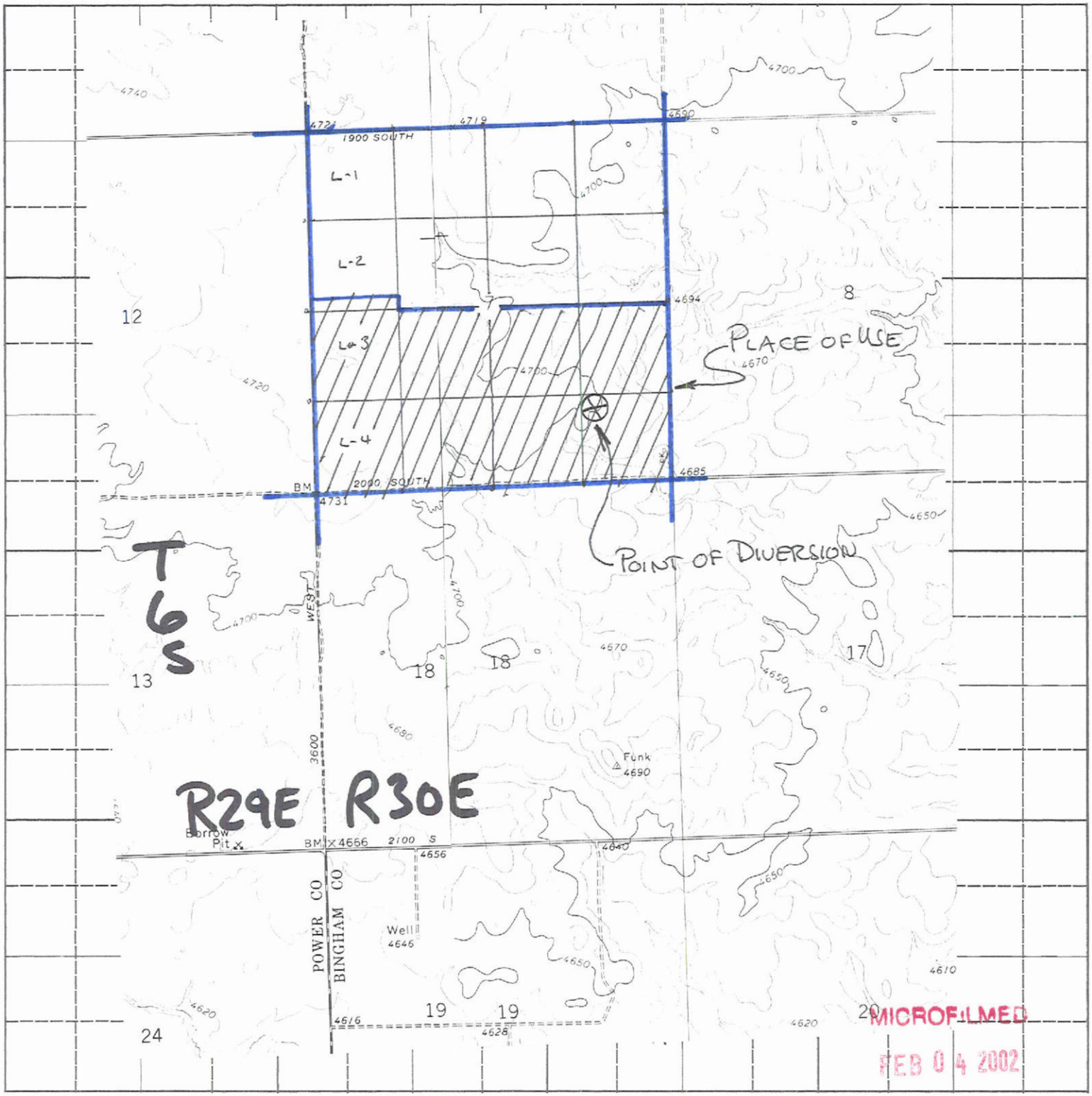
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

(Applicant)

MICROFILMED
FEB 04 2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	35 7953A	RUFF TIMES FARMS,	GROUND WATER	06S30E7									18	38	37	19					112
Right	35 7953A	LA MAR JOHNS,	GROUND WATER	06S30E7									18	38	37	19					112
Rec	35 7759	RUFF TIMES FARMS,	GROUND WATER	06S30E7									20			20					40
Right	35 7759	LA MAR JOHNS,	GROUND WATER	06S30E7									20			20					40
Permit	35 9050	RUFF TIMES FARMS,	GROUND WATER	06S30E7									38	38	37	39	40	40	40	39	311
Right	35 9050	RUFF TIMES FARMS,	GROUND WATER	06S30E7									38	38	37	39	40	40	40	39	311
Rec	35 7505	RUFF TIMES FARMS,	GROUND WATER	06S30E7													40	40	40	39	159
Rec	35 7883	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Rec	35 7953B	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 7505	LA MAR JOHNS,	GROUND WATER	06S30E7													40	40	40	39	159
Right	35 7883	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 7953B	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 8143	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 8747B	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 1/24/01

No. 35-9050 **Name:** Ruffy Zimmer **Corp. Officers** _____ **Ad ok**_____ **Govt Lots**

AREA OF CONCERN: **No/Yes** ESPA **Moratorium** _____ **GWMA** **TRUST/NON-TRUST**

Pre-1987 dev.

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT
- All wells - 046
- ~~Basin 34~~ - 084 (if necessary)
- WMD - North/East/West
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 067
- ~~WMD~~
  - Supp irr (irr = only use) - 065-104
  - Supp irr (+ other uses) - 100-105
  - ≤ 0.24 cfs/5 acres - No MD
  - > 0.24 cfs/5 acres - 01M

SURFACE WATER: (√Flow Chart)
- F&G contacted - Yes/No Response
- In/Above MSF - WB9

PLANNING REVIEW/RESPONSE
- WD - R04 (WD# _____)
  - ≤ 0.20 cfs/others - 01H, 01P or No MD
  - > 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or ~~WD~~
- ≤ 0.24 cfs/5 acres - No MD
- >0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)
- Snake R (01) - W23, N/A
- (02,03) - 007 (w/ remark WB9 if above Weiser)
- Payette R (65) - W23, 047 (Payette Lake)
- Salmon R (70's) - 029 (fish screens)
- Weiser R (67) - 086-087

LOCATION:
- Boise Front LoGeo - 058 (<85 GW)
- Mitigation - 121

- Trust - 051(consumptive uses)
- Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:
- ~~STORAGE~~ - 18C-01H-01P-18B-NA
- IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
- > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
- STOCKWATER - R37 (BLM/FS)-111 (instream stock)
- MINING - 054-106
- HEAT/COOL - R07 (injection well)
- FIRE PROT - 077
- COMMERCIAL/ INDUSTRIAL - 106-R07
- DAIRY - 082-WD8
- POWER - 17H or 17K (+uses)-17G (under FERC) or 17M (not FERC regulated) 025-027-R22-08A

USES:
- MUNICIPAL
  - Restricted area - 022,075
  - Irr., GW supp to SW - 102
  - Future needs - 007,109
- FISH PROP - 029 (70's only)-007-042-106
- DOMESTIC
  - Surface water - WB5 (Big Wood/Boise above Star Bridge)
  - 27A (Payette R)
  - >1 in restricted area - 070-071-075(no parks/common areas)
  - Irr separate or none allowed - WB5
  - GW w/irrigation from SW evident - 065-104
  - Moratorium approvable - W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 6 / 01 / 2002

MISC CONDITIONS/REMARKS:
- Protested - 020-W19
- Development Period >1 yr - 26A
- Ownership - 004
- Non-consumptive - 027
- Water Quality - 106-R07
- Multiple pd's per ¼¼ - W32
- Subd lot desc (pd) - W59
- Subd lot desc (pu) - W60
- Use definitions - W02 example – S/50 range
- Pre-1987 development - 068-074 (allow 120 days for proof due)
- Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map) **IRR VOLUME/ACRE** 4.0

OTHER CONDITIONS/REMARKS _____

COMMENTS WB6 (35-7505, 7759 & 7953)

Place of use reduced by 8 acres in the SWNW to correspond with the transfer splitting 35-7953. S. Keen 1/25/2002

JUNE 1, 1976
Supersedes 1/1/76

CURVE NO. 18–146

LAYNE & BOWLER, INC.
MEMPHIS, TENNESSEE

No. Stages	Eff. Change	MATERIAL	Eff. Change
1	--2	IMP.—C.I.	–1
2	0	IMP.—NI-RI	–2
3		BOWL—BRZ.	–1
4		BOWL—NI-R.	–1

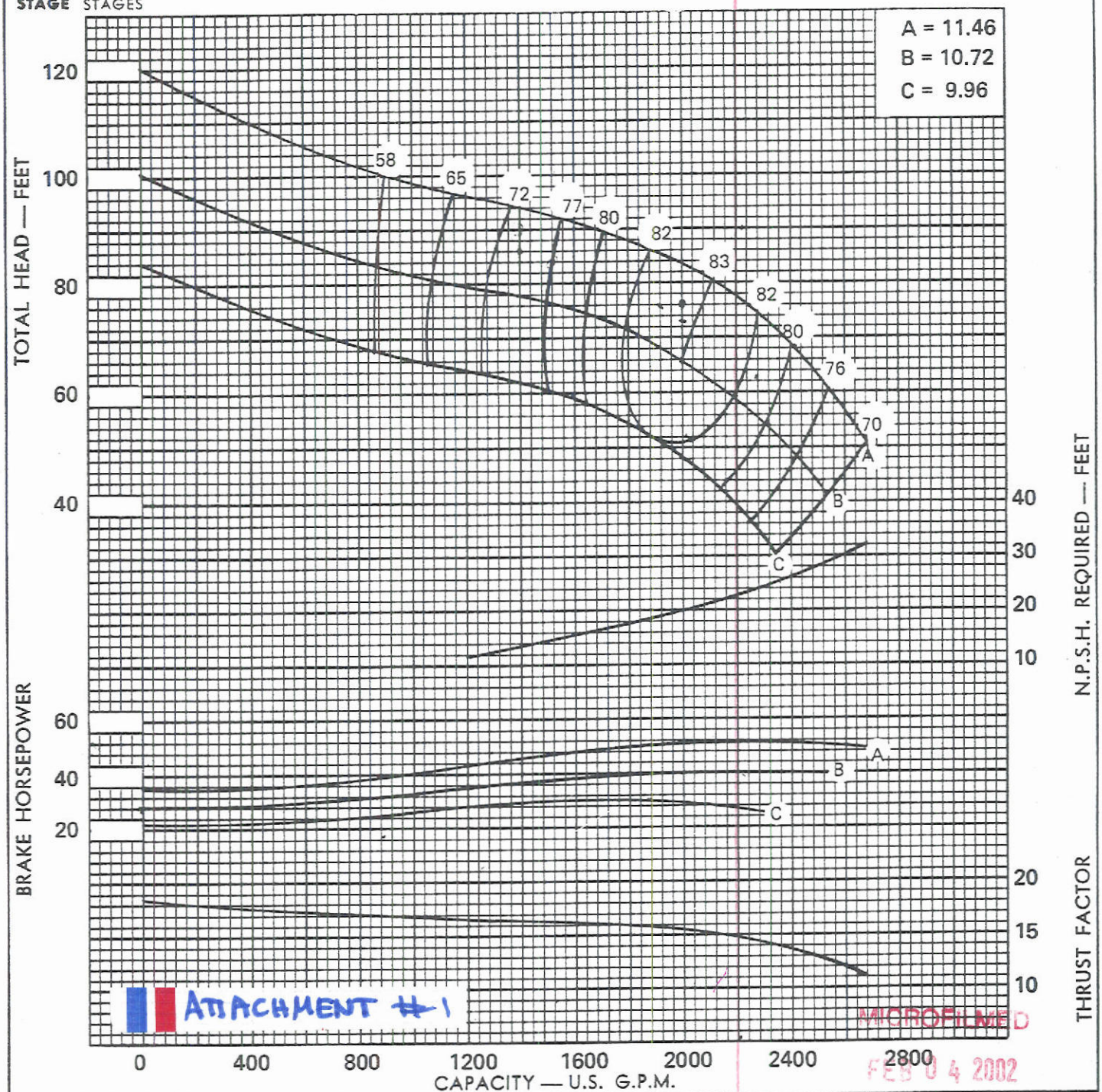
14 TLC 1770 R.P.M.

SINGLE STAGE LAB PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 2 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 2 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

7 stage Full
2200 GPM

T80184

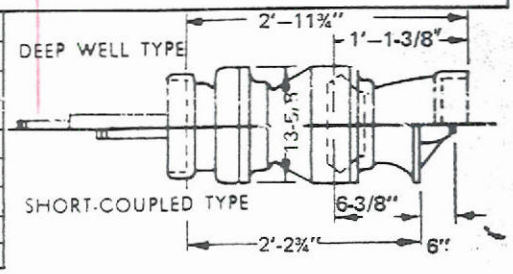
ONE ( )
STAGE STAGES



ATTACHMENT #1

MICROFILMED
FEB 04 2002

EYE AREA — SQ. IN.	=	34.26		IMPELLER WT.-LBS.	= 32.1
WR^2 PER IMPELLER	=	2.72	LB.-FT.^{2}	ONE STAGE WT.-LBS.	= 436
MAX. SPHERE SIZE	=	1.25	in.	ADD'L STAGE WT. LBS.	= 164
MAX. NO. STD. STAGES	=	7		IMPELLER NUMBER	= 113
MAX. OPERATING P.S.I.	=	390		DISCH. SIZES	= 10,12
STD. LATERAL	=	0.78	in.	SUCTION SIZES	= 10
STD. SHAFT DIA.	=	1.937	in.	MAX. LATERAL	= 1.26 in.
MAX. SHAFT DIA.	=	2.187	in.	BOWL CONN.	FLANGED-COLLETS
MIN. SUBMERGENCE	=	36	in.	ADD 13	" PER ADDITIONAL STAGE.



FUNK IRRIGATION

P. O. Box 359 - Phone 266-5049
AMERICAN FALLS, IDAHO 83211

SOLD TO: La Mar Johns
American Falls, Idaho

SHIP TO:

INVOICE DATE	CUSTOMER ORDER NO.	CUSTOMER I.D. NO.	CASH SALE	CHARGE SALE	C.O.D.	MDSE. RET'D.
6/29/81						

SHIP VIA	TERMS	SALESMAN	PAID OUT	ON ACCT.

ORDER	SHIP	DESCRIPTION	UNIT PRICE	AMOUNT
		14 TL 7 Stage Bowl Assy		5000 00
	360'	10" X 3" X 1 15/16" Col. Tube & Shaft		8700 00
	720'	Pulling & Setting; Setup Disconnect		1800 00
		New Headshaft		150 00
		350 HP Motor		10,685 00
	1980'	8" X 12ga CTE	5 18	10,256 40
		10" X 8" Reducer, Tie-in		87 00
		8" Surge Plug		85 00
	33	Risers Valves		924 00
	4	1/4 Mile Wide End Controls	625 00	2500 00
			SALES TAX	
			TOTAL THIS PAGE	
			TOTAL	$12,685 40

RECEIVED BY

1254

Thank You

TERMS: NET 30 DAYS. ACCOUNTS OVER 30 DAYS CONSIDERED PAST DUE AND SUBJECT TO A FINANCE CHARGE of 1½% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE of 18%.

Actual installed system:

ATTACHMENT #2

MICROFILMED
FEB 04 2002

PCC2 5-9-97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

J-7-1

POWER CONSUMPTION COEFFICIENT WORKSHEET

Date of test [redacted]

Person performing test [redacted]

Name: _____

Water Right No: _____

Legal Description: T_____ R_____ Sec._____ _____¼ _____¼ _____¼

Site Tag No: _____

Diversion Name: _____

Current Owner

Name Ruff Times Farms Phone _____
Last, First, MI

Address _____ City _____ State _____ Zip _____

Operator (If leased or operated by someone else)

Name Ruff Times Farms Phone _____
Last, First, MI

Doug + Shannon Ruff

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename R96119D *Offset* 5' South 3' Above Wellhead

IDWR Site Tag Identification No. [redacted]

Site Tag location description: [redacted]

PLS/USGS Locator _____

For Department/District Use Only

Received by _____ *Date* _____

Reviewed by _____ *Date* _____

Data Entry by _____ *Date* _____

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FEB 04 2002

Well Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	LAYNE	Manufacturer	KAWASAKI
Serial Number	45615	Serial Number	227541/1401
Model Number		Rated Horsepower	250
Type		Rated Amps	328
Impeller Diameter		Rated Volts	460
Rated Speed		Rated Speed	1781
Rated Discharge	N/A.	Phase	3
Rated Head		Service Factor	1.15

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	CONNELL	Manufacturer	MARATHON
Serial Number	18936	Serial Number	96636-9/105
Model Number	6HFB	Rated Horsepower	125
Type		Rated Amps	
Impeller Diameter	15 7/32	Rated Volts	
Rated Speed		Rated Speed	1780
Rated Discharge		Phase	
Rated Head		Service Factor	1.15

Power and Water Metering Information

KILOWATT HOUR METER		WATER MEASUREMENT METER and MOUNTING PIPE INFORMATION	
Utility	PP&L	METER INFORMATION	ULTRASONIC
Pole No.	3-24	Manufacturer	PolySonics
Meter Manufacturer	GE	Model Number	
Meter Serial No.	2[illegible]3[illegible]9	Type	TYME FLYTE
Disc Constant(Kh)	4.8	PIPE INFORMATION	ST.
Rated Voltage	480	Pipe material	#
Demand	4.64	Outside Diameter	10.100" +- .114
Multiplier (Mult)	80	Inside Diameter	
CTR (Current) PTR (Voltage)		Distance of straight pipe upstream and down	Upstream /Down 9' - 2'

MICROFILMED
FEB 04 2002

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

KW = 3.6 × Kh × Multiplier × No. of revolutions(N) ÷ Time(T) in seconds per N

Cond.#1 N = 3 (No. of Disc Rev) Time (sec) = (11.40)+(11.46)+(11.36)/3 = ____ Ave

3.6 × ____(Kh) × ____(Mult) × 1 (N) ÷ ____(T) = [redacted] KW

Cond.#2 N = 3 (No. of Disc Rev) Time (sec) = (17.[illegible])+(17.[illegible])+(17.51)/3 = ____ Ave

3.6 × ____(Kh) × ____(Mult) × ____(N) ÷ ____(T) = [redacted] KW

Cond.#3 N = ____ (No. of Disc Rev) Time (sec) = (____)+(____)+(____)/3= ____ Ave

3.6 × ____(Kh) × ____(Mult) × ____(N) ÷ ____(T) = [redacted] KW

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 [redacted] #2 [redacted] #3 [redacted]

PSI Cond. #1 [redacted] #2 [redacted] #3 [redacted]

2 LINEARS W/BOOST 1 LINEAR - W/O BOOSTER

Power Consumption Coefficient (PCC) = KW × 5431 ÷ GPM

PCC Cond. #1 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

PCC Cond. #2 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

PCC Cond. #3 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

Is the system operator required to track and report changes in system operation? Yes / No
(see form PCC3)

Water Level Data

Does the well have access to measure water levels? Yes / No

Static Water Level [redacted] ft Pumping Water Level [redacted] ft (at condition # 1)

Date [redacted] Date [redacted]

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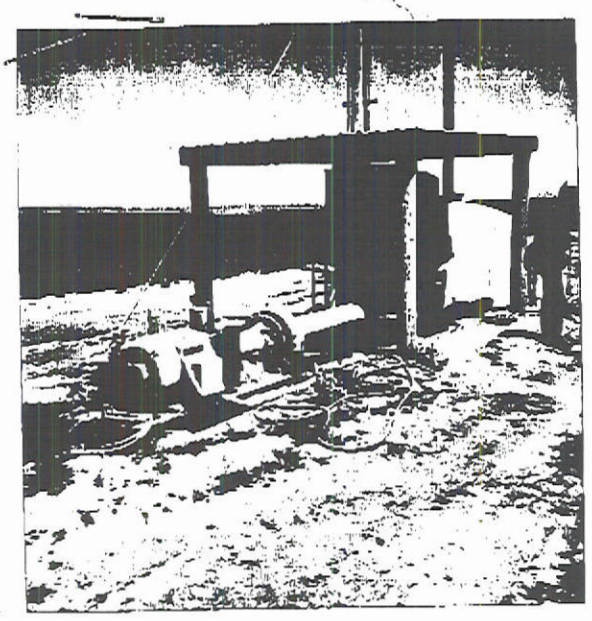
FEB 04 2002



J-7-1

DATA SET MODE
? PRINTER N/

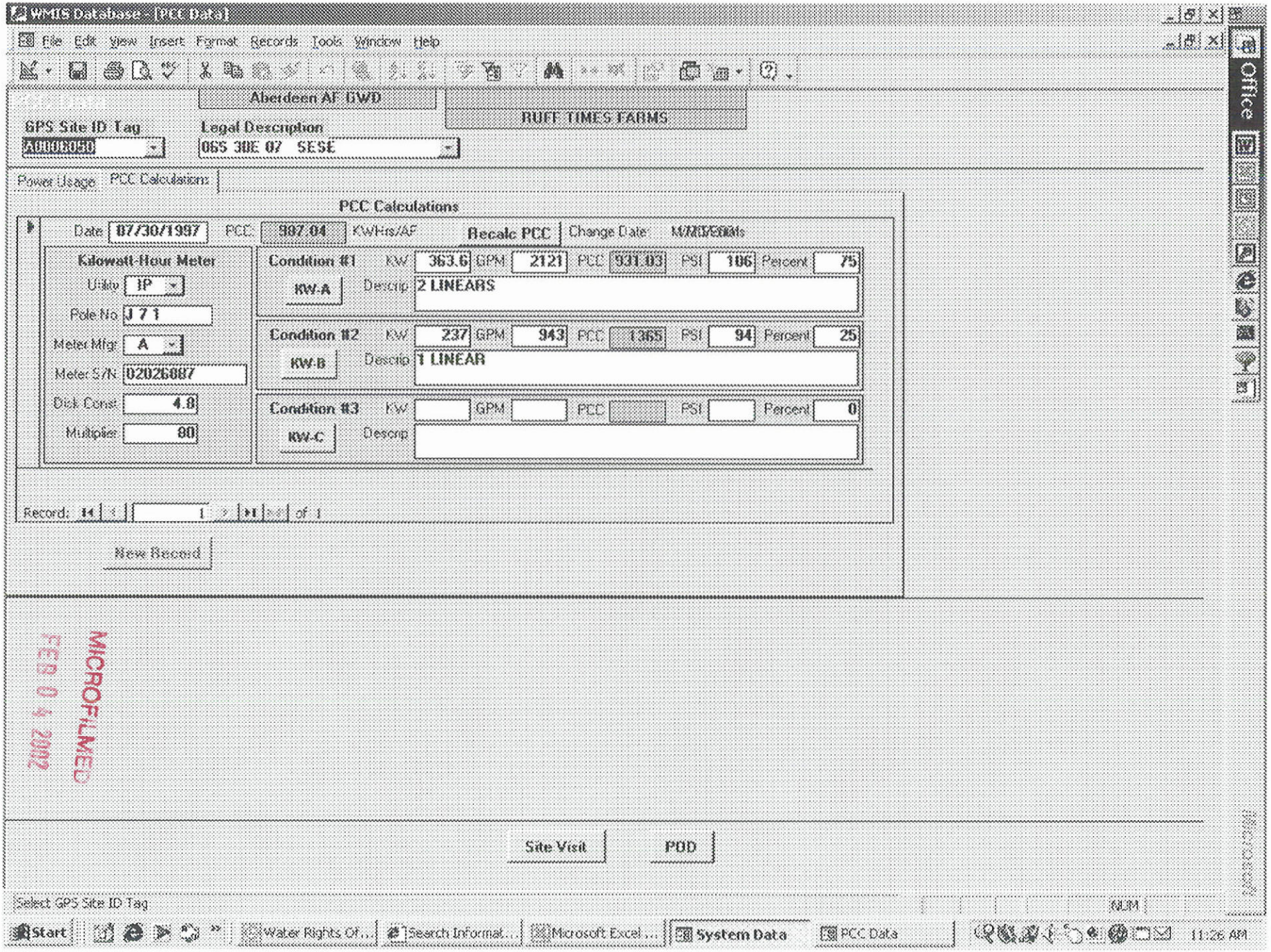
04:22+ 2.126E 3GPM 00R
04:23+ 2.111E 3GPM 00R
04:24+ 2.123E 3GPM 00R
04:25+ 2.124E 3GPM 00R
04:26+ 2.124E 3GPM 00R
04:27+ 2.112E 3GPM 00R
04:28+ 2.117E 3GPM 00R
04:29+ 2.128E 3GPM 00R
04:30+ 2.127E 3GPM 00R
04:31+ 2.122E 3GPM 00R
04:32+ 2.131E 3GPM 00R
04:33+ 2.146E 3GPM 00R
04:34+ 2.115E 3GPM 00R
04:35+ 2.133E 3GPM 00R

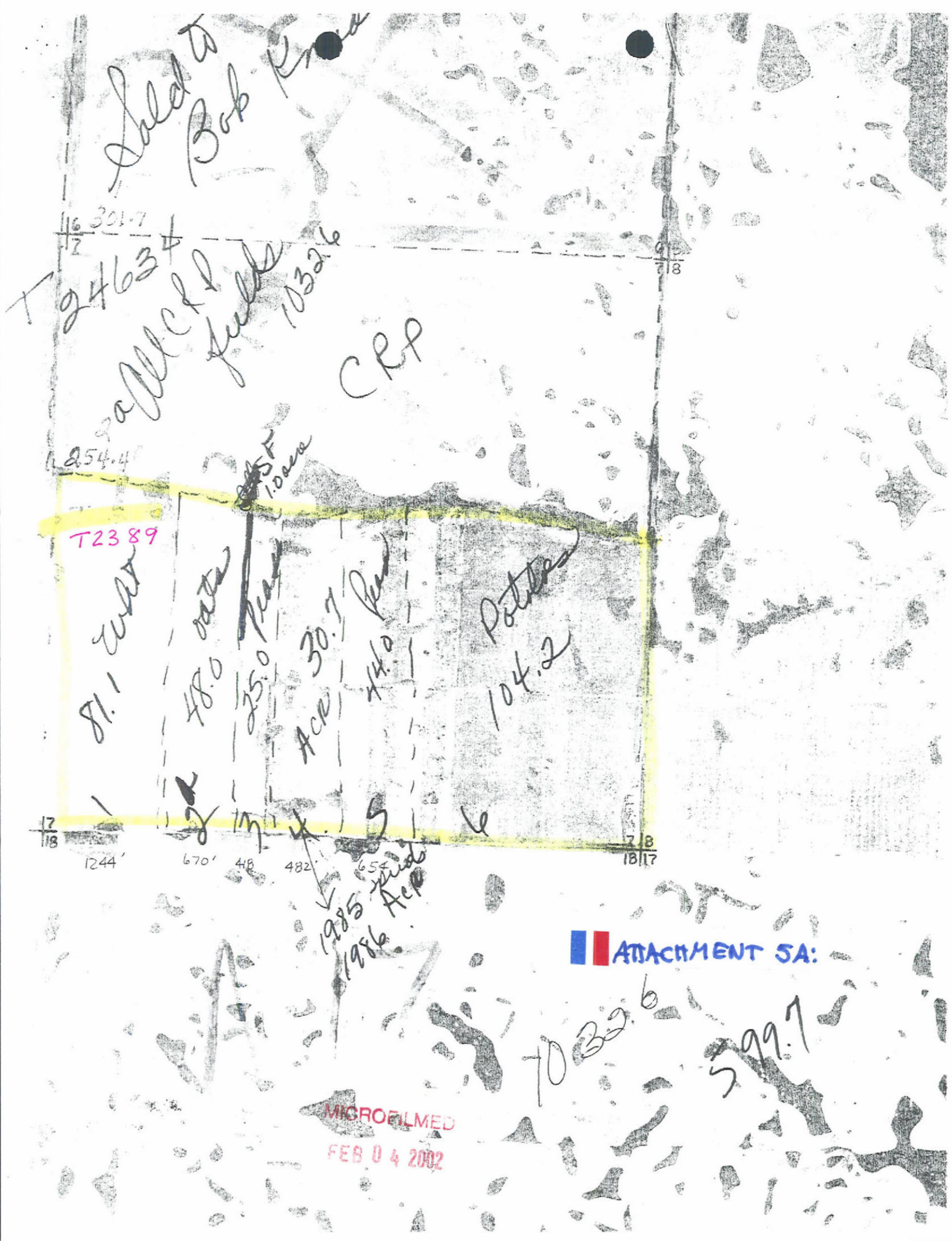
J-7-1

w/o

04:54+958.416E 0GPM 00R
04:55+949.962E 0GPM 00R
04:56+945.471E 0GPM 00R
04:57+943.886E 0GPM 00R
04:58+942.301E 0GPM 00R
04:59+941.509E 0GPM 00R
05:00+943.094E 0GPM 00R
05:01+933.848E 0GPM 00R
05:02+932.263E 0GPM 00R
05:03+946.264E 0GPM 00R

MICROFILMED
FEB 0 4 2002


WMIS Database - [PCC Data]
File Edit View Insert Format Records Tools Window Help
Aberdeen AF GWD
RUFF TIMES FARMS
GPS Site ID Tag
A0000050
Legal Description
06S 30E 07 SESE
Power Usage
PCC Calculations
PCC Calculations
Date 07/30/1997
PCC 907.04
KWHrs/AF
Recalc PCC
Change Date
Kilowatt-Hour Meter
Utility IP
Pole No J 7 1
Meter Mfgr A
Meter S/N 02026087
Disk Const 4.8
Multiplier 80
Condition #1 KW 363.6 GPM 2121 PCC 931.03 PSI 106 Percent 75
KW-A
Descrip 2 LINEARS
Condition #2 KW 237 GPM 943 PCC 1365 PSI 94 Percent 25
KW-B
Descrip 1 LINEAR
Condition #3 KW GPM PCC PSI Percent 0
KW-C
Descrip
Record: 1 of 1
New Record
MICROFILMED
FEB 04 2002
Site Visit
POD
Select GPS Site ID Tag
NUM
Start
Water Rights Of...
Search Informat...
Microsoft Excel ...
System Data
PCC Data
11:26 AM
Office


Sold to Bob Kr
T2463
CRP
T2389
81.1
48.0
35.0
30.7
44.0
104.2
1244'
670'
48
482'
654'
1985 Irrig Acr
1986
ATTACHMENT 5A:
1032.6
599.7
MICROFILMED
FEB 04 2002

FOR ALL YOUR IRRIGATION NEEDS — PUMPS • MAINLINE • ELECTRO ROLL

FUNK IRRIGATION

Phone (208) 397-4400 — Aberdeen, Idaho 83210

Date October 4, 1975

Customer Name Mr. Lamar Johns Quote

Address Aberdeen

QUANTITY	DESCRIPTION	UNIT	PRICE
2640'	8" mainline pipe CTE welded and trenched	3.66	9,662.40
45	40" risers with Wade valves	23.50	1,057.50
1	8" Wye		150.00
1	8" gear operated butterfly valve		240.00
1	8" check valve		92.40
3	8" flanges with bolts nuts and gaskets		99.55
6	Zinc annodes		210.00
2	8" Western female fittings		17.00
2	8" end plugs		35.00
2	8" ringlocks		12.00
2	Field fabricated goosenecks	75.00	150.00
1	Pump hook up		100.00
1	Flow meter 8"		305.00
16	3" X 4" valve opener (western)	33.00	132.00
1	250 H.P. 1320 GPM 75 lbs head 370' 8" col. wired and set		24,150.00
	Recommend 10" column at		1,345.50
		TOTAL	$37,758.35

ORIGINAL SYSTEM
Pers 1981

To ATTACHMENT # 6

MICROFILMED
FEB 04 2002

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09050
RUFF TIMES FARMS
c/o Doug Ruff
3005 W. 2100 S.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: SESE, Sec. 7, T. 06S, R. 30E, in BINGHAM County.
Use: IRRIGATION (5.000 CFS)
Total Diversion: (5.000 CFS)
Date Filed: 5/18/1995
In: BINGHAM County
T06S, R30E, S07, SWNW, NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE.
319.0 ACRES TOTAL
This application is for additional water developed prior to November 1987.
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a $25.00 filing fee, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, on or before April 3, 2000.

KARL J. DREHER
Director

(4538)
Pub.: 3/16, 23

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive weeks the first publication having been made on the 16th day of March 2000, and the last publication having been made on the 23rd day of March 2000; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 23rd day of March, in the year of 2000, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....$5.00

MICROFILMED
FEB 0 4 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 35-09050

Priority: May 18,1995 Maximum Diversion Rate: 0.64 CFS

It is hereby certified that RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1995; and has submitted Proof of Beneficial Use on April 19, 2002. An examination indicates that the works have a diversion capacity of 5.66 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	0.64 CFS

LOCATION OF POINT OF DIVERSION:
GROUND WATER NW¼SE¼SE¼ Sec. 7, Twp 06S, Rge 30E, B.M., BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	30E	7									38.0	38.0	37.0	39.0	40.0	40.0	40.0	39.0	311.0
												L 3	L 4						

Total Acres: 311

CONDITIONS OF APPROVAL

1. Rights 35-07505, 35-07759 and 35-07953A are also diverted through the point of diversion described above.
2. Rights 35-07505, 35-07759, 35-07953A and 35-09050 when combined shall not exceed a total annual maximum diversion volume of 1244.0 af at the field headgate, and the irrigation of 311 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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

Signed and sealed this 13TH day of JUNE, 2002.

Acting for KARL J. DREHER
Director

MICROFILMED
JUL 10 2002

Form No. 217
5/00

FOR OFFICE USE ONLY
Amt. of Fee $: 100.00
Receipt No. C061513
Receipt By: DM
Date Receipted: 4-19-02

RECEIVED
APR 19 2002
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

*The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, **or** be accompanied by a completed field examination report prepared by a certified water right examiner.*

1. Permit No. 35-9050 Telephone No. (208) 397-4660
2. Name of Permit Holder(s): RUFF TIMES FARMS
3. Mailing Address: 3005 W 2100 S

   City ABERDEEN State ID Zip 83210
4. Source of Water: GROUNDWATER If **GROUNDWATER** (well), Date Drilled: mo. 8 / yr. 1975

   Well Driller: PAUL VOLLMER & SON Drilling Permit Number: 35-7505
5. Use(s) (as authorized by the water right permit):

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

   Irrigation (No. of acres): 319 Other: * 4.25 CFS COMBINED WITH RIGHTS 35-7505 35-7759 35-7953
6. Total rate of diversion and/or volume for which proof is submitted: * .64 cfs **OR** _____ acre-feet
7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
   (*This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)*

   Measuring Device: Is a measuring device required? Yes ____ **or** No X
   Has the measuring device been installed? Yes ____ **or** No X
8. Fee Enclosed: $ 100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.

   Name: DOUG RUFF Telephone Number: (208) 397-4660 or (208) 243-4661

   Address: 3005 W 2100 S ABERDEEN, ID 83210
10. ***The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.***

Signature of permit holder: [signature] PARTNER Date: 4-15-02
(include your title, if on behalf of company of organization)

MICROFILMED
JUL 10 2002

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 35-09050

Priority: 05/18/1995 Maximum Diversion Rate: 0.64 CFS

This is to certify, that RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 10/31	0.64 CFS

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SE¼SE¼ Sec. 7, Twp 06S, Rge 30E, B.M. BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	30E	7									38.0	38.0	37.0	39.0	40.0	40.0	40.0	39.0	311.0

Total Acres: 311

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2002.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. This right does not authorize the irrigation of land not previously irrigated.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Rights 35-7505, 35-7759 and 35-7953A are also diverted through the point of diversion described above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of January, 2002

MICROFILMED
FEB 04 2002

for KARL J DREHER, Director

Form 202
10/92

Ident. No. 35-9050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
JAN 22 2002
Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Ruff TIMES Farms % Doug Ruff Phone 397-4660

   Post office address 3005 W 2100 S ABERDEEN ID 83210

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

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

   Sec. 7 Township 6 S Range 30 E. B.M. BINGHAM County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 5.00 (cfs ~~or acre-feet per annum~~) for IRRIGATION purposes from APRIL 1 to NOV. 1 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 5.00 cfs (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. GROUNDWATER IS DIVERTED BY A (ELECTRIC) 350 HP YASKAWA MOTOR AND A VERTI-LINE 14 TL 7 STAGE BOWL TURBINE PUMP, ACREAGE (ALL 11/64 NOZZELS) IS IRRIGATED BY 12-1/4 MILE WHEELINES WITH 1 LINE AN ADDITIONAL 400' LONG.

   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 20" inches; proposed depth of well is 375 feet.

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

   e. If well is already drilled, when? _____; Drilling firm VOLLMER WELL DRILLING;

   Well was drilled for *(well owner)* LAMAR JOHNS

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

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

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

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

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	30E	7							8		38	38	37	39	40	40	40	39	319

Total number of acres to be irrigated 319

10. Describe any other water rights used for the same purposes as described above. #35-7505, #35-7759, #35-7953

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

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

    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Applicant purchasing property from Lamar Johns. Close of sale should be by the end of May 95.

12. Remarks: This application is for additional water developed prior to Nov 1987. I feel that actual amount of water developed prior to field exam on 7-14-1981 WAS 2200 gpm instead of 1620 gpm found for 35-7505, 35-7759, 35-7953 See attached page for reasons.

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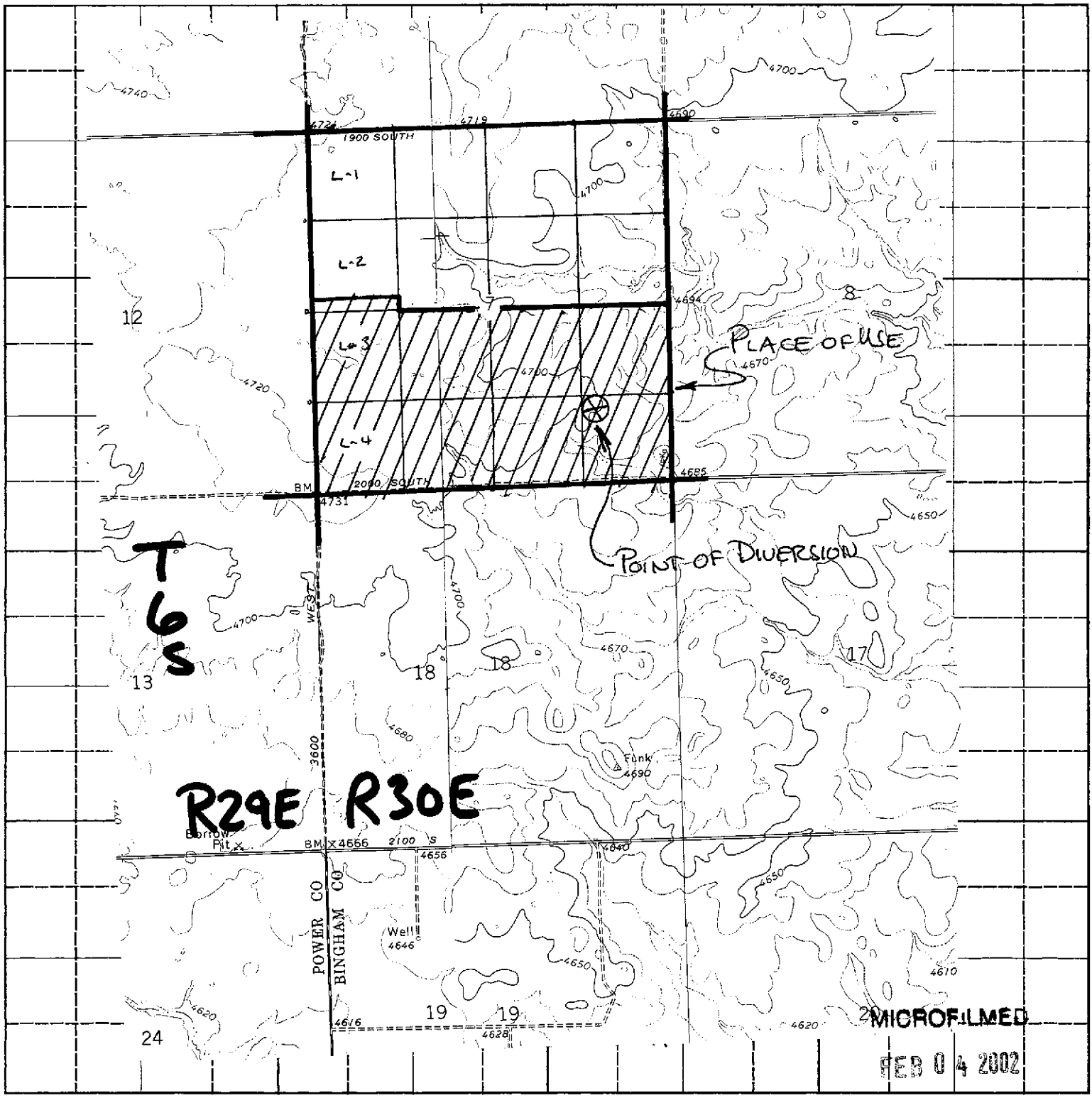
FEB 04 2002

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



Scale: 2 inches equal 1 mile.

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.

(Applicant)

Assisted By

Received by KCW Date 5-18-1995 Time 1801 hrs Preliminary check by _____

Fee $ 180 ^{00} Receipted by KCW # E021045 Date 5-18-1995

Publication prepared by SC Date 3-16 & 3-23-2000 Published in Morning News

Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

   e. Other:

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FEB 0 4 2002

3-17905-T

Warranty Deed

434564

For Value Received

LAMAR JOHNS AND ANITA L. JOHNS, HUSBAND AND WIFE.

RECEIVED
NOV 16 1995
Department of Water Resources
Eastern District Office

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

RUFF TIMES FARMS, A PARTNERSHIP,

whose current address is

3005 WEST 2100 SOUTH, ABERDEEN, IDAHO 83210

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

TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO
SECTION 7: N½; S½

TOWNSHIP 5 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO
SECTION 28: SW¼
SECTION 29: E½; NW¼; S½SW¼
SECTION 31: E½

SUBJECT TO:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

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're 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: May 4, 1995

LaMar Johns
LAMAR JOHNS

Anita L Johns
ANITA L. JOHNS

MICROFILMED
FEB 04 2002

Furnished

3005 WEST 2100 SOUTH, ABERDEEN, IDAHO 83210

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

TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO
SECTION 7: N½; S½

TOWNSHIP 5 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO
SECTION 28: SW¼
SECTION 29: E½; NW¼; S½SW¼
SECTION 31: E½

SUBJECT TO:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

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're 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: May 4, 1995

LAMAR JOHNS

ANITA L. JOHNS

STATE OF IDAHO, COUNTY OF BANNOCK

On this 4th day of MAY, 1995, before me, a notary public in and for said State, personally appeared LAMAR JOHNS and ANITA L. JOHNS

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

Ruth M. Rubel

Notary Public

Residing at POCATELLO, Idaho

Comm. Expires 04/01/99

RUTH M. RUBEL NOTARY PUBLIC STATE OF IDAHO

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6.00 DEP
'95 MAY 8 AM 11 54
RECORDED AT THE REQUEST OF
American Land Title Co

MICROFILMED

FEB 04 2002

NOTICE OF REAL ESTATE CONTRACT

PLEASE TAKE NOTICE that LaMar Johns and Anita L. Johns, husband and wife, as Sellers and Ruff Times Farms, a partnership, as Buyer, entered into a contract for the sale/purchase of real property located in Bingham County, Idaho, more particularly described as follows:

Township 6 South, Range 30 East, Boise Meridian, Bingham County, Idaho

Section 7: N 1/2; S 1/2

Township 3 South, Range 30 East, Boise Meridian, Bingham County, Idaho

Section 28: SW 1/4

Section 29: E 1/2; NW 1/4; S 1/2 SW 1/4

Section 31: E 1/2

A copy of said agreement and addendum thereto, dated April 7, 1995, and May 5, 1995, respectively, are held by American Land Title Co., Pocatello, Idaho, as escrow agent.

Dated this 5th day of May, 1995.

M. Brent Morgan
Attorney for Seller
1106 E. Center
PO Box 4189
Pocatello, ID 83205
(208) 232-7800

MICROFILMED
FEB 04 2002

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 17, 2002

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: License No. 35-9050 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-9050

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

Kari Lynn Townsend
Secretary

MICROFILMED
JUL 10 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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JUL 10 2002

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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JUL 10 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-9050 Date: 6-13-02 Reviewer: Kay Walker

	Change/OK
Name/Address	ok
Source	ok
Point of Diversion:	ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

meas. capacity = ~~5.66~~ 5.66

Place of Use ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 35-7505, 35-7759, 35-7953A
File reviewed____ Profile reports printed ✓

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

Rate of Diversion:

Permitted rate 0.64 cfs
Fee Limit 1.8 cfs
Measured 5.66 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.64

Water Uses ok Change (P46)

Season of Use per new Standards
~~4-1~~ 4-1 10-31

Irrigation	0.64 cfs	* af
Stockwater	____ cfs	____ af
Domestic	____ cfs	____ af
____	____ cfs	____ af
____	____ cfs	____ af
Total	0.64 cfs	* af

Irrigation - overlap(R58-R61, **R62-R65, R66-R69)**
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette – (W22/047/27A)
Stockwater for US (R37)

Volume Determination See p/d overlap review
____ cfs x 1.9835 x ____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions
____ Watermaster Control
____ GW Measurement/Measuring Device
____ Other
Trust R55 – remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? ~~yes~~ ✓ no If yes, explain why below.

SRBA Claim? NO-

Adjust memo NO-

Amend Letters _____ **P87, S06** **Second Amendment Notice** _____ **S06**

P/D overlap review 6/13/02

Basin	Sequence	Split	Rate	Owner List	Version	Source Table
35	7505		3.00	RUFF TIMES FARMS (Current)	2	wrAdjudicationRecommendation
35	7505		3.00	JOHNS, LA MAR (Current)		wrWaterRight
35	7759		0.80	RUFF TIMES FARMS (Current)	2	wrAdjudicationRecommendation
35	7759		0.80	JOHNS, LA MAR (Current)		wrWaterRight
35	7953	A	2.31	RUFF TIMES FARMS (Current)	1	wrAdjudicationRecommendation
35	7953	A	2.31	JOHNS, LA MAR (Current)		wrWaterRight
35	9050		0.64	RUFF TIMES FARMS (Current)		wrWaterRight
35	9050		0.64	RUFF TIMES FARMS (Current)		wrWaterPermit

311 ac @ 0.02 = 6.22
→ Limited to 3.61 cfs when combined per decrees
2.61 → allow permitted amount of 0.64 cfs

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JUL 10 2002

311 ac × 4.0 = 1244.0 AF

4.25 × 1.9835 × 214 = 1803.99

AAG POD Data 06S 30E 07 SESE

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
06S 30E 07 SESE	A0006050	J 7 1		600369
Latitude 042:54:36.960	Longitude -112:59:35.200	GPS File	PCC (2)	

PCC Data

Year	Total KWH	PCC Acre-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Service Number
1997	431040.00	436.7	3	987.1	07/30/1997	IP	07710047431	
Comments:		Tracking:		Preferred: ☐	Validated: ☐	Change Date:		
1998	415600.00	421	3	987.1	07/30/1997	IP	07710047431	
Comments:		Tracking:		Preferred: ☐	Validated: ☐	Change Date:		
1999	377840.00	382.8	3	987.1	07/30/1997	IP	07710047431	
Comments:		Tracking:		Preferred: ☒	Validated: ☒	Change Date:		
2000	546160.00	553.3	3	987.1	07/30/1997	IP	07710047431	
Comments:		Tracking:		Preferred: ☐	Validated: ☐	Change Date:		

PCC Calibration

Date 07/30/1997 PCC: 987.04 Change Date: 11/20/2001

Kilowatt-Hour Meter

Utility: IP
Pole No: J 7 1
Meter Mfgr: A
Meter S/N: 02026887
Disk Const: 4.8
Multiplier: 80

	KW	GPM	PCC	PSI	Percent	Descrip
Condition #1	363.6	2121	931.03	106	75	2 LINEARS
Condition #2	237	943	1364.95	94	25	1 LINEAR
Condition #3					0	

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JUL 10 2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	35 7953A	LA MAR JOHNS,	GROUND WATER	06S30E7									18	38	37	19					112
Right	35 7759	LA MAR JOHNS,	GROUND WATER	06S30E7									20			20					40
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	40	40	40	40	311
Right	35 8050	RUFF TIMES FARMS,	GROUND WATER	06S30E7									38	38	37	39	40	40	40	39	311
Right	35 7505	LA MAR JOHNS,	GROUND WATER	06S30E7													40	40	40	39	159
Right	35 7883	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 7953B	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 8143	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300
Right	35 8747B	RUFF TIMES FARMS,	GROUND WATER	06S30E7	38	37	37	38	38	37	37	38									300

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

In Re SRBA	)	PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR
Case No. 39576	)	Water Right 35-07505

2002 JUN 10 PM 3:13
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 1200 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
636.00 AFY

THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 3.52 CFS.
OTHER RIGHTS: 35-07759 AND ~~35-07953A~~

PRIORITY DATE: 05/06/1975

POINT OF DIVERSION: T06S R30E S07 NWSESE Within Bingham County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	3.00 CFS 636.00 AFY

PLACE OF USE: Irrigation

T06S R30E S07	NESE 40.0	Within Bingham County
	SWSE 40.0	NWSE 40.0
		SESE 39.0

159.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
JUN 10 2002

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

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 35-07953A

2002 JUN 10 PM 3:14

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 1200 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 2.31 CFS
416.00 AFY

THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 3.52 CFS.
OTHER RIGHT NOS.: 35-07505 AND ~~35-07759~~.

PRIORITY DATE: 02/23/1981

POINT OF DIVERSION: T06S R30E S07 NWSESE Within Bingham County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	2.31 CFS 416.00 AFY

PLACE OF USE: Irrigation Within Bingham County
T06S R30E S07 NESW 18.0 LOT 03 (NWSW) 38.0
LOT 04 (SWSW) 37.0 SESW 19.0
112.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
JUN 10 2002

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

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 35-07759

2002 JUN 10 PM 3:13
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 1200 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 0.80 CFS
160.00 AFY

per license

THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 3.61 CFS.
OTHER RIGHT NOS.: 35-07505 AND 35-07953.

PRIORITY DATE: 12/05/1977

POINT OF DIVERSION: T06S R30E S07 NWSESE Within Bingham County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	0.80 CFS 160.00 AFY

PLACE OF USE: Irrigation Within Bingham County
T06S R30E S07 NESW 20.0 SESW 20.0
40.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
JUL 10 2002

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 13 2002
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35- 09050

1. Owner: Ruff Times Farms Phone No. _____

Current Address: c/o DOUG RUFF 3005(W) 2100S Aberdeen

2. Accompanied by: NONE (office review) EXAM DATE: 3/7/2002

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: (GW) tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-7505, 35-7759, 35-7953A

2. Other water rights with the same point of diversion: 35-7505, 35-7759, 35-7953A

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	SE	7	6S	30E	Bingham	FE/

2. Place(s) of Use: Indicate Method of Determination Adj Review

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	30E	7									38	38	37	39	40	40	40	39	311
												L3	L4						

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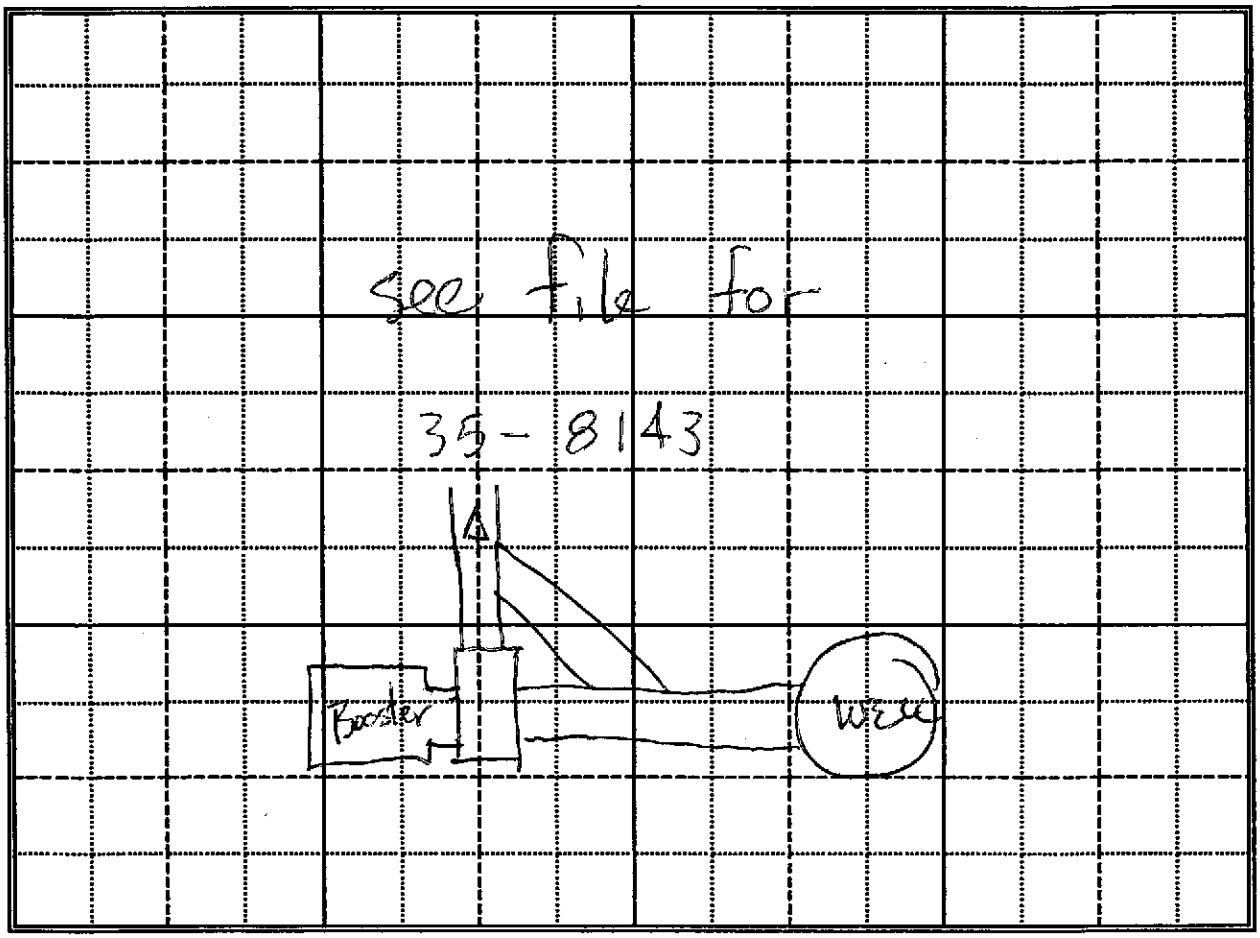
JUL 10 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL	YASKAWA	700	0075414101		45615
BOOSTER	Marathon	125	96636-9	Cornell	18938

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SONIC METEK						

2. **Measurements:** Keith Wilson sonic meter in 1997

Q = 5.66 CFS for 35-8143

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JUL 10 2002

E. NARRATIVE/REMARKS/COMMENTS

the field exam for 35-8143 shows the capacity at 5.66cfs.

POU is same as 35-7505, 35-7759, 35-7953A

35-8143 was transfered away.

This permit was for additional CFS no acres

35-7505-7759-7953A for 311 acres 3.52cfs

Have conditions of permit approval been met? X yes ___ no

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JUL 10 2002

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SONIC METER = 5.66 CFS

MAX CFS = 0.64 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 311 x 4 = 1244

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 0.64 (1.9835) (214) = 272 AF/A

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 272 AF/A

2. Volume Calculations for Other Uses: (3.52 cfs from As 35-07759, -07953A & -7505 plus 0.64 CFS = 4.16 CFS flat)

COMBINED USE = 4.16 CFS 311 AC 1244 AF/A
WITH OTHER WATER RIGHTS

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	4/01	10/31	0.64 CFS	272 AF/A
		Totals:	0.64 CFS	272 AF/A

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above _X_ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Dave Carlson Date 5/8/2002

Reviewer _____ Date _____

SEAL
MICROFILMED
JUL 10 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 35-08143

Priority: May 18, 1983 — **Maximum Diversion Rate:** 0.32 CFS; **Maximum Diversion Volume:** 64.0 AF

This is to certify, that RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1983; and has submitted Proof of Beneficial Use on May 4, 1990. An examination indicates that the works have a diversion capacity of 5.660 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.32 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 7, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
06S	30E	7	SWNE	6	SENE	4	SENW	6	16

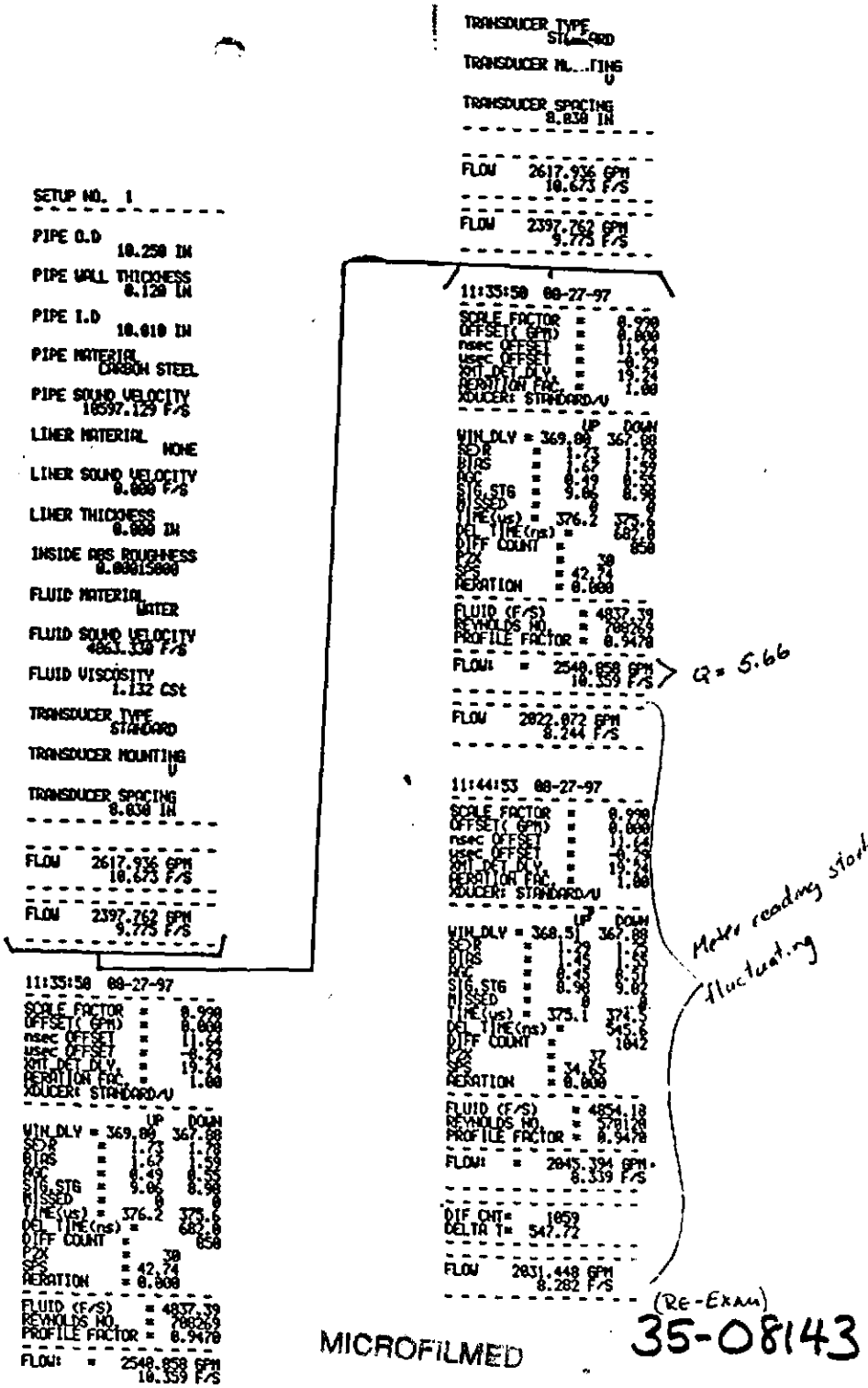
Total number of acres irrigated: 16

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

same well as 35-9050

MICROFILMED
JUL 18 2002



SETUP NO. 1

PIPE O.D
10.250 IN

PIPE WALL THICKNESS
0.120 IN

PIPE I.D
10.010 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 F/S

LINER MATERIAL
NONE

LINER SOUND VELOCITY
0.000 F/S

LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.00015000

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 F/S

FLUID VISCOSITY
1.132 CSt

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
U

TRANSDUCER SPACING
8.830 IN

FLOW 2617.936 GPM
10.673 F/S

FLOW 2397.762 GPM
9.775 F/S

11:35:50 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 19.24
AERATION FAC = 1.00
XDUCER: STANDARD/U

	UP	DOWN
WIN DLY =	369.00	367.88
SCOR =	1.73	1.78
DIRS =	1.67	1.52
AGC =	0.49	0.55
STG STG =	9.06	8.98
MISSED =	0	0
TIME(us) =	376.2	373.6
DEL TIME(ns) =		682.6
DIFF COUNT =		850
PZX =	30	
SOS =	42.74	
AERATION =	0.000	

FLUID (F/S) = 4837.39
REYNOLDS NO. = 708269
PROFILE FACTOR = 0.9478

FLOW: = 2548.858 GPM
10.359 F/S

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
U

TRANSDUCER SPACING
8.830 IN

FLOW 2617.936 GPM
10.673 F/S

FLOW 2397.762 GPM
9.775 F/S

11:35:50 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 19.24
AERATION FAC = 1.00
XDUCER: STANDARD/U

	UP	DOWN
WIN DLY =	369.00	367.88
SCOR =	1.73	1.78
DIRS =	1.67	1.52
AGC =	0.49	0.55
STG STG =	9.06	8.98
MISSED =	0	0
TIME(us) =	376.2	373.6
DEL TIME(ns) =		682.6
DIFF COUNT =		850
PZX =	30	
SOS =	42.74	
AERATION =	0.000	

FLUID (F/S) = 4837.39
REYNOLDS NO. = 708269
PROFILE FACTOR = 0.9478

FLOW: = 2548.858 GPM
10.359 F/S

Q = 5.66

FLOW 2822.872 GPM
8.244 F/S

11:44:53 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 19.24
AERATION FAC = 1.00
XDUCER: STANDARD/U

	UP	DOWN
WIN DLY =	368.50	367.88
SCOR =	1.72	1.78
DIRS =	1.45	1.65
AGC =	0.45	0.51
STG STG =	8.96	9.02
MISSED =	0	0
TIME(us) =	375.1	374.5
DEL TIME(ns) =		545.5
DIFF COUNT =		1042
PZX =	37	
SOS =	34.65	
AERATION =	0.000	

FLUID (F/S) = 4854.18
REYNOLDS NO. = 578128
PROFILE FACTOR = 0.9478

FLOW: = 2045.394 GPM
8.339 F/S

DIF CNT= 1059
DELTA T= 547.72

FLOW 2831.448 GPM
8.282 F/S

Meter reading started fluctuating

(Re-Exam)

35-08143

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1 0 2002

Same WELL AS 35-9050

E. NARRATIVE/REMARKS/COMMENTS

Well pump booste manline to one 8 tower linear & one 9 Twr. Linear and 22 sprinkler wheel line (5 gpm nozzles)

8 tower linear rated @ 1100 gpm

9 tower linear rate @ 1200 gpm

Meter reading stable fluctuating Recommend using Q = 2500 gpm = 5.66 cfs as Total System Capacity

Have conditions of permit approval been met? ✓ yes ___ no

Same well as 35-9050

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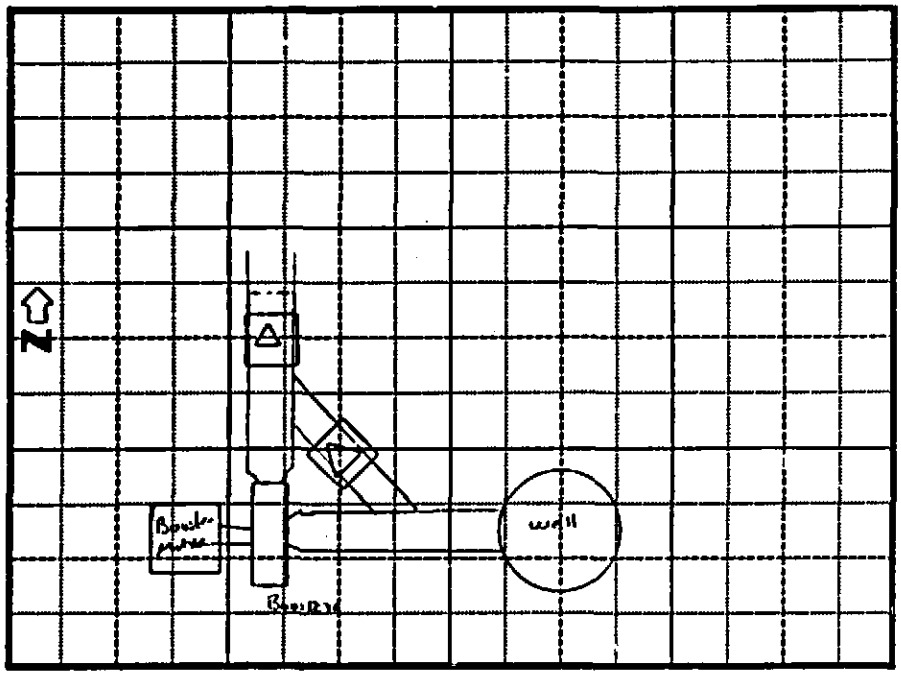
JUL 10 2002

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Booster P = _____.

___ Copy of USGS Quadrangle Attached Showing location(s) of source(s) of diversion and place(s) of use (required). ___ Aerial Photo Attached (required for irrigation of 10+ acres) ___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	YASKAWA	300	0675414101	SINGER WATER-FLOW	# 45615
Booster	MARATHON	125	96636-9105	CORNELL	#18938

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model N...	Serial No.	Size	Calib. Date
Ultrasonic Meter		PEEK	ISTT-P	26863		

2. Measurements: Manifold well 0.180" Thick 10.25" od Q = 2540.8 gpm = 5.66 cfs
40 psi between Flow Booster Dynamic Pump Depth = 321 ft

same well as 35-905

MICROFILMED
OCT 10 2002

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2002

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-09050

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Upon my review of your proof of beneficial use I find that a measuring device is required for this water right according to the Conditions of Approval on your permit. According to paragraph 3 of the Conditions of Approval it states that; "The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code." I recommend that these conditions be completed prior to the field examination in order to avoid delay of the examination and licensing of this right. If you have complied with this requirement, please disregarding my recommendation.

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

MICROFILMED
JUL 10 2002

If you have any questions regarding this letter or the proof, you can contact me at (208) 327-7953. If you have questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JUL 10 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 35-9050 Reviewed By: dgibson Date: April 22, 2002

	Yes	No		Yes	No
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	C061513		Well driller's report filed?	X	
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		04/19/2002
Date proof due	-	06/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/18/1995
New priority date	=	05/18/1995

Deficiencies of Actions Items

Acknowledge proof. State that according to the Conditions of Approval the permit requires the right holder measure and annually report diversions of water.

March 31, 2002

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN, ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 35-9050

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

CERTIFIED MAIL
7099 3220 0005
NO. 5178 4639

MICROFILMED
JUL 10 2002

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 25, 2002

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Permit No. 35-9050

Permit Approval Notice

Dear Permit Holder:

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

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

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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

Please note that one of the conditions of approval on your permit requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the Department. The Department will shortly send you further information about measuring devices, flow estimation using power records, and annual reporting forms. If you have questions about the measuring and reporting requirements, please call the Department at (208) 327-7900 and ask for someone in the Water Distribution Section.

MICROFILMED
FEB 04 2002

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

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

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
FEB 0 4 2002

CERTIFICATE OF MAILING

I hereby certify that on January 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 35-9050

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

Kari Lynn Townsend
Secretary

MICROFILMED
FEB 0 4 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the *final order* becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 1/23/01

No. 35-9050 **Name:** Ruby Jones **Corp. Officers** _____ **Ad ok**_____ **Govt Lots**

AREA OF CONCERN: **No/Yes** ESPA **Moratorium** _____ **GWMA** **TRUST/NON-TRUST**

Pre-1987 dev.

GROUNDWATER: (√Flow Chart)
- DRILLING PERMIT.
- All wells - 046
- Basin 34 - 084 (if necessary)
- WMD - North/East/West
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 01G
- WMD
- Supp irr (irr = only use) - 065-104
- Supp irr (+ other uses) - 100-105
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 01M

SURFACE WATER: (√Flow Chart)
- F&G contacted - Yes/No Response
- In/Above MSF - WB9
- PLANNING REVIEW/RESPONSE
- WD - R04 (WD# _____)
- ≤ 0.20 cfs/others - 01H, 01P or No MD
- > 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD
- ≤ 0.24 cfs/5 acres - No MD
- >0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)
- Snake R (01) - W23, N/A
- (02,03) - 007 (w/ remark WB9 if above Weiser)
- Payette R (65) - W23, 047 (Payette Lake)
- Salmon R (70's) - 029 (fish screens)
- Weiser R (67) - 086-087

LOCATION:
- Boise Front LoGeo - 058 (<85 GW)
- Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:
- STORAGE - 18C-01H-01P-18B-NA
- IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
- > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
- STOCKWATER - R37 (BLM/FS)-111 (instream stock)
- MINING - 054-106
- HEAT/COOL - R07 (injection well)
- FIRE PROT - 077
- COMMERCIAL/ INDUSTRIAL - 106-R07
- DAIRY - 082-WD8
- POWER - 17H or 17K (+uses)-17G (under FERC) or 17M (not FERC regulated) 025-027-R22-08A

USES:
- MUNICIPAL
- Restricted area - 022,075
- Irr., GW supp to SW - 102
- Future needs - 007,109
- FISH PROP - 029 (70's only)-007-042-106
- DOMESTIC
- Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
- >1 in restricted area - 070-071-075(no parks/common areas)
- Irr separate or none allowed - WB5
- GW w/irrigation from SW evident - 065-104
- Moratorium approvable - W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 6/01/2002

MISC CONDITIONS/REMARKS:
- Protested - 020-W19
- Development Period
- >1 yr - 26A
- Ownership - 004
- Non-consumptive - 027
- Water Quality - 106-R07
- Multiple pd's per ¼¼ - W32
- Subd lot desc (pd) - W59
- Subd lot desc (pu) - W60
- Use definitions - W02 example – S/50 range
- Pre-1987 development - 068-071 (allow 120 days for proof due)
- Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map) **IRR VOLUME/ACRE** 4.0

OTHER CONDITIONS/REMARKS Place of use reduced by 8 acres in the SWNW to correspond with the transfer splitting 35-7953. (S. Keen 1/25/2002

COMMENTS WB6 (35-7505, 7759 & 7953)

Keen, Shelley

From: McHugh, Candice
Sent: Friday, January 18, 2002 8:33 AM
To: Keen, Shelley
Subject: FW: Ruff times farms

To: File
From: Candice M. McHugh
Re: Ruff Times Farms, Permit Request 35-9050
Date: 1/18/02

On January 10, 2002, a scheduling conference was held concerning SRBA Subcase No. 35-7505. Amy Chestnut, attorney for Twin Falls and North Side Canal Companies and Doug Ruff were present. Amy indicated that the canal companies had agreed to withdraw their protest to Ruff Times Farm's permit application number 35-9050 provided that Doug Ruff withdrew his objection to SRBA subcase No. 35-7505. Doug Ruff agreed. Doug Ruff also acknowledged that his water right permit was initially approved for 0.64 cfs, less than the 5.00 cfs applied for and indicated he had reviewed the draft memo dated 1/4/2002 from Shelly Keen and agreed to the lower amount.

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RECEIVED
JAN 22 2002
Department of Water Resources

Moratorium Hold
Rlc

Dist. for staffing 5-19-95
Submitted for advertising 5-22-95

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWJ **DATE** 5-22-95 **APPLICATION NO.** 35-9050
Ruff Times forms

REQUIRED INFORMATION

✓ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
✓ Address
✓ Source (See USGS Quad for names of water sources)
✓ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
✓ County
✓ Quantity (flow and/or volume)
✓ Period of Use
✓ Nature of proposed use (Include description of use.)
✓ Description of diverting works
✓ Time required for beneficial use of water
✓ Place of use or acres irrigated
✓ Map
✓ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
✓ Fee
✓ Yes ____ No* In form to receipt

ADDITIONAL INFORMATION

X Overlapping place of use (Describe source & relationship to present application on the back.)
X Overlapping point of diversion
____ Yes ____ No Field check required
Field check by _____
____ Yes ____ No Field report attached
____ Yes ____ No Critical groundwater area
____ Yes ____ No Groundwater management area
____ Yes ____ No Send dam safety information
____ Yes ____ No Send power requirement letter
____ Yes ____ No Send fish farm requirement letter
____ Yes ____ No Power residency affidavit
____ Yes ____ No Power efficiency form
X Yes ____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
____ Yes X No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
____ See reverse side for additional information
*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____
_____ Date Requested _____

PROCESSING ___Yes ___No In form for advertising
___Yes ___No Statewide advertising
___Yes ___No Fee amount, receipt date & No. recorded on application

SEND COPIES TO
_____Idaho Dept. of Health & Welfare
_____Idaho Dept. of Fish & Game
_____Idaho Dept. of Lands
_____Adjudication Bureau Unit
_____U.S. BLM
_____U.S. Forest Service
_____Water District
_____Other_____

FINAL REGIONAL PROCESSING REVIEW

✓ Yes ___No Affidavit of publication received
✓ Yes ___No Application published correctly. If not, record action taken.

✓ Yes ___No Publication dates & paper, recorded on application
✓ Yes ___No Protests received
Final date for protest 4/3/2000
✓ Yes ___No Protests, dates, resolution of protest, recorded on application
✗ Yes ___No Recommendations, attached
___Yes ✓ No Measuring device required
___Yes ✓ No Access port required
___Yes ✓ No Will water be delivered by watermaster? If yes, what Dist.____
✗ Yes ___No Special conditions of approval or cover letter below.

___See below for additional information
Date of priority recommended 5-18-1995
By [signature] Date 1-16-2002

STATE OFFICE REVIEW

___See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

✗ See withdrawal of protest conditions to reduce cfs

LOCAL PUBLIC INTEREST

Comments received from

_____City	_____Idaho Fish & Game	_____Irrigation District
_____County	_____Idaho Health & Welfare	_____Canal Company
_____Reservations	_____Division of Environment	_____Other_____

Project impacts/implications report

COMMENTS

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 16, 2002

Ruff Times Farms
C/O Doug Ruff
3005 W 2100 South
Aberdeen ID 83210

RE: Withdrawal of protest on Application for Permit No. 35-09050

Dear Sir:

This Department has received a withdrawal of protest from Twin Falls Canal Company and North Side Canal Company.

Our office will continue to process your application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones

Harold W Jones
Water Rights Supervisor

HWJ:sc

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 16, 2002

Barker Rosholt & Simpson LLP
PO Box 2139
Boise ID 83701-2139

RE: Withdrawal of protest on Application for Permit No.: 35-09050

Dear Protestants:

This Department has received the withdrawal of protest against the application for Ruff Times Farms. We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones

Harold W Jones
Water Rights Supervisor

HWJ:sc

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FEB 04 2002

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON, LLP
1221 W. Idaho, Suite 600
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

Attorneys for Protestants North Side Canal Company and Twin Falls Canal Company

RECEIVED
JAN 14 2002
Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of Application)
For Permit No. 35-09050 in the)
Name of Ruff Times Farms)
)
_____)

NOTICE OF WITHDRAWAL

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY., by and through its attorneys of record, Barker Rosholt & Simpson, LLP, hereby withdraw its protest filed in regards to the Application for Permit Number 35-09050 in the Name of Ruff Times Farms. This withdrawal is based upon the following:

1. The Department's recommendation and findings that 0.64 cfs, of the 5.00 cfs applied for, were developed prior to 1987 and, thus, is exempt from the moratorium on new applications;

2. The Applicant withdrawing the objections that are pending in the Snake River Basin Adjudication, identified as subcases 35-07505, 35-07759, 35-07953A, and 35-07953B, and executing the appropriate documents including a standard form five, to

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resolve those subcases and accept the Department's recommendation for those claims; and,

3. The Canal Companies have not waived its right to protest any other applications filed subsequently by the Applicant or participate in other proceedings involving or referencing the water rights mentioned herein.

DATED this 4th day of January, 2002.

BARKER ROSHOLT & SIMPSON, LLP

By: _____
Amy D. Chestnut

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FEB 04 2002
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CERTIFICATE OF MAILING

I hereby certify that on this 9th day of January, 2002, I served a copy of the foregoing NOTICE OF WITHDRAWAL, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Candice McHugh
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Ruff Times Farms
c/o Doug Ruff
3005 W 2100 S
Aberdeen, ID 83210

Original sent to:
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline
Idaho Falls, ID 83401-3653

Amy D. Chestnut

FEB 0 4 2002

MEMORANDUM

DATE: January 2, 2002

TO: Application for Permit File 35-9050

FROM: Shelley W. Keen (SWK)

RE: Justification for development by 1987

Introduction

The applicant asserts that application for permit 35-9050 should be processed for 5.00 cfs despite the moratorium because the development occurred prior to November of 1987. IDWR will process applications if the development occurred before the commencement of the SRBA in 1987. As evidence of pre-1987 development, the applicant has submitted a number of documents in connection with his objection to IDWR's recommendation for water rights 35-7505, 35-7759, and 35-7953 in the SRBA. The documents or copies can be found in the Adjudication Bureau's objection files for those water rights. After reviewing the documents, water right files, and other information, I recommend that the application be processed for 0.64 cfs, which is the difference between the diversion rate that was probably developed by 1987 and the licensed total rate for 35-7505, 35-7759, and 35-7953.

The section below is a discussion of the documents submitted by the applicant as evidence of pre-1987 development. The applicant labeled the documents Attachment 1A through Attachment 8B. The final section of this memo describes how I arrived at the recommendation that the application be processed for 0.64 cfs.

Analysis

Attachment 1A -- This attachment is a photocopy from IDWR's field report for permit 35-7759. The claimant rightly points out that the location of the flow measurement port for the 1981 measurement was not ideal. IDWR guidelines called for the port to be installed a distance equal to 24 pipe-diameters from the pump, with control valves located downstream from the port. The 1981 measurement was made from a port located only 5 feet from the pump, with a gate valve between the pump and the port. The guidelines say that non-compliance with the recommendations is likely to ***reduce*** the flow measurement. However, the same guidelines issued by IDWR also warn the permit holder, "The Department will provide credit for only the rate of flow measured and is not responsible to correct inaccuracies caused by non-compliance with the installation standards."

Attachment 1 -- These Layne and Bowler pump curves refer to 3 stages at RL trim and 2 stages at RM trim for the bowls for Lamar Johns's pump. (Lamar Johns was the original owner of water

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rights 35-7505, 35-7759, and 35-7953.) This setup coincides with the June 1988 invoice from Funk Irrigation and Implement Company (Attachment 8A) which indicates "drop stage" and to related invoice #PR00? (not dated) from Funk Irrigation and Implement Company (Attachment 8B), which says, "3 stage 14RL full 2 stage 14RH full." The reference to dropping a stage suggests that there were 6 stages prior to 1988. That number coincides with the undated note on Idaho Bearing and Supply Company paper (attachment not numbered), which refers to "4 -14RL" and "2 - 14RM". However, the Funk Irrigation invoice #1254 estimate dated 6/29/81 (Attachment 2) refers to "14 TL 7 Stage Bowl Assy." I can find no reference to changing from a 7-bowl setup to 6 bowls, but it seems to have occurred between 1981 and 1988.

Attachment 2 -- This is apparently the invoice from Funk Irrigation Company for the diversion system described in the field report for Rights 35-7759 and 35-7953. A pump curve or curves for this system would be helpful.

Attachment 3 -- This Idaho Power Company operating data from 1987. It confirms that a 350 h.p. pump was in place that year.

Attacment 4 -- This well log shows the static water level at 345 feet in 1975. Invoice #PR00? (not dated) from Funk Irrigation and Implement Company (Attachment 8B) suggests the pump was set at 352 feet in 1988. The Power Consumption Coefficient Worksheet completed by Quentin Nesbitt in 1997 for the Water Measurement Program indicates a static water level of 348 feet and a pumping water level of 348.5 feet. The static and pumping water levels have apparently not varied significantly over the years.

Attacment 5 -- The Report of Acreage from the ASCS shows more than 300 acres irrigated. The number of acres irrigated has not been in question. When licensed, rights 35-7505, 35-7759, and 35-7953 recognized a combined total of 319 irrigated acres. The right holder does not dispute this total.

Attachment 6 -- This 1975 Invoice from Funk Irrigation Company shows that the system was originally intended to produce 1320 gpm (2.94 cfs) at 75 lbs with a 250 h.p. motor and a lift of 370 feet. The 1979 measurement of 3.26 cfs for water right 35-7505 is more or less consistent with this design, especially if lift turned out to be only 350 feet and the system pressure was slightly less than 75 lbs.

Attacment 7 -- This Funk Irrigation, Inc., quote for a system upgrade in 1981 suggests an upgrade to a 350 h.p. motor and change to a "14 TL 7 Stage Bowl Assy." Change to a 350 h.p. motor is consistent with the 1981 findings for the field examiner for water right 35-7759. See "Attachment 1" above for a discussion of the pump bowls.

Attachments 8A and 8B -- The most significant thing about these documents from Funk Irrigation and Implement is that they confirm that the diversion system was altered in 1988 in several ways, including adding a booster pump and dropping a stage from the bowl assembly on the pump. With these changes, it is impossible to relate much of what would be found today to what may have happened in 1987 or before.

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Recommendation

There are some conclusions that can be drawn about the system prior to the changes in 1988.

- The 1981 diversion rate measurement of 3.61 cfs is in doubt because of the proximity to the pump and to the control valve, which would tend to reduce the measurement.
- There was a 350 h.p. motor in place in 1981 and in 1987.
- The dynamic pumping level was in the range from 340 ft. to 350 ft.
- The system operated 12 1/4-mile wheel lines to irrigate 319 acres in 1981.

While the 1981 measurement is questionable, the right holder has not submitted enough information to show with certainty what the system diversion capacity actually was. Therefore, there is no basis for changes to rights 35-7505, 35-7759, and 35-7953, which limit use to a combined total of 3.61 cfs. This is especially true given that IDWR's instructions warned the right holder that non-compliance with measurement standards is his responsibility. Nevertheless, other facts certainly add credence to the suggestion that a higher diversion rate was developed in the 1980s.

A theoretical calculation of the capacity of the diversion system requires the horsepower of the motor, the dynamic pumping level, the static operating pressure, and system efficiency. As noted above, the horsepower and dynamic pumping level are both known, more or less. Estimating the static pressure at 70 psi and the efficiency at 70%, both reasonable figures, and using 350 ft. for the lift, the system in place throughout much of the 1980s should have produced about 4.21 cfs. Dropping the pressure to 60 psi and the lift to 340 ft. yields 4.50 cfs.

The theoretical calculations are pretty well corroborated by calculations based on the number of wheel lines operated at the time. Assuming a typical discharge of 5 gpm per nozzle from 32 nozzles on each line, 12 1/4-mile wheel lines would distribute about 4.28 cfs. Assuming a discharge of 5.5 gpm per nozzle from 32 nozzles on each line, 12 1/4-mile wheel lines would distribute about 4.71 cfs.

While the two estimates above establish a range, the lower estimates (around 4.25 cfs) are more conservative, and therefore more reasonable, given that good information about the system pressure during the 1980s is not available. Production was 4.72 cfs in 1997 after the addition of the booster pump in 1988. (See the Power Consumption Coefficient Worksheet referenced above.) While the booster pump was needed to add pressure to operate linears instead of wheel lines, it is possible that it, along with other changes, resulted in increased output as well. Therefore, I recommend processing application 35-9050 for 0.64 cfs, which is the difference between 4.25 cfs and the licensed total rate for 35-7505, 35-7759, and 35-7953.

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JUNE 1, 1976
Supersedes 1/1/76

CURVE NO. 18–146

LAYNE & BOWLER, INC.
MEMPHIS, TENNESSEE

No. Stages	Eff. Change	MATERIAL	Eff. Change
1	–2	IMP.—C.I.	–1
2	0	IMP.—NI-RI	–2
3		BOWL—BRZ.	–1
4		BOWL—NI-R.	–1

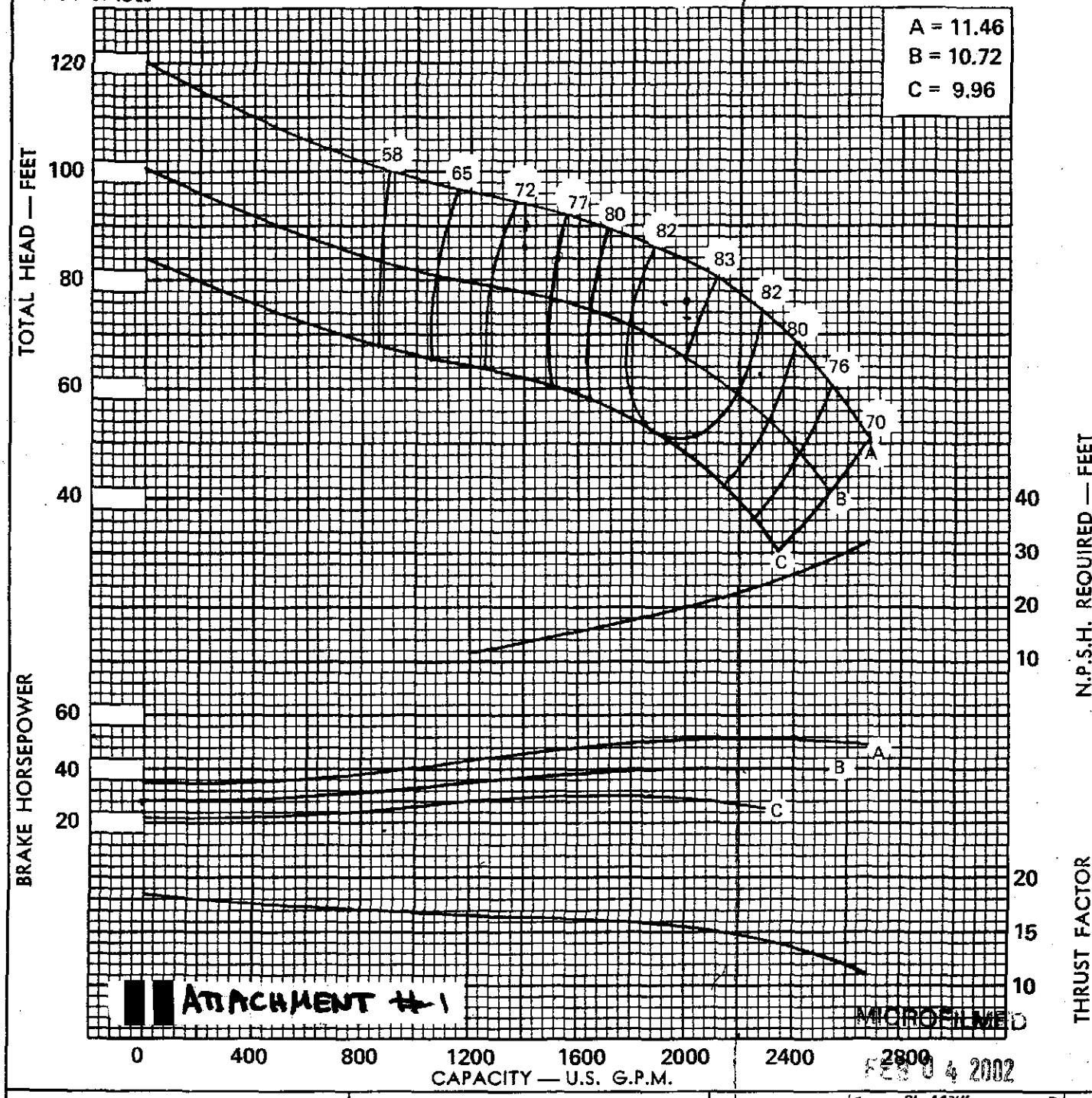
14 TLC — **1770** R.P.M.

SINGLE STAGE LAB PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 2 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 2 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

7 stage Full
2200 GPM

T80184

ONE ( ) **STAGE** STAGES



ATTACHMENT #1

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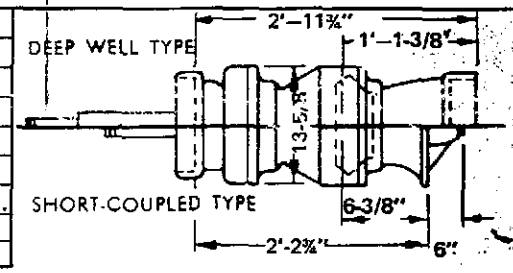
FEB 0 4 2002

EYE AREA — SQ. IN.	=	34.26	IMPELLER WT.-LBS.	=	32.1
WR^2 PER IMPELLER	=	2.72 LB.-FT.^{2}	ONE STAGE WT.-LBS.	=	435
MAX. SPHERE SIZE	=	1.25 in.	ADD'L STAGE WT. LBS.	=	164
MAX. NO. STD. STAGES	=	7	IMPELLER NUMBER	=	7T13
MAX. OPERATING P.S.I.	=	390	DISCH. SIZES	=	10,12
STD. LATERAL	=	0.78 in.	SUCTION SIZES	=	10
STD. SHAFT DIA.	=	1.937 in.	MAX. LATERAL	=	1.26 in.
MAX. SHAFT DIA.	=	2.187 in.	BOWL CONN.		FLANGED-COLLETS
MIN. SUBMERGENCE	=	36 in.	ADD 13		" PER ADDITIONAL STAGE.



FUNK IRRIGATION

P. O. Box 359 ~ Phone 266-5049
AMERICAN FALLS, IDAHO 83211

SOLD TO: La Mar Johns
American Falls, Idaho

SHIP TO:

INVOICE DATE	CUSTOMER ORDER NO.	CUSTOMER I.D. NO.	CASH SALE	CHARGE SALE	C.O.D.	MDSE. RET'D.
[redacted]						

SHIP VIA	TERMS	SALESMAN	PAID OUT	ON ACCT.

ORDER	SHIP	DESCRIPTION	UNIT PRICE	AMOUNT
		14 TL 7 Stage Bowl Assy		5000 00
		[redacted]		870 00
	720'	Pulling & Setting, Set up Disconnect		1800 00
		New Headshaft		150 00
		350 HP Motor		10,685 00
	1980'	8" X 12ga ATE	5 18	10,256 40
		10" X 8" Reducer, Tie in		87 00
		8" Surge Ring		85 00
	33	Risers Valves		924 00
	4	1/4 Mile Wide End Contact	625 00	2500 00
			SALES TAX	
			TOTAL THIS PAGE	
			TOTAL	$12,685 40

1254

RECEIVED BY

Thank You

TERMS: NET 30 DAYS. ACCOUNTS OVER 30 DAYS CONSIDERED PAST DUE AND SUBJECT TO A FINANCE CHARGE of 1½% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE of 18%.

Actual installed system:

ATTACHMENT #2

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IDAHO POWER COMPANY

METER NUMBER

IRRIGATION AND/OR DRAINAGE PUMPING CUSTOMER OPERATING DATA

341861285

NAME AND ADDRESS: LA MAR JOHNS
180 TYHEE
AM FALLS, ID 83211

0771-004743-7
ACCOUNT NO.

SERVICE ADDRESS: J 7 1

IRRIG. ADVANCE DATA - COMB #
ANNUAL GUARANTY $
ADVANCE – SEASONAL $ ☐
MONTHLY $ ☐
BANK LTR. $ ☐
(DATE REC.)
CO # CONNECT DATE / /

ACCOUNT NO.

MICROFILMED 5-17-2002

ATTACHMENT #3

AVERAGE RATE THIS YEAR	MAXIMUM DEMAND	CONNECTED H.P.
	354	350.0

FINANCE CODE= UNDERGRD= PHASE=3

INDIVIDUAL MOTOR RATINGS

1 350.0

SOURCE=W SYSTEM TYPE=S ACRES= ~~200~~ 320 LIFT= 0 KVA1= 75.0 KVA2= 75.0 KVA3= 75.0

DATE FROM	DATE TO	DAYS	K.W. MONTHS	DEMAND	KILOWATT HOURS OTHER	KILOWATT HOURS TAX REFUNDABLE	BILLING
04/22	05/06	14		354		14,560	419.97 OU
05/06	05/24	18				26,592	767.02 OU
05/24	06/05	12	130.80	327		17,728	745.18 IN
06/05	07/07	30	327.00	327		151,760	4,492.43 IN
07/07	08/06	30	327.00	327		139,920	4,226.99 IN
08/06	09/04	30	327.00	327		46,240	1,976.41 IN
09/04	09/15	11	115.50	315		15,097	649.09 IN
09/15	10/06	21				28,823	916.90 OU
10/06	10/27	21		312		39,360	1,252.13 OU
1987	TOTAL REG. SEASON		1,227.30			480,080	15,446.12
						MARCH THROUGH OCTOBER BILLING	15,446.12

TAX EXEMPTION CREDITS: S — $ _____ + X — $ _____ = _____

NET SERVICE COST FOR YEAR _____

FORM 1088

IDAHO POWER

Facsimile Cover Sheet

Date: 7/30/97

Number of pages to follow: 5

TO:
Name: Candace Hughes
Company: IPCo.
Telephone: 327-5404
Fax: 327-5400

FROM:
Name: Quentin Nesbitt
Company: **Idaho Power Company**
Telephone: 208/388-2519
Fax: 208/388-6910

COMMENTS:

Info. Jenny Requested.

MICROFILMED
FEB 04 2002

PCC2 5-9-97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

J-7-1

POWER CONSUMPTION COEFFICIENT WORKSHEET

Date of test 7/25/01

Person performing test [illegible]

Name: _____

Water Right No: _____

Legal Description: T_____ R_____ Sec_____ _____ ¼ _____ ¼ _____ ¼

Site Tag No: _____

Diversion Name: _____

Current Owner

Name Ruff Times Farms Phone _____
Last, First, MI

Address _____ City _____ State _____ Zip _____

Operator (If leased or operated by someone else)

Name Ruff Times Farms Phone _____
Last, First, MI

Doug + Sherman Ruff

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename R961119D Offset 5' South 3' West Wellhead

IDWR Site Tag Identification No. [illegible]

Site Tag location description: [illegible]

PLS/USGS Locator _____

For Department/District Use Only

Received by _____ ***Date*** _____

Reviewed by _____ ***Date*** _____

Data Entry by _____ ***Date*** _____

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FEB 04 2002

Well Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	LAYNE	Manufacturer	VOLKAWA
Serial Number	45615	Serial Number	227541 14/01
Model Number		Rated Horsepower	200
Type		Rated Amps	328
Impeller Diameter		Rated Volts	460
Rated Speed		Rated Speed	1781
Rated Discharge	N/A.	Phase	3
Rated Head		Service Factor	115

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	CORNELL	Manufacturer	MARATHON
Serial Number	18936	Serial Number	96636-9/105
Model Number	6HF8	Rated Horsepower	125
Type		Rated Amps	
Impeller Diameter	15 7/32	Rated Volts	
Rated Speed		Rated Speed	1780
Rated Discharge		Phase	
Rated Head		Service Factor	1.15

Power and Water Metering Information

KILOWATT HOUR METER		WATER MEASUREMENT METER and MOUNTING PIPE INFORMATION	
Utility	[illegible]	METER INFORMATION	ULTRASONIC
Pole No.	[illegible]	Manufacturer	PolySonics
Meter Manufacturer	[illegible]	Model Number	
Meter Serial No.	[illegible]	Type	TYME FLYTE
Disc Constant(Kh)	4.8	PIPE INFORMATION	ST.
Rated Voltage	480	Pipe material	*
Demand	4.64	Outside Diameter	10.00" +- .114
Multiplier (Mult)	80	Inside Diameter	
CTR (Current) PTR (Voltage)		Distance of straight pipe upstream and down	Upstream /Down 9' - 2'

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FEB 04 2002

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

KW = 3.6 × Kh × Multiplier × No. of revolutions(N) ÷ Time(T) in seconds per N

Cond.#1 N = 3 (No. of Disc Rev) **Time** (sec) = (11.40)+(11.46)+(11.36)/3 = ____ Ave

3.6 × ____(Kh) × ____(Mult) × 1 (N) ÷ ____(T) = [redacted] KW

Cond.#2 N = 3 (No. of Disc Rev) **Time** (sec) = (17.4[illegible])+(17.4[illegible])+(17.51)/3 = ____ Ave

3.6 × ____(Kh) × ____(Mult) × ____(N) ÷ ____(T) = [redacted] KW

Cond.#3 N = ____ (No. of Disc Rev) **Time** (sec) = (____)+(____)+(____)/3= ____ Ave

3.6 × ____(Kh) × ____(Mult) × ____(N) ÷ ____(T) = [redacted] KW

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 [redacted] #2 [redacted] #3 [redacted]

PSI Cond. #1 [redacted] #2 [redacted] #3 [redacted]

2 LINEARS W/BOOST 1 LINEAR - W/O BOOSTER

Power Consumption Coefficient (PCC) = KW × 5431 ÷ GPM

PCC Cond. #1 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

PCC Cond. #2 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

PCC Cond. #3 = [redacted](KW) × 5431 ÷ [redacted](gpm) = ____(kWh/ac.ft)

Percent of seasonal use [redacted]

Is the system operator required to track and report changes in system operation? Yes / No
(see form PCC3)

Water Level Data

Does the well have access to measure water levels? Yes / No

Static Water Level [redacted] ft Pumping Water Level [redacted] ft (at condition # 1)

Date [redacted] Date [redacted]

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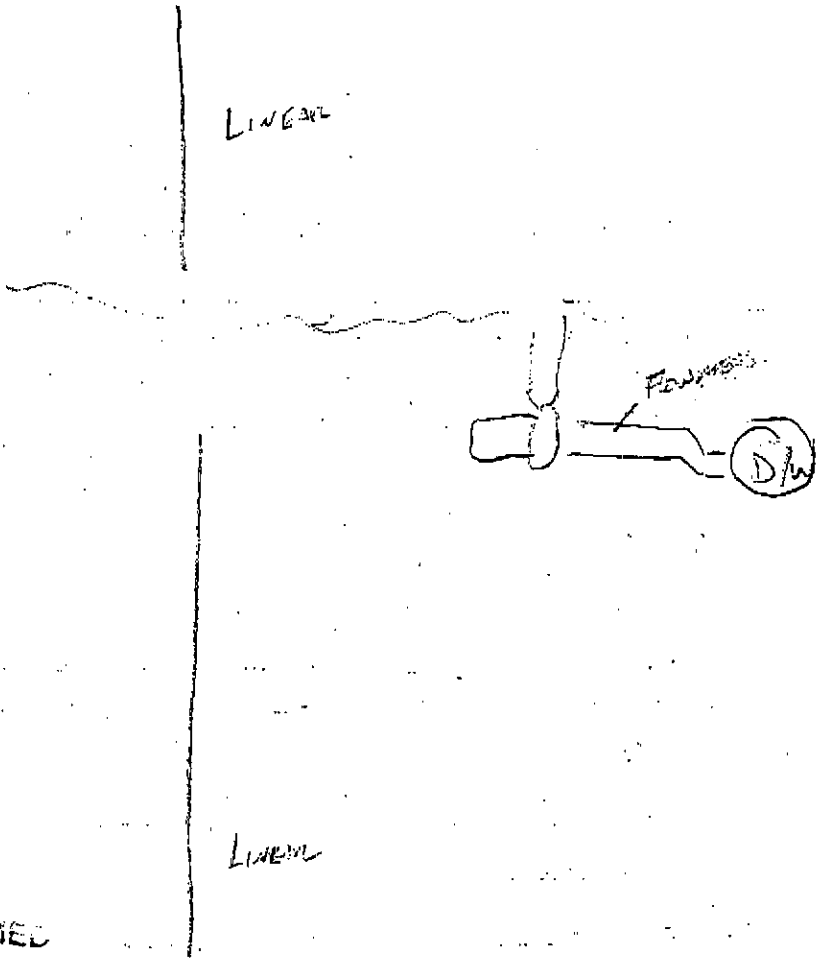
FEB 0 4 2002

Describe system operating conditions and how percentage of seasonal use was obtained:
* LINEAR SYSTEM
2 1/4 MILE LINEARS
310 AC

Sketch of pumping plant layout or attach photograph of pumping plant and piping:



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FEB 0 4 2002

Comments:

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Quentin S. Fisher Date 7/30/97
(person performing measurements)

J-7-1

DATA SET MODE
? PRINTER w/ Sonde

04:22+ 2.126E 3GPM 00R
04:23+ 2.111E 3GPM 00R
04:24+ 2.123E 3GPM 00R
04:25+ 2.124E 3GPM 00R
04:26+ 2.124E 3GPM 00R
04:27+ 2.112E 3GPM 00R
04:28+ 2.117E 3GPM 00R
04:29+ 2.128E 3GPM 00R
04:30+ 2.127E 3GPM 00R
04:31+ 2.122E 3GPM 00R
04:32+ 2.131E 3GPM 00R
04:33+ 2.146E 3GPM 00R
04:34+ 2.115E 3GPM 00R
04:35+ 2.133E 3GPM 00R

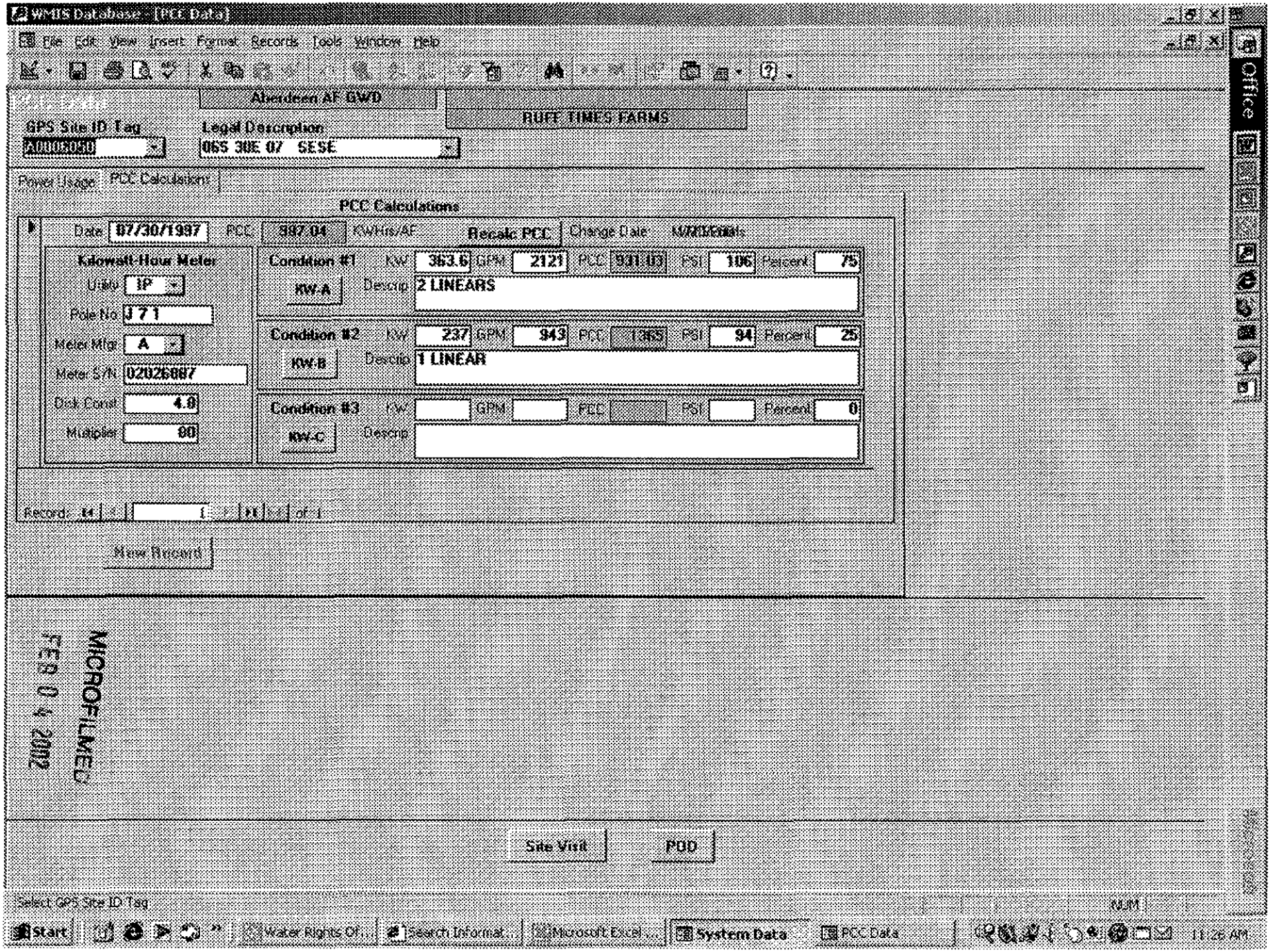
J-7-1

cont'd.

w/o Sonde

04:54+958.416E 0GPM 00R
04:55+949.962E 0GPM 00R
04:56+945.471E 0GPM 00R
04:57+943.886E 0GPM 00R
04:58+942.301E 0GPM 00R
04:59+941.509E 0GPM 00R
05:00+943.094E 0GPM 00R
05:01+933.848E 0GPM 00R
05:02+932.263E 0GPM 00R
05:03+946.264E 0GPM 00R

MICROFILMED
FEB 0 4 2002



MICROFILMED
FEB 04 2002

USE TYPEWRITER OR BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name LaMar Johns

Address 45th Avenue, American Falls, Id. Aberdeen, Id. 83210

Owner's Permit No. 35 7606

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotory ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 375 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
.250 inches	16 inches	+ 1 feet	1 feet
.250 inches	20 inches	+ 1 feet	20 feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation ____ inches by ____ inches

Number	From	To
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name ____

Type ____ Model No. ____

Diameter ___ Slot size ___ Set from ____ feet to ____ feet

Diameter ___ Slot size ___ Set from ____ feet to ____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel ____

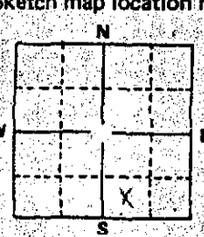
Placed from ____ feet to ____ feet

Surface seal depth 20 Material used in seal ☒ Cement grout ☐ Puddling clay ☒ Well cuttings

Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



MICROFILMED FEB 04 2002

Subdivision Name ____

Lot No. ____ Block No. ____

County Bingham

SW ¼ SE ¼ Sec. 7, T. 6 N/S, R. 30 E/W

7. WATER LEVEL

Static water level 345 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow ____

Temperature ____ °F. Quality ____

Artesian closed-in pressure ____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
	0	10	Top Soil & Clay		
	10	25	Solid Gray Lava		
	25	30	" Dark Lava		
	30	40	Hard Gray Lava		
	40	45	Broken Dark Lava		
	45	76	Hard Gray Lava		
	76	80	Broken Red Lava		
	80	86	Solid " "		
	86	108	Hard Gray Lava		
	108	115	Solid Red Lava		
	115	122	Broken Gray Lava		
	122	132	Solid Red "		
	132	146	Broken Gray "		
	146	157	Hard " "		
	157	168	Solid Red "		
	168	173	Grey Solid "		
	173	190	Hard Grey "		
	190	198	Broken Red "		
	198	212	Solid Gray "		
	212	229	Hard " "		
	229	234	Solid Red "		
	234	247	Hard Gray "		
	247	252	Brown Cinders		
	252	256	Red Clay		
	256	260	Broken Lava & Clay		
	260	264	Gray Cinders		
	264	286	Solid Gray Lava		
	286	295	" Brown "		
	295	312	Broken " "		
	312	318	Solid " "		
	318	325	Hard Gray "		
	325	345	Broken Brown "		
	345	360	Hard Gray "		
	360	375	Broken Red "		

ATTACHMENT #4

10. Work started 27 July 1975 finished 3 Aug. 1975

11. DRILLERS CERTIFICATION

Firm Name Paul Vollmer & Son Firm No. 67

Address Aberdeen Idaho Date 3/16/77

Signed by (Firm Official) Paul Vollmer Jr

and

(Operator) Leo Marquardt

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

acreage circled in Red
were irrigated

Total ac = 340.6ac

1987

Form Approved - OMB No. 0560-0004

ASCS-578 (10-02-86) — USDA - ASCS

REPORT OF ACREAGE

NOTE: *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.*

PAGE 1 OF 2

1. FARM NO.	2. TRACT NO.	3. FARMLAND	CROPLAND	4. PROGRAM YR
1772		1720	1368.2	87

KEY 1

5. OPERATOR NAME AND ADDRESS
LAMAR JOHNS
PONDEROSA TR CT
AMERICAN FALLS, ID 83211

6. Other Farms 9671

10. PHOTO NO. - LEGAL DESCRIPTION

KEY	7. NAMES OF OTHER PRODUCERS	8. ID NUMBER	9. OTHER FARMS

11. TRACT NO.	12. FIELD NO.	13. CROP OR LAND USE	Practice 1/ 14	CROP STATUS 2/ 15	16. CROP OR LAND USE SUMMARY										17. KEY	18. SHARE
					WHEAT	OATS	ACR	CRP	ONPC							
7389	1	WHEAT GRAIN Overplanted marked SF 9-19-87	IR	I	81.1									9-17-87	1	1.0000
	S				82.1											
	2	OATS GRAIN "	IR	I		48.0									1	1.0000
	S					46.1										
	3	PEAS SEED "	IR	I					25.0						1	1.0000
									24.1							
	4	ACR " CHEM TILL	IR	I			30.7								1	1.0000
							35.0									
	5	DPEAS SEED "	IR	I			32.1		44.0						1	1.0000
									42.1							
	6	PTATO	IR	I					104.2						1	1.0000
									137.0							
24634	2A	CRP 01	IR	I				1032.6							1	1.0000
								1032.6								

MICROFILMED 2002 0 4

ATTACHMENT #5

6/19/87

19. TOTAL OPERATOR REPORT	81.1	48.0	30.7	1032.6	173.2				
20. TOTAL DETERMINED ACREA	82.1	46.1	32.1	1032.6	179.8				

1/ IR=Irrigated NI=Nonirrigated

2/ I=Initial Crop DC=Double Crop SC=Subsequent Crop

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

21. OPERATOR'S CERTIFICATIO
stand that an inaccurate acreage r *ertify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct. I under-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

Form Approved - OMB No. 0560-0004

ASCS-578 (10-02-80) USDA - ASCS

REPORT OF ACREAGE

NOTE: *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.*

1. FARM NO.	2. TRACT NO.	3. FARMLAND	CROPLAND	4. PROGRAM YR
1772				87

KEY	5. OPERATOR NAME AND ADDRESS	6. Other Farms
1	LAMAR JOHNS PONDEROSA TR CT AMERICAN FALLS, ID 83211	9671

KEY	7. NAMES OF OTHER PRODUCERS	8. ID NUMBER	9. OTHER FARMS

10. PHOTO NO. - LEGAL DESCRIPTION

SUMMARY PAGE 10 795C4

16. CROP OR LAND USE SUMMARY

11. TRACT NO.	12. FIELD NO.	13. CROP OR LAND USE	14. Practice 1/	15. CROP STATUS 2/	WHEAT	OATS	ACR	CRP	ONPC						17. KEY	18. SHARE
2389			IR		81.1	48.0	30.7	.0	.0							
			NI		.0	.0	.0	.0	173.2							
24634			IR		.0	.0	.0	.0	.0							
			NI		.0	.0	.0	1032.6	.0							
FARM			IR		81.1	48.0	30.7	.0	.0							
			NI		.0	.0	.0	1032.6	173.2							
LAMAR JOHNS		9671		KEY 1	1.0000	1.0000										
2389					CROPLAND		338.3	REPORTED CROPLAND			333.0	DIFFERENCE			-5.3	
24634					CROPLAND		1029.9	REPORTED CROPLAND			1032.6	DIFFERENCE			2.7	
19. TOTAL OPERATOR REPORT →																
20. TOTAL DETERMINED ACREAGE →																

MICROFILMED 2002 0 4 2002

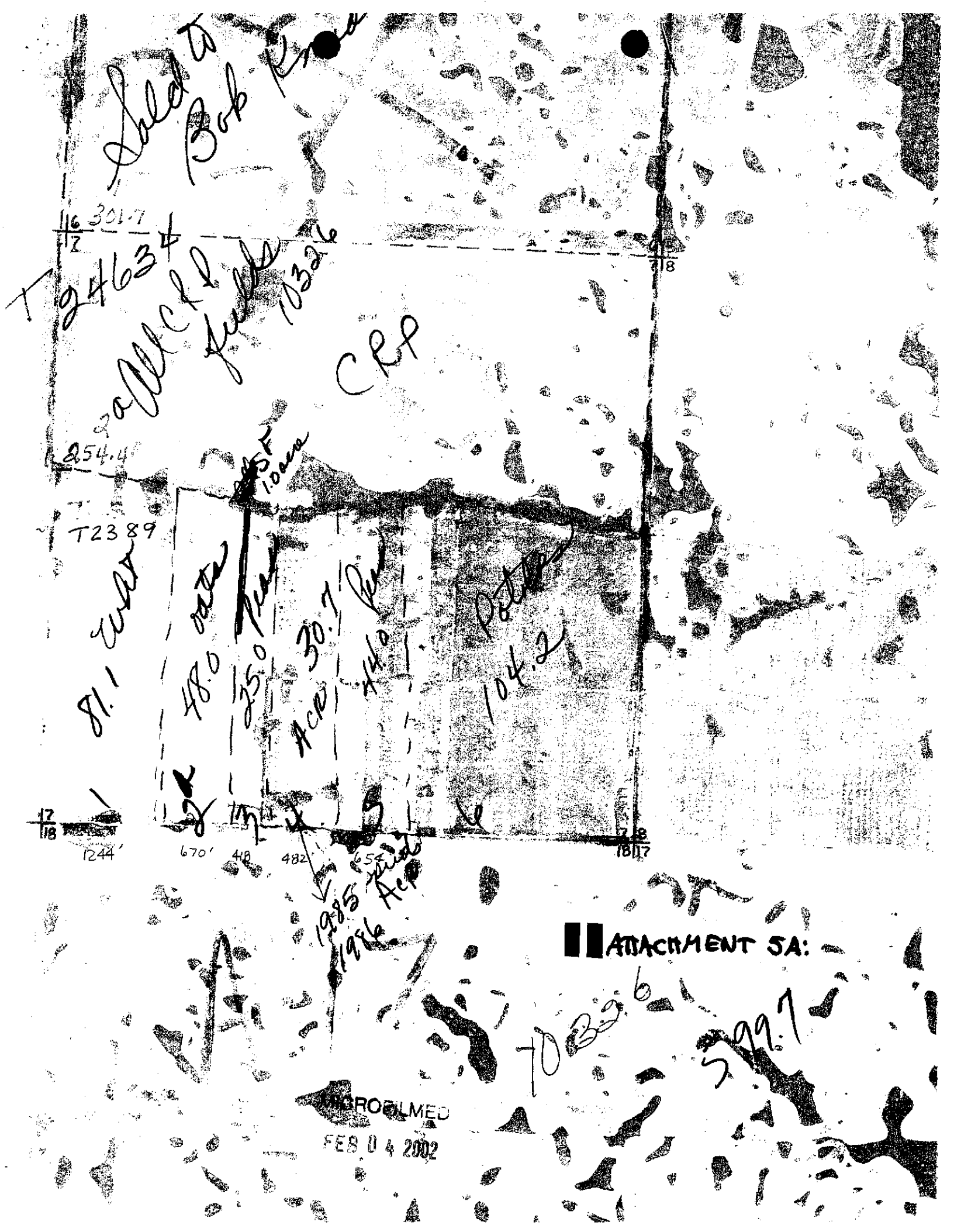
1/ IR=Irrigated NI=Nonirrigated

2/ I=Initial Crop DC=Double Crop SC=Subsequent Crop

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

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.*

OPERATOR'S SIGNATURE	DATE	OPERATOR'S SIGNATURE	DATE	OPERATOR'S SIGNATURE	DATE
Lamar Johns	6-19-87				


Sold to Bob K
116 301.7
12
T24634
allwell
fee 1032
CRP
254.4
T2389
1.0 acre
81.1 wet
48.0 acre
135.0 Pas
30.7 Acre
14.0
Pas
104.2
17 18
1244'
670'
48
482'
657'
1985 sold
Acre
1986
18 17
ATTACHMENT 5A:
1032.6
599.7
MICROFILMED
FEB 04 2002

FOR ALL YOUR IRRIGATION NEEDS — PUMPS • MAINLINE • ELECTRO ROLL

FUNK IRRIGATION

Phone (208) 397-4400 — Aberdeen, Idaho 83210

Date October 4, 1975

Customer Name Mr. Lamar Johns — Quote

Address Aberdeen

QUANTITY	DESCRIPTION	UNIT	PRICE
2640'	8" mainline pipe CTE welded and trenched	3.66	9,662.40
45	40" risers with Wade valves	23.50	1,057.50
1	8" Wye		150.00
1	8" gear operated butterfly valve		240.00
1	8" check valve		92.40
9	8" flanges with bolts nuts and gaskets		99.55
6	Zinc annodes		210.00
2	8" Western female fittings		17.00
2	8" end plugs		35.00
2	8" ringlocks		12.00
2	Field fabricated goosenecks	75.00	150.00
1	Pump hook up		100.00
1	Flow meter 8"		305.00
6	3" X 4" valve opener (western)	33.00	132.00
1	250 H.P. 1320 GPM 75 lbs head 370' 8" col. wired and set		24,150.00
	Recommend 10" column at		1,345.50
		TOTAL	$37,756.35

ORIGINAL SYSTEM

Per: 1981

To ATTACHMENT # 6

MICROFILMED

FEB 04 2002

Original System

Note: Total dynamic Head

558 ft

ESTIMATE SHEET

JP 160-A

JOHNSTON PUMP COMPANY

QUOTE NO.

INQUIRY NO.

QUOTED BY RW

PAGE

DATE 10-3-75

CUSTOMER La Mar Johns

DEALER Funk Drig

APPLICATION

WELL I. DIA. ? Well Depth 380 INCHES

75# HEAD ABOVE 175 Tst. FEET

HEAD BELOW 345 FEET

L.2/100 COL. FRICT. LOSS 23 FEET

TOTAL HEAD 558 FEET

WHAT IS REQUIRED:

PUMP CAPACITY: GPM HEAD RPM PUMP SETTING 370 FT.

NO. UNITS LIQUID SP. GRAVITY VISC.

PUMP BOWL ASSEMBLY CURVE NO. EFF. % RPM

STAGES 11 X 50.7 Ft. = LAB. HD. FT. 1320 GPM / 3960 X 558 HEAD / 83 EFF. X ____ SPEC. GR. = 225 HP

SHAFT LOSS = 6 HP (SECT. 2C)

IMPELLER DATA A. THRUST 11.6 K X 558 TDH X SP. GR. 1.0 = 6473 LBS.

MATERIALS AFFECTING PERFORMANCE B. SHAFT WT/FT. 7.9 X LENGTH FT. 370 = 2923 LBS.

C. A + B = TOTAL THRUST = 9396 LBS. X .0075 HP LOSS/100 RPM/1000 LBS. = THRUST LOSS ____ HP

14% over load 200 HP TOTAL HP 231

QUAN.	UNIT	DESCRIPTION	LIST PRICE	% DISC.	NET PRICE	WEIGHT
1	ELECTRIC MOTOR / DIMENSION BD = 16½	H.P. 250 · PHASE 3 · CYCLES 60 · VOLTS 460 · R.P.M. 1800 · V.S.S. · V.H.S. ✓ · ENCLOSURE DP · N.R.R. NO · THRUST X-Di	5317	93	4945 =	
	COUPLING					
1	MOTOR STARTER	NEMA SIZE 6 · NEMA ENCLOSURE · H.P. 250 · VOLTS 460 · L.A. P.B. DATA T Del. S.C Ph F T.C.	4960	60	2976 =	
	GEAR DRIVE	MAKE · MODEL · RATIO · TYPE OF CLUTCH				
	FLEXIBLE SHAFT ASSEMBLY	WATSON-SPICER MODEL · LONG · FLANGES · BORE × KEYWAYS · BORE × KEYWAYS				
1	DISCHARGE HEAD ASSY.	TYPE A 16½ x K · SURFACE ✓ · UNDERGRD. · OIL ✓ · WATER · COMP FLG	1190			
320	FT. COL. ASSEMBLY	OIL ✓ · WATER · COLUMN SIZE 8 · TUBE SIZE 2½ · SHAFT SIZE 1 11/16	6854		4000 =	
1	PUMP BOWL ASSEMBLY	SIZE 12 · TYPE DC · NO. STAGES 11 · IMP. DIA. I	1950			
	FT. SUCTION PIPE	SIZE · T.B.E. · T.O.E.				
1	SUCTION STRAINER	SIZE 8 · CONE X · BASKET	111			
	FT. DISCH. PIPE	SIZE · T.B.E. · T.O.E.				
	GAUGE & FITTINGS	FT. OF AND AIRLINE · GALVANIZED · OTHER				
			13105	50	6553 =	
					193	mtr. Frt
					175	Inc. Frt
					350	Del.
					875	Wire
					925	Inst.
					#20,992	
	QUOTATION VOID AFTER 30 DAYS		24,150.00	TOTAL		

60# at Dis Hd. will Load a 200 HP. mtr

Deduct #2158.00 fm 200 HP mtr - Panel & Wiring

MICROFILMED

FEB 04 2002

Estimate for system

Note: ① Total Dynamic Head already calculated @ 553ft

② Trade in of old 250 Hp motor for 350 Hp motor.

ESTIMATE AND ORDER FORM

FUNK IRRIGATION, INC.

FOR ALL YOUR IRRIGATION NEEDS

PUMPS - MAINLINE - ELECTRO ROLL - SARGENT SOLID STATE PIVOT

PHONE (208) 397-4111 ABERDEEN, IDAHO 83201 RT. 1 BOX 96

- WADE
- JOHNSTON PUMP
- AURORA PUMP
- PACO
- WESTERN
- GHEEN
- RAIN BIRD
- PIERCE
- WEATHER-TEC

CUSTOMER LaMar Tetas DATE 2/13, 19 81

ADDRESS 2800 GPM @ 553 TDH 364 HP PHONE 226-5703

QUANTITY	ITEM	UNIT	PRICE
	Set-up & Disconnect & Recheck		$ 50.00
	14TL 7 Stage Bowl Assy.		5,000.00
700'	Pulling & Setting	2.50	1,750.00
	Nuc Head Shaft		135.00
	350 HP Motor / 1760 RPM / 460V 3Ø SRC		16,683.00
	Charges For Line Heaters, electrical etc to be Billed later.		
	The Following is based on estimated Footages		
1990'	8" X 12 ga. C.T.E. Steel Mainline Installed	5.15	10,248.50
1	10" x 8" Cam Reducer		120.00
-	Tie-in to existing mainline		75.00
-	8" Surge Plug		85.00
33	Risers & Nut & Tops	28.00	1,240.00
-	Add: $ 8,700.00		
			$ 25,485.50
2	12 x 10" Wide cast Metal Line	1,250.00	25,000.00
	Load Trailer - 10 250HP Motor		300.00
	ATTACHMENT #7		$ 50,885.50

TERMS:— CASH DOWN $_____ BALANCE $_____ PAYABLE AS FOLLOWS, AS INDIVIDUAL ITEMS ARE DELIVERED

If seller is to install the equipment and rock or other circumstances are encountered which increase costs, these additional costs will be added to the balance due and be paid by purchaser. All merchandise sold hereunder is subject to Seller's continuing ability to procure same from Seller's regular sources of supply and at Seller's present costs. In event of increases in Seller's cost of any item, the price of that item as herein quoted shall be correspondingly increased.

I certify the property purchased pursuant hereto will be used directly for mining, manufacturing, processing or farming purposes.

I have read this document in its entirety; have received a true, signed copy of it; and I confirm that this is a firm offer on my part to purchase the items set forth hereon. If this offer is accepted by Seller by affixing its signature hereon, by delivery of all or any part of the items, or otherwise, I agree that I am bound by and understand all of the above terms and the SPECIAL TERMS AND CONDITIONS contained on the reverse side hereof.

APPROVED: FUNK IRRIGATION, INC.

By_____

Its_____

Purchaser_____

Purchaser_____

Purchaser's residence_____

Purchaser's Chief Place of Business_____

MICROFILMED
FEB 04 2002

NOTICE: See Other Side for Important Information.

FUNK

IRRIGATION & IMPLEMENT
P. O. BOX 359 • AMERICAN FALLS, IDAHO 83211
PHONE: (208) 226-5049

SOLD TO: Lamar Johns

SHIP TO:

INVOICE DATE	CUSTOMER ORDER NO.	CUSTOMER I.D. NO.	CASH SALE	CHARGE SALE	C.O.D.	MDSE. RET'D.
June 98				xx		

SHIP VIA	TERMS	SALESMAN	PAID OUT	ON ACCT.
		RT		

ORDER	SHIP	PART NO.	DESCRIPTION	UNIT PRICE	AMOUNT
		SH/5	Pump tie in labor & materials inc:		1241 00
			10" wafer check, 8" wafer check		
			& pump package - as bid		
		307	Wye at pump replaced		252 00
		307	Additional pump materials &		146 24
			difference between check valves		
			Pull & Set pump, drop stage		~~2300 00~~
		See invoice	125HP Cornell 6H w/ 14 3/4" imp		
		#PK0027	Electrical		
			Repairs		
				SALES TAX	
				TOTAL THIS PAGE	
				TOTAL	1639 24

RECEIVED BY

44141

Thank You

TERMS: NET 30 DAYS. ACCOUNTS OVER 30 DAYS CONSIDERED PAST DUE AND SUBJECT TO A FINANCE CHARGE of 1½% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE of 18%.

ATTACHMENT 8 A

MICROFILMED
FEB 04 2002

FUNK

IRRIGATION & IMPLEMENT
P. O. BOX 359 • AMERICAN FALLS, IDAHO 83211
PHONE: (208) 226-5049

No. P R 0027.

NAME Kamas Johns | DATE
ADDRESS | TERMS ☐ CASH ☐ CHARGE
CITY | WRITTEN BY: MJT

SIZE OF WELL	SIZE OF PUMP MOTOR 250 US
DEPTH OF WELL	COL./TUBE/SHAFT 10 x 3 x 1 15/16 x 352
STATIC WATER LEVEL 340'	BOWL DESCRIPTION 14 RL/M 5 st
DYNAMIC WATER LEVEL	TRANSFORMERS
TDH 560 / 400	GPM 1000 / 2000

LOCATION Funk Rd ; 3/4 mile E Power Co Line Rd, 1/4 mile N

DESCRIPTION OF WORK

Reduce pressure
3 stage 14RL full 2 stage 14RM full (bottom stgs)
Exchange 350HP for 250HP US
Discharge painted W
6HB Cornell Frame Pump trim to 14 3/4"
Cut bowl shaft, Machine wear rings, Trim impeller
Replace headshaft 1 15/16 ⊖ LH Top x 10 LH Bottom

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
S1	P/SS/31	1 15/16 10HS - Headshaft *	62	50 22
2	306	2 3/16 Seals *	8 50	17 00
1	306	Stretch Bearing *		340 00
1	306	6H Cornell Pump		4700 00
1	306	Size 5 Panel * Wiring		1906 35
1	P/*MZ50USLJ	250HP US Motor *		4022 15
1	P/*M350YSLJ	350HP Yaskawa Motor *		(4022 15)
	306	Size 4 Panel & Wiring as bid		(1300 00)
		* indicates items required but not bid		
		PARTS TOTAL		5713 57
	LABOR CHARGES			
	SETTING RIG 306	Pull & Set 352'		2300 00
	DISC./REHOOK			
	BOOM TRUCK			
	ELECTRICIAN	X/CL/SJ3795		1693 65
	WELDING			
3	MACHINE SHOP 306	Cut, Machine, Trim	32 00	96 00
7	SHOP 306	Disassemble & Assemble	36 00	252 00
1 3/4	Machine 306	Headshaft, brg *	32 00	56 00
		LABOR TOTAL		4397 65

I hereby authorize the repair work hereinafter set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to equipment in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I agree you will not be responsible for incidental or consequential damages or for down time expense, cargo damage and all business costs and losses resulting from a failure. I hereby grant you and/or your employees permission to operate the equipment for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above equipment to secure the amount of repairs and I agree to pay all attorney fees and collection cost incurred.

TERMS: ACCOUNTS DUE AND PAYABLE 10th OF MONTH FOLLOWING INVOICE DATE. 1½% PER MONTH (18% PER ANNUM) FINANCE CHARGE ON PAST DUE ACCOUNTS. 50¢ MINIMUM.

RECEIVED BY:
X

LABOR	4397	65
PARTS	5713	57
FREIGHT		
☐ Shop Supplies ☐ MILEAGE		
TAX		
TOTAL INVOICE	10,111	22

MICROFILMED FEB 05 2002

ATTACHMENT #3

TO: WATER ALLOCATIONS 18 MAY 1995
SHELLEY WALTER KEEN

FROM: DOUG RUFF

RE: REQUEST FOR APPROVAL OF NEW APPLICATION

BASED ON THE FOLLOWING ATTACHMENTS AND INFORMATION I REQUEST THAT I BE ALLOWED TO FILE AN APPLICATION FOR PERMIT FOR WATER DEVELOPED PRIOR TO NOVEMBER 1987, EVEN THOUGH THERE IS A MORATORIUM. **(REFERENCE 35-7505, 35-7759, & 35-7953)**

NOTE THAT FLOW MEASUREMENT PORT IS ONLY 5' FROM VALVES & MOTOR!

ATTACHMENT #1:
DESIGN FLOW OF 2200 GPM (4.90 cfs) LAYNE & BOWLER PUMP CURVE
ATTACHMENT #2:
ACTUAL INSTALLED BILL FUNK IRRIGATION 6/29/81 SHOWING 360 FT OF 10" (inch) CASING.
ATTACHMENT #3:
IDAHO POWER RECORDS FOR 1987 FOR 350 HP WITH AVG DEMAND OF 327 KW (or kw X 1.34 = 438 HP)
ATTACHMENT #4:
WELL LOG FOR WELL STATIC WATER LEVEL AT 345 FT
TOTAL DEPTH 375'
ATTACHMENT #5:
ASCS REPORT OF ACREAGE 340.6 IRRIGATED ACRES
ATTACHMENT #5A:
ASCS AERIAL PHOTO
ATTACHMENT #6:
1975 INSTALLATION OF ORIGINAL SYSTEM
ATTACHMENT #7:
1981 ESTIMATE FOR CHANGE OF SYSTEM
ATTACHMENT #8A:
JUNE 88 INVOICE INDICATING PULL & SET PUMP ON INVOICE #PR0027
ATTACHMENT #8B:
INVOICE PR0027 SHOWING PULL & SET @ 352 FT.

Q THEORETICAL @ 352 FT ASSUME 75 PSI, 70% EFF Q = 4.11 cfs (1845 gpm)

NOTE THAT IDAHO POWER DEMAND (ATTACHMENT #3) INDICATES DEMAND OF AN AVERAGE OF 327 kw or 438 HP. WOULD INDICATE THAT THE 350 HP WAS ACTUALLY PRODUCING MORE THAT 350 HP WHICH COULD ALSO INCREASE THE FLOW GREATER THAN THE 3.61 CFS (1620 GPM)

NOTE THAT THE CASING 360 FT IN ATTACHMENT #2 PLUS THE WELL LOG ATTACHMENT #4 HAVING A TOTAL DEPTH OF 375 FT, AND ATTACHMENT #8B HAVING THE NEW SYSTEM (1988) SET AT 352', WOULD INDICATE THAT THE DYNAMIC DEPTH WOULD BE LESS THAT THE 352 FT USED ABOVE SO THE TOTAL DIVERSION OF 4.11 CFS WOULD BE GREATER.

SINCERELY,

DOUG RUFF 5-18-95 DATE

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

Ruff Times Farms
C/O Doug Ruff
3005 West 2100 South
Aberdeen, Idaho 83210

Mr. Ruff:

I am holding your application #35-9050 for additional water which was protested by Twin Falls and North Side Canal Companies on March 20, 2000.

I ask that you let us know what course you intend to follow with this application. Your options include going to a formal hearing on this issue or withdrawing the application.

Please let me know within 14 days how you want to handle this protested application.

Sincerely,

Harold W. Jones
Water Resource Supervisor

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2000

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit No. 35-09050

Dear Applicant:

Enclosed are copies of a protest filed against the issuance of the above referenced applications. 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.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Idaho Code ' 42-203):

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?

5. Will the proposed use conflict with the local public interest?

6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

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The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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

Sincerely,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

Enclosure

HWJ:sc

cc: IDWR - State Office

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2000

NORMAN M SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Application for Permit No. 35-09050

Dear Protestant:

Your protest against approval of the above referenced application 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.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in their approving or denying the application (Idaho Code ' 42-203):

1. Will the proposed use reduce the quantity of water under existing 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?
5. Will the proposed use under this permit conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

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FEB 04 2002

The protestant must be prepared to present proof of allegations involving one or more of the six items.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

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

Sincerely,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

HWJ: sc

cc: IDWR - State Office

MICROFILMED
FEB 0 4 2002

RECEIVED
MAR 2 2 2000
Department of Water Resources
Eastern Region

RECEIVED
MAR 2 0 2000
Department of Water Resources

RECEIPT #5022881
3/21/2000 C. SKINNER

Norman M. Semanko
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
Facsimile: (208) 736-0041
ISB # 4761
jll\nms.\protest\ruff

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF	)	
APPLICATION FOR PERMIT	)	
NUMBER 35-09050;	)	**NOTICE OF PROTEST**
APPLICANT:	)	
RUFF TIMES FARMS	)	
	)	

****

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY (hereinafter the "Companies"), by and through their attorneys, Rosholt, Robertson & Tucker, file their Notice of Protest to the approval of the above-numbered Application for Permit filed by Ruff Times Farms. The basis for the Companies' protest is as follows:

1. The application filed by the applicant seeks to divert non-trust groundwaters that are tributary to the flow of the Snake River above Milner Dam;

2. The proposed diversion and use of the waters described in the aforesaid application violates all or portions of the criteria set forth in Idaho Code Sections 42-203A(5);

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FEB 0 4 2002

3. The proposed diversion and use is prohibited by the current moratorium on new appropriations;

4. An adequate mitigation plan has not been submitted to the Department or made available for review by the Companies and other parties that may be injured by the proposed groundwater diversion; and

5. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 20 day of March, 2000.

ROSHOLT, ROBERTSON & TUCKER

By: _____
Norman M. Semanko

CERTIFICATE OF MAILING

I hereby certify that on this 20 day of March, 2000, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline
Idaho Falls, ID 83401-3653

Ruff Times Farms
c/o Doug Ruff
3005 W 2100 S
Aberdeen, ID 83210

_____
Norman M. Semanko

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FEB 0 4 2002

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09050
RUFF TIMES FARMS
c/o Doug Ruff
3005 W. 2100 S.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: SESE, Sec. 7, T. 06S, R. 30E, in BINGHAM County.
Use: IRRIGATION (5.000 CFS)
Total Diversion: (5.000 CFS)
Date Filed: 5/18/1995
In: BINGHAM County
T06S, R30E, S07, SWNW, NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE.
319.0 ACRES TOTAL
This application is for additional water developed prior to November 1987.
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a $25.00 filing fee, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, on or before April 3, 2000.

KARL J. DREHER
Director

[illegible]
Feb. 3[illegible]

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FEB 0 4 2002

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive weeks the first publication having been made on the 16th day of March 2000, and the last publication having been made on the 23rd day of March 2000; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 23rd day of March in the year of 2000, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same.

NOTARY PUBLIC STATE OF IDAHO

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....$5.00

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 2, 2000

Doug Ruff
Ruff Times Farms
3005 W 2100 S
Aberdeen, ID 83210

RECEIVED
MAR 0 6 2000
Department of Water Resources
Eastern Region

Re: Snake River Basin Adjudication Claim Nos.
35-07505, 35-07759, and 35-07953

Dear Mr. Ruff,

Thank you for traveling to Boise to meet with me on November 18, 1999 regarding your request that the Department of Water Resources amend the water licenses for the claims referenced above. Your request notes your belief that the measured diversion capacity of 3.61 cfs found by the field examiner in 1981 was in error and that the correct capacity is 4.90 cfs.

As we discussed at the November 18, 1999 meeting, the Department will amend licenses only upon a clear showing of error on the part of the Department. A determination of error by the Department must be sufficient to withstand review by the courts if the decision to amend the license is challenged by a third party. As I indicated to you at the meeting, all license amendments in the Eastern Snake Plain are being reviewed by other water interests and a challenge to an amendment that increases the licensed rate of flow is likely. I do not find the information now available on your licenses meets the standard of a clear showing of error by the Department.

Settlement of your objections to the Director's Report findings regarding the claim numbers referenced above was contingent upon amendment of the underlying license. Because the license cannot be amended, the Department will not be able to settle your objections in the Snake River Basin Adjudication. The Department will not agree to a settlement which differs from the license.

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You also indicated that you had filed a permit application (35-09050) on May 18, 1995, to make up for the deficiency in your water right. This permit was not processed when filed because of IDWR's moratorium on establishing new groundwater rights in this area. You have submitted information to support your understanding that this increase in water use was commenced prior to the start of the moratorium. Based upon this information, I am willing to commence processing this permit application at this time. A final determination of whether the application can be considered "grandfathered" from the provisions of the moratorium will be made after the application has been advertised and a complete record is available, including any information that may result if protests are received against approval of the application.

Sincerely,

Norman C. Young
Administrator
Water Management Division

cc: Harold Jones, Eastern Region
SRBA Claim Files

NCY/VLM/rf

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 6, 2000

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit #35-09050

Dear Applicant:

This office is currently in the process of advertising the application in the Morning News on March 16 and 23, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::sc

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FEB 0 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 6, 2000

Legal Notices Department
THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 3, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

Mailed 3/7/2000 SC

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FEB 0 4 2002

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09050

RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100S
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: SESE Sec 7 T 06S R 30E in BINGHAM County.

Use: IRRIGATION (5.000 CFS)
Total Diversion: (5.000 CFS)

Date Filed: 5/18/1995

In: BINGHAM County

T06S R30E S07	SWNW	NESW	NWSW	SWSW
	SESW	NESE	NWSE	SWSE
	SESE			

319.0 ACRES TOTAL

This application is for additional water developed prior to November 1987.

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a $25.00 filing fee, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before APRIL 3, 2000.

KARL J. DREHER, Director

Published: 3/16/2000 & 3/23/2000

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FEB 0 4 2002

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

RECEIVED
DEC 08 1995
Department of Water Resources
Eastern District Office

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 4, 1995

DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit No. 35-09050

Dear Doug:

Thank you for stopping by to talk about your water rights. As we discussed, I asked WR Permits Section Manager Jim Johnson to review the documentation you submitted in support of Application for Permit 35-09050. He reviewed the material and indicated that he sees no justification to change the current position of the Department. Therefore, your application will continue to be held without processing until the moratorium on new consumptive water rights in the Eastern Snake River Plain Area is removed.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK

cc: Skip Jones, Eastern Region

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FEB 04 2002

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

October 6, 1995

DOUG RUFF
3095 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit No. 35-09050

Dear Doug:

I am writing in response to your phone call to me last week. I have reviewed the information you sent me to support the application for permit you submitted in May, but I do not see anything to change the position outlined in my June 21, 1995, letter to you.

You have collected a great deal of information suggesting that Lamar Johns developed a diversion rate of 5.0 cfs from his well prior to November 19, 1987. Convincing evidence of that development would allow the department to process your application to recognize the existing water use. However, department records indicate a direct measurement of the diversion rate was made in 1981. The water right license limiting Mr. Johns to a total diversion rate of 3.61 cfs was based on that measurement. When the license was issued, Mr. Johns did not dispute the department's findings. Now that the diversion system has been substantially altered, there is no way to check the 1981 measurement. The information you have provided so far does not appear to outweigh the evidence of a direct measurement.

I must also remind you that the application for permit you submitted in May, no. 35-09050, is being held in our Idaho Falls office. It cannot be processed because of the moratorium in effect in your area and because the you have not conclusively demonstrated that the 5.0 cfs diversion capacity was achieved prior to November 19, 1987. Moreover, the application is incomplete because you listed Lamar Johns as the property owner without describing the arrangement which enables you to file the application for a water right on his property. If the information is not submitted within 30 days, the application could be viewed as speculative and may be rejected and returned to you.

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FEB 0 4 2002

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK

cc: Skip Jones, Eastern Region

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FEB 0 4 2002

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

RECEIVED
JUN 26 1995
Department of Water Resources
Eastern District Office

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1995

DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit

Dear Mr. Ruff:

I have reviewed the information you submitted to support your request for immediate approval of your application for permit to divert 5.00 cfs of groundwater on Lamar Johns's land near American Falls. Your effort in collecting the data is appreciated.

As you are aware, our previous director indicated he would approve applications in the Eastern Snake River Plain moratorium area if they are supported by incontrovertible evidence that the diversion and use of water began prior to November 19, 1987, the commencement date of the Snake River Basin Adjudication. The information you sent me in April indicated that you might be able to find strong evidence to contradict information in the department's files. In fact, some of the new information you submitted does give the impression that Lamar Johns's irrigation system was designed to pump about 2200 gpm (4.90 cfs) during the 1980s. But, the department has record of a direct measurement of the system's diversion capacity made in 1981 by department personnel. The measured rate of diversion was 3.61 cfs, which is the diversion rate allowed under licensed rights 35-07505, 35-07759, and 35-07953. Because the irrigation system has changed since the measurement was made, there is no way to test the accuracy of the measurement. Had Mr. Johns questioned the measurement, he could have indicated so in the 1980s before the system was changed.

It is my conclusion that the new information does not support the diversion of an additional 5.00 cfs prior to November 19, 1987. Moreover, it is insufficient to outweigh the direct measurement of 3.61 cfs in 1981. Therefore, the application you submitted will be held without being advertised until the moratorium on new development in the Eastern Snake River Plain is lifted. You will be notified when the application can be processed.

Meanwhile, it appears that you did not address item 11.c. on the application form. Item 11.c. says, "If the property is owned by

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DIRECTOR

a person other than the applicant, describe the arrangement enabling the applicant to make this filing." Because you listed Lamar Johns as the property owner, you are required to submit information to answer item 11.c. If this information is not submitted within 30 days, the application could be viewed as speculative and may be rejected and returned to you.

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

Sincerely,

Shelley Walter Keen

Shelley Walter Keen
Water Rights Supervisor

SWK

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May 22, 1995

DOUG RUFF
RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210

Dear Applicant:

Your application for permit was recently received. Due to the moratorium on new consumptive use rights in your area, no further action can take place. We will keep your application in our hold file in the event the moratorium is lifted.

If you wish us to return your application and fee, please let us know.

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ/rb

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CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 1, 1995

Doug Ruff
3005 W 2100 S
Aberdeen, ID 83210

RE: Appropriations by Lamar Johns

Dear Mr. Ruff:

I have reviewed the irrigation system information you submitted to show that Lamar Johns had appropriated more than 3.61 cfs prior to November 19, 1987, with the irrigation system that is reflected in water right licenses 35-07505, 35-07759, and 35-07953.

The receipts and pump curves you submitted seem to indicate that the system was designed to produce about 2000 gpm, or 4.45 cfs. Morevover, 4.45 cfs seems more reasonable than 3.61 cfs for the twelve wheel lines on the system. However, our records indicate a measured diversion rate of 1619 gpm, or 3.61 cfs, in 1981. I do not see anything in our files that indicates that our flow rate measurement was done incorrectly. It is possible that factors for which we have no record may have impacted the actual production of the system. Such factors have included the following:

- Actual dynamic pumping level
- System wear and tear
- Number of lines in operation simultaneously
- Pumping plant efficiency
- Changes made after the 1981 measurement
- System operating pressure

As you know, under the current moratorium, applications for permit for new water right development in your area are being held without approval. However, the Director of the Department of Water Resources has indicated that he will consider approving applications for permit for uses commenced prior to November 19, 1987. Therefore, if you can collect additional information to definitively show that Mr. Johns system beneficially used more than 3.61 cfs prior to that date, then there is a possibility that the department will issue a new permit to Mr. Johns. If you are able to collect such information, please submit it with your application to our Idaho Falls office. I am enclosing an application form and the information you have already gathered from Funk Irrigation and Implement.

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

Sincerely,

Shelley Walter Keen

Shelley Walter Keen
Water Rights Supervisor

SWK
Enclosures:
Application for Permit with Instructions
Funk Irrigation and Implement Information

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FEB 04 2002