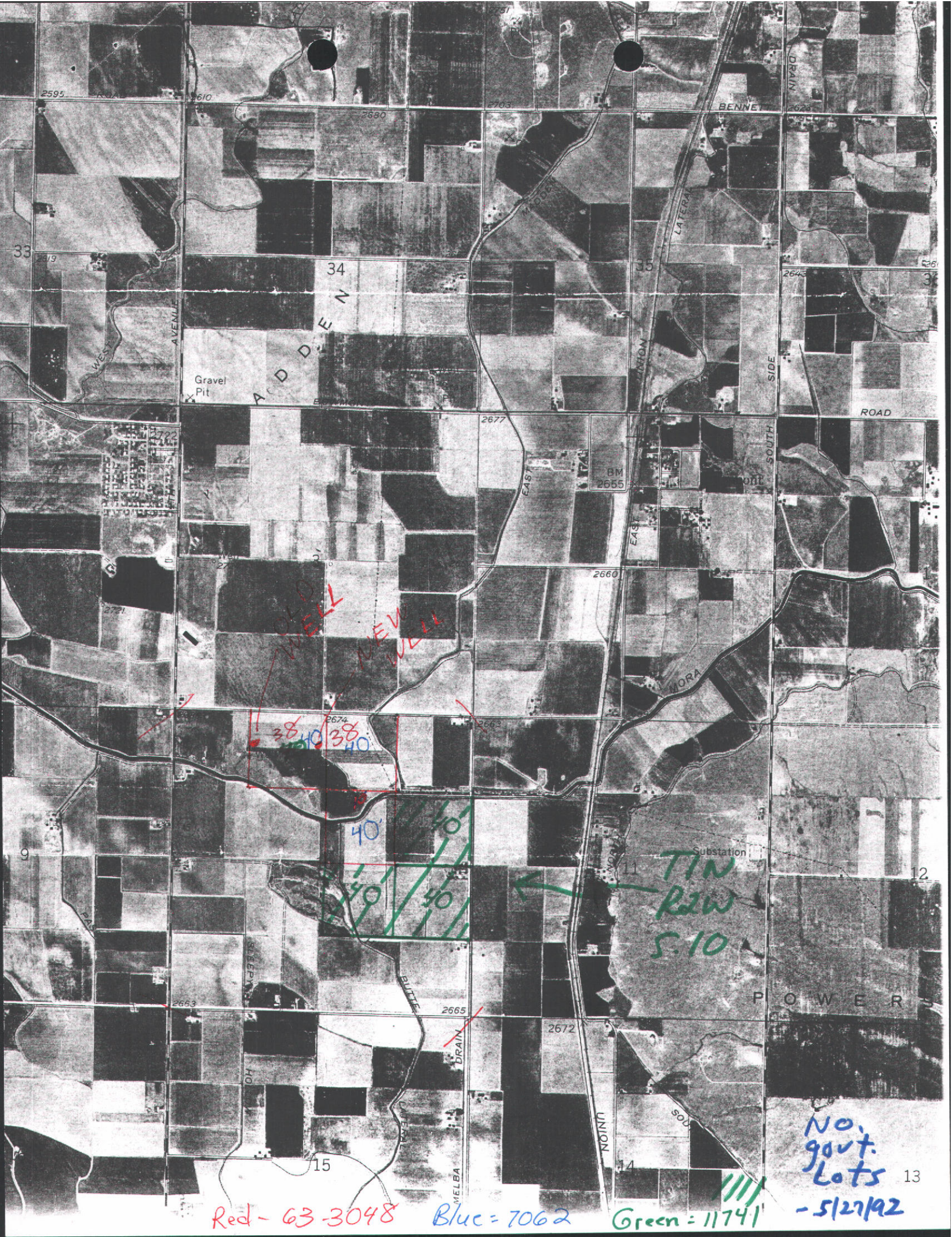




Red - 63-3048

Blue = 7062

Green = 11741

No.
govt.
Lots
-5/27/92

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11741

Proposed Priority: May 22, 1992 Maximum Diversion Rate: 2.30 CFS

This is to certify, that **PAUL PORTER**
FRANCES PORTER
4475 C S POWERLINE RD
MELBA ID 83641

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	2.30 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 10, Township 01N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	02W	10	SENE 40	NESE 37	NWSE 38	115

Total number of acres irrigated: 115

CONDITIONS/REMARKS:

1. This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.
2. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
3. This right to divert groundwater is void if the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
4. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.
5. The permit holder must employ reasonably efficient methods of water application to conserve the water of the State of Idaho.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. This right is subject to all prior rights.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11741

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

16th day of JULY, 1992.


FOR: R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: PAUL PORTER 208-495-2237 *
- Address: 4475 C SOUTH POWERLINE RD.)
- MELBA ID 83641
- OR
- Name: FRANCES PORTER 208-495-2237
- Address: 4475 C SOUTH POWERLINE RD.)
- MELBA ID 83641

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENW Sec. 10, Township 01N, Range 02W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	2.300		

5. Total quantity to be appropriated is:

2.300 CFS (and/or)	AF
--------------------	----

6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, OPEN DIS.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 241
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:
SUPPLEMENTAL IRRIGATION

* Annotation Deleted from database 5/27/92, JR

9. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
01N 02W 10	SENE 40	NESE 37	NWSE 38	115

Total number of acres irrigated: 115

* 10. Describe any other water rights used for the same purposes.
~~none~~

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

PAUL PORTER

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

FRANCES PORTER

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

12. Remarks:

Two points of diversion are located within NENW, S10, T01N, R02W.

13. Map of proposed point of diversion and place of use attached? ☒

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.

Paul Porter
Applicant

Received by L. Werner Date 5-22-92 Time 1020 Preliminary check by JK

Fee \$ 85⁰⁰ Receipted by L. Werner # W14758 Date 5-22-92

Publication prepared by GG Date 6-10-92 Published in Press-Tribune

Publication approved st Date 7-1-92

lg 8/10/95

* item 10 deleted from database.

Receipt # date entered.

- 5/27/92 JK



Idaho Department of Water Resources
Water Rights Remarks Screen

Date: 06/26/95
Time: 16:11:44

Water Right Number: 63-11741

FIRST PAGE

13. Remarks: Two points of diversion are located within NENW, S10, T01N, R02W. Water bearing zone to be appropriated is 156 to 240 feet.

(GOLD2=Update)	(GOLD4=Prev Screen)	(GOLD1=Export Remarks)	(Enter=Exit)
(GOLD3=Add Std Rmk)	(GOLD5=Next Screen)	(GOLD7=Import Remarks)	(GOLD8=Cancel)
	(GOLD6=End of Data)		

4

ADDITIONAL INFORMATION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Spath

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Twice

— in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
July 19, 26, 1995

Carolyn Spath

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 26th day of July
in the year of 1995, before me, a Notary Public, personally appeared Carolyn Spath 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/she executed the same.

James Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

Original affidavit filed with water right #63-11630.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 24, 1995. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
July

RECEIVED

JUL 28 1995

WATER RESOURCES
WESTERN REGION

Source: GROUNDWATER
Division Pt: SENE Sec 34 T 04N R 05W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 3/4/1992

In: CANYON County

T04N R05W S34

SWNE

SENE

80.0 ACRES TOTAL

Water bearing zone to be appropriated is 100 to 400 feet.

63-11690

COLE TRUST, NORMAN R

210 FAY LN

NAMPA, ID 83686

Source: GROUNDWATER

Division Pt: NWNE Sec 21 T 02N R 02W in CANYON County.

Use: IRRIGATION (0.800 CFS)

DOMESTIC (0.020 CFS)

Total Diversion: (0.820 CFS)

Date Filed: 3/5/1992

In: CANYON County

T02N R02W S21

NWNE

40.0 ACRES TOTAL

Water bearing zone to be appropriated is 40 to 60 feet.

63-11698

PAULSEN FARMS

22009 TRAVIS RD

WILDER, ID 83676

Source: GROUNDWATER

Division Pt: SWSE Sec 10 T 04N R 05W in CANYON County.

Use: IRRIGATION (2.700 CFS)

Total Diversion: (2.700 CFS)

Date Filed: 3/6/1992

In: CANYON County

T04N R05W S10

NESW

SESW

S11 NWSE

SWSE

SESE

135.0 ACRES TOTAL

Water bearing zone to be appropriated is 100 to 600 feet.

63-11702

JOHNSON, GREGORY B

JOHNSON, HEIDI M

PO BOX 344

MERIDIAN, ID 83642

Source: GROUNDWATER

Division Pt: NESE Sec 24 T 01N R 02W in CANYON County.

Use: IRRIGATION (2.400 CFS)

Total Diversion: (2.400 CFS)

Date Filed: 3/3/1992

In: CANYON County

T01N R02W S24

SENE

NESE

SWSE

120.0 ACRES TOTAL

Water bearing zone to be appropriated is 200 to 350 feet.

63-11740

KYZER, FRANK H

3720 SHIPMAN CIR

NAMPA, ID 83686

Source: GROUNDWATER

Division Pt: SESW Sec 26 T 03N R 02W in CANYON County.

Use: IRRIGATION (0.400 CFS)

Total Diversion: (0.400 CFS)

Date Filed: 3/25/1992

In: CANYON County

T03N R02W S26

SESW

20.0 ACRES TOTAL

Water bearing zone to be appropriated is 150 to 160 feet.

63-11741

PORTER, PAUL

PORTER, FRANCES

4475 C S POWERLINE RD

MELBA, ID 83641

Source: GROUNDWATER

Division Pt: NENW Sec 10 T 01N R 02W in CANYON County.

Use: IRRIGATION (2.300 CFS)

Total Diversion: (2.300 CFS)

Date Filed: 5/22/1992

In: CANYON County

T01N R02W S10

SENE

NESE

NWSE

115.0 ACRES TOTAL

Water bearing zone to be appropriated is 156 to 240 feet.

63-11744

E & B FARM INC

24630 PECKHAM RD

WILDER, ID 83676

Source: GROUNDWATER

Division Pt: SWSE Sec 13 T 04N R 05W in CANYON County.

Use: IRRIGATION (4.940 CFS)

Total Diversion: (4.940 CFS)

Date Filed: 3/31/1992

In: CANYON County

T04N R05W S13

NESW

NWSW

SWSW

SESW

NWSE

SWSE

S14 SENE

247.0 ACRES TOTAL

Water bearing zone to be appropriate is 120 to 505 feet.

63-11747

O BAR L INC

RT 2

54.00 ACRES TOTAL

Water bearing zone to be appropriated is 105 to 145 feet.

63-11789

MC NEIL, FLORENCE

2375 CENTER AVE

PAYETTE, IDA 83661

Source: GROUNDWATER

Division Pt: NWNE Sec 27 T 05N R 04W in CANYON County.

Use: IRRIGATION (1.200 CFS)

Total Diversion: (1.200 CFS)

Date Filed: 4/20/1992

In: CANYON County

T05N R04W S27

NWNE

SWNE

NWSE

80.0 ACRES TOTAL

Water bearing zone to be appropriated is 25 to 75 feet.

63-11794

SWENSON, LEON

18822 DEAN LN

NAMPA, ID 83687

Source: GROUNDWATER

Division Pt: SWNE Sec 36 T 04N R 02W in CANYON County.

Use: IRRIGATION (1.460 CFS)

Total Diversion: (1.460 CFS)

Date Filed: 4/27/1992

In: CANYON County

T04N R02W S36

NWNE

SWNE

73.00 ACRES TOTAL

Water bearing zone to be appropriated is 208 to 240 feet.

63-11797

PROESCH, ROBERT M

2283 CANYON RD

MELBA, ID 82641

Source: GROUNDWATER

Division Pt: NESWNE Sec 14 T 01S R 02W in CANYON County.

Use: IRRIGATION (1.800 CFS)

Total Diversion: (1.800 CFS)

Date Filed: 4/16/1992

In: CANYON County

T01S R02W S11

SWSE

S14

SWNE

SENE

90.0 ACRES TOTAL

Water bearing zone to be appropriated is land surface to 25 feet.

63-11800

TOP FARMS INC

PO BOX 428

WILDER, ID 83676

Source: GROUNDWATER

Division Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County.

Use: IRRIGATION (1.880 CFS)

Total Diversion: (1.880 CFS)

Date Filed: 4/29/1992

In: CANYON County

T04N R04W S18

NENE

NESE

NWNE

NWSE

SWNE

SWSE

SENE

SESE

294.0 ACRES TOTAL

Water bearing zone to be appropriated is 180 to 630 feet.

63-11801

ALLENDAL FARM INC

PO BOX 428

WILDER, ID 83676

Source: GROUNDWATER

Division Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County

Use: IRRIGATION (4.800 CFS)

Total Diversion: (4.800 CFS)

Date Filed: 4/29/1992

In: CANYON County

T04N R04W S18

NENE

NESE

NWNE

NWSE

SWNE

SWSE

SENE

SESE

240.0 ACRES TOTAL

Water bearing zone to be appropriated is 94- 563 feet.

63-11807

CALDWELL RIVERVIEW ORCHARD

19491 APRICOT LN

CALDWELL, ID 83605

Source: GROUNDWATER

Division Pt: SWNE Sec 23 T 03N R 04W in CANYON County.

Use: IRRIGATION (0.600 CFS)

Total Diversion: (0.600 CFS)

Date Filed: 5/4/1992

In: CANYON County

T03N R04W S23

SENE

30.0 ACRES TOTAL

Water bearing zone to be appropriated is 145 to 155, 200 to 235, 288 to 298, and

418 to 438 feet.

63-11835

HUTER BROS INC

9040 LINDEN

NAMPA, ID 83687

Source: GROUNDWATER

Division Pt: SWNW Sec 34 T 04N R 02W in CANYON County.

Use: IRRIGATION (0.700 CFS)

Total Diversion: (0.700 CFS)

Date Filed: 5/20/1992

In: CANYON County

T04N R02W S28

NESE

30.0 ACRES TOTAL

PORTER, PAUL
PORTER, FRANCES
4475 C S POWERLINE RD
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NENW Sec 10 T 01N R 02W in CANYON County.

```

Use: IRRIGATION      (      2.300 CFS)
      Total Diversion: (      2.300 CFS)

```

Date Filed: 5/22/1992

In: CANYON County
T01N R02W S10

SENE	NESE	NWSE
------	------	------

115.0 ACRES TOTAL

Water bearing zone to be appropriated is 156 to 240 feet.

1N 3W 5.10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 5/27/92 APPLICATION: 63-11741

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume) Gov't. Lots:
Period of use: N P/D
Nature of proposed use: (Include description of use) N P/U
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes No* In form to receipt:

ADDITIONAL INFORMATION

YES NO
☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☐ Critical groundwater area:
☐ ☐ Groundwater management area:
☐ ☐ 1992 moratorium
☐ ☐ Diversion within interim protected river area
☐ ☐ Send dam safety information:
☐ ☐ Send power requirement letter:
☐ ☐ Send fish farm requirement letter:
☐ ☐ Power residency affidavit:
☐ ☐ Power efficiency form:
☐ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
MORATORIUM EXEMPTED QUESTIONS ; Answer Solicited
DATE REQUESTED: 5-27-92
☒ ☐ Additional information on reverse side:

RECEIVED
JUL 15 1992

Department of Water Resources

7/13/92 spoke with applicant - said mailed already. Brenda said it is at S.O. ✓ One

no response yet

ok for

PROCESSING

APPLICATION NO

63-11741

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒ ☐
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☐

Publication dates and paper recorded on application:

Protests received. Final date for protest July 6, 1992

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

Moratorium Conditions

See below for additional information

Recommended Date or Priority 5/22/1992Recommended by: DnrDate 7/13/1992

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

OVERLAP

P10 63-03048 & 63-07062 Same well as 1 in W1/2N6W.
 (not for other areas)

P1w 63-02388 Boise River - Irrig Dist.

Transfer required for 63-03048 & 63-07062 - See my 5/27/92 letter. -SL

RESPONSE FORM

Boise River Basin Moratorium Application

Name of Applicant:

Paul Porter

Address:

4475 E So. Power Rd
Merba, Idaho 83641

Water Right No.:

63-11241Do you wish to proceed with development of the
water right as proposed in the application?(If the response is no, please complete
and return the enclosed withdrawal form.)☒ Yes ☐ NoIf the source of water that you propose to
appropriate is ground water, what aquifer
level do you propose to develop to obtain water?156 ft to 240 ft

Signature:

Paul Porter

Printed Name:

Paul Porter

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1995

**Distribution: Applicants Whose Water Right Applications Were Held
Without Action Under the Boise River Basin
Moratorium**

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that all applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

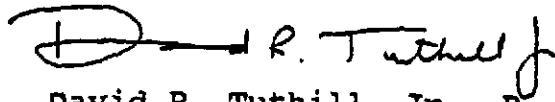
Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 20, 1994

PAUL PORTER
FRANCES PORTER
4475 C S POWERLINE RD
MELBA ID 83641

RE: Water Right No. M63-11741

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells.

The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

March 31, 1994

PAUL PORTER
FRANCES PORTER
4475 C S POWERLINE RD
MELBA ID 83641

RE: Water Right No. M63-11741

Dear Water Right Holder(s):

In 1992, the Department of Water Resources issued the above referenced permit allowing the diversion of water for the 1992 irrigation season only. The permit included a condition:

This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.

It now appears that 1994 early season water supply and precipitation conditions are such that short-term use of the wells that were drilled under this authority could be beneficial prior to the start of water delivery through the canal systems in the Boise Valley. We have been advised that most of the canals will not be able to deliver water for another 10 to 14 days.

Therefore, you are hereby notified that the permit is reinstated for temporary use during the period April 1 through April 15, 1994 only. All other conditions of the permit continue to apply. One requirement was that the well be disconnected from the power system at the end of the approved period of use, which under this reinstatement is April 15, 1994.

The existing moratorium in the Boise Valley area is not changed by this temporary reinstatement of the 1992 drought well permit. This temporary reinstatement does not authorize the construction of a new well or alteration of an existing well.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 16, 1992

PAUL PORTER
FRANCES PORTER
4475 C S POWERLINE RD
MELBA ID 83641

RE: PERMIT NO. 63-11741

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder(s):

Enclosed is a copy of your approved permit. Your proposed use of water qualifies for a narrow exception to the Snake River Basin Moratorium established by the Director on May 15, 1992. The exception allows the use of groundwater during the drought to protect agricultural uses which normally have an adequate supply of water. Please carefully review the conditions of approval.

The Department has approved your permit for the 1992 irrigation season. Diversion of groundwater is not authorized after the 1992 season, and the permit expires. The Director may reinstate the permit in a subsequent year if drought conditions persist. You will be responsible for requesting reinstatement during future irrigation seasons.

When your permit expires, you must make the pump and motor inoperable, and cannot operate the pump without approval from the Department of Water Resources.

Your permit is for supplemental use only to augment your surface water supply. If the surface water you own is sold, transferred, leased or used on any other land without the approval of the Department of Water Resources, you automatically lose your right to divert groundwater. You must obtain the approval of the Department before using your water anywhere other than where it has traditionally been used.

In addition, you must fully utilize your available surface water to the extent possible. The surface water need not be fully consumed or diverted prior to use of groundwater. You cannot, however, simply divert token quantities of surface water and rely primarily on your groundwater diversion. Surface water must be your primary source of water.

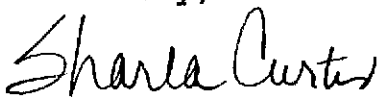
If you want to locate your well closer than 500 feet from an existing well, you must obtain the approval of the Department of Water Resources. We realize that under certain circumstances, it may be impossible to locate the well 500 feet away from another well. You must, however, be cognizant of possible interference resulting from pumping of your well.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If general water levels in the geographical area of your well decline below reasonable levels, the Department may require you to cease diverting from your well.

You must efficiently apply the water to the land and conserve water to the extent possible. Excessive irrigation, delivery systems with substantial losses, and application methods which cause substantial percolation or evaporation are not acceptable.

Sincerely,



for JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

63-1174

RECEIVED
MAY 29 1992

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING: ^{Department of Water Resources}

- Has ALL the land you propose to irrigate been irrigated with surface water in the past? *yes*
- Do you summer fallow any of your irrigated land? If so, how many acres? *—*
- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.
We are in the Boise-Kuna irrigation district and under the Mora Canal.
- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season? *all 10 years.*
- What crops have you grown in the past ten years?
sugar beets, seed corn, grain, alfalfa

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this *28* day of *May*, 1992.

(Please sign) *Paul Porter - Francis Porter*



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 27, 1992

Paul and/or Frances Porter
4475 C South Powerline Road
Melba, ID. 83641

RE: Application for Permit No. 63-11741

Dear Applicants:

Your application for permit for two irrigation wells for supplemental use on 115 acres was received on 5/22/92. Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/92 concerning water right applications proposing new consumptive uses of public water.

Supplemental uses are considered exempt from the moratorium. In order to verify the proposed supplemental use, please complete the enclosed Moratorium Exemption Questionnaire. If you are unsure of the name of the entity delivering surface water to your land, consult your tax notice and/or water billing statement.

In a related matter, the two wells described in application no. 63-11741 will also serve the acres in license nos. 63-03048 and 63-07062 according to today's telephone conversation with Mrs. Porter. Both licenses list the old well and must be modified to add the new well to the rights. The enclosed Application for Transfer should be reviewed and signed and returned with a \$50 transfer fee.

By completing the questionnaire for your new application and completing the transfer application for the older rights, your water right interests will be served. Please return the information to me within 30 days. Let me know if you need additional help.

Sincerely,

Steve Lester
Sr. Water Resource Agent

Enclosure: Questionnaire and Transfer Application

NOTICE OF APPLICATION WATER RIGHT

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

63-11741 ✓

PORTER, PAUL
PORTER, FRANCES
4475 C S POWERLINE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NENW Sec 10 T 01N R 02W in CANYON County.
Use: IRRIGATION (2.300 CFS)
Total Diversion: (2.300 CFS)
Date Filed: 5/22/1992
In: CANYON County
T01N R02W S10 SENE NESE NWSE
115.0 ACRES TOTAL

63-11836

BATT, H J
WILDER LAND CO LTD
PO BOX 666
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWNE Sec 15 T 04N 05W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 5/21/1992
In: CANYON County
T04N R05W S11 SWNW NWSW
80.0 ACRES TOTAL

63-11837

TAGGERT, DONALD
10472 BOWMONT RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NWSE Sec 32 T 02N R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 5/21/1992
In: CANYON County
T02N R02W S32 NWSE SWSE
80.0 ACRES TOTAL

63-11842

YOUNG, WELDON
5420 CRAIG LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NENE Sec 12 T 02N R 04W in CANYON County.
Use: IRRIGATION (1.020 CFS)
Total Diversion: (1.020 CFS)
Date Filed: 5/26/1992
In: CANYON County
T02N R04W S12 NENE SENE
51.0 ACRES TOTAL

63-11850

GARMEN, HOUSTON S
PO BOX 127
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: NENE Sec 27 T 04N R 05W in CANYON County.
Use: IRRIGATION (.600 CFS)
Total Diversion: (.600 CFS)
Date Filed: 6/8/1992
In: CANYON County
T04N R05W S27 NENE
30.0 ACRES TOTAL

63-11851

SWARTZ, MICHEL J
8827 SOUTH POWERLINE RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NENE Sec 22 T 02N R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 6/8/1992
In: CANYON County
T02N R02W S22 NENE SENE
80.0 ACRES TOTAL

63-11853

NORRIS, DOUGLAS
18876 KARCHER RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SESW Sec 5 T 03N R 03W in CANYON County.
Use: IRRIGATION (1.480 CFS)
Total Diversion: (1.480 CFS)
Date Filed: 5/28/1992
In: CANYON County
T03N R03W S05 NESW SESW
74.0 ACRES TOTAL

63-11856

GRABER, ANSIL
24771 USTICK RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SESW Sec 36 T 04N R 05W in CANYON County.
Use: IRRIGATION (1.680 CFS)
Total Diversion: (1.680 CFS)
Date Filed: 5/27/1992
In: CANYON County
T03N R05W S01 Lot 3(NENW) Lot 4(NWNW)
S02 SWNE SENE
T04N R05W S36 SESW
84.0 ACRES TOTAL

63-11857

BASSETT, VERA
13971 MIDWAY RD
NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: NENE Sec 25 T 03N R 03W in CANYON County.
Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 5/22/1992
In: CANYON County
T03N R03W S25 NENE
20.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 6, 1992.

R. KEITH HIGGINSON, Director
DEPARTMENT OF WATER RESOURCES
June 17, 24, 1992

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

JUN 26 1992

Department of Water Resources
Western Regional Office

Mary B. Scott

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 17, 24, 1992

Mary B. Scott

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 24th day of June in the year of 1992, before me, a Notary Public, personally appeared Mary B. Scott, 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/she executed the same.

Ganne Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JUNE 10, 1992

Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 6, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

Diversion Pt: NENW Sec 10 T 01N R 02W in CANYON County.

Date Filed: 5/22/1992

115.0 ACRES TOTAL