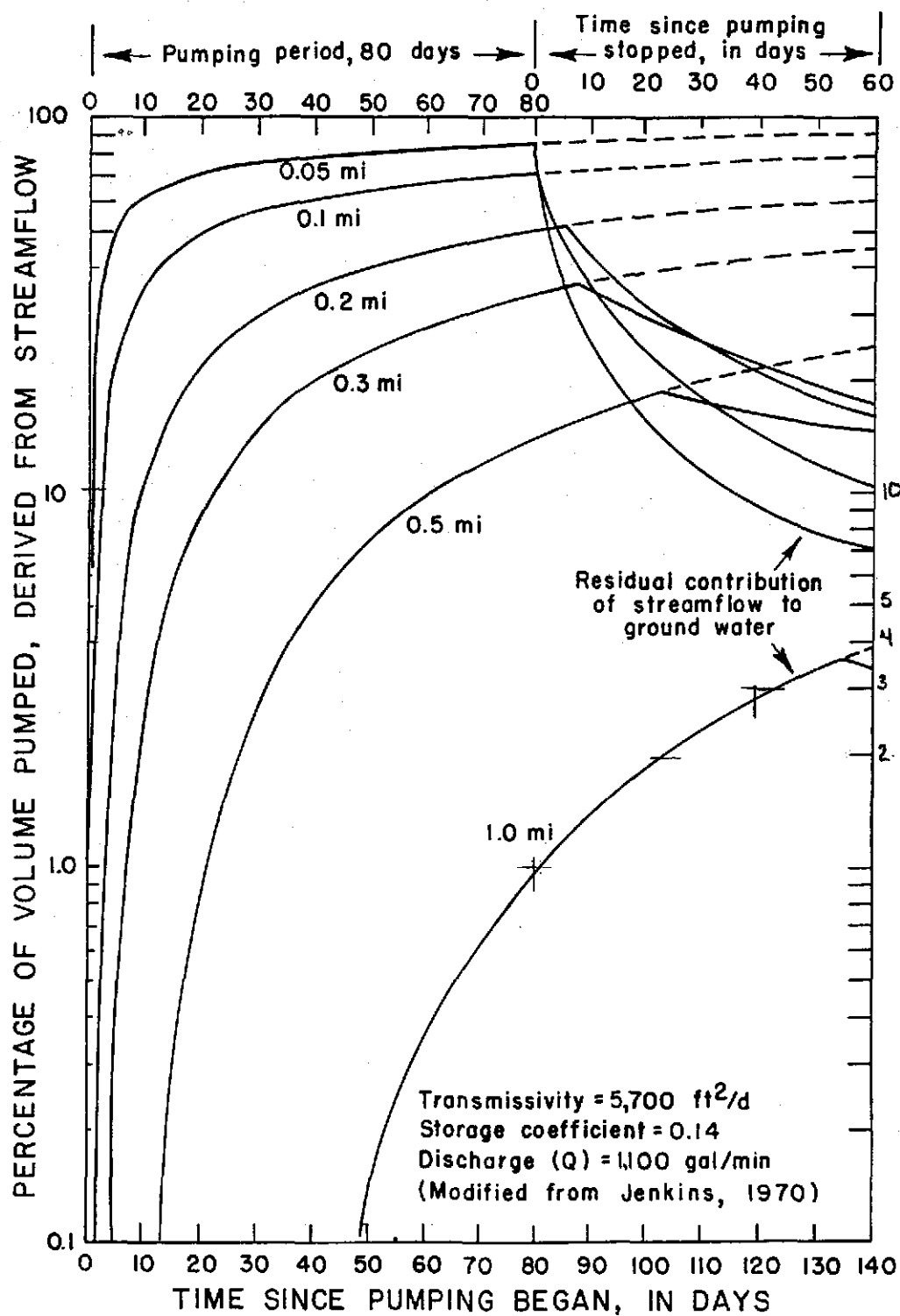


Figure 18.-- Effects of ground-water pumpage on streamflow at selected distances from Rock Creek.

stream would continue to lose water to the ground-water system until equilibrium again was achieved. Residual effects on stream depletion (shown as "time since pumping stopped" in fig. 18) are smaller for a well closer to the stream.

Normally, the volume of depleted ground water would be replenished during periods of recharge unless (1) depletion greatly exceeded available recharge, (2) residual and lag effects were too lengthy for recovery to occur, or (3) storage was drawn through a less permeable boundary than that used in this analysis.

#### Ground-Water Recharge From Floods

Short periods of recharge to the aquifer can occur from a sudden increase in streamflow during floods. The rate of ground-water recharge can be estimated by using a method developed by Rorabaugh (1964), provided the magnitude of the water-table rise associated with the flood and the T and S of the aquifer are known. Using Rorabaugh's method, the water table is assumed to be horizontal (everywhere at stream level) and to extend the width of the valley. The true configuration of the water table limits applicability of the method but does allow consideration of maximum effects of recharge.

Assuming a typical sudden recharge impulse in observation well 11S-31E-21ADD1 (fig. 15) caused by runoff in Rock Creek, the aquifer would be recharged by a certain unit discharge per foot of channel length. Using the aquifer characteristics computed previously (T and S values of 5,700  $\text{ft}^2/\text{d}$  and 0.14, respectively), height of recharge impulse (1.5 ft), and time since recharge impulse occurred, recharge to channel banks for the first  $2\frac{1}{2}$  days from storm runoff for a 1-mi width strip on each side of Rock Creek would be 55 (gal/d)/ft. This rate is equivalent to a volumetric rate of 9  $\text{ft}^3/\text{s}$  for 10 mi of channel length. Return discharge to the stream on the recession limb of the observation well hydrograph (fig. 15) for 7.2 days and 38 days would contribute discharges of 2.6 and 0.63  $\text{ft}^3/\text{s}$ , respectively, to 10 mi of channel length. These discharges would be released from bank storage and would contribute about 7 percent of the existing streamflow at that time. Extending the horizontal water table to include aquifer strips 4.5 mi wide (recharge from the stream to the aquifer is assumed to be horizontal and to terminate at the fault boundaries) bordering the stream gives similar bank-storage release values, which indicates that there is minimal increase in discharge from bank storage at greater distances from the stream.

Combining Rorabaugh's method with a technique for hydrograph separation (Daniel, 1976, and Daniel, J. F., oral commun., 1980), the total volume of ground water contributed to streamflow from flood-recharge pulses can be calculated. An example of the procedure was outlined by Wilder and Simmons (1978). The calculated volume of ground water contributed to streamflow during runoff events, as applied to station 13077500 on Rock Creek for the period 1955-60, is 56 percent of the total flow. Total ground-water contribution to streamflow is estimated to average 79 percent of the annual flow during this same period.

#### WATER QUALITY

Water samples for chemical analysis were collected during May and June 1979 at 9 surface-water sites, 13 wells, and 2 springs in Rockland basin. Results of the analyses are given in table 5. Several surface-water sites also were sampled for suspended-sediment concentrations during periods of high flow January 14-16, 1980. Sediment data are shown in table 6.

##### Surface Water

The chemical quality of most surface water in the study area is generally good to fair, and, although hard, is suitable for most uses in the basin. Pattern diagrams devised by Stiff (1951) in figure 19 depict chemical differences and similarities among selected waters sampled during this study.

Surface water, represented by hatchured patterns in figure 19, is generally a calcium bicarbonate type. In the vicinity of Rock Creek below Rockland, the water is higher in dissolved magnesium and probably is derived from ground-water discharge from the aquifer to the stream. Most surface water in the study area is classified (Wilcox, 1955) as either hard (120-180 mg/L calcium carbonate) or very hard (more than 180 mg/L calcium carbonate).

During the study of streamflow gains and losses, 21 sites on Rock Creek and 16 sites on East Fork Rock Creek were sampled for specific conductance (fig. 17). An appraisal of the data shows that as the proportion of ground-water discharge to the stream increases, the specific conductance also increases, indicating that water from the aquifer is higher in dissolved solids. When streams receive a large proportion of direct runoff from snowmelt and precipitation, the specific conductance rapidly decreases.

Table 5.--Chemical analyses of water  
(Chemical constituents in milligrams per liter, except where noted)  
(%, less than; --, no data available)

| Location or designation                                                       | Date of collection | Depth of well (ft) | Discharge (cfs) | Specific conductance (micro) | pH  | Water temperature (°C) | Hardness as CaCO <sub>3</sub> | Noncarbonate hardness | Calcium (Ca) | Magnesium (Mg) | Sodium (Na) | Percent sodium | Sulfate adsorption ratio (SAR) | Potassium (K) | Bicarbonate (HCO <sub>3</sub> ) | Carbonates (CO <sub>3</sub> ) | Alkalinity as CaCO <sub>3</sub> | Carbon dioxide (CO <sub>2</sub> ) | Sulfate (SO <sub>4</sub> ) | Chloride (Cl) | Fluoride (F) | Silica (SiO <sub>2</sub> ) | Dissolved solids (calculated) | Dissolved solids (from/acre-ft) | Dissolved solids (from/d) | Nitrate plus nitrite as N (NO <sub>3</sub> + NO <sub>2</sub> ) | Phosphorus, total as P | Phosphorus, ortho total as PO <sub>4</sub> | Iron dissolved as Fe (mg/L) | Manganese dissolved as Mn (mg/L) |   |  |
|-------------------------------------------------------------------------------|--------------------|--------------------|-----------------|------------------------------|-----|------------------------|-------------------------------|-----------------------|--------------|----------------|-------------|----------------|--------------------------------|---------------|---------------------------------|-------------------------------|---------------------------------|-----------------------------------|----------------------------|---------------|--------------|----------------------------|-------------------------------|---------------------------------|---------------------------|----------------------------------------------------------------|------------------------|--------------------------------------------|-----------------------------|----------------------------------|---|--|
| Ground Water                                                                  |                    |                    |                 |                              |     |                        |                               |                       |              |                |             |                |                                |               |                                 |                               |                                 |                                   |                            |               |              |                            |                               |                                 |                           |                                                                |                        |                                            |                             |                                  |   |  |
| 13077343 - South Fork Rock Creek<br>below Bartley Canyon<br>near Ray          | 5-24-79            | —                  | 2.0             | 799                          | 8.1 | 14.0                   | 320                           | 57                    | 82           | 29             | 38          | 20             | .9                             | 6.5           | 320                             | 0                             | 262                             | 4.1                               | 28                         | 91            | .3           | 36                         | 471                           | .64                             | 2.59                      | .22                                                            | .09                    | .03                                        | .09                         | —                                | — |  |
| 13077390 - South Fork Rock Creek<br>near Rockland                             | 5-24-79            | —                  | 3.6             | 851                          | 7.7 | 16.0                   | 330                           | 59                    | 82           | 31             | 49          | 24             | 1.2                            | 7.4           | 330                             | 0                             | 271                             | 11                                | 33                         | 98            | .3           | 45                         | 511                           | .69                             | 4.98                      | .56                                                            | .12                    | .04                                        | .12                         | —                                | — |  |
| 13077520 - South Fork Rock Creek<br>above Main Springs<br>Creek near Rockland | 6-1-79             | —                  | 2.9             | 867                          | 7.6 | 13.5                   | 320                           | 33                    | 78           | 31             | 55          | 26             | 1.3                            | 17            | 350                             | 0                             | 287                             | 13                                | 34                         | 96            | .4           | 38                         | 531                           | .70                             | 4.06                      | .20                                                            | .06                    | .02                                        | .06                         | —                                | — |  |
| 13077600 - East Fork Rock Creek<br>near Rockland                              | 5-31-79            | —                  | 18              | 389                          | 7.8 | 11.0                   | 220                           | 20                    | 59           | 17             | 5.7         | 5              | .2                             | 1.1           | 240                             | 0                             | 197                             | 6.1                               | 6.1                        | 9.5           | .2           | 8.8                        | 227                           | .31                             | 11.0                      | .26                                                            | 4.3                    | 1.4                                        | —                           | —                                | — |  |
| 13077620 - East Fork Rock Creek<br>at Rockland                                | 6-1-79             | —                  | 5.4             | 526                          | 8.0 | 9.0                    | 270                           | 24                    | 67           | 24             | 14          | 10             | .4                             | 2.8           | 300                             | 0                             | 246                             | 4.5                               | 11                         | 29            | .2           | 12                         | 299                           | .41                             | 4.36                      | .31                                                            | .06                    | .02                                        | —                           | —                                | — |  |
| 13077633 - Spring Creek near<br>Rockland                                      | 5-24-79            | —                  | .81             | 945                          | 8.0 | 12.0                   | 420                           | 170                   | 110          | 35             | 37          | 16             | .8                             | 5.2           | 300                             | 0                             | 246                             | 4.8                               | 37                         | 130           | .3           | 29                         | 539                           | .73                             | 1.18                      | 1.7                                                            | .06                    | .02                                        | —                           | —                                | — |  |
| 13077638 - Rock Creek below<br>Rockland                                       | 5-25-79            | —                  | 1.2             | 1,010                        | 7.9 | 16.0                   | 450                           | 89                    | 94           | 52             | 44          | 17             | .9                             | 17            | 440                             | 0                             | 361                             | 8.7                               | 50                         | 110           | .4           | 44                         | 630                           | .86                             | 2.11                      | .52                                                            | .12                    | .04                                        | .12                         | —                                | — |  |
| 13077646 - Rock Creek near mouth                                              | 5-25-79            | —                  | 6.0             | 1,010                        | 8.2 | 18.0                   | 420                           | 55                    | 79           | 55             | 52          | 20             | 1.1                            | 20            | 470                             | 0                             | 385                             | 4.7                               | 34                         | 81            | .4           | 35                         | 588                           | .80                             | 9.53                      | .10                                                            | .12                    | .04                                        | .12                         | —                                | — |  |
| 13077650 - Rock Creek near<br>American Falls                                  | 5-31-79            | —                  | .78             | 932                          | 8.1 | 18.0                   | 390                           | 66                    | 72           | 52             | 50          | 21             | 1.1                            | 18            | 440                             | 0                             | 361                             | 5.1                               | 34                         | 81            | .4           | 34                         | 539                           | .73                             | 1.14                      | .01                                                            | .03                    | .01                                        | .03                         | —                                | — |  |
| 13077650 - Rock Creek near<br>American Falls                                  | 5-31-79            | —                  | 2.0             | 889                          | 8.1 | 14.0                   | 360                           | 0                     | 48           | 58             | 61          | 26             | 1.4                            | 19            | 440                             | 0                             | 361                             | 5.2                               | 34                         | 84            | .2           | 23                         | 529                           | .72                             | 2.64                      | .01                                                            | .09                    | .03                                        | .09                         | —                                | — |  |

Discharge in gallons per minute

Table 6.--Suspended-sediment discharge during  
storm runoff of January 12-17, 1980

[e, estimated; <, less than]

| Site<br>No.         | Date<br>measured | Time<br>(24-hour) | Water<br>discharge<br>(ft <sup>3</sup> /s) | Suspended-<br>sediment<br>concentration<br>(mg/L) | Instantaneous<br>suspended-<br>sediment<br>discharge<br>(ton/d) |
|---------------------|------------------|-------------------|--------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------|
| 13077088            | 1-16-80          | 0940              | 0.14                                       | 10                                                | <0.01                                                           |
| 13077090            | --do---          | 0950              | 1.07                                       | 124                                               | .36                                                             |
| 13077370            | --do---          | 1135              | .09                                        | 147                                               | .04                                                             |
| 13077390            | 1-15-80          | 1430              | 68                                         | 2,530                                             | 465                                                             |
| 13077480            | 1-16-80          | 1600              | .72                                        | 218                                               | 4.2                                                             |
| 13077632            | --do---          | 1300              | 1.83                                       | 1,180                                             | 5.8                                                             |
| 13077646            | 1-14-80          | 1330              | 440e                                       | 10,700                                            | 12,700                                                          |
| ---do---            | 1-15-80          | 1130              | 228                                        | 3,650                                             | 2,250                                                           |
| ---do. <sup>1</sup> | --do---          | 1250              | 158                                        | 5,470                                             | 2,330                                                           |
| 13077100            | --do---          | 1650              | 22                                         | 10,600                                            | 630                                                             |
| 13077200            | --do---          | 1540              | 161                                        | 23,400                                            | 10,200                                                          |
| 13077490            | 1-16-80          | 1530              | 1.82                                       | 1,800                                             | 8.8                                                             |
| 13077340            | 1-14-80          | 1545              | 40e                                        | 23,900                                            | 2,580                                                           |
| 13077540            | 1-16-80          | 1400              | .08                                        | 348                                               | .08                                                             |
| 13077600            | --do---          | 1715              | 17                                         | 16                                                | .73                                                             |
| 13077650            | 1-15-80          | 0850              | 320e                                       | 12,200                                            | 10,500                                                          |
| ---do---            | 1-17-80          | 1040              | 79                                         | 786                                               | 168                                                             |

<sup>1</sup> 2 mi upstream.

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# EXPLANATION

## Pattern diagram

(Hatchures represent surface-water samples; number represents dissolved solids, in milligrams per liter.)  
Cations (+)      Anions (-)

Sodium plus Potassium      Chloride  
Calcium      Bicarbonate  
Magnesium

7 6 5 4 3 2 1 0 1 2 3 4 5 6 7  
milliequivalents per liter

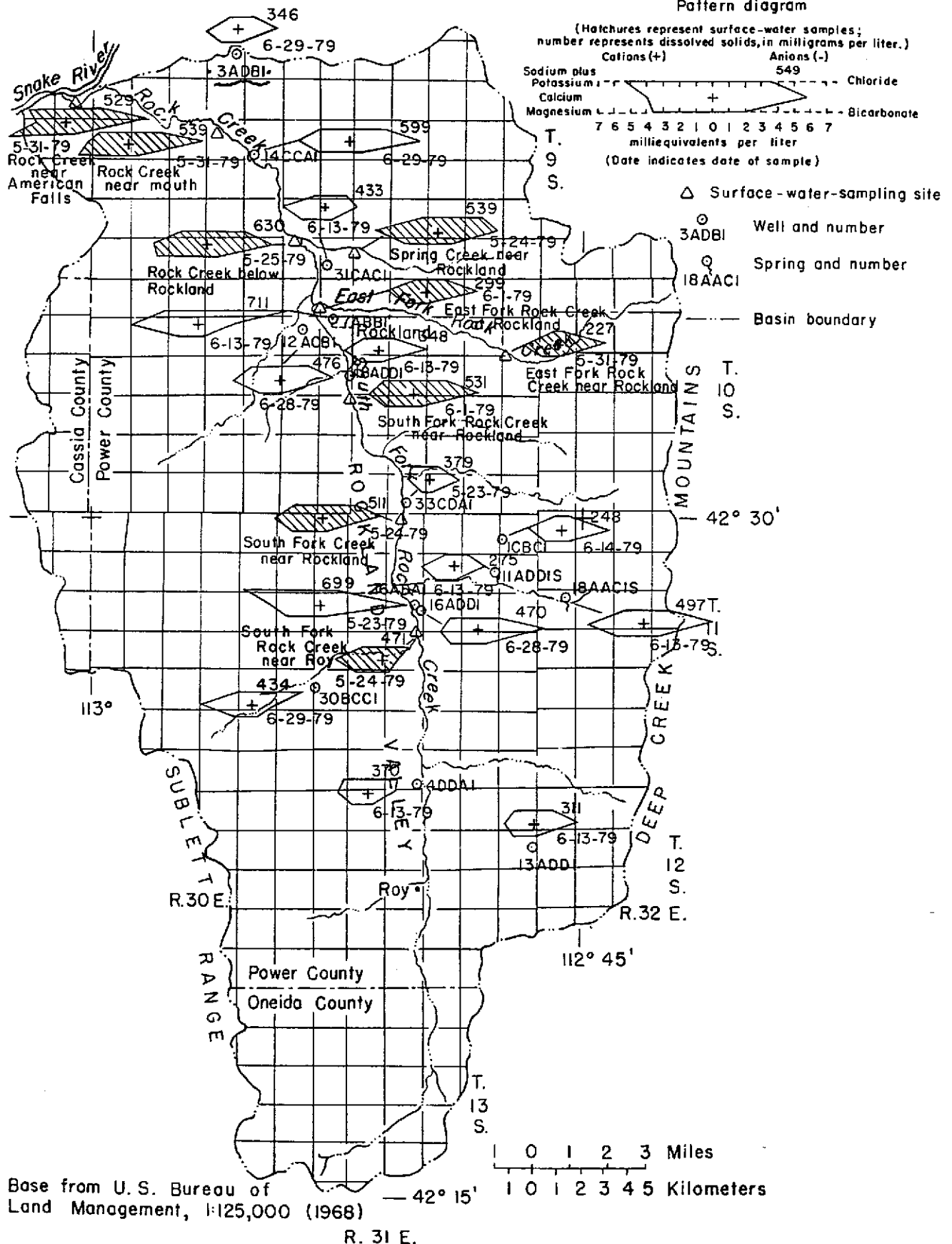
(Date indicates date of sample)

△ Surface-water-sampling site

○ Well and number

○ Spring and number

--- Basin boundary



Base from U.S. Bureau of  
Land Management, 1:125,000 (1968)

Figure 19. Chemical character of water.

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On the basis of specific-conductance values and SAR (sodium-adsorption ratio), surface water also was classified to determine its suitability for irrigation. All surface water in the study area is within the low sodium water classification and can be used on most soils with little danger of developing harmful levels of exchangeable sodium. Some sodium-sensitive crops may be affected (Wilcox, 1955, p. 10). Except for East Fork Rock Creek, surface water in Rockland basin is classified as moderately high in salinity hazard. These waters should not be used on soils that have restricted drainage or on plants that have low salt tolerance. Plants that have moderate salt tolerance can be grown in most places without special practices of salinity control. Even with adequate drainage, special management for salinity control may be required.

Water samples were collected during January 14-17, 1980, for determination of suspended-sediment concentrations (table 6). At this time, stream discharges were at a maximum, and numerous tributaries were at bankfull or overflow stage. Most of the stream channels had eroded their banks when the measurement sites were revisited in mid-June 1980.

Concentrations of suspended sediment resulting from soil losses in a dominantly agricultural area are expected to be high when floods occur (table 6). Removal of protective vegetation and various land-surface disturbances by man's activities can cause increased erosion.

#### Ground Water

The relative abundance of the common ions in ground water from each well sampled during this study is shown in figure 19. Calcium and bicarbonate are the predominant ions. The concentration of dissolved solids for most samples is generally less than 700 mg/L. The diagrams in figure 19 show that ground waters throughout the basin are generally similar and vary little in types and amounts of dissolved constituents.

Several of the apparently anomalous water-quality analyses shown in figure 19 can be explained by their relation to specific sources. For example, the water sample from well 10S-30E-12ACB1 is higher in calcium, potassium, and chloride than other water samples. This well pumps water from aquifers composed chiefly of sedimentary materials high in these constituents.

A ground-water sample also may be influenced by return irrigation flows. Accumulated salts that infiltrate through or are leached from the soil eventually may mix with ground water. An example is the water sample taken from well 11S-31E-16ADA1, a shallow well in an area where the water table is about 7.5 ft below land surface. This sample was higher in sodium, alkalinity, and dissolved solids than other water samples. The potential exists that saline or alkaline salts from evaporation of ground-water derived irrigation waters could result in local, unproductive acreage. On the basis of specific conductance and SAR, ground waters are, with the exception of the two wells previously discussed, classified as medium salinity waters, which can be used if a moderate amount of leaching occurs.

Ground-water samples can be influenced by nonagricultural uses; for example, the high concentration of nitrates and nitrites at well 11S-31E-16ADA1 is attributed to contamination by seepage from nearby livestock corrals.

#### SUGGESTIONS FOR MONITORING

To provide data for managing water resources in Rockland basin, the following network to monitor ground-water level fluctuations, surface-water discharge, and water-quality changes is suggested:

Continue bimonthly water-level measurements at the following observation wells: 10S-31E-5DAD1; 10S-31E-29BBA1; 12S-31E-22BCC1. Also, make bimonthly water-level measurements in well 10S-30E-25BAA1 or 10S-30E-24CDD1. Retain stream-gaging site at the mouth of Rock Creek to provide surface-water outflow data for Rock Creek. Collect water-quality samples above and below the confluence of East Fork Rock Creek and Rock Creek in the spring and fall. It is further suggested that selected domestic and stock water wells completed in sedimentary deposits near Rockland and Rock Creek be sampled to detect possible localized contaminants, and that East Fork Rock Creek near Rockland be sampled monthly from June to September for bacteria and nutrients to insure the data necessary to analyze quality of surface flow.

#### SUMMARY

Total water yield available to Rockland basin is about 5.0 in. (85,000 acre-ft/yr) of the 17.3 in. of estimated annual precipitation. Water yields to the Tertiary and

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pre-Tertiary sedimentary rocks range from 0.5 to 10.4 in./yr, respectively. ET is estimated to range from 9.8 to 17 in./yr, depending, in part, on altitude.

Major water-bearing rocks in Rockland basin are the Quaternary-Tertiary volcanic rocks, Holocene alluvium, and Tertiary sedimentary rocks. Ground water occurs under water-table conditions, except where locally confined. The principal source of recharge to the basin is precipitation on the fractured and faulted pre-Tertiary sedimentary rocks bordering Rockland basin. Ground water discharges from eastern mountain springs to maintain perennial streamflow. Ground-water movement is generally northward. Near the mouth of Rock Creek, an estimated 51,000 acre-ft/yr of underflow leaves the basin by moving through the basalt to the Snake River.

East Fork Rock Creek is the largest surface-water source for irrigation within the basin. Annual discharge for the 1979 water year was 12,900 acre-ft, and for the 1980 water year was 13,700 acre-ft. Surface-water runoff from all available sources is estimated to average 16,500 acre-ft/yr. Annual surface-water discharge from Rockland basin was 19,800 acre-ft during 1979 and 28,900 acre-ft during 1980. Overland runoff and subsequent channel erosion caused particularly high sediment yields during the storm of January 12-17, 1980.

If the consumptive uses of water for 1979 are considered typical for a normal year, then only 18 percent of the 86,400 acre-ft of total water yield of the basin is currently used. Hypothetically, a portion of the 70,800 acre-ft/yr unused outflow could be captured. In addition to the 51,000 acre-ft/yr of ground-water underflow, 13,000 of the 19,800 acre-ft/yr of surface-water outflow was contributed from ground-water sources. Lowering stream water levels by ground-water pumping could salvage a portion of this water.

However, any additional increase in ground-water withdrawals above current pumpage levels must be strategically placed so as not to interfere with streamflow required to meet existing water rights.

Consumptive use of water for irrigation, municipal, domestic, and stock supplies was estimated to be about 16,000 acre-ft in 1979. Of the total, about 3,500 acre-ft was supplied by ground water.

Excessive pumping from wells near streams may reduce base flow where the stream and Holocene alluvium and Tertiary sedimentary-rock aquifers are hydraulically connected. Pumping from wells drilled along faults, especially in the headwaters area of East Fork Rock Creek, may affect ground-water movement and diminish flow in nearby springs. Any implied dewatering and water-table declines on a regional basis are speculative, due to lack of long-term water-level data. However, the available water-level records and a hydrologic analysis of the basin indicate that significant volumes of water have not been depleted from the ground-water system.

The quality of surface and ground waters in the basin is generally good for irrigation use; salinity levels are medium to moderately high. East Fork Rock Creek has the lowest concentration of most constituents used in irrigation classification. One ground-water sample taken from a well near a stockyard was high in sodium and nitrates.

Although this study was primarily a general evaluation of the relation between the surface- and ground-water systems in Rockland basin, a more concise treatment of the response of the unconfined aquifer due to effect of increased irrigation withdrawals perhaps can best be understood on a regional scale by simulation analysis using a hydrologic model. The advantage of developing such a model is the ability to predict future cause-and-effect relations. Any proposed management practices and limitations can be evaluated effectively by programming any system of recharge, pumping patterns, and ET losses.

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Case No. CV-94-01028  
4  
3-30-95  
Christine L. Lister

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER

|                                |                       |
|--------------------------------|-----------------------|
| IN THE MATTER OF APPLICATION ) | Case No. CV-94-01028  |
| FOR TRANSFER NO. 4268 OF )     |                       |
| WATER RIGHT NO. 41-07030 IN )  | STIPULATION AND ORDER |
| THE NAME OF TIMOTHY P. DEEG. ) | FOR DISMISSAL         |
| _____ )                        |                       |

The appellant in this matter, Timothy P. Deeg, (hereinafter "Deeg") filed his Application for Transfer of Water Right No. 41-07030 with Idaho Department of Water Resources (hereafter "IDWR") pursuant to the provisions of Idaho Code Section 42-222 on the 30th day of December, 1993. Said application was assigned no. 4268 by IDWR and after publication of notice as required by said statute, protests were filed. IDWR conducted a hearing on said protests on May 17 and May 24, 1994. Following said hearing, the Director of IDWR issued a Final Order on August 23, 1994, granting said transfer, subject to certain conditions, including a condition requiring applicant to submit a plan for repair of applicant's well, under the Idaho Water Resource Board Well Construction Standard Rules, IDAPA Rule, 37.03.09025.031, because IDWR had formed a belief that cascading water from the upper aquifer was mixing with water from the lower aquifer which could result in a water quality problem. Applicant next filed a Petition for Reconsideration of said condition on or

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|                               |        |
|-------------------------------|--------|
| Department of Water Resources |        |
| APPLICANT'S                   |        |
| Exhibit                       | 3      |
| Date Admitted                 | 2/3/98 |

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about September 6, 1994, and the Director of IDWR issued an Order Denying Petition for Reconsideration on September 9, 1994.

Deeg filed his Notice of Appeal in this matter in the above entitled court on October 7, 1994, and a Statement of Issues on Appeal on October 21, 1994. IDWR filed its Notice of Appearance herein on or about October 19, 1994, and no other parties, including any of the protestants in the administrative proceeding below, have appeared or filed any pleadings or other documents herein.

Deeg and IDWR have continued to seek a satisfactory resolution of the well repair issue, and have now agreed to a settlement arrangement which permits the parties to stipulate to the dismissal by this court of the pending appeal from the administrative decision. The parties hereto, and their respective attorneys, do hereby stipulate and agree that the appeal herein may be dismissed with prejudice, on the following terms and subject to the following conditions:

1. Deeg shall not be required to submit a plan for repair of his well until such time as IDWR is able to confirm that a water quality problem of sufficient magnitude exists. At present the parties concur that there is not sufficient space in the well, because of the presence of the column and pump, to accommodate the performance of the necessary testing and use of necessary equipment. Removal of the column and pump would require a relatively significant expenditure of funds which would not otherwise be required until such time as the same occurs in the performance of regular maintenance and/or emergency repairs. Deeg shall notify IDWR, as far in advance as may be practicable, of the next time said pump

and column are removed from said well for any purpose, so that IDWR may conduct an appropriate test to determine whether such a water quality problem exists. Upon receipt of such notice, IDWR shall, at its own cost, as expeditiously as possible, and without causing any unnecessary delay, cause an appropriate test to be conducted by a person or persons having reasonable expertise and utilizing appropriate equipment or devices capable of adequately providing the necessary confirmation. Deeg shall provide the required notice both by a telephone call to IDWR, and in writing by facsimile transmission or regular mail, at the first such time he determines to cause the pump and column to be removed from said well, but in no event later than seven (7) years from the date hereof. The parties recognize that normal maintenance requirements would most likely require removal of the pump and column from the well within five (5) to ten (10) years after its installation, and that the cost of such removal is relatively great. In the event normal maintenance considerations do not require such removal at the expiration of said seven (7) year period, nothing herein shall prevent Deeg from requesting, or IDWR from granting, a further extension before removal occurs.

2. The condition, No. 1, of the Order portion of the director's Final Order, dated August 23, 1994, shall be stricken and an Amended Final Order, containing a new condition No. 1 in the Order portion thereof, consistent with this stipulation, shall be substituted therefore, a copy of which is attached hereto as Exhibit "A".

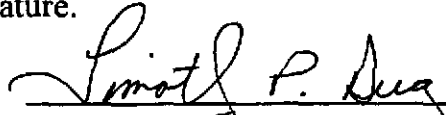
3. Each party shall bear its own costs and attorney fees incurred in connection with this appeal.

3 - STIPULATION AND ORDER FOR DISMISSAL  
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JUN 25 1998

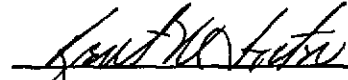
4. The terms and conditions of this stipulation shall be binding upon the heirs, personal representatives or successors in interest of Deeg, as well as any successor agency of IDWR.

This stipulation has been executed by the parties and their respective attorneys of record on the dates set opposite each such signature.

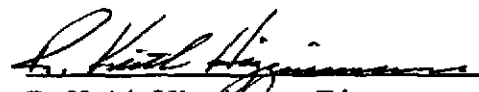
Dated: 3-14-95

  
Timothy P. Deeg, Applicant

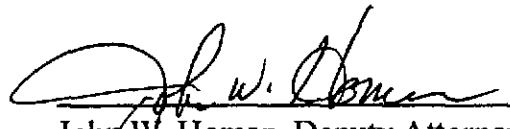
Dated: 3/16/95

  
Kent W. Foster  
Holden, Kidwell, Hahn & Crapo, P.L.L.C.

Dated: 3/21/95

  
R. Keith Higginson, Director  
Idaho Department of Water Resources

Dated: 3/21/95

  
John W. Homan, Deputy Attorney General  
for Al Lance, Attorney General of the  
State of Idaho and Idaho Department of  
Water Resources

## ORDER

The court having read and filed foregoing stipulation of the parties and their respective attorneys, and being fully advised herein, hereby orders that said appeal be, and the same is hereby dismissed with prejudice, subject to the terms and conditions set forth in said foregoing stipulation.

Dated this 29 day of March 1995

(seal)

William A. Woodland

District Judge

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5 - STIPULATION AND ORDER FOR DISMISSAL

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JUN 25 1998



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR TRANSFER NO. 4268 OF WATER)  
RIGHT NO. 41-07030 IN THE NAME)  
OF TIMOTHY P. DEEG )

AMENDED  
FINAL ORDER

On June 14, 1994, the Department of Water Resources (department) issued a Recommended Order in connection with Application for Transfer No. 4268 of Water Right No. 41-07030 in the name of Timothy P. Deeg (applicant). On June 23, 1994, the protestant submitted a Petition for Reconsideration of the Recommended Order (petition).

The petition was denied by operation of law as provided in Section 67-5243(3), Idaho Code, due to no action being taken by the hearing officer within twenty-one (21) days after the filing of the petition. Thereafter, pursuant to department Rule of Procedure 720, any party had twenty-one (21) days following the denial of the petition to file exceptions with the Director prior to the entry of a final order. No exceptions to the recommended order have been filed with the Director during this 21-day period.

Although the petition was denied by operation of law, the Director responds to the issues and concerns identified in the petition as follows:

1. IDAPA Rule 37.01.01600 provides that the presiding officer at hearing is not bound by the Idaho Rules of Evidence. The rule also states that no informality in any proceeding or in the manner of taking testimony invalidates any order.
2. Water level measurements at a pumping rate of 1170 gallons per minute are not immaterial and are not irrelevant and begs the question of water level measurements at a diversion rate of 8.35 cubic feet per second (cfs). More specifically the applicant can not provide well level and draw down information at a maximum pumping rate of 8.35 cfs unless the pending application of the applicant to pump at that rate is approved by the department.
3. See No. 2. above.
4. The protestant's disagreement with the decision reached is not reason to change the decision.
5. There is no error, since the protestant's own unrefuted testimony was that pumping of the Mayer wells did not affect the

AMENDED FINAL ORDER - 1

EXHIBIT "A"

JUN 25 1994

flow of Cold Creek or Warm Creek.

6. See No. 4. above.

7. See No. 2. above.

8. The department does not agree with the argument of the protestant but nonetheless has changed Conclusion of Law No. 5. to more clearly describe the intent of the conclusion.

9. The department agrees with the argument of the protestant and has changed Condition of Approval No. 6. to insure that the right is not enlarged.

10. See no. 9. above.

11. The opinion of the applicant's expert witness supports the conclusion reached. In addition, general stream flow records, water measurements, depth to water measurements and other records in department files of which official notice was taken also support the conclusion reached.

12. The conclusion is correct and should not be changed. A protestant who diverts water from the Mayer wells testified that an additional 30 acres of potatoes had been planted during the 1994 irrigation season. This protestant did not show that additional water had been obtained thorough a rental agreement or from some other source of water.

13. The argument of the protestant relative to the provisions of a private contract is not within the purview of issues described in Section 42-222, Idaho Code, and thus can not be considered by the department.

14. See no. 9. above.

Based on his understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, Analysis and Final Order:

#### **FINDINGS OF FACT**

1. On December 3, 1993, Timothy P. Deeg filed Application for Transfer No. 4268 (application) with the department in connection with water right License No. 41-07030. The applicant proposed to change both the point of diversion and the place of use of the license to a location twelve (12) miles north and three (3) miles west of the original location.

2. The department advertised the application which was protested by Warm Creek Irrigation Co., Steve W. Isaak, Roland Mayer and Sons, the Twin Falls Canal Co. and the North Side Canal

**AMENDED FINAL ORDER - 2**

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Co. The Twin Falls Canal Co. and the North Side Canal Co. subsequently withdrew their protests.

3. On May 17, 1994 and May 24, 1994, the department conducted a hearing in the matter in American Falls, Idaho. The applicant was present and was represented by attorney Kent Foster. The protestants were present and were represented by attorney Roger Ling.

4. Issues identified by the protestants include the following:

- a. Approval of the application for transfer will injure existing water rights.
- b. Approval of the application will enlarge the right sought to be transferred.
- c. Approval of the application is not in the local public interest.

The general concern expressed by the protestants was that diversion of additional water from the applicant's irrigation well will make less water available for the protestant's use of water diverted from the Mayer wells, Little Creek, Cold Creek and Warm Creek.

5. Exhibits offered and accepted as a part of the record include the following:

- a. Applicant's Exhibit No. 1 - U.S.G.S. Quadrangle sheet titled Neeley, Idaho and Indian Springs, Idaho.
- b. Applicant's Exhibit No. 1-A - U.S. Geological Survey Open-File Report 82-755 titled Water Resources of Rockland Basin, South-Eastern Idaho. The study was conducted in 1982.
- c. Applicant's Exhibit No. 2 - Schematic depiction of certain wells. The exhibit is titled "Elevation Contours."
- d. Applicant's Exhibit No. 3 - Technical Data: Little Creek.
- e. Applicant's Exhibit No. 4 - Technical Data: Cold Creek.
- f. Applicant's Exhibit No. 5 - Technical Data: Mayer Wells.
- g. Applicant's Exhibit No. 6 - Potential Well Interference data and a graph titled Estimated Drawdown From Deeg Irrigation Well.
- h. Applicant's Exhibit No. 7 - Letter dated May 16, 1994 to Timothy Deeg from Rolf E. Larsen of Mountain States Analytical together with analytical results of three (3) water samples.

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- i. Applicant's Exhibit No. 8 - Miscellaneous information and water measurements.
  - j. Applicant's Exhibit No. 9 - Photograph showing a concrete water diversion structure on Cold Creek.
  - k. Applicant's Exhibit No. 10 - Well Test data of Pumpco for the Deeg irrigation well.
  - l. Protestant's Exhibit A - Letters dated April 10, 1992, April 21, 1993 and January 25, 1994 on Falls Irrigation District letterhead from Terrell O. Sorensen.
6. At the hearing, the hearing officer officially noticed the following:
- a) Application for Permit file 41-07030.
  - b) Past decisions of the department as those decisions may apply to the protested application.
  - c) Water right records including recorded claims and rights of the protestants.
  - d) Reports, water measurements and stream flow records in department files such as U.S. Geological Survey reports.
  - e) Well Driller Reports (well logs) in department files.
7. License No. 29-07157 issued to Roland Mayer describes a water right with the following parameters:

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| Source:          | Ground water                                                     |
| Priority:        | September 19, 1973                                               |
| Diversion rate:  | 5.10 cfs                                                         |
| Volume of water: | 1,169 AF per year                                                |
| Points of div:   | NW1/4NW1/4, SW1/4NW1/4 Section 32, T8S, R31E, BM. (Mayer wells). |
| Use:             | Irrigation                                                       |
| Place of use:    | 334 acres within parts of Sections 29, 31 and 32, T8S, R31E, BM. |

8. License No. 41-07030 issued to Farold J. Nelson describes a water right with the following parameters:

|                  |                                        |
|------------------|----------------------------------------|
| Source:          | Ground water                           |
| Priority:        | January 2, 1978                        |
| Diversion rate:  | 1.4 cubic feet per second (cfs)        |
| Volume of water: | 441 AF per year                        |
| Point of div:    | NE1/4SE1/4 Section 28, T10S, R31E, BM. |
| Use:             | Irrigation                             |
| Place of use:    | 126 acres within parts of Section 28,  |

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T10S, R31E,BM.

9. On June 20, 1991, the department issued Permit No. 41-07081 to the applicant with the following parameters:

Source: Ground water  
Priority: February 28, 1990  
Diversion rate: 6.95 cubic feet per second  
Point of div: SW1/4SE1/4 Section 6, T9S, R31E,BM.  
Use: Irrigation  
Place of use: 348 acres in parts of Section 1, T9S, R30E,BM. and Section 6, T9S, R31E,BM.

Proof ben. use due: July 1, 1994

10. The applicant drilled the irrigation well authorized by Permit No. 41-07081 (Deeg well) during the summer of 1992 and diverted and used the water on 348 acres during the 1993 irrigation season. The land is sprinkler irrigated with two (2) pivots, four (4) wheel lines and handpipe. The Deeg well is 939 feet deep and is cased with 18 inch diameter casing which is perforated at depths of 210 feet to 330 feet, 450 feet to 490 feet and from 516 feet to 716 feet. There is some cascading water in the well. The static water level is about 452 feet below land surface.

11. The applicant has a five-year lease option for the use of water under License No. 41-07030 and proposes to change the point of diversion to the Deeg well located in the SW1/4SE1/4 Section 6, T9S, R31E,BM. The water would be diverted for the irrigation of an additional 126 acres within Section 1, T9S, R30E,BM using a center pivot.

12. The applicant has a domestic well which is located about 700' from his irrigation well. The domestic well is about 400' deep and the static water level in the well is about 200' to 210' below land surface.

13. Water level measurements in the Deeg well when the well was pumping are as follows:

April 22, 1994 - 463.0' - 1170 gpm  
May 13, 1994 - 460.0' - 800 gpm  
May 15, 1994 - 462.5' - 920 gpm

14. Pumping of the Deeg irrigation well has little effect upon the water level in the Deeg domestic well.

15. The flow of Little Creek as measured at the Little Creek Weir located in Section 36, T8S, R30E,BM. is approximately 1.8 cfs to 2.0 cfs. There are no diversions upstream from the Little Creek weir.

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16. After flowing together, the rate of flow of Warm Creek and Cold Creek before the irrigation season when no diversions were being made is approximately 6.3 cfs to 7.5 cfs as measured in Section 13, T8S, R30E, BM.

17. Characteristics of the Roland Mayer irrigation wells include the following:

. North well

|                     |                                                |
|---------------------|------------------------------------------------|
| Location:           | NW1/4NW1/4 Section 32, T8S, R31E, BM.          |
| Total depth:        | 345'                                           |
| Static water level: | 157' to 162'                                   |
| Pumping level:      | 305' - previously was 221'                     |
| Discharge rate:     | About 1200 gpm (2.7 cfs)                       |
| Remarks:            | This well was deepened from the original depth |

South well

|                     |                                                                         |
|---------------------|-------------------------------------------------------------------------|
| Location:           | SW1/4NW1/4 Section 32, T8S, R31E, BM.                                   |
| Total depth:        | 423'                                                                    |
| Static water level: | 96' to 97'                                                              |
| Pumping level:      | 200' - The pump was lowered from 160' to 200' in 1993.                  |
| Discharge rate:     | 850 gpm (1.9 cfs)                                                       |
| Remarks:            | Pump has been diesel operated but is now operated by an electric motor. |

18. The geology in the Rockland basin generally consists of three different aquifers as follows:

- a) Upper alluvium, consisting of silt, sand and gravels.
- b) Tertiary, consisting of sedimentary and volcanic rocks.
- c) Pre-Tertiary, consisting of the oldest rocks.

19. The source of water for Little Creek, Cold Creek and Warm Creek most likely is fault controlled springs originating between the Tertiary and Pre-Tertiary aquifers.

20. Limestone cuttings were found in the bottom of the Deeg well. Limestone is identified as being within the Pre-Tertiary sedimentary rocks.

21. The temperature of water in the Deeg well is higher than in surrounding wells suggesting that some geothermal water enters the well at depth.

22. The applicant conducted water quality analysis for samples taken from the Deeg well, Little Creek Spring and Cold Creek Spring. Water from the Deeg well showed higher electrical conductivity, more flouride and more sulfate than the samples taken

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from the springs.

23. The applicant does not plan to irrigate more land than authorized by License No. 41-07030.

24. The protestants divide the available water on Warm Creek and Cold Creek and rotate the use of the water which is available. As an example, there are 84 shares of water in the Sorenson Ditch which diverts out of Cold Creek. Each share represents 2 hours and 17 minutes and is rotated every 8 days.

25. Water available in the Mayer wells has historically decreased annually as the irrigation season progresses. In 1993, however, the south well started to surge due to the lack of water for the first time, so the pump was lowered 40 feet in the well.

26. The Mayer wells which are closer to Little Creek and Cold Creek than the Deeg well do not noticeably affect the flow of the creeks.

27. Historic flow records of Cold Creek, Warm Creek and Little Creek are not extensive. Testimony of the protestants, however, was that in 1993, they received less water than in past years.

#### CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code;

2. The drawdown in the Deeg well is about nine (9) feet when diverting at a rate of 1,170 gpm (2.6 cfs). The static water level in the Deeg well is over 300 feet below the expected regional water table in the alluvial system and is about 410 feet lower than that of the Mayer wells.

3. The Deeg well derives some of its water at depth from a warm water source and some of its water (cascading) from the upper alluvial system. The warm water source is an external source of water to water diverted from the Mayer wells which derive water from the alluvial system.

4. Pumping of the Deeg irrigation well has little effect

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JUN 25 1993



upon the Deeg domestic well which is 700' distant and will have an even smaller effect upon the Mayer wells which are 1.5 miles away.

5. The additional pumping of 1.4 cfs from the Deeg well as proposed in the application will not adversely impact flows in Little Creek Cold Creek or Warm Creek which is four (4) miles north of the Deeg well.

6. The construction of the Deeg well does not meet minimum well construction standards, since water of different quality and from different zones is being mixed. (IDAPA Rule 37.03.09025.03. abbreviated as Well Constructions Standards Rule 25.03).

7. Approval of the application for transfer will not injure existing water rights.

8. Approval of the application will not enlarge the right sought to be transferred.

9. Approval of the application is consistent with the conservation of water resources in Idaho.

10. Approval of the application is not against the local public interest.

11. The department should approve the application for transfer with certain conditions and limitations.

#### ANALYSIS

There was consistent testimony from the protestants that during 1993, there was less water available for diversion than in prior years. The protestants, however, did not know the cause of the decline and did not show that diversion of water from the Deeg well was the cause of the decrease in water availability.

The residual effects of the 1987 to 1992 drought conditions in Idaho are more likely the cause of any decreased flow in Little Creek, Cold Creek or Warm Creek than the diversion of water from the Deeg well.

Some of the protestants have recently added irrigated acreage and have changed to crops which are more consumptive than previously grown.

#### ORDER

IT IS THEREFORE, hereby ORDERED that Application for Transfer No. 4268 of water right License No. 41-07030 is APPROVED subject to the following conditions:

1. The applicant shall notify the department by telephone

AMENDED FINAL ORDER - 8

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and by facsimile or regular mail when he removes the pump and column from the well in order that the department can conduct appropriate tests to determine whether construction of the well complies with the Idaho Well Construction Standards described in IDAPA 37.03.09, provided that the pump and column shall be removed from the well no later than seven (7) years from the date of this order.

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

4. Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion from the well.

5. The authorized season of use is from April 1 to October 31 of each year.

6. The right holder is not authorized to divert water under this transfer for the 126 acres at a rate larger than 1.4 cfs or to divert more than 441 AF for the 126 acres. Diversion of water under this approval is contingent upon the applicant to be able to readily show compliance with this condition.

7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval should not be rescinded.

Signed this 21<sup>st</sup> day of MARCH, 1994.

  
R. KEITH HIGGINSON  
Director

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JUN 25 1994



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 21, 1997

Mr. Timothy P. Deeg  
2957 Deeg Road  
American Falls, Idaho 83211

REFERENCE: DP# 41-92-S-002/WR# 41-07081

Dear Mr. Deeg,

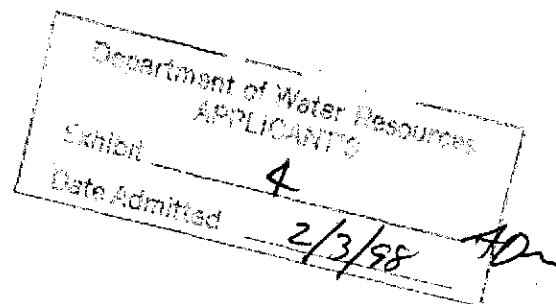
Thank you for cooperating with the Department in the logging of your well. The Department ran a video camera and a temperature probe in your well on February 18, 1997. The results of the camera work and temperature logging provided no indication of the presence of Low Temperature Geothermal (85-212 degrees F) waters in your well. Therefore, it does not appear that the shallower aquifers are entering any thermal systems through your well.

This satisfies the Department's concern relating to the well construction described in the Stipulation and Order for Dismissal signed in March 1995.

Sincerely,

Mark Slifka, Manager  
Ground Water Protection

cc: Kent W. Foster



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JUN 25 1998

*Timothy Deeg*



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

April 7, 1997

PHILIP E. BATT  
GOVERNOR

Kathleen Barkdull, Secretary  
Warm Creek Irrigation Company  
3202 Hedstrom Lane  
American Falls, Idaho 83211

KARL J. DREHER  
DIRECTOR

**REFERENCE: Deeg Well Concerns**

Dear Ms. Barkdull,

Thank you for your letter dated March 26, 1997 inquiring about our findings relative to the down-hole camera and temperature logging conducted on the well located in SWSE, Section 6, T9S, R31E, B.M. The well was logged with the video and temperature probe to determine if Low Temperature Geothermal water existed at the bottom of the hole and to observe the extent of commingling of shallow cool waters with the deeper, warm water believed to be present. Idaho Code 42-233 defines Low Temperature Geothermal water resources as having a water temperature of 85-212 degrees F and requires such water to be used principally for heat value. Department Rules require that waters of unlike quality, pressure or temperature to not be commingled if such commingling would constitute a waste or cause contamination of the water resources.

The video camera showed a small amount of water dripping into the hole at about 261 feet and at 298 feet about 5-10 gpm was observed running down the slotted liner. Static water was found at 458 feet. The temperature probe measured the bottom hole temperature at 60.76 degrees F. Therefore, the department determined the well was not commingling cold water with Low Temperature Geothermal water resources and that use of the water was not in violation to Idaho Code 42-233. The Department further determined that reconstruction of the well is not necessary.

Concerning your question related to the measuring device, this is part of the field examination which the Department will conduct prior to issuance of the license for water right 41-07076.

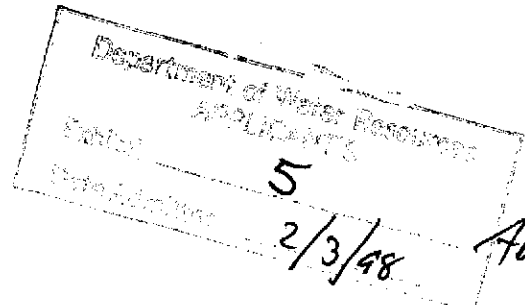
The Department is not authorizing further drilling under this water right.

I hope this information is helpful to you.

Sincerely,

Mark Slifka

Cc: Allen Merrill  
Timothy Deeg



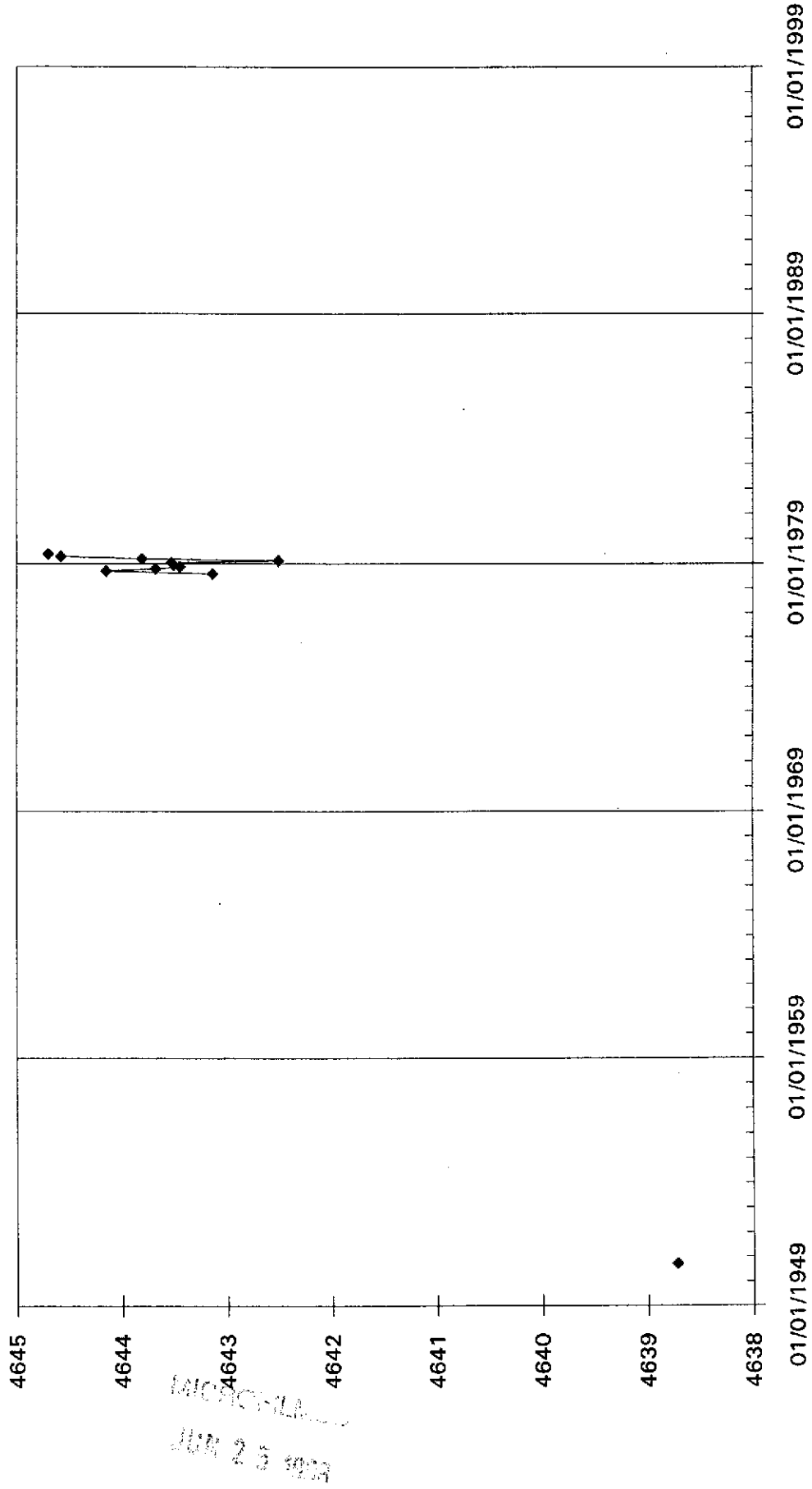
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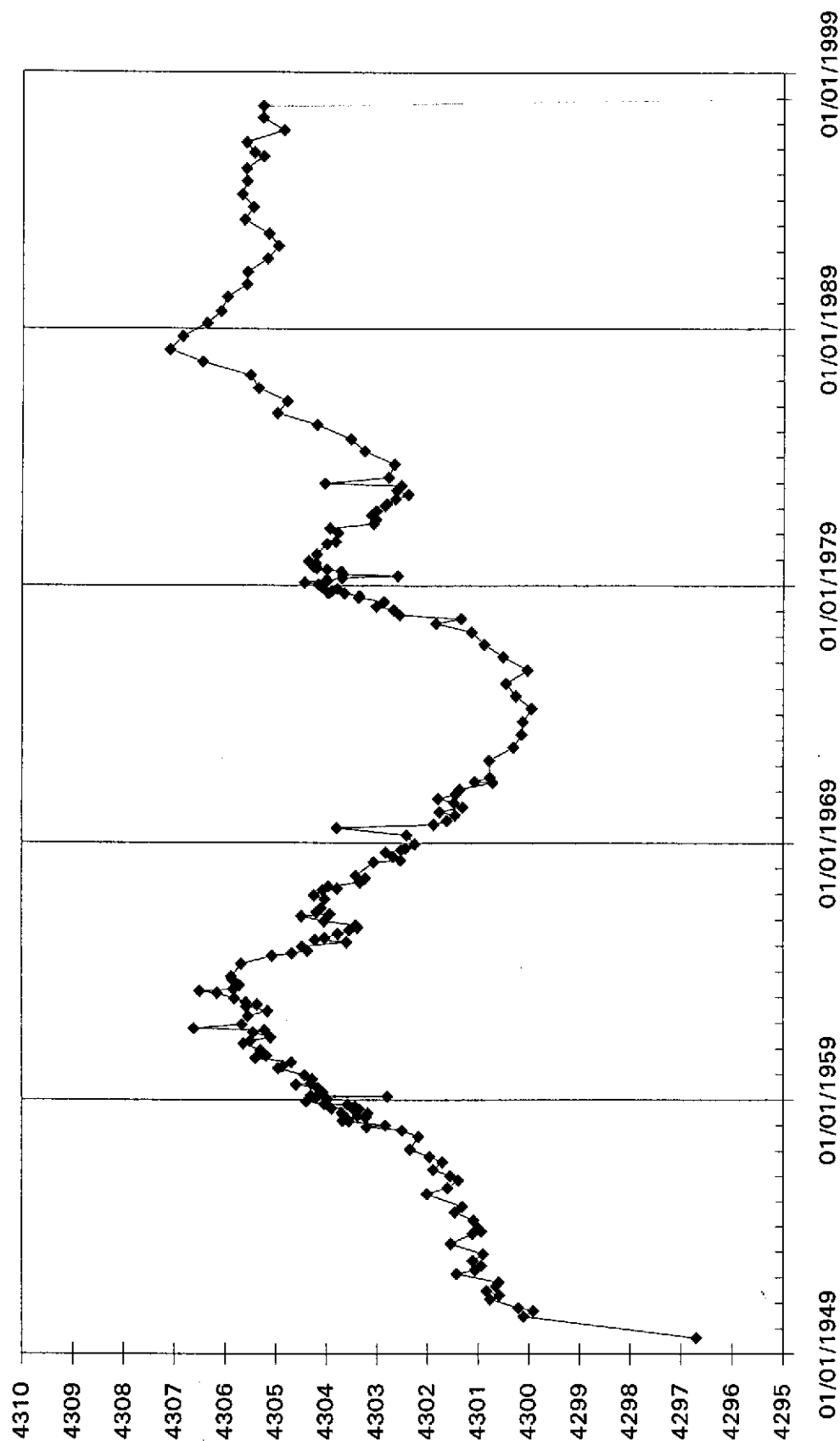
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AD~

|                               |        |
|-------------------------------|--------|
| Department of Water Resources |        |
| APPLICANT'S                   |        |
| Exhibit                       | 6      |
| Date Admitted                 | 2/3/98 |



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MICROFILM  
JUN 25 1988

Combined  
Reconnaissance and Project Survey  
LITTLE CREEK IRRIGATION COMPANY  
POWER SCD

Department of Water Resources  
APPLICANT'S  
Exhibit 9  
Date Admitted 2/3/98

Class F. Group Enterprise

Name and Location

This project will be known as the Little Creek Irrigation Company. It is located in Sections 14, 23, 25, 26 and 36, Township 8 South, Range 30 East, which is within the Power Soil Conservation District. It is about 8 miles southwest of the town of American Falls, Idaho, near the community of Neeley. The location is sketched on the attached district map.

Origin of the Request

The request was made by the farmers through the Power Soil Conservation District for technical assistance from the Soil Conservation Service. The group has also made application to the Power ASC office for cost sharing assistance on the group project.

This is an unorganized group which has combined their efforts voluntarily for a solution of their mutual problem and have no funds owned jointly by the group.

This group consists of four landowners, Mr. A. W. Isaak, Mr. William Isaak, Mr. Harold Isaak, and Mr. A. R. Krammer.

The owners will share the cost involved in this enterprise on the basis of the shares of water received by each.

A share of water is described as the full stream for 24 hours due to the fact that, as the summer progresses, the stream diminishes slightly. At the beginning of the irrigation season, the flow diverted from the creek is approximately 100 inches. Towards the end of the irrigation season it is approximately 70 inches of water.

The shares of water owned by each individual and the cost involved in the group enterprise are as follows:

| <u>Cooperator</u> | <u>Shares of Water</u> | <u>% of costs</u> |
|-------------------|------------------------|-------------------|
| A. W. Isaak       | 3                      | 25%               |
| Harold Isaak      | 2-3/4                  | 23%               |
| William Isaak     | 3                      | 25%               |
| A. R. Drammer     | 3-1/4                  | 27%               |
|                   | <u>12 shares</u>       | <u>100%</u>       |

All the farmers show considerable interest in the improvement of the canal and are financially able to pay their share of improvement costs encountered in this group enterprise.

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JUN 25 1966



### District Board

The application for technical assistance was reviewed and approved by the Board of Supervisors of the Power Soil Conservation District at their regular meeting held May 6, 1957.

### Description of the Problem

The present canal diverts water from Little Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 36, T8S, R30E and carries it through a system of ditches about four miles long to the approximately 125 acres of land irrigated. (See the location map.)

The upper end of the canal crosses an area characterized by steep slopes and irregular topography. Leaks from rodent burrows, cracking or sloughing of bank result in ditch washouts that are hard to repair. Silt deposits from erosion of dry farmed lands above the ditch also cause washouts.

Some parts of the ditch are on erosive grades and the ditch has deepened and meanders through these sections.

The farmer group wants to construct an inverted siphon at the location shown in Section 25 to eliminate a long gooseneck which fills up with silt in spring runoffs and is a constant source of trouble from leakage. They also want to construct a pipeline in a deep cut trench to eliminate the loop above the proposed siphon. About 700 feet of pipe in the pipeline and siphon would replace about 2,000 feet of ditch which the group thinks is leaking excessively.

### Previous Investigation and Reports

In September of 1952, A. R. Bevan, engineering aid, made water measurements on the creek and canal. The measurements were apparently made with a portable weir although no mention of the method of measurement was made. The loss amounted to .44 cfs, or 22 miners inches, - or 19 $\frac{1}{2}$  percent of the flow at that time. Of this loss, 63 percent, or .28 cfs, or 14 miners inches was lost in a section  $\frac{3}{4}$  miles long immediately above the diversion structure on the creek.

### Relation of Problem to SCD Program

This problem is related to the district program of proper use of our soil and water resources.

Conservation practices needed to obtain irrigation water management on the four farms are:

Land Leveling  
Improved water application

Irrigation Reservoirs  
Ditch Construction  
Crop Rotation

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Relation of Problem to SCD Program (cont)

A safer ditch with a more stable water supply will result from the construction of the project. It may increase the rate of application of needed conservation practices by showing the benefits to be secured by one practice installed.

Annual Plan of Operations

This group enterprise was not included in the Annual Plan of Operations for the Power Soil Conservation District.

Technical Time Needed

|                   |                                      |
|-------------------|--------------------------------------|
| Surveys           | 1/2 day Aid                          |
| Planning          | 1 day, each, GS-7 and GS-9 Engineers |
| Design            |                                      |
| Reports           |                                      |
| Construction Plan |                                      |
| Construction      | 1 day GS-7 Engineer                  |

Feasibility

The project is considered feasible and practical

Job Classification

The project will be in the "F" classification for work approvals.

Organization to Operate Facility

The organization to operate the facility is an unorganized group of four farmers having about 125 acres under irrigation. They are financially able to construct the facility.

Physical Data

The land irrigated is in capability Classes II, III and IV. Only portions of each landowner's acreage is irrigated. Location of lands irrigated can be shifted to practically eliminate the steeper, irregular sloping land in Class IV.

Precipitation at American Falls amounts to about 13 inches annually, with about 3.5 inches falling in the five-months period May 1 to September 30. The water requirement of alfalfa is 17 inches, small grains 14 inches and beets and potatoes 15 inches. No stream flow data is available on the creek, but it is a perennial stream varying from 1.0 to 2.0 cfs during the irrigation season.

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Physical Data (cont)

A small overnight storage reservoir is located on the A. W. Izaak farm in the NE $\frac{1}{4}$ , Section 26. No good long-time storage sites are available on the stream. No drainage problems are anticipated.

Prepared by: D.C. Radford W.U.C. Date 3/24/58  
Work Unit Conservationist

Technical Approval: Dul G King Date 3-21-58  
Engineer

Administrative Approval D.C. Radford Date 5/24/58  
Work Unit Conservst.

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Brockway Engineering

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**fax**

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Company:  
Fax Number: +1 (208) 523 9518  
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From: **Charles E. Brockway**  
Fax Number: +1 (208) 736-1746  
Business Phone:  
Home Phone:

Pages: 11  
Date/Time: 1/5/98 9:08:47 AM  
Subject: Exhibits for Tim Deeg Hearing

|                               |        |
|-------------------------------|--------|
| Department of Water Resources |        |
| APPLICANT'S                   |        |
| Exhibit                       | 12     |
| Date Admitted                 | 2/3/98 |

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## Well data

Deeg Irrigation and Domestic Wells and Adjacent Wells  
Depth to Water -Static Water Levels

*what rate of draw?*

| Deeg Wells |              |               |          |              | Misenhimer |              |              |
|------------|--------------|---------------|----------|--------------|------------|--------------|--------------|
| Irrigation |              |               | Domestic |              | Domestic   | Unused       |              |
| Date       | Static Depth | Pumping Depth | Date     | Static Depth | Date       | Static Depth | Static Depth |
| 9/19/92    | 452          |               | 3/9/94   | 201          | 5/23/94    | 151.06       | 183.79       |
| 5/6/93     | 452          |               | 5/9/94   | 201.5        | 7/1/94     | 151.23       | 183.72       |
| 5/3/94     | 451          |               | 5/11/94  | 203.38       | 8/1/94     | 151.77       |              |
| 5/20/94    | 453          |               | 5/15/94  | 201.08       | 8/31/94    | 152.03       | 183.82       |
| 6/3/94     | 453          |               | 5/26/94  | 202.08       | 10/4/94    | 151.15       | 183.33       |
| 7/5/94     | 466          |               | 6/20/94  | 202.48       | 11/6/94    | 150.94       | 183.82       |
| 7/12/94    | 464.5        |               | 6/30/94  | 201.96       | 1/21/95    | 149.77       | 184.82       |
| 7/17/94    | 463.5        |               | 7/1/94   | 205.62       | 1/22/95    |              | 184.28       |
| 8/1/94     | 465.5        |               | 8/31/94  | 202.46       | 1/2/95     |              | 184.28       |
| 8/15/94    | 466          |               | 10/4/94  | 201.85       | 3/2/95     | 148.88       | 184.08       |
| 8/26/94    | 464          |               | 11/6/94  | 199.46       | 4/19/95    | 151.00       |              |
| 9/14/94    | 464.5        |               | 1/21/95  | 200.23       | 5/19/95    | 151.07       | 184.50       |
| 9/27/94    | 464.5        |               | 3/2/95   | 199.85       | 6/5/95     | 149.95       | 184.08       |
| 10/4/94    | 463          |               | 5/19/95  | 199.92       | 7/10/95    | 149.89       | 183.00       |
| 10/15/94   | 461          |               | 6/3/95   | 200.75       | 11/3/95    | 151.08       | 184.60       |
| 10/18/94   | 461          |               | 7/7/95   | 199.87       |            |              |              |
| 10/23/94   | 461          |               | 9/18/95  | 199.46       |            |              |              |
| 11/2/94    | 461          |               | 11/3/95  | 199.42       |            |              |              |
| 11/4/94    | 459.5        |               | 3/17/96  | 199.854      |            |              |              |
| 11/13/94   | 459.25       |               | 5/18/96  | 198.708      |            |              |              |
| 11/21/94   | 459          |               | 7/6/96   | 199.458      |            |              |              |
| 12/3/94    | 458          |               |          |              |            |              |              |
| 12/22/94   | 457          |               |          |              |            |              |              |
| 12/28/94   | 456.5        |               |          |              |            |              |              |
| 1/21/95    | 455.5        |               |          |              |            |              |              |
| 2/15/95    | 455          |               |          |              |            |              |              |
| 2/25/95    | 454.5        |               |          |              |            |              |              |
| 3/1/95     | 454.5        |               |          |              |            |              |              |
| 3/17/95    | 454          |               |          |              |            |              |              |
| 3/28/95    | 454          |               |          |              |            |              |              |
| 4/5/95     | 453.5        |               |          |              |            |              |              |
| 4/16/95    | 453.25       |               |          |              |            |              |              |
| 4/28/95    | 453          |               |          |              |            |              |              |
| 5/11/95    | 452.75       |               |          |              |            |              |              |
| 5/19/95    | 453          |               |          |              |            |              |              |

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## Well data

|          |        |        |
|----------|--------|--------|
| 5/30/95  | 455.25 |        |
| 6/4/95   | 459.5  | 496.12 |
| 6/15/95  |        | 483    |
| 6/19/95  | 459.25 |        |
| 6/28/95  |        | 493    |
| 7/4/95   |        | 504    |
| 7/8/95   | 468    |        |
| 7/14/95  |        | 506    |
| 11/16/95 | 461.5  |        |
| 11/25/95 | 461    |        |
| 12/19/95 | 459.5  |        |
| 12/26/95 | 459    |        |
| 1/2/96   | 458.75 |        |
| 2/3/96   | 457.5  |        |
| 2/15/96  | 457    |        |
| 3/5/96   | 456    |        |
| 3/10/96  | 456    |        |
| 3/30/96  | 455.5  |        |
| 4/18/96  | 455    |        |
| 4/30/96  | 455    | 462.5  |
| 5/4/96   | 457.5  |        |
| 5/5/96   |        | 482    |
| 5/8/96   | 459    |        |
| 5/8/96   | 458.8  |        |
| 6/2/96   | 458    |        |
| 6/12/96  |        | 502    |
| 6/14/96  |        | 495    |
| 6/19/96  |        | 503    |
| 6/22/96  | 473    |        |
| 6/30/96  | 474    | 505    |
| 7/7/96   |        | 502    |
| 7/12/96  |        | 505    |
| 7/15/96  |        | 509.5  |
| 7/21/96  |        | 505    |
| 8/3/96   | 475.5  |        |
| 8/10/96  | 474    |        |
| 8/15/96  |        | 491    |
| 8/19/96  | 472.5  |        |
| 8/24/96  | 472.25 |        |
| 9/19/96  |        | 479    |
| 10/6/96  | 469.5  |        |
| 10/18/96 | 467    |        |

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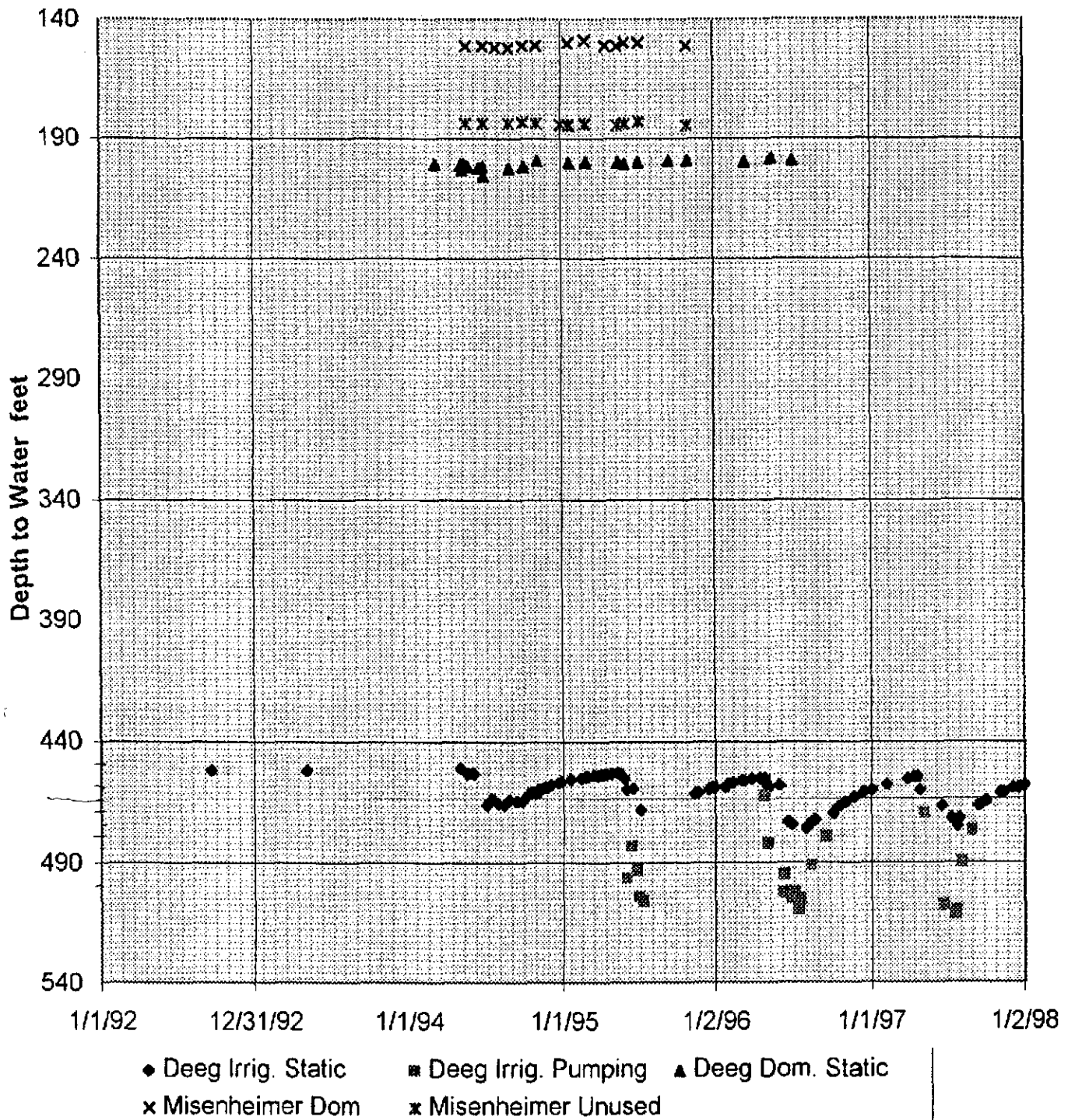
# Well data

|          |        |        |
|----------|--------|--------|
| 11/4/96  | 465    |        |
| 11/25/96 | 463    |        |
| 12/16/96 | 461    |        |
| 1/4/97   | 460    |        |
| 1/27/96  | 458.75 |        |
| 2/8/97   | 457.75 |        |
| 3/29/97  | 455.5  |        |
| 4/14/97  | 454.75 |        |
| 4/22/97  | 454.5  |        |
| 5/8/97   |        | 469.5  |
| 4/28/97  | 460    |        |
| 6/19/97  | 466.5  |        |
| 6/23/97  |        | 508    |
| 7/12/97  | 471.5  |        |
| 7/20/97  |        | 511.75 |
| 7/23/97  |        | 510.25 |
| 7/24/97  | 475    |        |
| 7/30/97  | 471.5  |        |
| 8/4/97   |        | 490    |
| 8/28/97  |        | 476.5  |
| 9/14/97  | 466.25 |        |
| 9/21/97  | 466    |        |
| 10/2/97  | 464.5  |        |
| 11/7/97  | 461    |        |
| 11/15/97 | 461    |        |
| 12/7/97  | 459    |        |
| 12/21/97 | 458.8  |        |
| 1/4/98   | 458    |        |

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## Deeg Wells and Misenheimer Wells



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# Surface Flows

## Comparison of Surface Flows- Little Creek and Cold Creek Water Right Transfer Application-Timothy Deeg

### Little Creek

2' Portable Cippoletti Weir  $Q=3.367 \cdot L \cdot H^{1.5}$  cfs

| LITTLE CREEK- 2 ft Cippoletti Weir |           |           |                 |           | COLD CREEK - 6 ft Cipp.Weir |        |           | SCS            |      |
|------------------------------------|-----------|-----------|-----------------|-----------|-----------------------------|--------|-----------|----------------|------|
| Date                               | At Spring |           | At Permann Farm |           | Date                        | Head   | Discharge | Expected Range |      |
|                                    | Head      | Discharge | Head            | Discharge |                             | Inches | gpm       | Low            | High |
|                                    | Inches    | gpm       | Inches          | gpm       |                             |        |           |                |      |
| 6/24/94                            |           |           | 3.875           | 554.6     |                             |        |           | 630            | 900  |
| 7/1/94                             | 4.875     | 782.6     | 4.250           | 637.0     | 5/9/94                      | 4.0625 | 1785.9    | 630            | 900  |
| 7/10/94                            | 5.125     | 843.5     | 4.500           | 694.0     | 5/15/94                     | 4.0625 | 1785.9    | 630            | 900  |
| 7/31/94                            | 5.1875    | 859.0     | 4.438           | 679.6     | 5/31/94                     | 4.125  | 1827.3    | 630            | 900  |
| 8/31/94                            | 4.875     | 782.6     | 4.375           | 665.3     | 6/15/94                     | 4.125  | 1827.3    | 630            | 900  |
| 9/16/94                            | 5.125     | 843.5     | 4.500           | 694.0     | 6/24/94                     | 4.0625 | 1785.9    | 630            | 900  |
| 10/4/94                            | 4.875     | 782.6     | NA              |           | 6/28/94                     | 4.125  | 1827.3    | 630            | 900  |
| 11/4/94                            | 4.4985    | 693.7     |                 |           | 6/30/94                     | 4.125  | 1827.3    | 630            | 900  |
| 1/21/95                            | 5.0       | 812.8     | NA              |           | 7/1/94                      | 4.125  | 1827.3    | 630            | 900  |
| 3/2/95                             | 5.187     | 858.9     | NA              |           | 7/10/94                     | 4.187  | 1868.7    | 630            | 900  |
| 5/19/95                            | 4.8749    | 782.5     |                 |           | 7/31/94                     | 4.187  | 1868.7    | 630            | 900  |
| 6/11/95                            | 4.8749    | 782.5     | NA              |           | 8/31/94                     | 4.25   | 1911.0    | 630            | 900  |
| 7/7/95                             | 5.0       | 812.8     | NA              |           | 9/16/94                     | 4.125  | 1827.3    | 630            | 900  |
| 7/24/95                            | 5.0       | 812.8     | NA              |           | 10/4/94                     | 4.25   | 1911.0    | 630            | 900  |
| 9/18/95                            | 5.03125   | 820.5     | NA              |           | 11/4/94                     | 4.125  | 1827.3    | 630            | 900  |
| 11/3/95                            | 4.9375    | 797.7     | NA              |           | 12/15/94                    | 4.125  | 1827.3    | 630            | 900  |
| 6/19/96                            |           |           |                 |           | 1/21/95                     | 4.125  | 1827.3    | 630            | 900  |
| 7/9/96                             |           |           |                 |           | 2/15/95                     | 4.25   | 1911.0    | 630            | 900  |
| 7/10/96                            | 4.75      | 752.7     | NA              |           | 3/2/95                      | 4.125  | 1827.3    | 630            | 900  |
| 11/15/97                           | 4.625     | 723.1     | NA              |           | 4/5/95                      | 4.31   | 1951.6    | 630            | 900  |
|                                    |           |           |                 |           | 5/3/95                      | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 5/19/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 6/3/95                      | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 6/20/95                     | 4.0938 | 1806.6    | 630            | 900  |
|                                    |           |           |                 |           | 7/7/95                      | 4.0625 | 1785.9    | 630            | 900  |
|                                    |           |           |                 |           | 7/24/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 9/18/95                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 10/21/95                    | 4.25   | 1911.0    | 630            | 900  |
|                                    |           |           |                 |           | 11/3/95                     | 4.1563 | 1848.1    | 630            | 900  |
|                                    |           |           |                 |           | 1/25/96                     | 3.9375 | 1704.1    | 630            | 900  |
|                                    |           |           |                 |           | 3/19/96                     | 4.125  | 1827.3    | 630            | 900  |
|                                    |           |           |                 |           | 5/1/96                      | 3.8125 | 1623.6    | 630            | 900  |
|                                    |           |           |                 |           | 5/15/96                     | 3.875  | 1663.7    | 630            | 900  |

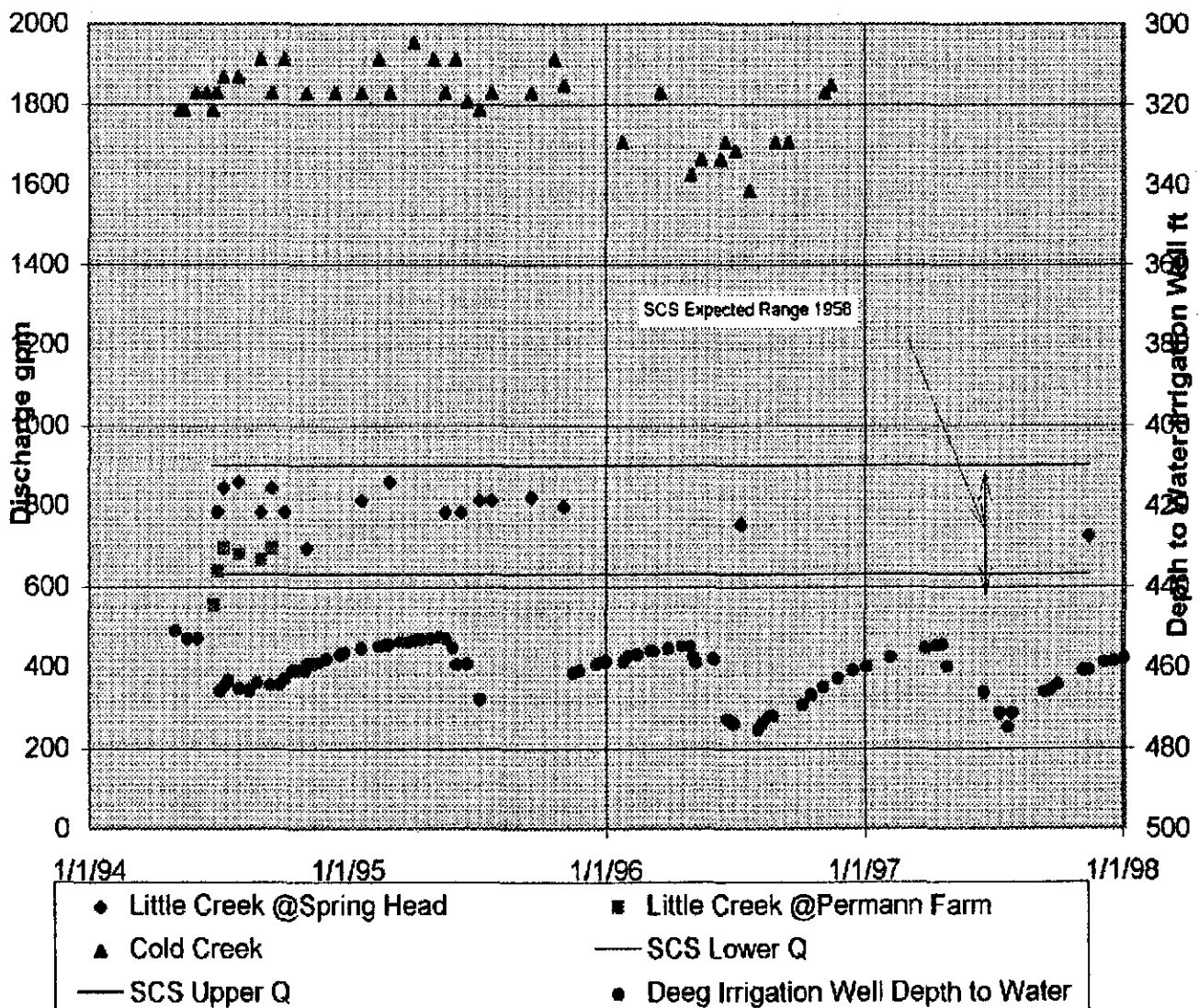
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# Surface Flows

|          |        |        |     |     |
|----------|--------|--------|-----|-----|
| 6/12/96  | 3.875  | 1663.7 | 630 | 900 |
| 6/19/96  | 3.9375 | 1704.1 | 630 | 900 |
| 7/3/96   | 3.9063 | 1683.9 | 630 | 900 |
| 7/22/96  | 3.75   | 1583.9 | 630 | 900 |
| 8/28/96  | 3.937  | 1703.8 | 630 | 900 |
| 9/16/96  | 3.937  | 1703.8 | 630 | 900 |
| 11/6/96  | 4.125  | 1827.3 | 630 | 900 |
| 11/15/96 | 4.156  | 1847.9 | 630 | 900 |

## Little Creek and Cold Creek Flows



[illegible]

# POTENTIAL WELL INTERFERENCE

## DEEG WELL ROCKLAND VALLEY Addition of Transferred Discharge

C.E. BROCKWAY J anuary 2, 1998

Surflow extra.xls

AQUIFER PROPERTIES BASED ON USGS OPEN FILE REPORT 82-855

AVG. HOLE DIA. 1.5 FEET  
OBSERVATION WELLS VARIOUS  
USING THEIS FORMULA  $S=114.6 \cdot Q/T \cdot W(U)$   
S= DRAWDOWN IN FT  
Q= PUMPING RATE GPM  
T= COEFFICIENT OF TRANSMISSIBILITY GPD/FT  
W(U)= WELL FUNCTION OF 'U'

$$W(U) = -0.5772 - \log U + U \cdot U^{0.5} / (2 \cdot \pi^2) + U^{1.5} / (3 \cdot \pi^2) - U^{2.5} / (4 \cdot \pi^2) + \dots$$

$$U = 1.87 \cdot r^2 \cdot S / (T \cdot t)$$

r= DISTANCE IN FT. FROM CENTER OF PUMPED WELL TO DRAWDOWN POINT

S= COEFFICIENT OF STORAGE

T= COEFFICIENT OF TRANSMISSIBILITY, GPD/FT

t= TIME SINCE PUMPING STARTED, DAYS

INPUT

K= 50 M/DAY  
r1= 0.75 FT K= 164 FT/DAY  
r2= 7920 FT MAYER K= 0.0018981 CFS/FT^2  
r3= 10560 FT LITTLE CK= 1.22E+03 GPD/FT^2  
r4= 11880 FT COLD CFSAT. DEPTH EST.= 100 FT  
r5= 5280 FT TEST TRANSMISSIVITY= 122344 GPD/FT  
S= 0.14 TRANSMISSIVITY= 1.89E-01 FT^2/SEC  
T= 122344 GPD/FT TRANSMISSIVITY= 16356.15 FT^2/DAY

Q/WELL 3000 GPM = 6.684 CFS

| TIME   | MIN | TIME | t | U         | W(U)1   | WELL FUNCT. | DRAW @ | SPEC. CAP | U         | W(U)2     | WELL FUNCT. | DRAW @ | U         | W(U)3 | WELL FUNCT. | DRAW @ | U         | W(U)4     | WELL FUNCT. | DRAW @ |
|--------|-----|------|---|-----------|---------|-------------|--------|-----------|-----------|-----------|-------------|--------|-----------|-------|-------------|--------|-----------|-----------|-------------|--------|
|        |     | DAYS |   |           | 0.75    |             |        | GPM/FT    |           | 7920      |             | 7920   |           | 10560 |             | 10560  |           | 11880     |             | 11880  |
| 1440   | 1   |      |   | 1.204E-06 | 13.0529 | 36.68       | 82     | 1.342E+02 | 2.386E+02 | 2.386E+02 | 0.00        | 0.00   | 1.193E+01 | 0.00  | 0.00        | 0.00   | 1.510E+01 | 3.020E+02 | 3.020E+02   | 0.00   |
| 7200   | 5   |      |   | 2.407E-07 | 14.6624 | 41.20       | 73     | 2.685E+01 | 4.772E+01 | 4.772E+01 | 0.05        | 0.05   | 4.772E+00 | 0.00  | 0.00        | 0.00   | 6.040E+00 | 6.040E+01 | 6.040E+01   | 0.00   |
| 14400  | 10  |      |   | 1.204E-07 | 15.3555 | 43.15       | 70     | 1.342E+01 | 0.00      | 0.00      | 0.36        | 0.36   | 2.386E+00 | 0.08  | 0.08        | 0.08   | 1.510E+00 | 3.020E+01 | 3.020E+01   | 0.03   |
| 28800  | 20  |      |   | 6.018E-08 | 16.0487 | 45.10       | 67     | 6.711E+00 | 0.00      | 0.00      | 1.11        | 1.11   | 1.193E+00 | 0.45  | 0.45        | 0.45   | 1.510E+00 | 1.510E+00 | 1.510E+00   | 0.28   |
| 72000  | 50  |      |   | 2.407E-08 | 16.9650 | 47.67       | 63     | 2.685E+00 | 0.0195    | 0.0195    |             |        |           |       |             |        |           |           |             |        |
| 144000 | 100 |      |   | 1.204E-08 | 17.6581 | 49.62       | 60     | 1.342E+00 | 0.1269    | 0.1269    |             |        |           |       |             |        |           |           |             |        |
| 288000 | 200 |      |   | 6.018E-09 | 18.3512 | 51.57       | 58     | 6.711E-01 | 0.3950    | 0.3950    |             |        |           |       |             |        |           |           |             |        |

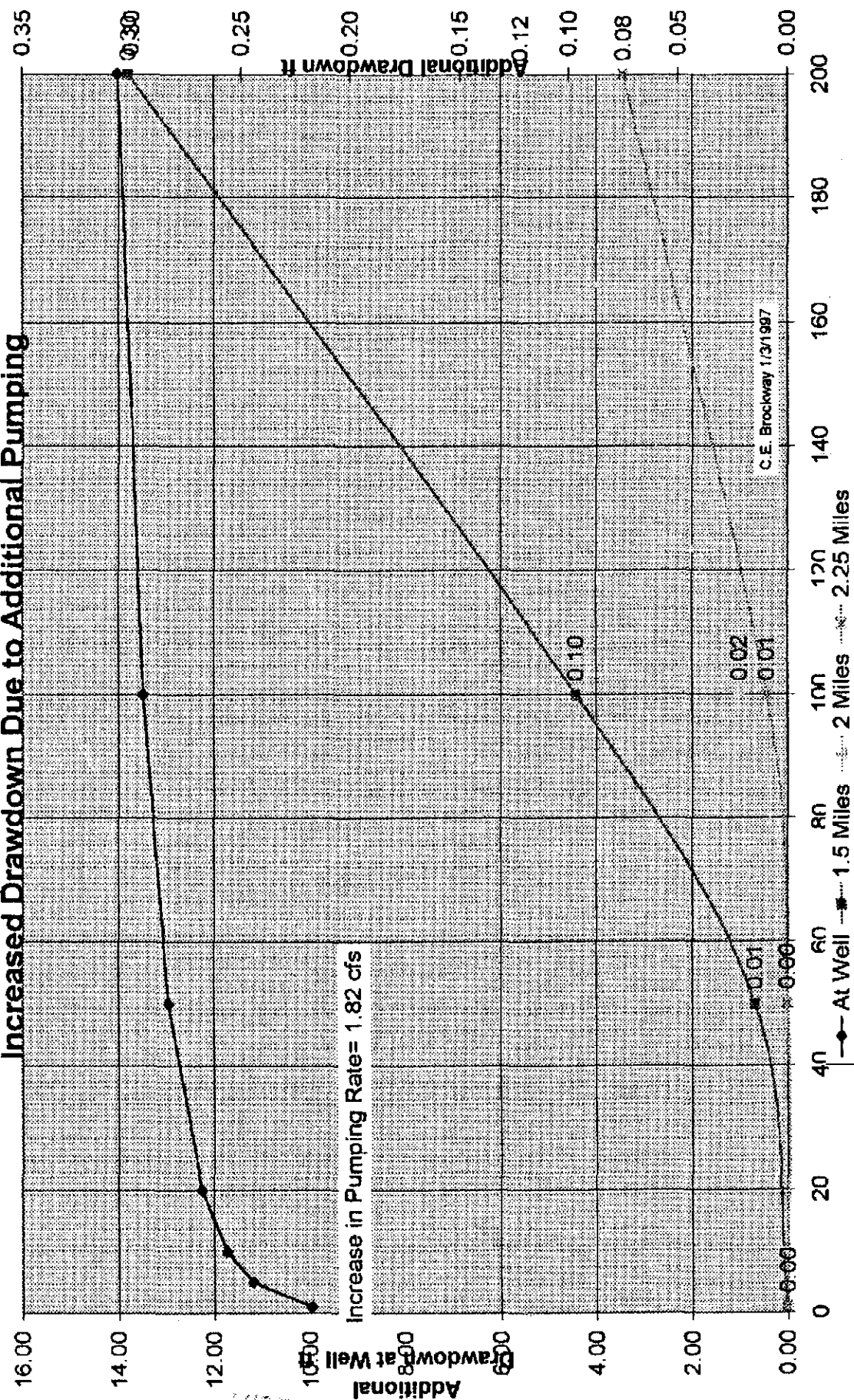
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**TIMOTHY DEEG WELL AND SPRING WATER QUALITY**  
**SAMPLES COLLECTED 05/05/94**  
**MOUNTAIN STATES ANALYTICAL LABORATORY**

| ANALYSIS                      | CONCENTRATION |                   |                     |                 | Units    |
|-------------------------------|---------------|-------------------|---------------------|-----------------|----------|
|                               | Deeg Well     | Cold Creek Spring | Little Creek Spring | Detection Limit |          |
| Silica                        | 21.7          | 5                 | 3.7                 | 0.1             | mg/l     |
| Calcium                       | 61.6          | 59.3              | 60.8                | 1               | mg/l     |
| Magnesium                     | 16.8          | 13                | 10.5                | 1               | mg/l     |
| Potassium                     | 5.7           | 1.1               | ND                  | 1               | mg/l     |
| Sodium                        | 17.2          | 10.8              | 7.5                 | 1               | mg/l     |
| pH                            | 7.52          | 7.34              | 7.61                | 0.01            |          |
| Alkalinity                    |               |                   |                     |                 |          |
| Bicarbonate                   | 164           | 176               | 182                 | 1               | mg/l     |
| Carbonate                     | ND            | ND                | ND                  | 1               | mg/l     |
| Hydroxide                     | ND            | ND                | ND                  | 1               | mg/l     |
| Solids, Total Disso           | 380           | 260               | 230                 | 10              | mg/l     |
| Hardness (CaCO <sub>3</sub> ) | 228           | 216               | 212                 | 5               | mg/l     |
| Nitrate + Nitrite N           | 0.62          | 0.67              | 0.44                | 0.05            | mg/l     |
| Ortho P as P                  | ND            | ND                | ND                  | 0.02            | mg/l     |
| Total P                       | ND            | 0.03              | ND                  | 0.02            | mg/l     |
| Fluoride                      | 0.3           | 0.1               | ND                  | 0.1             | mg/l     |
| EC                            | 579           | 472               | 430                 | 5               | umhos/cm |
| Phosphorus as PO <sub>4</sub> | ND            | 0.08              | ND                  | 0.06            | mg/l     |
| Chloride                      | 63            | 27                | 16                  | 1               | mg/l     |
| Sulfate                       | 16            | 5                 | 4                   | 2               | mg/l     |
| Iron(Dissolved)               | ND            | ND                | ND                  | 0.1             | mg/l     |
| Manganese Dissolv             | ND            | ND                | ND                  | 0.02            | mg/l     |

Significant Differences between Well and Surface Water

## Increased Drawdown Due to Additional Pumping



~~CONFIDENTIAL~~  
JUN 25 1998





Exh. 13



Copy File

|                               |               |
|-------------------------------|---------------|
| Department of Water Resources |               |
| APPLICANT'S                   |               |
| Exhibit                       | <u>13</u>     |
| Date Admitted                 | <u>2/3/98</u> |

MICROFILMED

NOV 1998

T105  
R 31E

Department of Water Resources  
APPLICANT'S

Exhibit

Date Added

14

2/3/98

185.0

40-

Sand Hollow

(Farold Nelson)

#1372

HEL  
1-  
8.2

HEL  
2-  
44.2

3-  
86.3

4-  
38.9

NHEL  
2-  
26.3

NHEL  
5-  
145

Rockland Highway

NHEL  
6-  
130

6-  
118.7

13-  
2.0

HEL  
8-  
117.6

9-  
30.0

10-  
39.9

11-  
116.6

12-  
178.28

MICROFILMED

Dry Hollow

Field 7-

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1993

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 11-04-93

Operator Name and Address ID  
 NELSON 700 RANCHES 7890  
 PO BOX 177  
 ROCKLAND, ID 83271-0177

Original: [Signature]  
 Revision: [Signature]  
 Cropland: 5,608.2  
 Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a), Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share |
|--------------------|------|-------|--------|-------|-------|
| JAMES ROBINSON     | 9880 | BARLY | .1410  |       |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | .8570 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| BARLY | 35.0     |            | CRP  | 3,466.1  |            | CUPAY | 944.5    |            |
| CUPCF | 641.7    |            | OATS | .0       |            | QFAV  | .0       |            |
| WHEAT | 520.7    |            |      |          |            |       |          |            |

Initials

No

R.B.R. Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?  
R.B.R. Have all crops and land uses been reported on this farm (not listed on this report of acreage)?

R.B.R. I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS

R.B.R. If eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS

n/a I do not want nonparticipating program crop acreage to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 700 Ranches by Richard S. Nelson

11/4/93

MICROFILMED  
 JUN 25 1998

Department of Water Resources  
 APPLICANT'S

Exhibit

15

Date Admitted

2/3/98

# REPORT OF ACREAGE FARM AND TRACT DETAIL LISTING

PROGRAM YEAR 1993

1372

DATE: 06-15-93

|    | Ac | Crop  | Var/<br>Type | Int<br>Use | Land<br>Use | Reported<br>Acreage | Determined<br>Acreage | O/<br>N | Crop<br>Stat | PltPr<br>FCIC | Prod<br>Share  | Prod<br>ID   |
|----|----|-------|--------------|------------|-------------|---------------------|-----------------------|---------|--------------|---------------|----------------|--------------|
| 24 | Ir | BARLY | (continued)  |            |             |                     |                       |         |              |               | .3333          | 7890         |
| 3  | Ir | ALFAL |              | Hay        | CUPCP       | 22.2                |                       |         | I            |               | .6667<br>.3333 | 9880<br>7890 |
| 4  | Ni | GRASS | WIN          | Graze      | CUPCP       | 4.0                 |                       |         | I            |               | .6667<br>.3333 | 9880<br>7890 |

Crop      Nitrr      Irr  
CUPCP      55.2

Photo Number/Legal Description: N-18A T108, R831E SEC5

Cropland:      55.2      Reported:      55.2      Difference:      .0      Reported O,B,S,R,A:      .0

|     |    |    |       |     |        |       |  |    |   |  |        |      |
|-----|----|----|-------|-----|--------|-------|--|----|---|--|--------|------|
| 501 | 2  | Ni | CRP   |     |        | 44.2  |  | 80 | I |  | 1.0000 | 7890 |
|     | 4  | Ni | CRP   |     |        | 38.9  |  | 80 | I |  | 1.0000 | 7890 |
|     | 5  | Ni | CRP   |     |        | 22.7  |  | 80 | I |  | 1.0000 | 7890 |
|     | 8  | Ni | CRP   |     |        | 19.6  |  | 80 | I |  | 1.0000 | 7890 |
|     | 9  | Ni | CRP   |     |        | 20.0  |  | 80 | I |  | 1.0000 | 7890 |
|     | 1  | Ni | ALFAL | Hay | CUPCP  | 8.2   |  |    | I |  | 1.0000 | 7890 |
|     | 3  | Ni | SUMFL |     | CUPAY  | 86.3  |  |    | I |  | 1.0000 | 7890 |
|     | 6  | Ni | SUMFL |     | CUPAY  | 15.0  |  |    | I |  | 1.0000 | 7890 |
|     | 7  | Ni | SUMFL |     | CUPAY  | 103.7 |  |    | I |  | 1.0000 | 7890 |
|     | 10 | Ni | SUMFL |     | CUPCP  | .9    |  |    | I |  | 1.0000 | 7890 |
|     | 11 | Ni | SUMFL |     | CUPCP  | 3.9   |  |    | I |  | 1.0000 | 7890 |
|     | 12 | Ni | SUMFL |     | CUPCP  | 7.8   |  |    | I |  | 1.0000 | 7890 |
|     | 13 | Ni | GRASS | WIN | Forage | 2.0   |  |    | I |  | 1.0000 | 7890 |

Crop      Nitrr      Irr      Crop      Nitrr      Irr      Crop      Nitrr      Irr  
CRP      145.4           CUPAY      205.0           CUPCP      22.8           Irr

Photo Number/Legal Description: N-20A T108 R831E SEC18,21

Cropland:      373.2      Reported:      373.2      Difference:      .0      Reported O,B,S,R,A:      .0

|     |   |    |       |     |       |       |  |  |   |  |        |      |
|-----|---|----|-------|-----|-------|-------|--|--|---|--|--------|------|
| 502 | 1 | Ir | ALFAL | Hay | CUPCP | 8.3   |  |  | I |  | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL | Hay | CUPCP | 26.3  |  |  | I |  | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL | Hay | CUPCP | 7.1   |  |  | I |  | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL | Hay | CUPCP | 40.2  |  |  | I |  | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL | Hay | CUPCP | 14.5  |  |  | I |  | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL | Hay | CUPCP | 12.3  |  |  | I |  | 1.0000 | 7890 |
|     | 7 | Ni | SUMFL |     | CUPAY | 122.6 |  |  | I |  | 1.0000 | 7890 |

MICROFILMED

JUN 25 1998

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 11-30-95

Operator Name and Address ID

Original: mf

NELSON 700 RANCHES 7890

Revision: \_\_\_\_\_

PO BOX 177

ROCKLAND, ID

83271-0177

Cropland: 5,616.6

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a), The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR CESA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share  | Crop | Share |
|--------------------|------|-------|--------|-------|--------|------|-------|
| RICHARD J NELSON   | 7415 | CRP   | .0801  |       |        |      |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Crop | Reported | Crop  | Reported |
|-------|----------|------|----------|-------|----------|
| BARLY | 56.8     | CRP  | 3,466.1  | CUPAY | 631.7    |
| CUPCP | 941.3    | OATS | .0       | OFAU  | .0       |
| WHEAT | 520.7    |      |          |       |          |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT      BARLY      OATS

I understand that if eligible, P&CP credit for a zero report shall be credited to the following crops and as a result, P&CP credit for other crops may be reduced:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives CESA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

Department of Water Resources  
APPLICANT'S

Exhibit

16

Date Admitted

2/3/98

MICROFILMED



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1995

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 11-30-95

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Land Use | Reported Acreage | Determined Acreage | O/ M | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|----------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|----------|------------------|--------------------|------|-----------|------------|------------|---------|

480

| Crop BARLY | Nirr | Irr  | Crop CUPCP | Nirr | Irr |
|------------|------|------|------------|------|-----|
|            | 22.2 | 33.0 |            |      |     |

Photo Number/Legal Description: M-18A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported O,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |    |    |       |     |        |       |          |       |    |   |  |                |              |
|-----|----|----|-------|-----|--------|-------|----------|-------|----|---|--|----------------|--------------|
| 501 | 2  | Ni | CRP   |     | 1      |       | 44.2     | 44.2  | 00 | I |  | 1.0000         | 7890         |
|     | 4  | Ni | CRP   |     | 1      |       | 4.7 38.9 | 38.9  | 00 | I |  | 1.0000         | 7890         |
|     | 5  | Ni | CRP   |     | 1      |       | 22.7     | 22.7  | 00 | I |  | 1.0000         | 7890         |
|     | 8  | Ni | CRP   |     | 1      |       | 19.6     | 19.6  | 00 | I |  | 1.0000         | 7890         |
|     | 9  | Ni | CRP   |     | 1      |       | 20.0     | 20.0  | 00 | I |  | 1.0000         | 7890         |
|     | 1  | Ni | GRASS | WIN | Graze  | CUPCP | 8.2      | 8.2   | 00 | I |  | 1.0000         | 7890         |
|     | 3  | Ni | SUMFL |     |        | PAY   | 86.3     | 86.3  | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 6  | Ni | SUMFL |     |        | PAY   | 15.0     | 15.0  | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 7  | Ni | SUMFL |     |        | PAY   | 103.7    | 103.7 | 00 | I |  | .6667<br>.3333 | 7476<br>7890 |
|     | 10 | Ni | GRASS | WIN | Forage | CUPCP | .9       | .9    | 00 | I |  | 1.0000         | 7890         |
|     | 11 | Ni | GRASS | WIN | Forage | CUPCP | 3.9      | 3.9   | 00 | I |  | 1.0000         | 7890         |
|     | 12 | Ni | GRASS | WIN | Forage | CUPCP | 7.8      | 7.8   | 00 | I |  | 1.0000         | 7890         |
|     | 13 | Ni | GRASS | WIN | Forage | CUPCP | 2.0      | 2.0   | 00 | I |  | 1.0000         | 7890         |

| Crop CRP | Nirr  | Irr   | Crop CUPAY | Nirr | Irr |
|----------|-------|-------|------------|------|-----|
|          | 145.4 | 205.0 |            |      |     |

Photo Number/Legal Description: M-20A T10S R631E SEC28.21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported O,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

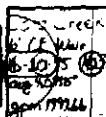
|     |    |    |       |     |       |       |       |       |    |   |   |                |              |
|-----|----|----|-------|-----|-------|-------|-------|-------|----|---|---|----------------|--------------|
| 502 | 1  | Ir | ALFAL |     | Hay   | CUPCP | 6.3   | 6.3   | 00 | I |   | 1.0000         | 7890         |
|     | 2  | Ir | ALFAL |     | Hay   | CUPCP | 26.3  | 26.3  | 00 | I |   | 1.0000         | 7890         |
|     | 3  | Ir | ALFAL |     | Hay   | CUPCP | 7.1   | 7.1   | 00 | I |   | 1.0000         | 7890         |
|     | 4  | Ir | ALFAL |     | Hay   | CUPCP | 40.2  | 40.2  | 00 | I |   | 1.0000         | 7890         |
|     | 5  | Ir | ALFAL |     | Hay   | CUPCP | 14.5  | 14.5  | 00 | I |   | 1.0000         | 7890         |
|     | 6  | Ir | ALFAL |     | Hay   | CUPCP | 6.6   | 6.6   |    | I |   | 1.0000         | 7890         |
|     | 6A | Ir | BARLY | SPR | Grain |       | 5.7   | 5.7   |    | I | 2 | 1.0000         | 7890         |
|     | 7  | Ni | SUMFL |     |       | PAY   | 122.8 | 122.8 | 00 | I |   | .6667<br>.3333 | 7476<br>7890 |

MICROFILMED  
JUN 25 1992



Exh 18  
MICROFILMED

JUN 25 1998



Old Creek  
6' CF Wair  
6-10-5 (10)  
Camp 10315  
Open 17266

Department of Water Resources  
APPLICANT'S

Exhibit 18

Date Admitted 2/3/98

ADK

ASCS-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1991

FARM NUMBER: 1372

FARM SUMMARY

DATE: 06-14-91

Operator Name and Address ID

Original: TW

NELSON 700 RANCHES 7890  
BOX 177  
ROCKLAND, ID 83271

Revision: \_\_\_\_\_

Cropland: 5,605.8

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share | Crop  | Share |
|--------------------|------|-------|-------|-------|-------|
| JAMES ROBINSON     | 7880 | WHEAT | .0072 | BARLY | .0696 |
| NELSON 700 RANCHES | 7890 | WHEAT | .9928 | BARLY | .9304 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 516.3    |            | OATS | 0        |            | BARLY | 50.4     |            |
| ACR   | 279.1    |            | CRP  | 3,466.1  | <u>TW</u>  | CUPCP | 620.9    |            |
| CUPAY | 667.4    |            |      |          |            |       |          |            |

Initials  
Yes R.B.N. No \_\_\_\_\_  
Land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meets cropping requirements and other eligibility requirements as applicable.  
Other program crops or land uses planted.

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS R.B.N.

If eligible, PACF credit for a zero report shall be credited to the following crops:

OATS R.B.N.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature Nelson 700 By Richard G. Nelson Date 6/14/91

Filed Presented on 626.2 ac. of wheat  
R.B.N. 5/11/92

MICROFILMED

JUN 25 1998

|                               |               |
|-------------------------------|---------------|
| Department of Water Resources |               |
| APPLICANT'S                   |               |
| Exhibit                       | <u>19</u>     |
| Date Admitted                 | <u>2/2/98</u> |

ASCB-578(02-01-91)

Form Approved - DHD No. 0560-0004

## REPORT OF ACREAGE

PROGRAM YEAR 1991

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-14-91

| Tract Number | Field Number | Irr Perc | Crop | Var/Type | Int Use | Land Use | Reported Acreage | Determined Acreage | O/H | Crop Stat | Plat Proc | Prod Share | Prod IB |
|--------------|--------------|----------|------|----------|---------|----------|------------------|--------------------|-----|-----------|-----------|------------|---------|
|--------------|--------------|----------|------|----------|---------|----------|------------------|--------------------|-----|-----------|-----------|------------|---------|

480

| Crop  | Nirr | Irr | Crop  | Nirr | Irr |
|-------|------|-----|-------|------|-----|
| BARLY |      | 6.1 | CUPCP | 49.1 |     |

Photo Number/Legal Description: N-10A T10S, R631E SEC5

| Cropland: | Reported: | Difference: | Reported D,B,S,R,A: |
|-----------|-----------|-------------|---------------------|
| 55.2      | 55.2      | .0          | .0                  |

|     |    |    |       |     |        |       |       |     |   |        |      |
|-----|----|----|-------|-----|--------|-------|-------|-----|---|--------|------|
| 501 | 1  | N1 | ALFAL |     | Hay    | CUPCP | 8.2   |     | I | 1.0000 | 7890 |
|     | 3  | N1 | SUNFL |     |        | CUPAY | 86.3  |     | I | 1.0000 | 7890 |
|     | 8  | N1 | SUNFL |     |        | CUPAY | 15.0  |     | I | 1.0000 | 7890 |
|     | 7  | N1 | SUNFL |     |        | CUPAY | 103.7 |     | I | 1.0000 | 7890 |
|     | 11 | N1 | GRASS | WCR | Forage | CUPCP | 3.9   |     | I | 1.0000 | 7890 |
|     | 12 | N1 | GRASS | WCR | Forage | CUPCP | 7.8   |     | I | 1.0000 | 7890 |
|     | 13 | N1 | SUNFL |     |        | CUPAY | 2.0   |     | I | 1.0000 | 7890 |
|     | 2  | N1 | CRP   |     | 1      |       | 44.2  |     | I | 1.0000 | 7890 |
|     | 4  | N1 | CRP   |     | 1      |       | 38.9  | 4.7 | I | 1.0000 | 7890 |
|     | 5  | N1 | CRP   |     | 1      |       | 22.7  |     | I | 1.0000 | 7890 |
|     | 8  | N1 | CRP   |     | 1      |       | 19.6  |     | I | 1.0000 | 7890 |
|     | 9  | N1 | CRP   |     | 1      |       | 20.0  |     | I | 1.0000 | 7890 |
|     | 10 | N1 | GRASS | WCR | Forage | CUPCP | .9    |     | I | 1.0000 | 7890 |

| Crop | Nirr  | Irr | Crop  | Nirr | Irr |
|------|-------|-----|-------|------|-----|
| CRP  | 145.4 |     | CUPCP | 20.8 |     |

Photo Number/Legal Description: N-20A T10S R631E SEC28,21

| Cropland: | Reported: | Difference: | Reported D,B,S,R,A: |
|-----------|-----------|-------------|---------------------|
| 373.2     | 373.2     | .0          | .0                  |

|     |    |    |       |     |     |       |       |  |   |        |      |
|-----|----|----|-------|-----|-----|-------|-------|--|---|--------|------|
| 502 | 1  | Ir | ALFAL |     | Hay | CUPCP | 6.3   |  | I | 1.0000 | 7890 |
|     | 2  | Ir | HAYMX | OTH | Hay | CUPCP | 26.3  |  | I | 1.0000 | 7890 |
|     | 3  | Ir | HAYMX | OTH | Hay | CUPCP | 7.1   |  | I | 1.0000 | 7890 |
|     | 4  | Ir | HAYMX | OTH | Hay | CUPCP | 20.2  |  | I | 1.0000 | 7890 |
|     | 4A | Ir | ALFAL |     | Hay | CUPCP | 20.0  |  | I | 1.0000 | 7890 |
|     | 5  | Ir | ALFAL |     | Hay | CUPCP | 14.5  |  | I | 1.0000 | 7890 |
|     | 6  | Ir | ALFAL |     | Hay | CUPCP | 12.3  |  | I | 1.0000 | 7890 |
|     | 7  | N1 | SUNFL |     |     | ACR   | 122.8 |  | I | 1.0000 | 7890 |

UNRECORDED  
JUN 23 1991

PAGE 3

Department of Water Resources  
APPLICANT'S  
Exhibit 19  
Date Admitted \_\_\_\_\_



|                                                                                                                                                                 |                                                                       |                                                             |                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------|
| <b>CRP-1</b><br>(01-30-97)                                                                                                                                      | <b>U.S. DEPARTMENT OF AGRICULTURE</b><br>Commodity Credit Corporation | 1. ST. & CO. CODE & C/D<br>16 077 1                         | 2. SIGN-UP NUMBER<br>15                                              |
| <b>CONSERVATION RESERVE PROGRAM CONTRACT</b>                                                                                                                    |                                                                       | 3. CONTRACT NUMBER<br>8731                                  | 4. ACRES FOR ENROLLMENT<br>373.2                                     |
| 7. COUNTY OFFICE ADDRESS AND PHONE NO. (area code) 208-226-5139<br>Power County FSA Office<br>PO Box 180<br>503 N Oregon Trail<br>American Falls, ID 83211-0180 |                                                                       | 5. FARM NUMBER<br>1372                                      | 6. TRACT NUMBER(S)<br>501                                            |
|                                                                                                                                                                 |                                                                       | 8. OFFER (Select one)<br>STANDARD<br>ENVIRONMENTAL PRIORITY | 9. CONTRACT PERIOD<br>FROM (M/D/Y) TO (M/D/Y)<br>10/01/97 09/30/2007 |

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "Owner", "Operator", and "Tenant", respectively) on the farm identified above. The undersigned person or persons may hereafter collectively be referred to as "the Participant." The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") for the stipulated contract period from the date the Contract is executed by the CCC or other use set by CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; and if applicable, CRP-15 and CRP-1 Continuation.

**10. OFFER FOR PERMISSION TO ALLEY CROP**

In order to participate in CRP under CP19, Alley Cropping, I/we submit an offer of \$ \_\_\_\_\_ per acre reduction, from the amount specified in item 11A, in the annual rental payments for permission to produce agricultural commodities on eligible acres in accordance with the provisions for alley cropping set out in the applicable regulations. I/we understand that for each year of the CRP contract the annual rental payment will be reduced by the amount agreed to above, which reduction must be a reduction of at least 50 percent in the annual rental payment.

|                                                                                          |           |                                |              |             |          |              |
|------------------------------------------------------------------------------------------|-----------|--------------------------------|--------------|-------------|----------|--------------|
| 11A. Rental Rate Per Acre                                                                | \$ 38.67  | 12. Identification of CRP Land |              |             |          |              |
| B. Annual Contract Payment                                                               | \$ 14,432 | A. Tract No.                   | B. Field No. | C. Practice | D. Acres | E. Total C/S |
| C. First Year Payment                                                                    | \$ N/A    | See CRP-1 Continuation         |              |             |          |              |
| (Item 11C applicable only to continuous signup when the first year payment is prorated.) |           |                                |              |             |          |              |

**13. OWNERS, OPERATORS, AND TENANTS**

|                                                                                            |                                                              |                                                                                     |                 |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------|
| A. OPERATOR NAME AND ADDRESS<br>Nelson 7UD Ranches<br>PO Box 177<br>Rockland, ID 83271     | 100 %                                                        | SOCIAL SECURITY NUMBER<br>82-0407890<br>SIGNATURE <i>Nelson 7UD Ranch</i>           | DATE<br>3-24-97 |
| B. OWNER NAME AND ADDRESS **Only<br>Martin Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112 | 0 %                                                          | SOCIAL SECURITY NUMBER<br>518 62 7476<br>SIGNATURE <i>Martin Munk</i>               | DATE<br>6-17-97 |
| C. NAME AND ADDRESS<br>Susan Munk<br>P.O. Box 112<br>Rockland, ID 83271-0112               | 0 %                                                          | SOCIAL SECURITY NUMBER<br>519 54 3774<br>SIGNATURE <i>Susan Munk by Martin Munk</i> | DATE<br>6-17-97 |
| 14. CCC USE ONLY - Payments according to the shares are approved.                          | SIGNATURE OF CCC REPRESENTATIVE<br><i>Robert Hoffmeister</i> |                                                                                     | DATE<br>9-11-97 |

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended, and regulations promulgated at 7 CFR PART 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, (OMB No. 0560-0125), STOP 7630, Washington, D.C. 20250-7630.

RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or disability.

JUN 25 1998

ORIGINAL - COUNTY OFFICE COPY

Department of Water Resources  
APPLICANT'S

Exhibit 20

Date Admitted 2/3/98

**USDA-ASCS**

1. CONTRACT NO.

2. SIGNUP NO.

15

3. FARM NO.

1372

4. PAGE

1 OF 1

## 5. IDENTIFICATION OF CRP LAND

ORIGINAL - COUNTY OFFICE COPY

FSA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-17-97

| Tract<br>Number | Field<br>Num 10 | Irr<br>Prc | Var/<br>Crop<br>Type | Int<br>Use | Land<br>Use | Reported<br>Acreage | Determined<br>Acreage | O/<br>M | Crop<br>Stat | Prod<br>Share | Prod<br>ID | Ins<br>Elig | Crop<br>Type | Planting<br>Date | T<br>Map<br>Area |
|-----------------|-----------------|------------|----------------------|------------|-------------|---------------------|-----------------------|---------|--------------|---------------|------------|-------------|--------------|------------------|------------------|
|-----------------|-----------------|------------|----------------------|------------|-------------|---------------------|-----------------------|---------|--------------|---------------|------------|-------------|--------------|------------------|------------------|

580  
JUN 25 1998  
MICROFILMED

4 Ir ALFAL (continued) .3333 7890

Crop ALFAL Nirr 38.7 Irr 16.5

Photo Number/Legal Description: M-18A T10S, R631E SEC5

Cropland: 55.2 Reported: 55.2 Difference: .0 Reported 0.8,S,R,A: .0

|     |    |             |               |     |               |              |     |    |               |               |     |  |  |  |        |
|-----|----|-------------|---------------|-----|---------------|--------------|-----|----|---------------|---------------|-----|--|--|--|--------|
| 501 | 2  | Ni          | CRP           | 1   |               | 44.20        |     | RO | I             | 1.0000        |     |  |  |  | 7890 N |
| 4   | 4  | Ni          | CRP           | 1   | 4.7           | 38.90        |     | RO | I             | 1.0000        |     |  |  |  | 7890 N |
| 5   | 5  | Ni          | CRP           | 1   |               | 22.70        |     | RO | I             | 1.0000        |     |  |  |  | 7890 N |
| 8   | 8  | Ni          | CRP           | 1   |               | 19.60        |     | RO | I             | 1.0000        |     |  |  |  | 7890 N |
| 9   | 9  | Ni          | CRP           | 1   |               | 20.00        |     | RO | I             | 1.0000        |     |  |  |  | 7890 N |
| 1   | 1  | Ni          | GRASS         | WIN | Graze         | 8.20         |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 3   | 3  | Ni          | SUMFL         |     |               | 86.30        |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 6   | 6  | Ni          | SUMFL         |     |               | 118.70       |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 10  | 10 | Ni          | GRASS         | WIN | Graze         | .90          |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 11  | 11 | Ni          | GRASS         | WIN | Graze         | 3.90         |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 12  | 12 | Ni          | GRASS         | WIN | Graze         | 7.80         |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
| 13  | 13 | Ni          | GRASS         | WIN | Graze         | 2.00         |     |    | I             | 1.0000        |     |  |  |  | 7890 N |
|     |    | Crop<br>CRP | Nirr<br>145.4 | Irr | Crop<br>GRASS | Nirr<br>22.8 | Irr |    | Crop<br>SUMFL | Nirr<br>205.0 | Irr |  |  |  |        |

Photo Number/Legal Description: M-20A T10S R631E SEC28,21

Cropland: 373.2 Reported: 373.2 Difference: .0 Reported 0.8,S,R,A: .0

|     |   |    |       |  |  |        |  |  |   |        |  |  |  |  |        |
|-----|---|----|-------|--|--|--------|--|--|---|--------|--|--|--|--|--------|
| 502 | 7 | Ni | SUMFL |  |  | 122.80 |  |  | I | 1.0000 |  |  |  |  | 7890 N |
|-----|---|----|-------|--|--|--------|--|--|---|--------|--|--|--|--|--------|

POWER, IDAHO  
 FSA-578(02-01-91)  
 FARM NUMBER: 1372  
 Operator Name and Address: ID  
 NELSON 700 RANCHES 7890  
 PO BOX 177  
 ROCKLAND, ID 83271-0177

Form Approved - OMB No. 0560-0004  
 PROGRAM YEAR 1997  
 DATE: 06-17-97  
 Original: JB  
 Revision:  
 Cropland: 5,616.6  
 Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share  | Crop  | Share |
|--------------------|------|-------|--------|-------|-------|
| JAMES ROBINSON     | 9880 | BARLY | .0990  |       |       |
| RICHARD J NELSON   | 7415 | CRP   | .0801  |       |       |
| NELSON 700 RANCHES | 7890 | WHEAT | 1.0000 | BARLY | .9010 |
|                    |      |       |        | CRP   | .9199 |

| Crop  | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|-------|----------|------------|
| ALFAL | 324.9    |            | CRP   | 3,466.1  |            |
| GRASS | 185.8    |            | OATS  | .0       |            |
| UCKOP | 36.6     |            | WHEAT | 489.9    |            |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature: Nelson 700 Ranches By Richard J. Nelson Date: 6-17-97

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

JUN 25 1998

ISA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1996

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-28-96

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/ H | Crop Stat | FltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|

480

| Crop ALFAL | Nirr 29.0 | Irr | Crop BARLY | Nirr | Irr 22.2 | Crop GRASS | Nirr 4.0 | Irr |
|------------|-----------|-----|------------|------|----------|------------|----------|-----|
|------------|-----------|-----|------------|------|----------|------------|----------|-----|

Photo Number/Legal Description: M-18A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |    |    |       |     |        |     |        |  |    |   |   |                |              |
|-----|----|----|-------|-----|--------|-----|--------|--|----|---|---|----------------|--------------|
| 501 | 2  | Ni | CRP   |     | 1      |     | 44.20  |  | RO | I |   | 1.0000         | 7890         |
|     | 4  | Ni | CRP   |     | 1      | 4.7 | 38.90  |  | RO | I |   | 1.0000         | 7890         |
|     | 5  | Ni | CRP   |     | 1      |     | 22.70  |  | RO | I |   | 1.0000         | 7890         |
|     | 8  | Ni | CRP   |     | 1      |     | 19.60  |  | RO | I |   | 1.0000         | 7890         |
|     | 9  | Ni | CRP   |     | 1      |     | 20.00  |  | RO | I |   | 1.0000         | 7890         |
|     | 1  | Ni | GRASS | WIN | Graze  |     | 8.20   |  |    | I |   | 1.0000         | 7890         |
|     | 10 | Ni | GRASS | WIN | Forage |     | .90    |  |    | I |   | 1.0000         | 7890         |
|     | 11 | Ni | GRASS | WIN | Forage |     | 3.90   |  |    | I |   | 1.0000         | 7890         |
|     | 12 | Ni | GRASS | WIN | Forage |     | 7.80   |  |    | I |   | 1.0000         | 7890         |
|     | 3  | Ni | WHEAT | SWW | Grain  |     | 86.30  |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 13 | Ni | WHEAT | SWW | Grain  |     | 2.00   |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 6  | Ni | WHEAT | SWW | Grain  |     | 113.70 |  |    | I | 5 | .6667<br>.3333 | 7476<br>7890 |

| Crop CRP | Nirr 145.4 | Irr | Crop GRASS | Nirr 20.8 | Irr | Crop WHEAT | Nirr 207.0 | Irr |
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|
|----------|------------|-----|------------|-----------|-----|------------|------------|-----|

Photo Number/Legal Description: M-20A T10S R631E SEC28,21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |    |    |       |     |       |  |        |  |  |   |   |                |              |
|-----|----|----|-------|-----|-------|--|--------|--|--|---|---|----------------|--------------|
| 502 | 7  | Ni | WHEAT | HRW | Grain |  | 122.80 |  |  | I | 5 | .6667<br>.3333 | 7476<br>7890 |
|     | 1  | Ir | ALFAL |     | Hay   |  | 6.30   |  |  | I |   | 1.0000         | 7890         |
|     | 2  | Ir | ALFAL |     | Hay   |  | 26.30  |  |  | I |   | 1.0000         | 7890         |
|     | 3  | Ir | ALFAL |     | Hay   |  | 7.10   |  |  | I |   | 1.0000         | 7890         |
|     | 4  | Ir | ALFAL |     | Hay   |  | 40.20  |  |  | I |   | 1.0000         | 7890         |
|     | 5  | Ir | BARLY | SPR | Grain |  | 14.50  |  |  | I | 2 | 1.0000         | 7890         |
|     | 6  | Ir | BARLY | SPR | Grain |  | 7.30   |  |  | I | 2 | 1.0000         | 7890         |
|     | 6A | Ir | HAYMX | SNG | Hay   |  | 5.00   |  |  | I |   | 1.0000         | 7890         |

MICROFILMED

JUN 25 1998

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1996

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-28-96

Operator Name and Address ID

Original: TW

NELSON 700 RANCHES 7890

Revision: \_\_\_\_\_

PO BOX 177

ROCKLAND, ID 83271-0177

Cropland: 5,616.6

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

| Operator Name      | ID   | Crop  | Share | Crop  | Share | Crop | Share |
|--------------------|------|-------|-------|-------|-------|------|-------|
| MARTIN MUNK        | 7476 | WHEAT | .2323 |       |       |      |       |
| JAMES ROBINSON     | 9880 | BARLY | .1265 |       |       |      |       |
| EDWARD J NELSON    | 7415 | CRP   | .0901 |       |       |      |       |
| NELSON 700 RANCHES | 7890 | WHEAT | .7677 | BARLY | .8735 | CRP  | .9199 |

| Crop  | Reported | Determined | Crop  | Reported | Determined | Crop | Reported | Determined |
|-------|----------|------------|-------|----------|------------|------|----------|------------|
| BARLY | 324.2    |            | BARLY | 117.0    |            | CRP  | 3,466.1  |            |
| GRASS | 145.0    |            | HAYMX | 127.9    |            | OATS | .0       |            |
| WHEAT | 489.9    |            | WHEAT | 946.5    |            |      |          |            |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

Nelson 700 Ranches By Edward J. Nelson

6-28-96

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILMED

JUN 25 1998

578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 10-21-94

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/ M | Crop Stat | PltPr FCIC | Prod Share | Prod ID |
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|
|--------------|--------------|---------|------|-----------|---------|---------|------------------|--------------------|------|-----------|------------|------------|---------|

480 4 Ni GRASS (continued) .3333 7890

Crop CUPCP Nirr 33.0 Irr Crop WHEAT Nirr 22.2

Photo Number/Legal Description: M-18A T10S, R631E SEC5

Cropland: 55.2 Reported: 55.2 Difference: .0 Reported D,B,S,R,A: .0

|     |     |    |       |     |        |       |       |       |    |   |    |                |              |
|-----|-----|----|-------|-----|--------|-------|-------|-------|----|---|----|----------------|--------------|
| 501 | 2   | Ni | CRP   |     | 1      |       | 44.2  | 44.2  | 00 | I |    | 1.0000         | 7890         |
|     | 4   | Ni | CRP   |     | 1      | 4.7   | 38.9  | 38.9  | 00 | I |    | 1.0000         | 7890         |
|     | 5   | Ni | CRP   |     | 1      |       | 22.7  | 22.7  | 00 | I |    | 1.0000         | 7890         |
|     | 8   | Ni | CRP   |     | 1      |       | 19.6  | 19.6  | 00 | I |    | 1.0000         | 7890         |
|     | 9   | Ni | CRP   |     | 1      |       | 20.0  | 20.0  | 00 | I |    | 1.0000         | 7890         |
|     | 1   | Ni | GRASS | WIN | Graze  | CUPCP | 8.2   | 8.2   | 00 | I |    | 1.0000         | 7890         |
|     | 3   | Ni | WHEAT | HRW | Grain  |       | 86.3  | 86.3  | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 6   | Ni | WHEAT | HRW | Grain  |       | 15.0  | 15.0  | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 7   | Ni | WHEAT | HRW | Grain  |       | 103.7 | 103.7 | 00 | I | 19 | .6667<br>.3333 | 7476<br>7890 |
|     | 10  | Ni | GRASS | WIN | LftStd | CUPCP | .9    | .9    | 00 | I |    | 1.0000         | 7890         |
|     | 11  | Ni | GRASS | WIN | LftStd | CUPCP | 3.9   | 3.9   | 00 | I |    | 1.0000         | 7890         |
|     | 12  | Ni | GRASS | WIN | LftStd | CUPCP | 7.8   | 7.8   | 00 | I |    | 1.0000         | 7890         |
|     | 13  | Ni | GRASS | WIN | LftStd | CUPCP | 2.0   | .0    | 00 | I |    | 1.0000         | 7890         |
|     | 13A | Ni | WHEAT | HRW | Grain  |       | .0    | 2.0   | 00 | I |    | 1.0000         | 7890         |

Crop CRP Nirr 145.4 Irr Crop CUPCP Nirr 20.8 Irr Crop WHEAT Nirr 207.0

Photo Number/Legal Description: N-20A T10S R631E SEC28,21

Cropland: 373.2 Reported: 373.2 Difference: .0 Reported D,B,S,R,A: .0

|     |    |    |       |     |       |       |       |       |    |   |    |        |      |
|-----|----|----|-------|-----|-------|-------|-------|-------|----|---|----|--------|------|
| 502 | 1  | Ir | ALFAL |     | Hay   | CUPCP | 6.3   | 6.3   | 00 | I |    | 1.0000 | 7890 |
|     | 2  | Ir | ALFAL |     | Hay   | CUPCP | 26.3  | 26.3  | 00 | I |    | 1.0000 | 7890 |
|     | 3  | Ir | BARLY | SPR | Hay   | CUPCP | 7.1   | 7.1   | 00 | I |    | 1.0000 | 7890 |
|     | 4  | Ir | ALFAL |     | Hay   | CUPCP | 40.2  | 40.2  | 00 | I |    | 1.0000 | 7890 |
|     | 5  | Ir | ALFAL |     | Hay   | CUPCP | 14.5  | 14.5  | 00 | I |    | 1.0000 | 7890 |
|     | 6  | Ir | ALFAL |     | Hay   | CUPCP | 7.3   | 7.3   | 00 | I |    | 1.0000 | 7890 |
|     | 6A | Ir | BARLY | SPR | Grain |       | 5.0   | 5.0   | 00 | I | 1  | 1.0000 | 7890 |
|     | 7  | Ni | WHEAT | HRW | Grain |       | 122.8 | 122.8 | 00 | I | 19 | .6667  | 7476 |

MICROFILMED

PAGE 3

JUN 25 1998



ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 10-21-94

Operator Name and Address ID

Original: TW

NELSON 7UD RANCHES 7890

Revision: \_\_\_\_\_

PO BOX 177

ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  | Crop | Share |
|--------------------|------|-------|-------|-------|--------|------|-------|
| MARTIN MUNK        | 7476 | WHEAT | .2256 |       |        |      |       |
| JAMES ROBINSON     | 9880 | WHEAT | .0153 |       |        |      |       |
| RICHARD J. NELSON  | 7415 | CRP   | .0801 |       |        |      |       |
| NELSON 7UD RANCHES | 7890 | WHEAT | .7591 | BARLY | 1.0000 | CRP  | .9199 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| BARLY | 36.7     | 36.7       | CRP  | 3,466.1  | 3,466.1    | CUPAY | 272.4    | 272.4      |
| CUPCP | 866.3    | 864.3      | OATS | .0       | .0         | OFAY  | .0       | .0         |
| WHEAT | 966.7    | 968.7      |      |          |            |       |          |            |

I understand that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT      BARLY      OATS

I understand that if eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS

I understand I have not requested nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

MICROFILMED

JUN 25 1998

ASC5-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM AND TRACT DETAIL LISTING

DATE: 06-26-92

| Tract Number | Field Number | Irr Prc | Crop       | Var/ Type | Int Use | Lnd Use    | Reported Acreage | Determined Acreage | O/ N | Crop Stat | Plnt Prac | Prod Share     | Prod ID      |
|--------------|--------------|---------|------------|-----------|---------|------------|------------------|--------------------|------|-----------|-----------|----------------|--------------|
| 480          | 2            | Ir      | ALFAL      |           | Hay     | CUPCP      | 16.5             | 16.5               |      | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 2A           | Ir      | WHEAT      | HRS       | Grain   |            | 6.4              | 6.4                |      | I         | CC        | .6667<br>.3333 | 9880<br>7890 |
|              | 3            | Ir      | ALFAL      |           | Hay     | CUPCP      | 22.2             |                    |      | I         |           | .6667<br>.3333 | 9880<br>7890 |
|              | 4            | Ni      | GRASS      | WIN       | Graze   | CUPCP      | 4.0              |                    |      | I         |           | 1.0000         | 7890         |
|              |              |         | Crop WHEAT | Nirr      | Irr     | Crop CUPCP | Nirr 6.4         | Irr 48.8           |      |           |           |                |              |

Photo Number/Legal Description: M-18A T10S, R631E SEC5

| Cropland: | 55.2 | Reported: | 55.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|------|-----------|------|-------------|----|---------------------|----|
|-----------|------|-----------|------|-------------|----|---------------------|----|

|     |    |    |            |      |        |          |            |           |  |   |            |           |      |
|-----|----|----|------------|------|--------|----------|------------|-----------|--|---|------------|-----------|------|
| 501 | 2  | Ni | CRP        |      | 1      |          | 44.2       |           |  | I |            | 1.0000    | 7890 |
|     | 4  | Ni | CRP        |      | 1      |          | 4.7 38.9   |           |  | I |            | 1.0000    | 7890 |
|     | 5  | Ni | CRP        |      | 1      |          | 22.7       |           |  | I |            | 1.0000    | 7890 |
|     | 8  | Ni | CRP        |      | 1      |          | 19.6       |           |  | I |            | 1.0000    | 7890 |
|     | 9  | Ni | CRP        |      | 1      |          | 20.0       |           |  | I |            | 1.0000    | 7890 |
|     | 1  | Ni | ALFAL      |      | Hay    | CUPCP    | 8.2        |           |  | I |            | 1.0000    | 7890 |
|     | 3  | Ni | WHEAT      | HRW  | Grain  |          | 86.3       |           |  | I | SF         | 1.0000    | 7890 |
|     | 6  | Ni | WHEAT      | HRW  | Grain  |          | 15.0       |           |  | I | SF         | 1.0000    | 7890 |
|     | 7  | Ni | WHEAT      | HRW  | Grain  |          | 103.7      |           |  | I | SF         | 1.0000    | 7890 |
|     | 11 | Ni | GRASS      | WIN  | Forage | CUPCP    | 3.9        |           |  | I |            | 1.0000    | 7890 |
|     | 12 | Ni | GRASS      | WIN  | Forage | CUPCP    | 7.8        |           |  | I |            | 1.0000    | 7890 |
|     | 13 | Ni | GRASS      | WIN  | Forage | CUPCP    | 2.0        |           |  | I |            | 1.0000    | 7890 |
|     | 10 | Ni | GRASS      | WIN  | Forage | CUPCP    | .9         |           |  | I |            | 1.0000    | 7890 |
|     |    |    | Crop WHEAT | Nirr | Irr    | Crop CRP | Nirr 205.0 | Irr 145.4 |  |   | Crop CUPCP | Nirr 22.8 | Irr  |

Photo Number/Legal Description: M-20A T10S R631E SEC28,21

| Cropland: | 373.2 | Reported: | 373.2 | Difference: | .0 | Reported D,B,S,R,A: | .0 |
|-----------|-------|-----------|-------|-------------|----|---------------------|----|
|-----------|-------|-----------|-------|-------------|----|---------------------|----|

|     |   |    |       |  |     |       |      |  |  |   |  |        |      |
|-----|---|----|-------|--|-----|-------|------|--|--|---|--|--------|------|
| 502 | 1 | Ir | ALFAL |  | Hay | CUPCP | 6.3  |  |  | I |  | 1.0000 | 7890 |
|     | 2 | Ir | ALFAL |  | Hay | CUPCP | 26.3 |  |  | I |  | 1.0000 | 7890 |
|     | 3 | Ir | ALFAL |  | Hay | CUPCP | 7.1  |  |  | I |  | 1.0000 | 7890 |
|     | 4 | Ir | ALFAL |  | Hay | CUPCP | 40.2 |  |  | I |  | 1.0000 | 7890 |
|     | 5 | Ir | ALFAL |  | Hay | CUPCP | 14.5 |  |  | I |  | 1.0000 | 7890 |
|     | 6 | Ir | ALFAL |  | Hay | CUPCP | 12.3 |  |  | I |  | 1.0000 | 7890 |

MICROFILMED

JUN 25 1998

ASCS-578(02-01-91)

## REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 1372

## FARM SUMMARY

DATE: 06-26-92

Operator Name and Address IO

Original: TC

NELSON 7UD RANCHES 7890

Revision: \_\_\_\_\_

BOX 177  
ROCKLAND, ID 83271-0177

Cropland: 5,608.2

Farmland: 7,029.0

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, OIRM Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR ASCS COUNTY OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or handicap.

| Producer Name      | ID   | Crop  | Share | Crop  | Share  |
|--------------------|------|-------|-------|-------|--------|
| JAMES ROBINSON     | 9880 | WHEAT | .0045 |       |        |
| NELSON 7UD RANCHES | 7890 | WHEAT | .9955 | BARLY | 1.0000 |

| Crop  | Reported | Determined | Crop | Reported | Determined | Crop  | Reported | Determined |
|-------|----------|------------|------|----------|------------|-------|----------|------------|
| WHEAT | 958.3    |            | OATS | .0       |            | BARLY | 20.1     |            |
| ACR   | 75.9     |            | CRP  | 3,466.1  |            | CUPCP | 940.1    |            |
| CUPAY | 147.7    |            |      |          |            |       |          |            |

Initials

Yes No

R.K. Does land designated for Acreage Conservation Reserve (ACR), Conserving Use (CU), and Pay/92 acreage to be credited for payment purposes, meet cropping requirements and other eligibility requirements as applicable?  
R.K. Do you have other program crops or land uses planted on this farm (not listed on this report of acreage)?

I request that any acreage available to be credited to program crops for payment or considered planted purposes, be credited in the following order:

WHEAT BARLY OATS R.K.

If eligible, P&CP credit for a zero report shall be credited to the following crops:

OATS R.K.

I do not want nonparticipating program crop acreage to apply to Flex first.

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. The signing of this form gives ASCS representatives authorization to enter and inspect crops and land uses on the above identified land. I understand that an inaccurate acreage report could result in payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

Operator's Signature

Date

Nelson 7UD Ranches By Richard S. Nelson

6/29/92

MICROFILMED

JUN 25 1993

WARM CREEK MEASUREMENTS

2.0 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| DATE     | TIME      | HEAD | CFS  | MEASURED BY |
|----------|-----------|------|------|-------------|
| 5/13/97  |           | .51  | 2.45 |             |
| 5/23/97  |           | .52  | 2.52 |             |
| 6/3/97   |           | .50  | 2.38 |             |
| 6/24/97  |           | .48  | 2.24 |             |
| 7/9/97   |           | .45  | 2.03 |             |
| 7/24/97  |           | .49  | 2.31 |             |
| 8/1/97   |           | .50  | 2.38 |             |
| 8/21/97  |           | .48  | 2.24 |             |
| 8/29/97  |           | .45  | 2.03 |             |
| 11/12/97 | 9:30 A.M. | .52  | 2.37 | Tom Morgan  |

|                                               |               |
|-----------------------------------------------|---------------|
| Department of Water Resources<br>PROTESTANT'S |               |
| Exhibit                                       | <u>A</u>      |
| Date Admitted                                 | <u>2/3/98</u> |

*AD*

MICROFILMED

JUN 25 1998

# WARM CREEK MEASUREMENTS

2.0 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| DATE    | TIME | HEAD | CFS  | MEASURED BY |
|---------|------|------|------|-------------|
| 5/1/96  |      | .54  | 2.67 | Tom Morgan  |
| 5/7/96  |      | .54  | 2.67 |             |
| 6/4/96  |      | .55  | 2.75 |             |
| 6/20/96 |      | .52  | 2.52 |             |
| 6/26/96 |      | .45  | 2.03 |             |
| 7/2/96  |      | .45  | 2.03 |             |
| 7/9/96  |      | .45  | 2.03 |             |
| 7/16/96 |      | .42  | 1.83 |             |
| 7/25/96 |      | .44  | 1.96 |             |
| 7/30/96 |      | .43  | 1.90 |             |
| 8/6/96  |      | .45  | 2.03 |             |
| 8/13/96 |      | .46  | 2.10 |             |
| 8/20/96 |      | .47  | 2.17 |             |
| 8/28/96 |      | .49  | 2.31 |             |
| 9/3/96  |      | .50  | 2.38 |             |
| 9/10/96 |      | .52  | 2.52 |             |
| 10/2/96 |      | .54  | 2.67 |             |

MICROFILMED  
JUN 25 1998

WARM CREEK MEASUREMENTS

2.0 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| DATE    | TIME | HEAD | CFS  | MEASURED BY |
|---------|------|------|------|-------------|
| 5/22/95 |      | .55  | 2.75 | Tom Morgan  |
| 6/27/95 |      | .55  | 2.75 |             |
| 7/1/95  |      | .48  | 2.24 |             |
| 7/25/95 |      | .48  | 2.24 |             |
| 8/8/95  |      | .50  | 2.38 |             |
| 9/23/95 |      | .50  | 2.38 |             |

MICROFILM

JUN 25 1998

WARM CREEK MEASUREMENTS

2.0 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| <u>DATE</u> | <u>TIME</u> | <u>HEAD</u> | <u>CFS</u> | <u>MEASURED BY</u> |
|-------------|-------------|-------------|------------|--------------------|
| 5/9/94      |             | .55         | 2.75       |                    |
| 6/8/94      |             | .52         | 2.52       |                    |
| 6/14/94     |             | .52         | 2.52       |                    |
| 6/21/94     |             | .46         | 2.10       |                    |
| 6/28/94     |             | .45         | 2.03       |                    |
| 7/5/94      |             | .44         | 1.96       |                    |
| 7/12/94     |             | .45         | 2.03       |                    |
| 7/19/94     |             | .46         | 2.10       |                    |
| 8/18/94     |             | .47         | 2.17       |                    |
| 8/24/94     |             | .50         | 2.38       |                    |
| 9/6/94      |             | .46         | 2.10       |                    |
| 9/20/94     |             | .52         | 2.52       |                    |
| 10/27/94    |             | .55         | 2.75       |                    |
| 12/14/94    |             | .55         | 2.75       | Terrell Sorensen   |

RECEIVED  
JUN 25 1998



COLD CREEK MEASUREMENTS  
 6 ft. wier near the Indian Springs Natatorium  
 Esther Isaak  
 Measured Prox. 11:00 A.M. by Lloyd Curry  
 (exceptions noted)

| DATE     | TIME      | HEAD | CFS  | MEASURED BY |
|----------|-----------|------|------|-------------|
| 4/24/97  |           | .36  | 4.36 | Lloyd       |
| 5/13/97  |           | .37  | 4.54 |             |
| 5/23/97  |           | .35  | 4.18 |             |
| 6/3/97   |           | .34  | 4.00 |             |
| 6/24/97  |           | .34  | 4.00 |             |
| 7/9/97   |           | .33  | 3.84 |             |
| 7/24/97  |           | .33  | 3.84 |             |
| 8/1/97   |           | .33  | 3.84 |             |
| 8/21/97  |           | .35  | 4.18 |             |
| 8/29/97  |           | .33  | 3.84 |             |
| 11/12/97 | 9:30 A.M. | .35  | 4.26 | Tom Morgan  |

|                               |               |
|-------------------------------|---------------|
| Department of Water Resources |               |
| PROTESTANT'S                  |               |
| Exhibit                       | <u>B</u>      |
| Date Admitted                 | <u>2/3/98</u> |

*Adm*

MICROFILMED  
 JUN 25 1998

## COLD CREEK MEASUREMENTS

6 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| DATE    | TIME | HEAD | CFS  | MEASURED BY |
|---------|------|------|------|-------------|
| 4/11/96 |      | .35  | 4.18 | Tom Morgan  |
| 5/1/96  |      | .35  | 4.18 | Tom Morgan  |
| 5/7/96  |      | .34  | 4.0  |             |
| 6/4/96  |      | .35  | 4.18 |             |
| 6/20/96 |      | .33  | 3.84 |             |
| 6/26/96 |      | .33  | 3.84 |             |
| 7/1/96  |      | .33  | 3.84 |             |
| 7/9/96  |      | .33  | 3.84 |             |
| 7/16/96 |      | .33  | 3.84 |             |
| 7/25/96 |      | .32  | 3.66 |             |
| 7/30/96 |      | .33  | 3.84 |             |
| 8/6/96  |      | .33  | 3.84 |             |
| 8/13/96 |      | .33  | 3.84 |             |
| 8/20/96 |      | .34  | 4.0  |             |
| 8/28/96 |      | .35  | 4.18 |             |
| 9/3/96  |      | .36  | 4.36 |             |
| 9/10/96 |      | .35  | 4.18 |             |
| 10/2/96 |      | .35  | 4.18 |             |

MICROFILMED  
JUN 25 1998

# COLD CREEK MEASUREMENTS

6 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| DATE    | TIME       | HEAD | CFS  | MEASURED BY |
|---------|------------|------|------|-------------|
| 4/6/95  | 2:15 P.M.  | .36  | 4.36 |             |
| 5/22/95 | 11:00 A.M. | .36  | 4.36 | Tom Morgan  |
| 5/31/95 |            | .34  | 4.0  |             |
| 6/27/95 |            | .35  | 4.18 |             |
| 8/23/95 |            | .35  | 4.18 |             |

MICROFILMED

JUN 25 1998

## COLD CREEK MEASUREMENTS

6 ft. wier near the Indian Springs Natatorium

Measured Prox. 11:00 A.M. by Lloyd Curry  
(exceptions noted)

| <u>DATE</u> | <u>TIME</u> | <u>HEAD</u> | <u>CFS</u> | <u>MEASURED BY</u> |
|-------------|-------------|-------------|------------|--------------------|
| 6/8/94      |             | .36         | 4.36       |                    |
| 6/14/94     |             | .35         | 4.18       |                    |
| 6/21/94     |             | .35         | 4.18       |                    |
| 6/28/94     |             | .35         | 4.18       |                    |
| 7/5/94      |             | .36         | 4.36       |                    |
| 7/12/94     |             | .35         | 4.18       |                    |
| 7/19/94     |             | .35         | 4.18       |                    |
| 8/4/94      |             | .35         | 4.18       |                    |
| 8/18/94     |             | .35         | 4.18       |                    |
| 8/24/94     |             | .35         | 4.18       |                    |
| 9/6/94      |             | .35         | 4.18       |                    |
| 9/20/94     |             | .35         | 4.18       |                    |
| 10/27/94    |             | .34         | 4.00       |                    |
| 12/14/94    |             | .33         | 3.84       | Dale Clemens       |

MICROFILMED  
JUN 25 1998