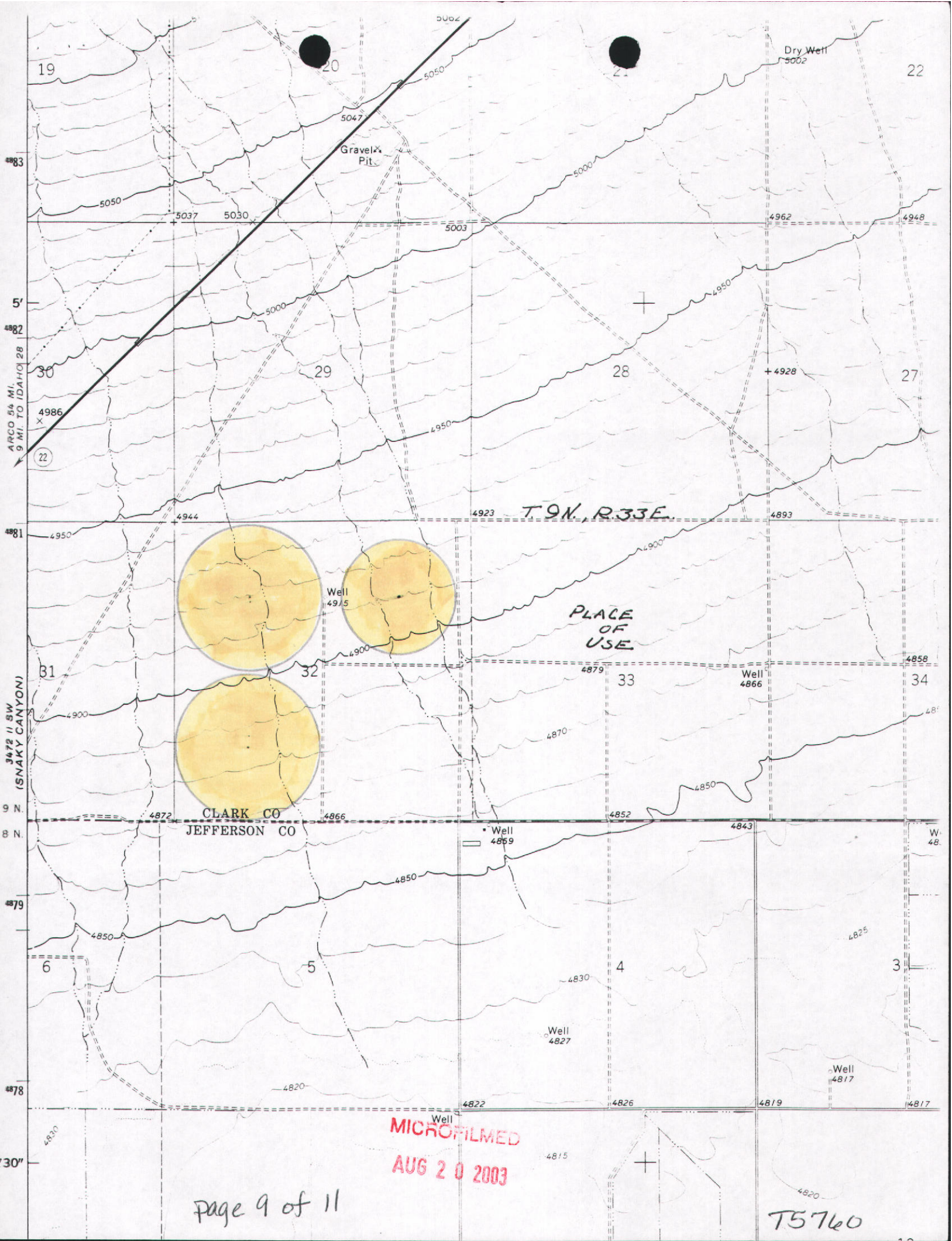


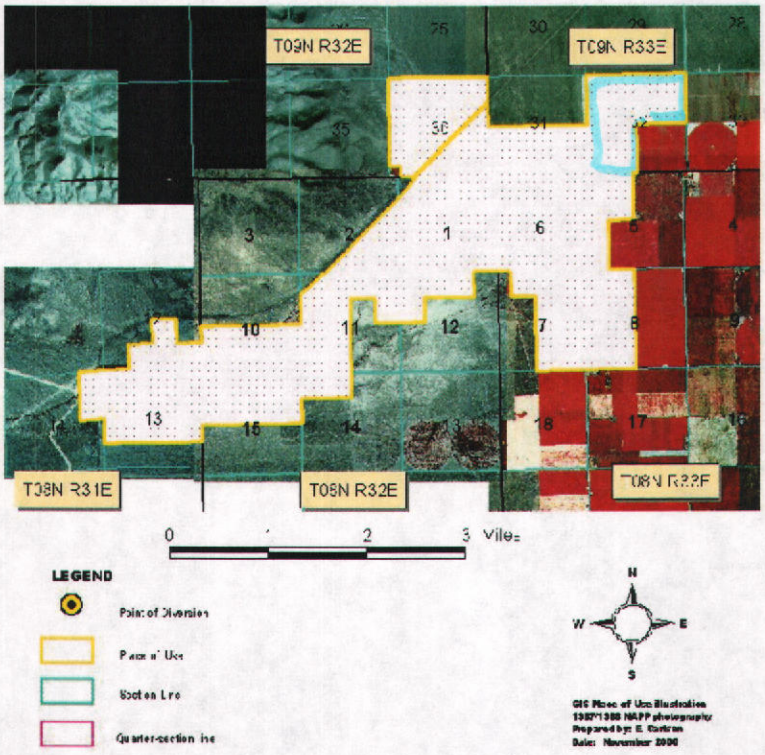
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AUG 2 0 2003

T5760

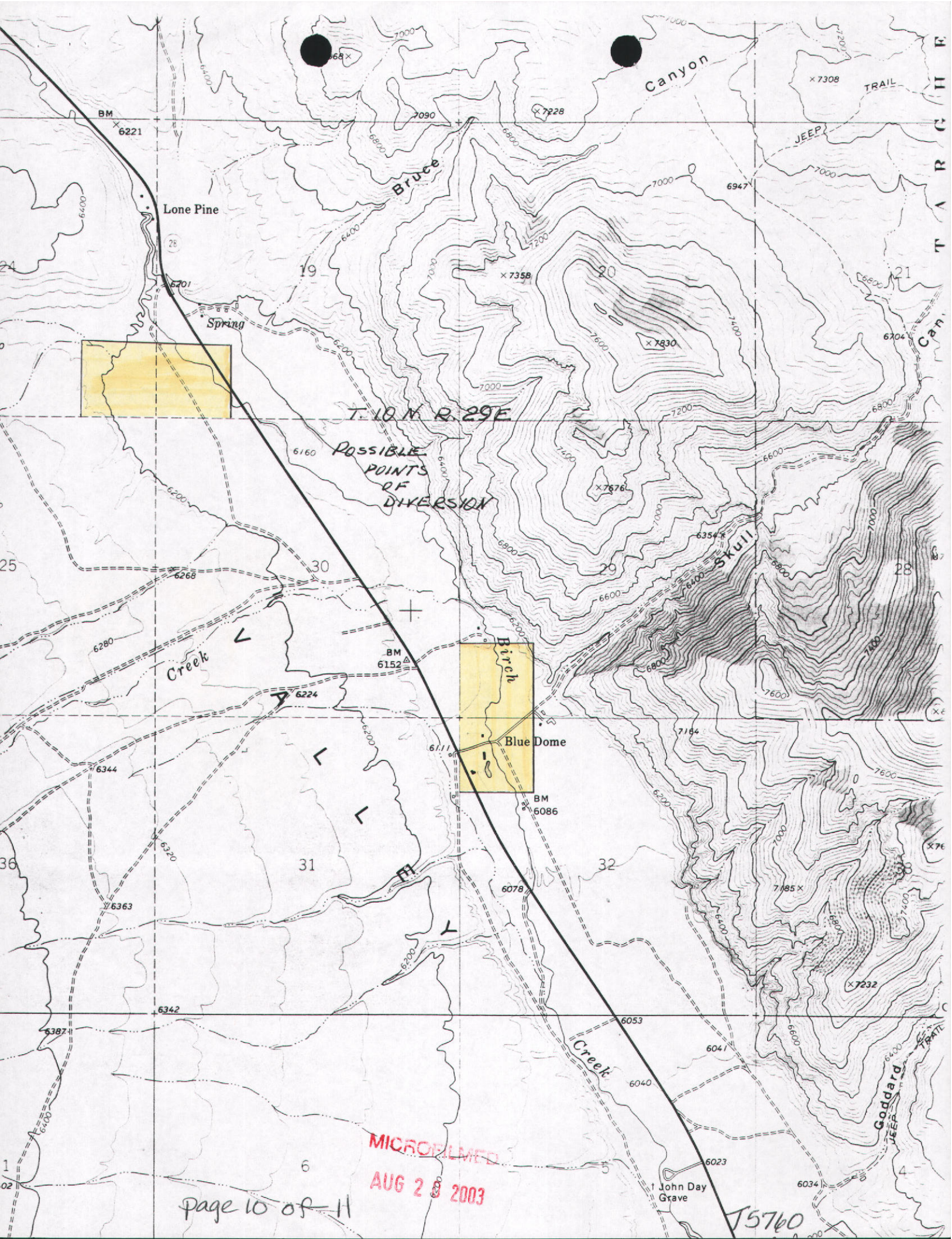
STATE OF IDAHO

Department of Water Resources

Claimant: Reno Ditch Company



MICROFILMED
AUG 2 0 2003

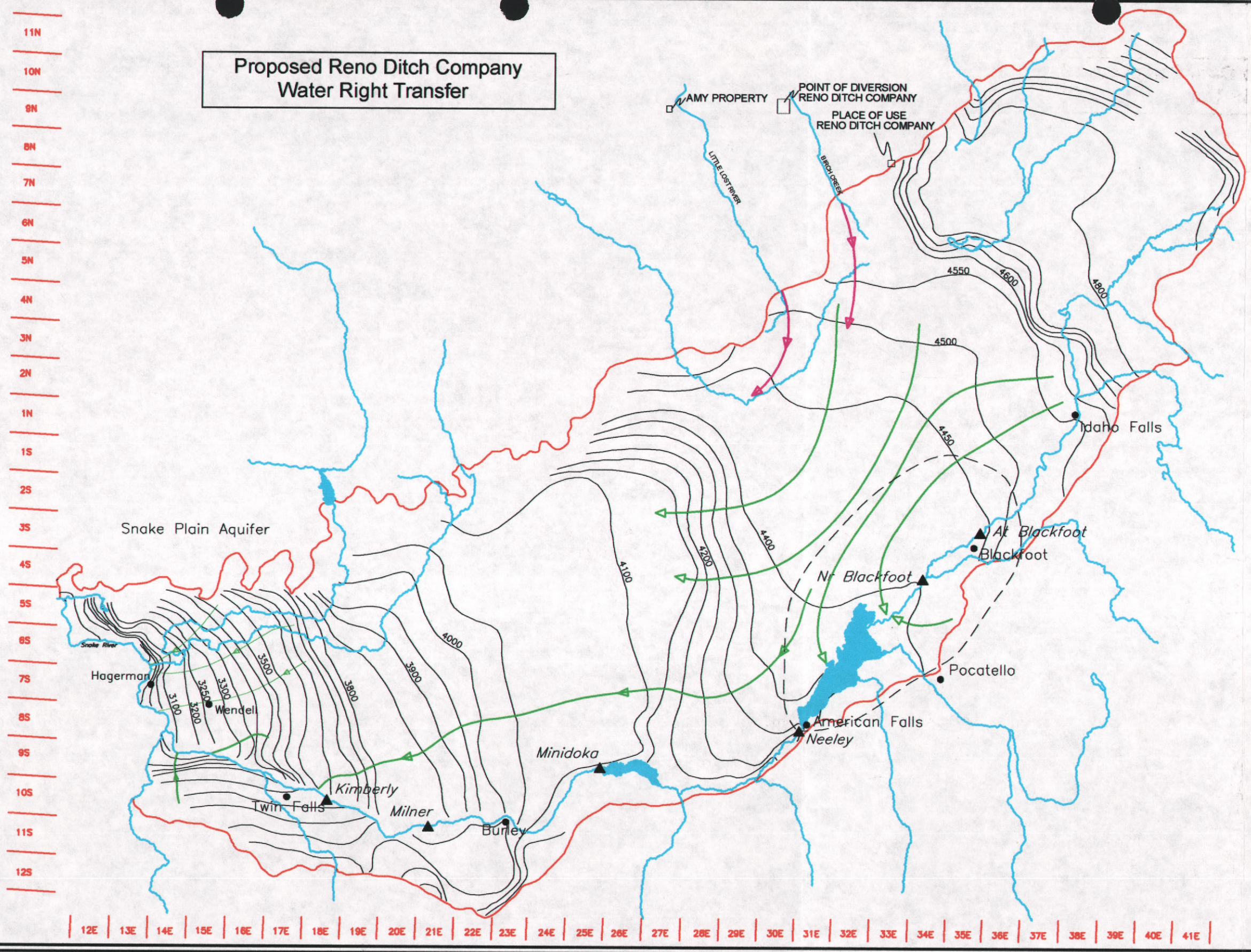


MICROFILMED
AUG 2 8 2003

T5760

FIGURE 1

Proposed Reno Ditch Company Water Right Transfer



LEGEND

- Eastern Snake Plain Aquifer boundary
- 4000 Computed water table contours (UI)
- Roads
- Rivers and Waterways
- Major city
- *U.S.G.S. streamflow gauge*
- Approximate flow line
- Estimated short-term response area for Blackfoot to Neeley reach gain

THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

REV	DESCRIPTION	DATE	APPD.	REFERENCE DRAWINGS

(24 X 36 DWG ONLY)

BROCKWAY ENGINEERING, PLLC
HYDRAULICS – HYDROLOGY – WATER RESOURCES
2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS, ID 83301
(208) 736-8543

EASTERN SNAKE RIVER PLAIN AQUIFER

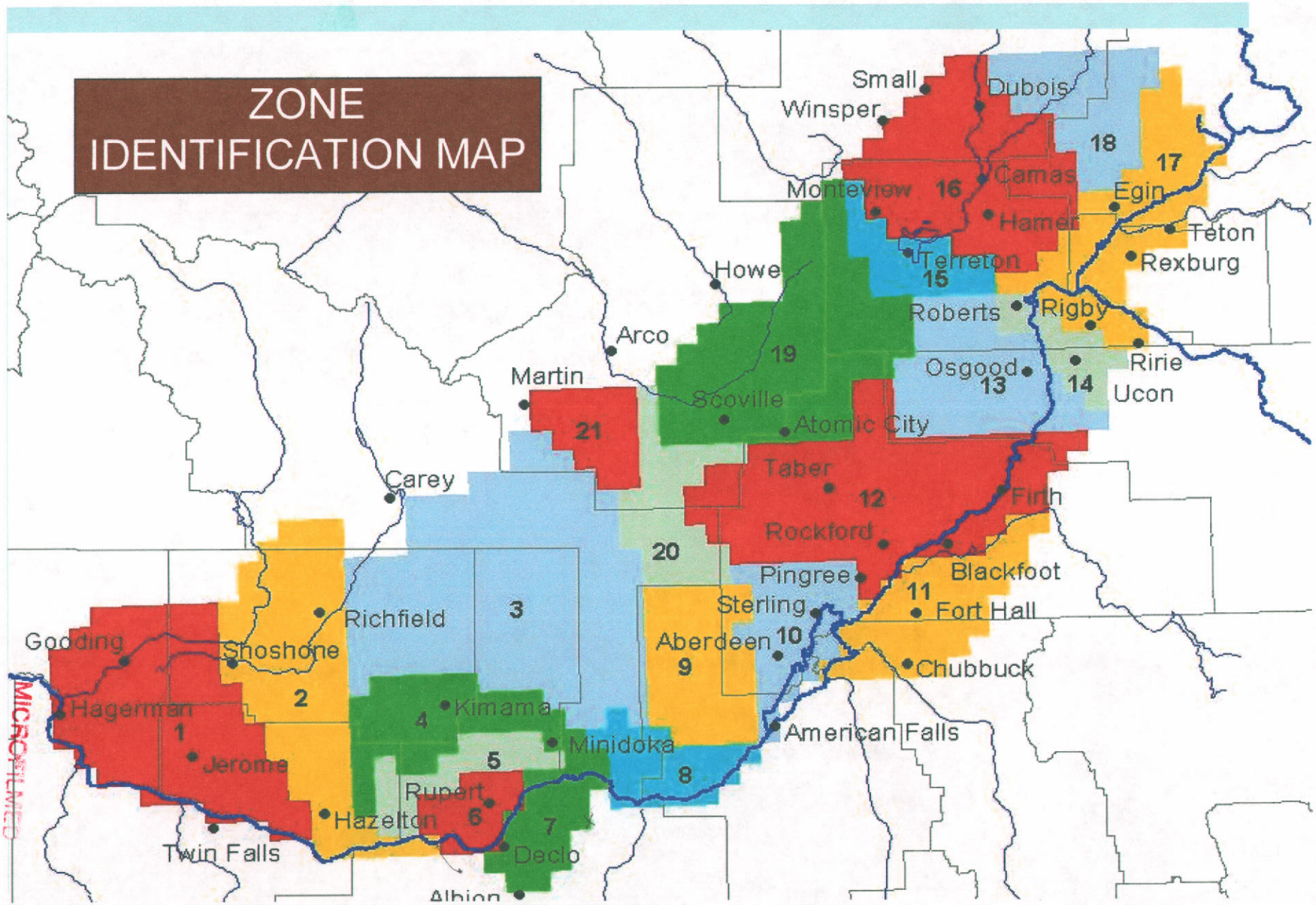
PROJECT #

DWG #

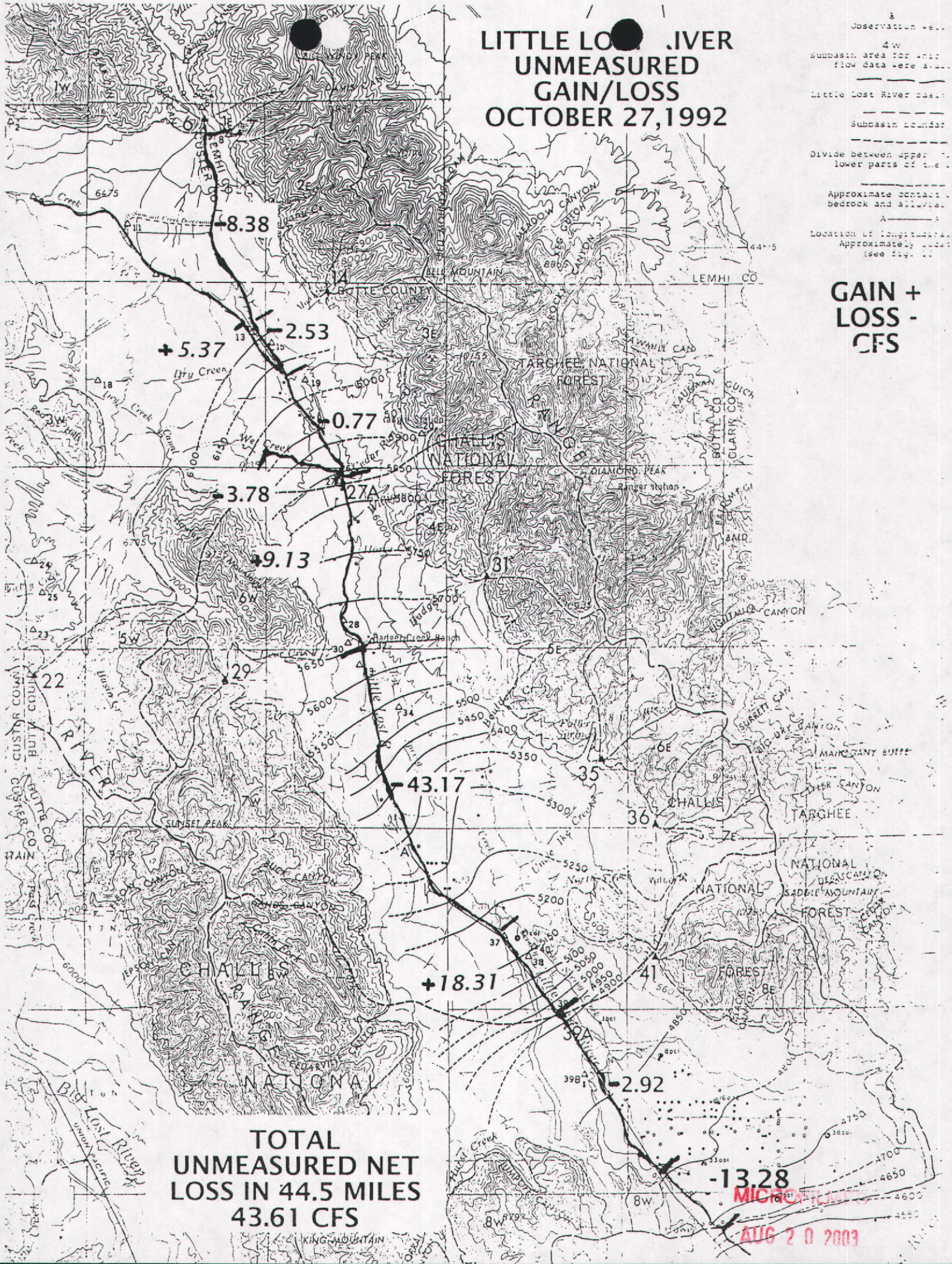
REV

MICROFILMED
AUG 2 0 2003

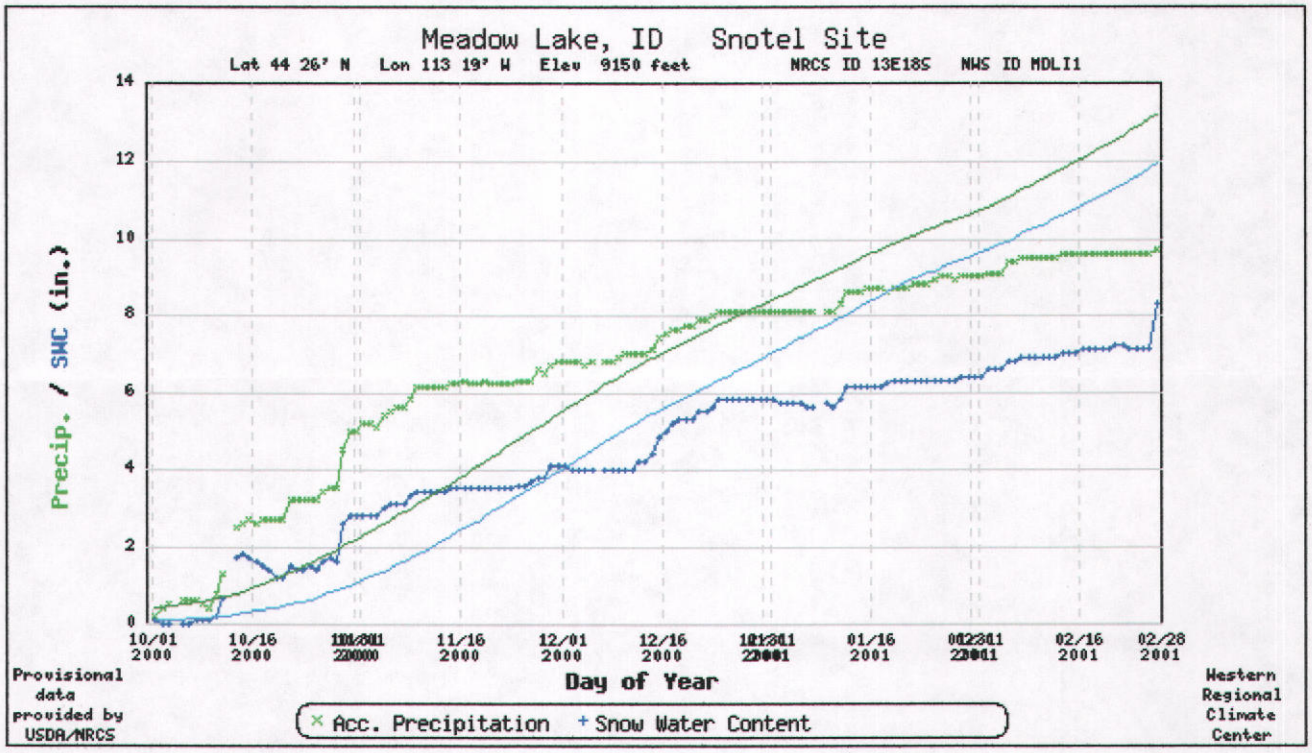
FIGURE 5



AUG 2 0 2003
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LITTLE LOST RIVER
UNMEASURED
GAIN/LOSS
OCTOBER 27,1992
GAIN +
LOSS -
CFS
+8.38
+2.53
+5.37
-0.77
-3.78
+9.13
-43.17
+18.31
-2.92
-13.28
TOTAL
UNMEASURED NET
LOSS IN 44.5 MILES
43.61 CFS
LEMHI CO
BUTTE COUNTY
CUSTER CO
CLARK CO
TARGHEE NATIONAL FOREST
CHALLIS NATIONAL FOREST
CHALLIS
TARGHEE
DIAMOND PEAK
Ranger station
BELL MOUNTAIN
KING MOUNTAIN
Big Lost River
Little Lost River
Wet Creek
Dry Creek
Hadger Creek
Warden Creek Ranch
Antelope Creek
Timber Creek
Rocky Canyon
Meadow Canyon
Elkhalla Canyon
Big Dry Canyon
Mahogany Butte
Deer Canyon
Saddle Mountain
Sunset Peak
Union Pacific
MICROFILMED
AUG 2 0 2003

Snotel Graph

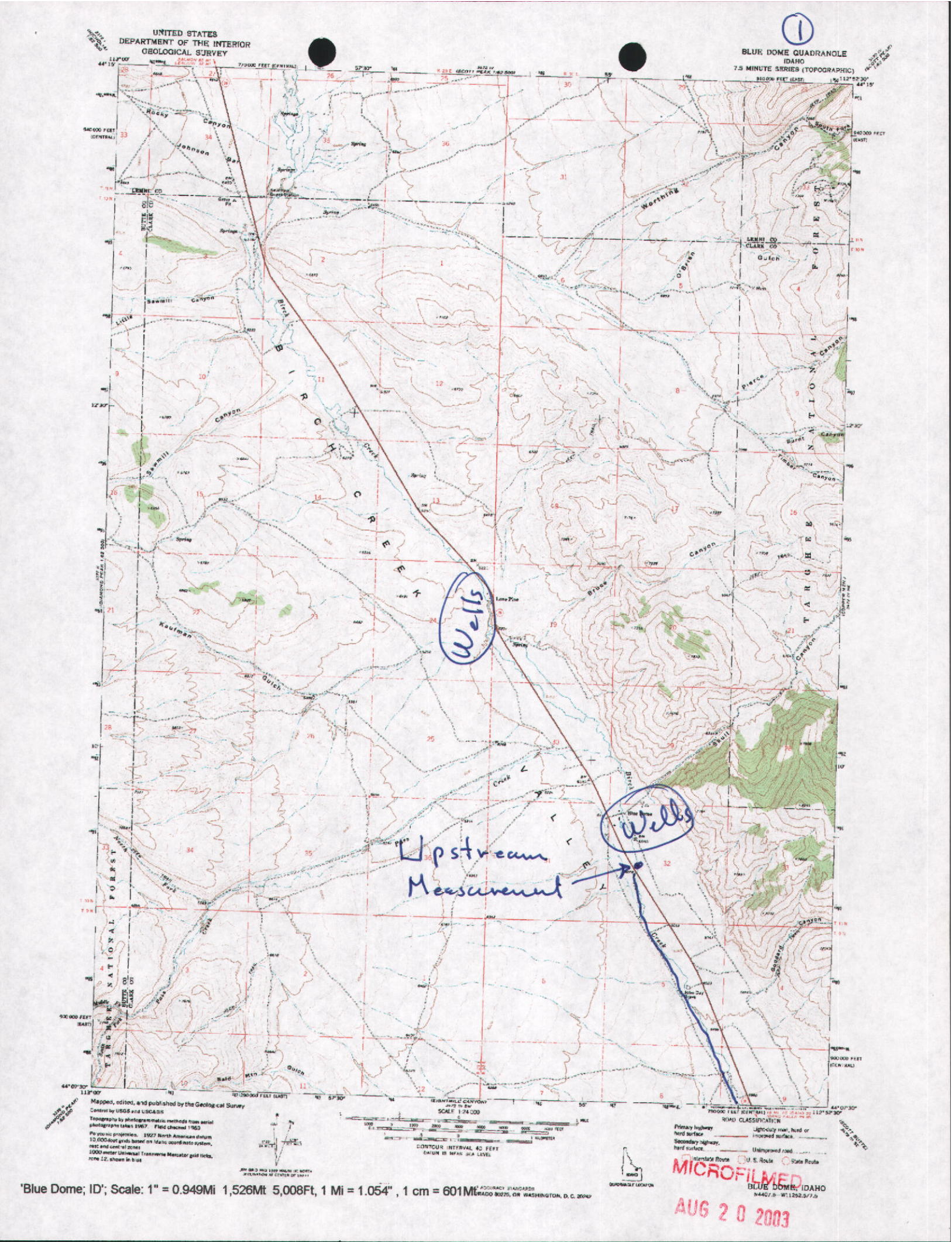


Return to Snotel Graph Options

Return to Home Page

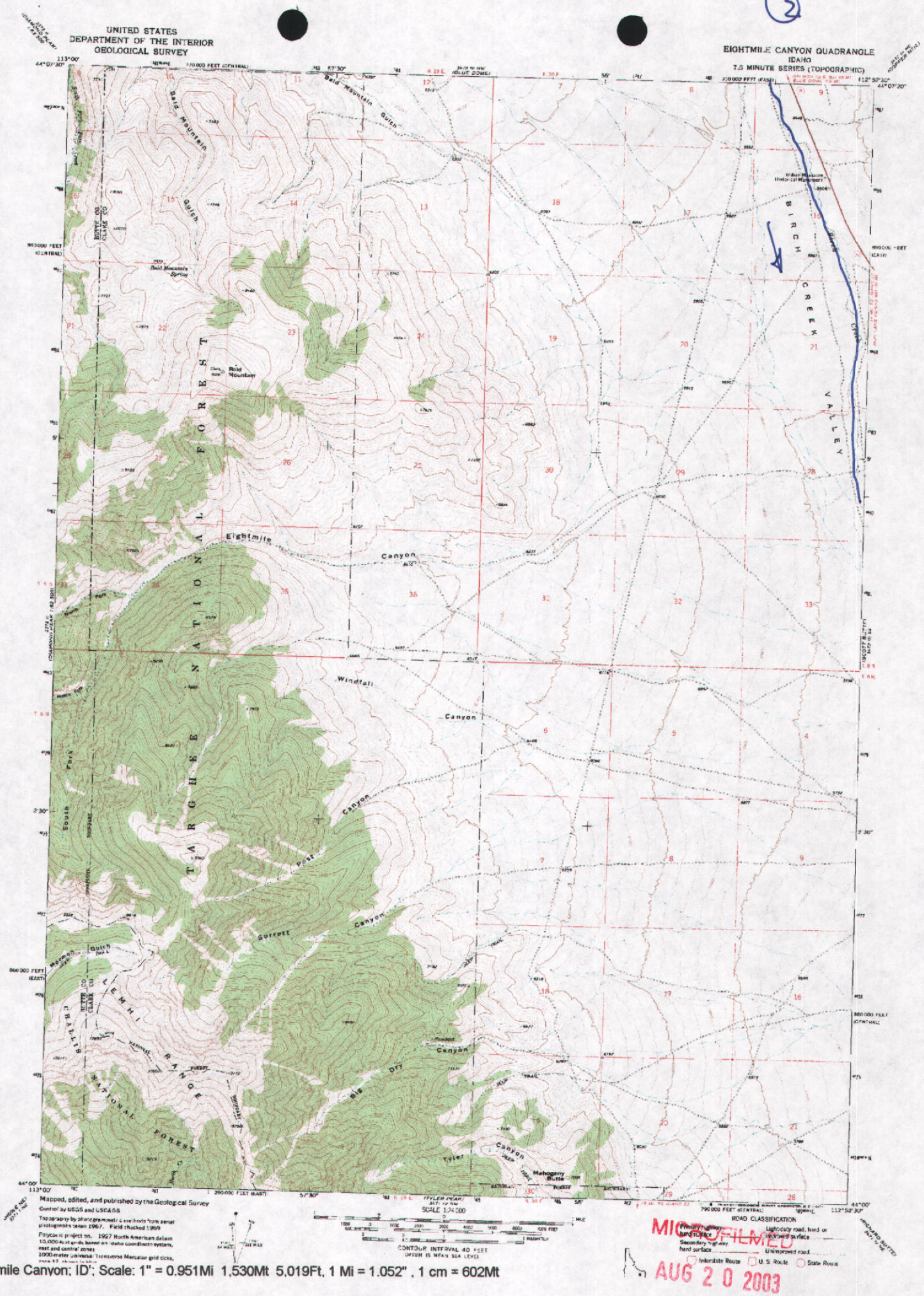
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AUG 2 0 2003



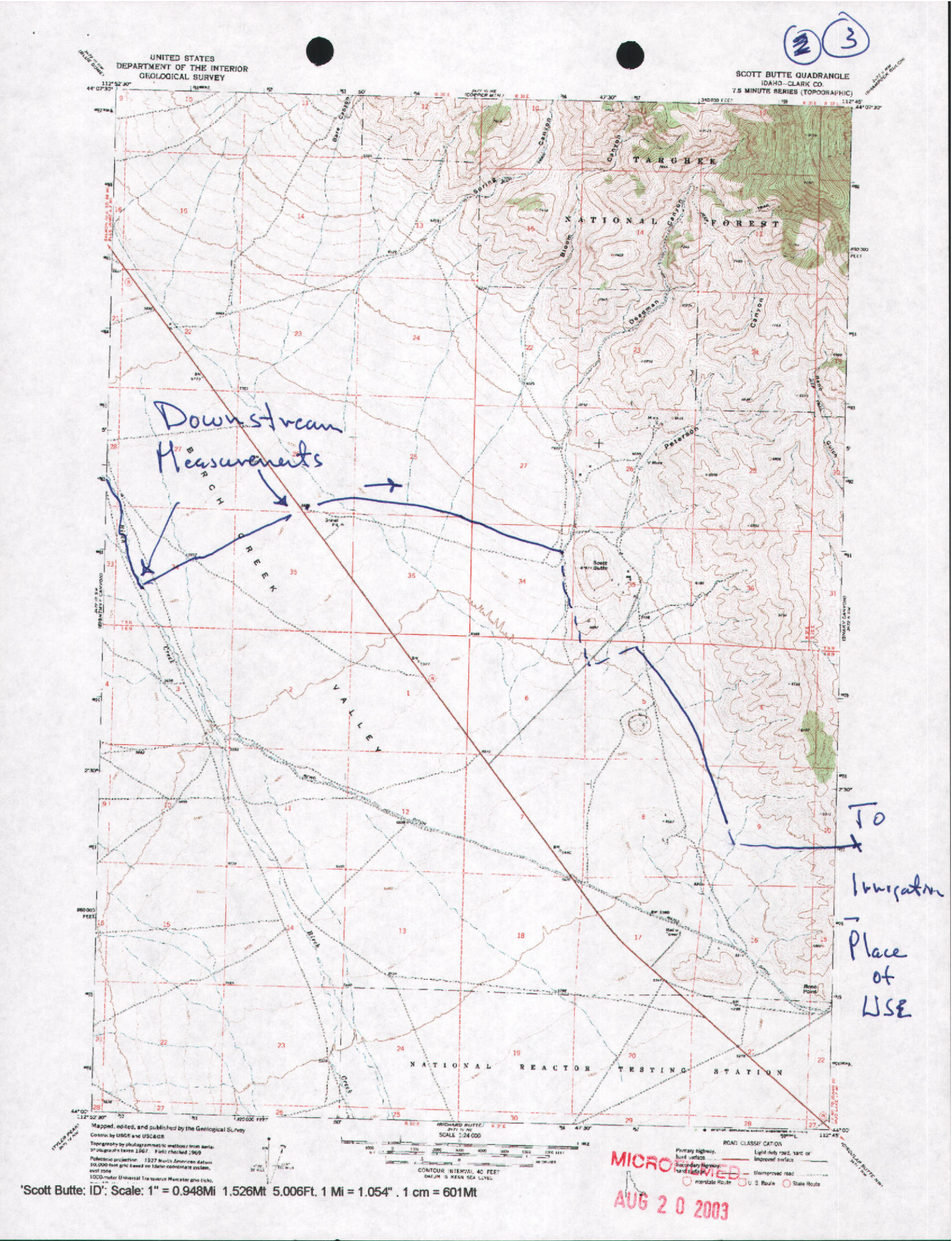
'Blue Dome; ID'; Scale: 1" = 0.949Mi 1,526Mt 5,008Ft, 1 Mi = 1.054" , 1 cm = 601Mt

(2)



'Eightmile Canyon; ID'; Scale: 1" = 0.951Mi 1,530Mt 5,019Ft, 1 Mi = 1.052" , 1 cm = 602Mt

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AUG 20 2003


UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
SCOTT BUTTE QUADRANGLE
IDAHO—CLARK CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
TARGHEE
NATIONAL FOREST
Birch Creek
Valley
Downstream Measurements
To Irrigation Place of USE
NATIONAL REACTOR TESTING STATION
Scott Butte
Reno Point
Mapped, edited, and published by the Geological Survey
SCALE 1:24 000
CONTOUR INTERVAL 40 FEET
ROAD CLASSIFICATION
'Scott Butte: ID': Scale: 1" = 0.948Mi 1.526Mt 5.006Ft. 1 Mi = 1.054" . 1 cm = 601Mt
MICROFILMED
AUG 20 2003

Jones, Harold (Skip)

From: Saxton, Glen
Sent: Wednesday, October 25, 2000 10:58 AM
To: Jones, Harold (Skip)
Subject: APPLICATION FOR TRANSFER NO. 5760 - RENO DITCH CO.

Skip,

We recently cancelled a hearing in connection with the above referenced application for transfer. This application proposes to transfer groundwater from the Little Lost River Basin to the Birch Creek Basin in order to provide more water to run through the Sorenson powerhouse to generate power. Please be sure to flag this file recommending that it needs hydrologic review in this office before action is taken on it. I just don't want this one to slip thorugh the system without adequate review. Thanks, lgs

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AUG 2 0 2003

MUD LAKE WATER USERS, INC
P.O. BOX 68
1400 E 1500 N
TERRETON, IDAHO 83450
PHONE (208) 663-4359 FAX (208) 663-4369

Idaho Department of Water Resources
c/o Harold Jones
900 N Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

RE: Proposed change of water right # T5760

Dear Harold,

Mud Lake Water Users, Inc. including Independent Water Users, Monteview Canal Company, and Producers Canal company, after exhausting our attempts to get a hydrologist or someone else capable of presenting our problems with the propose change of water right # T5760, wish to withdraw our protest on same.

If this water right should ever come up for transfer out of this service area we would like to be notified.

We still feel that this is an out-of-basin transfer. We also feel that the fact water from Birch Creek is running out onto the desert during the irrigation season should be considered before granting a transfer on the basis of lack of water.

Our attorney in this matter has been Jerry Rigby from Rexburg, Idaho.

Sincerely,

Garth Soderquist

Mud Lake Water Users, Inc.
Garth Soderquist, President

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AUG 2 0 2003

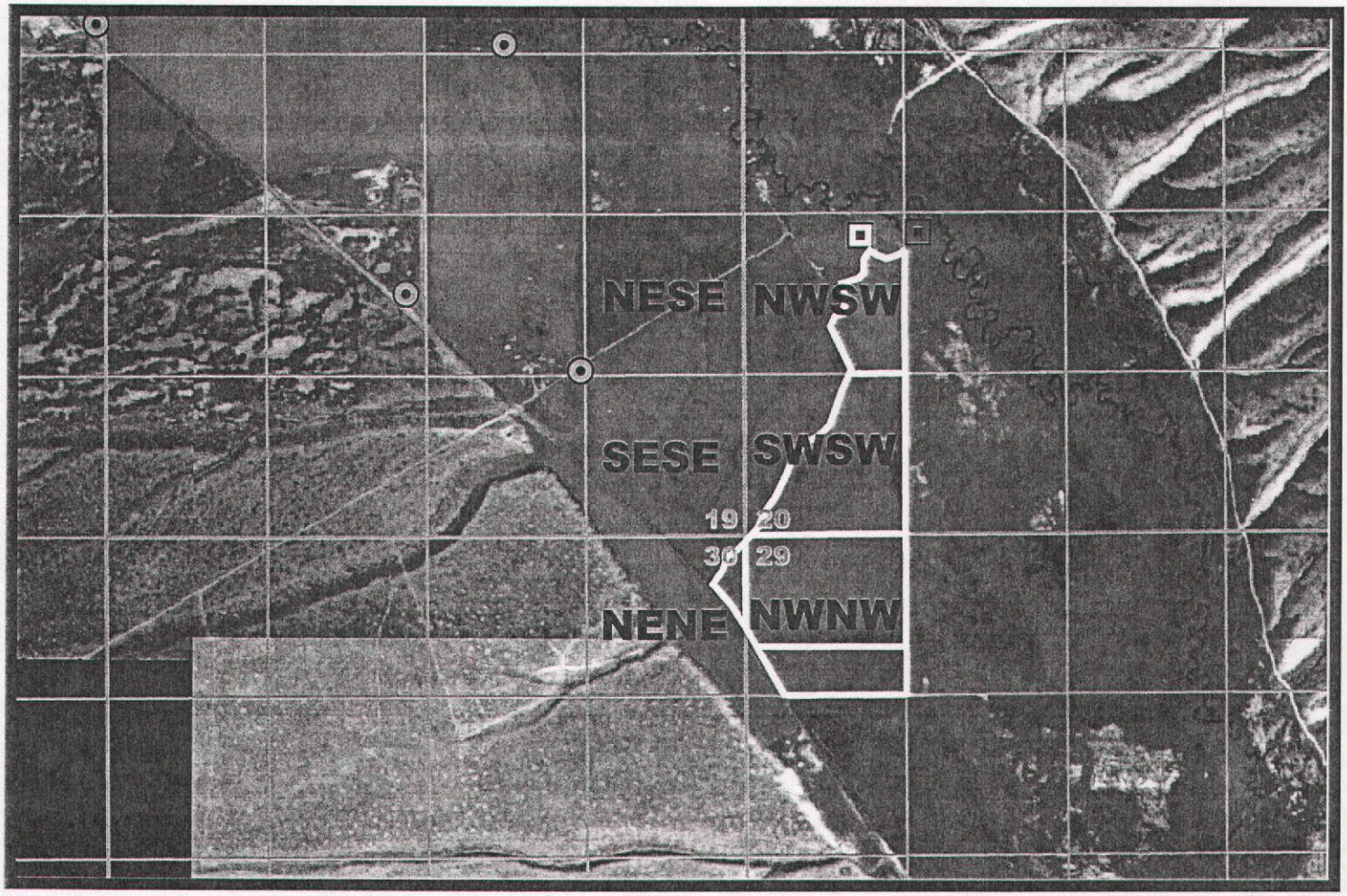
10/19/00

OCT-20-15 02:44 PM OWSLEYICANAL 6634369 P.02

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02034, 33-00087



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 20 (parts of) W2SW,
Section 29 (part of) NWNW,
Section 30 (part of) NENE

Point(s) of Diversion: T.10N., R.27E.
Sec. 20 NENWSW (surface)

N

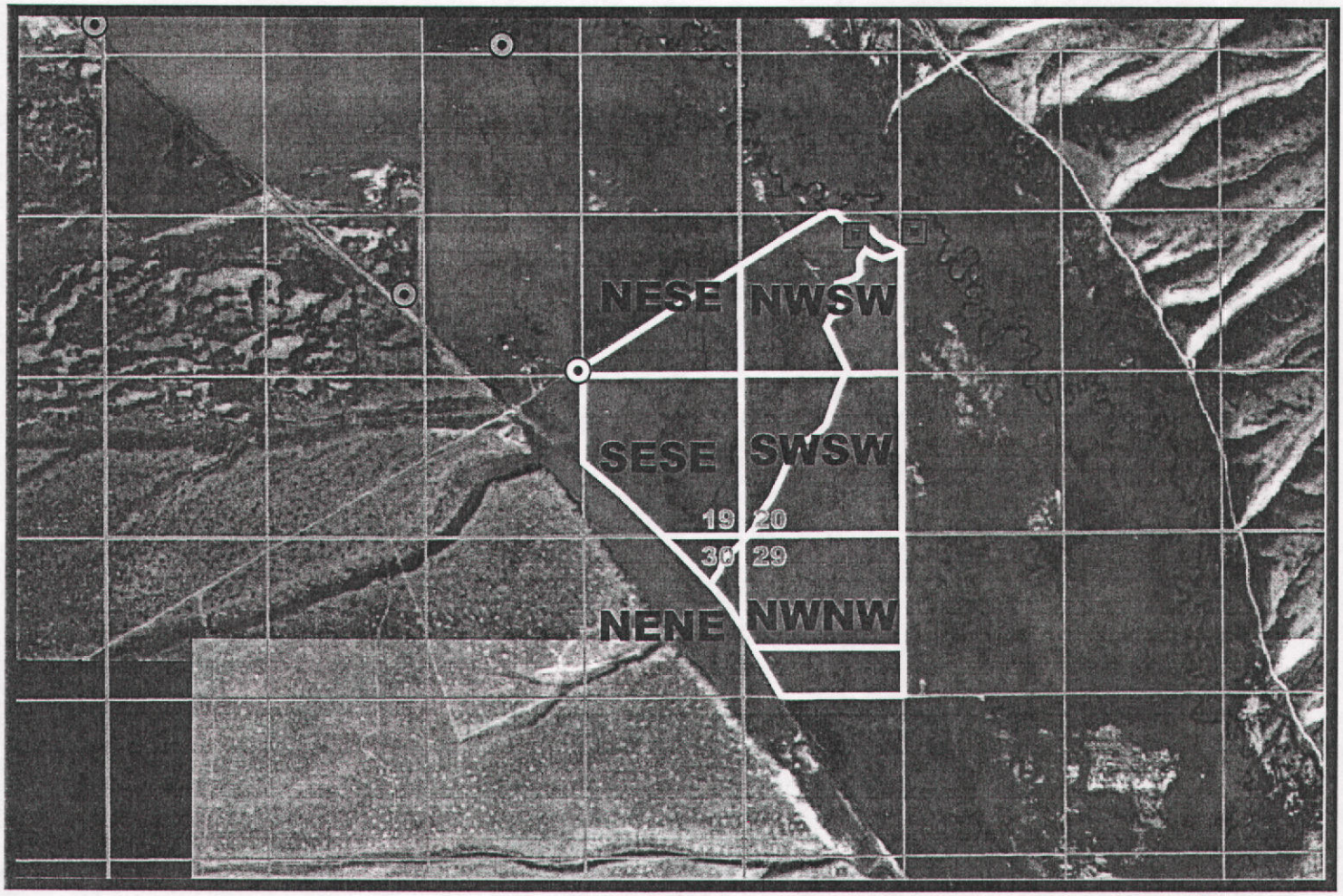
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

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AUG 2 0 2003

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02141, 33-02034, 33-00087



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) E2SE,
Section 20 (part of) W2SW,
Section 29 (part of) NWNW,
Section 30 (part of) NENE

Point(s) of Diversion: T.10N., R.27E.
Sec. 19 SENWSE (well)
Sec. 20 NENWSW (surface)

N

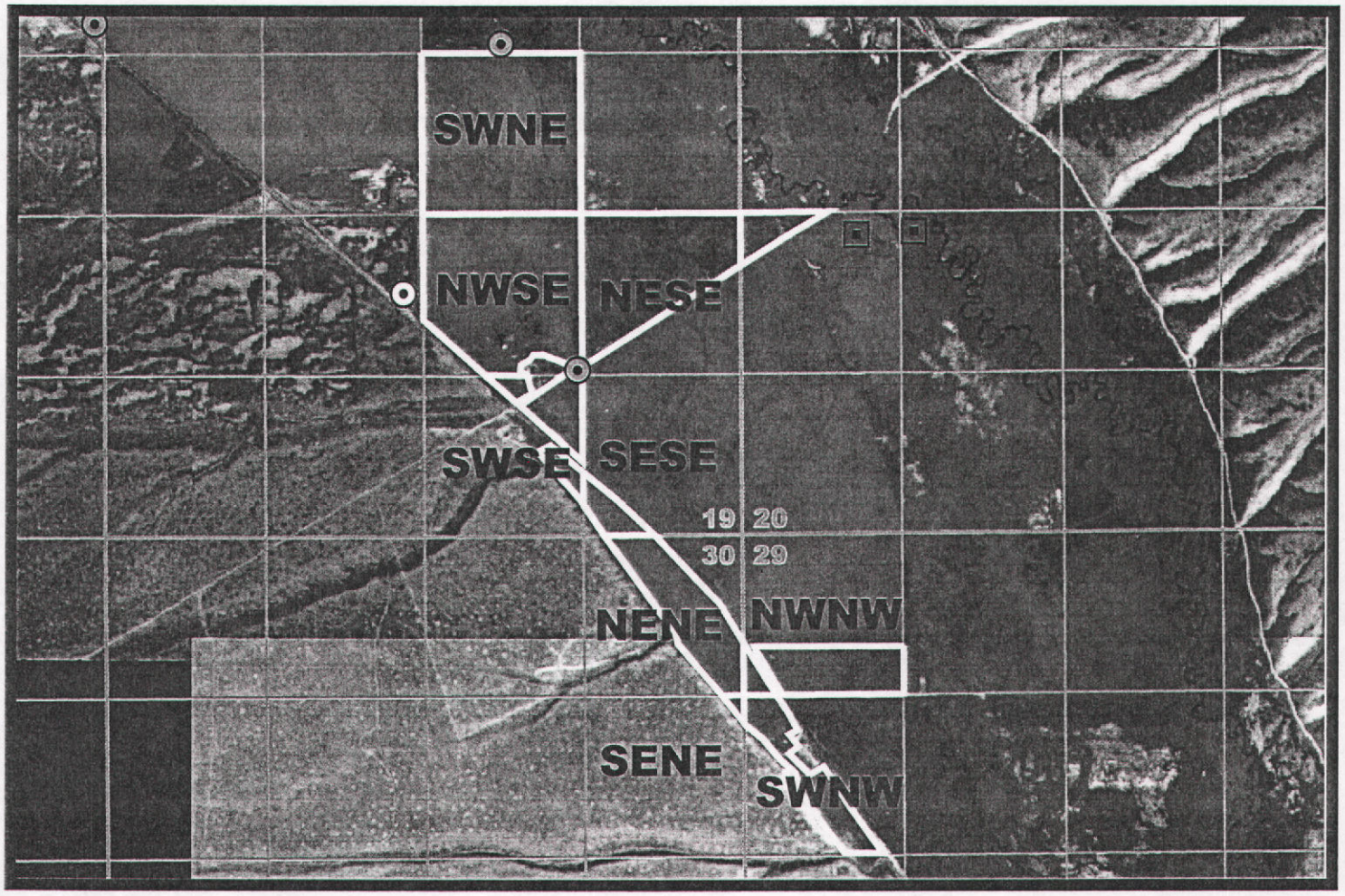
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

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AUG 2 0 2003

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02106



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

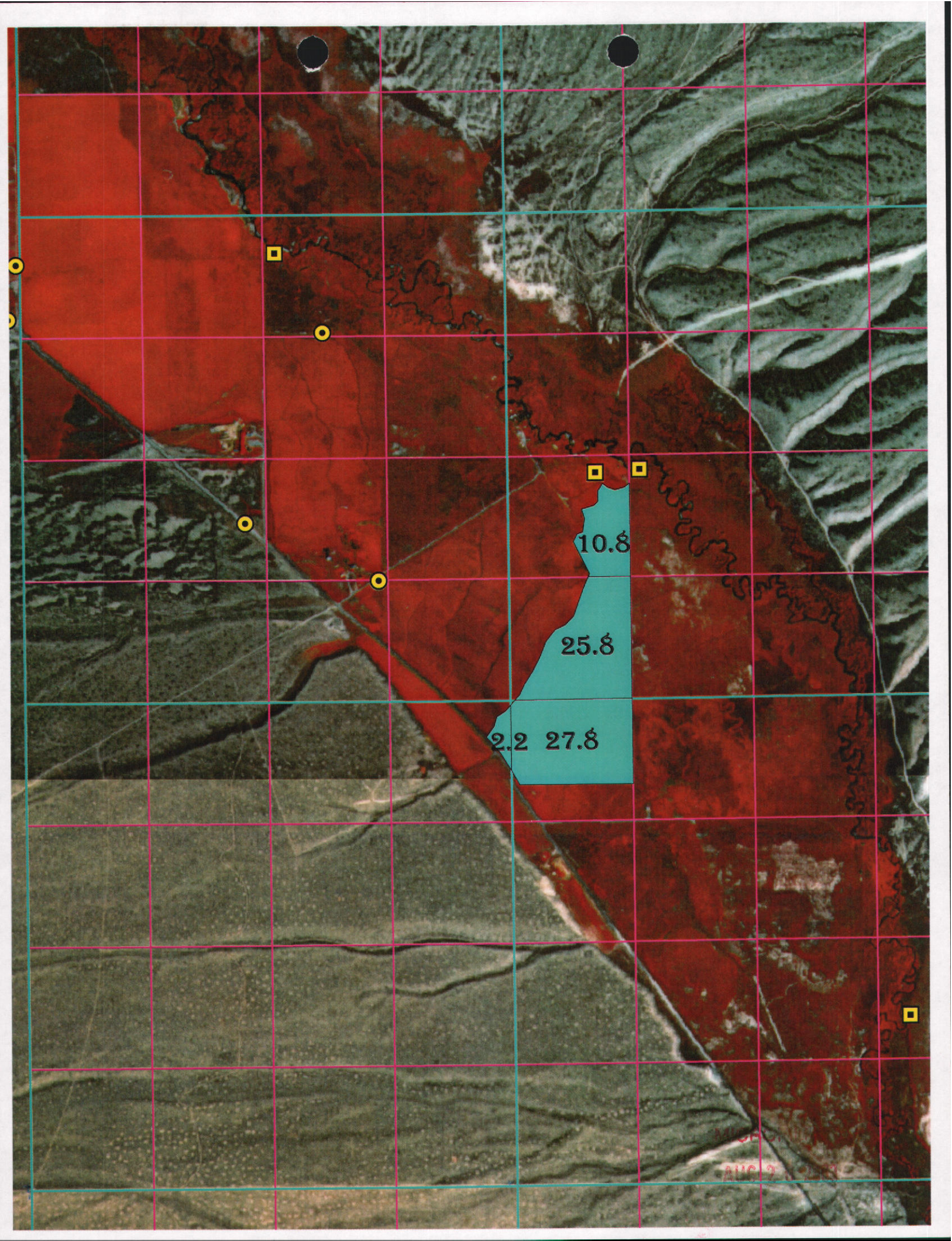
Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) SWNE, SE,
Section 20 (part of) NWSW,
Section 29 (part of) W2NW,
Section 30 (part of) E2NE

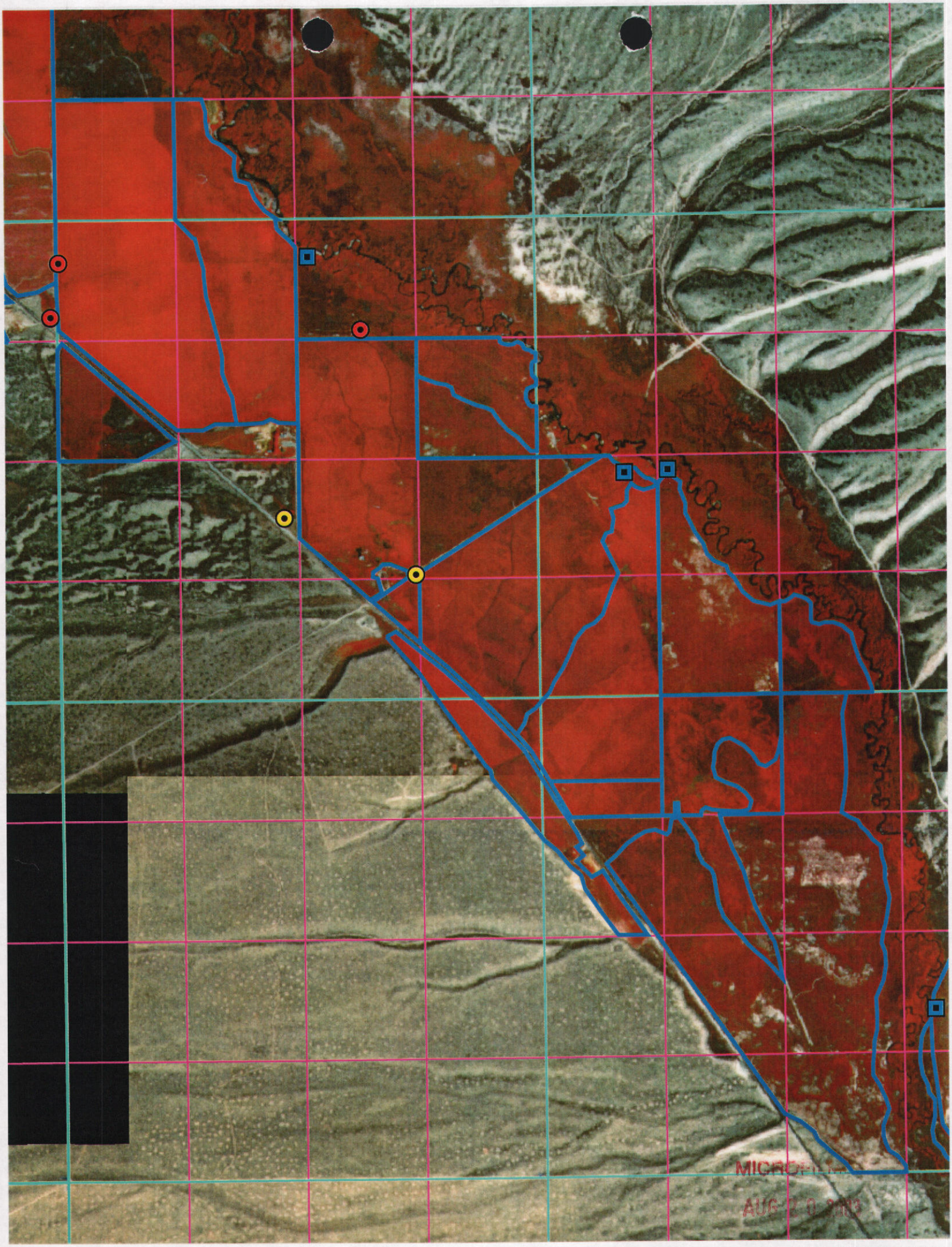
Point(s) of Diversion: T.10N., R.27E.
Sec. 19 NENESW

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AUG 2 0 2003

N

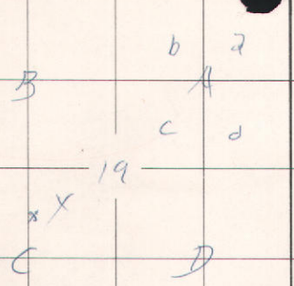
GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999


10.8
25.8
2.2
27.8

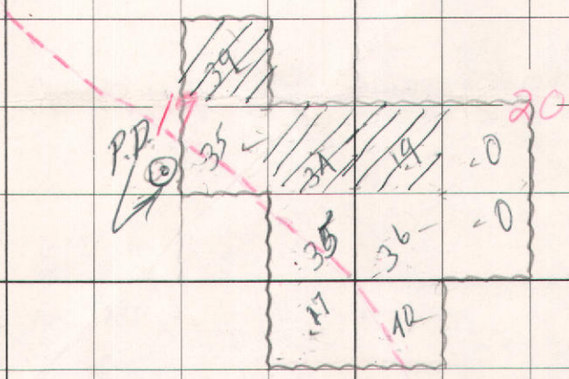



B 143
Allen Amy
6.6
7.6
2.7
104
36.7
39.1
259
B 146
Cecil Scott
PD
2.7
62.2
76.7
19
20
30
29
BD-146

30055



Rge. 22E.



35
71
57
163

39
88
71
57
255

Twp. 10N.

30

29

20

lic 5108 - NE¼SE¼-19-S.11½ Area - ~~235 A~~ 163 A

" 5108 - NW¼SW¼-20-1½A Subd - ~~8~~ 5

" 6622 - SW¼NE¼-19-20" ~~[illegible]~~ Q allow - 3.26 cfs

163"

Ft. Lupton

I hope

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30055

RECEIVED
JUL 25 1966
Department of Reclamation

Affidavit of Publication

I, Elizabeth L. Brammer, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four (4) consecutive weeks, commencing with the issue dated June 30, 1966 and ending with the issue dated July 21, 1966

Elizabeth L. Brammer

Subscribed and sworn to before me this 21 day of July, 1966

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.
My commission expires 2-4, 1969

PUBLIC NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 22nd day of July, 1966, at Arco, County of Butte, State of Idaho before Charles A. Jones, Notary Public, at 221 Grand Avenue, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30055, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Alan J. Amy, Howe, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is irrigation & domestic, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE¼SW¼, Sec. 19, T. 10 N., R. 27 E., B. M. Butte County, Idaho.

5. The place where said water is used is SW¼NE¼, NW¼SE¼, E½SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N., R. 27 E.,B.M., Butte County, Idaho.

6. The date of priority which said user is prepared to establish is August 7, 1961.

R. KEITH HIGGINSON,
Deputy State Reclamation Engineer.

Pub. 6-30 thru 7-21, 1966.

ALAN J. AMY
30055

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY, INC.	)))))	**ORDER DENYING PETITION FOR RECONSIDERATION**

On February 4, 2003, the Department of Water Resources ("Department") issued a Preliminary Order denying Application for Transfer No. 5760 ("application"). filed in the name of Reno Ditch Company ("applicant").

On February 18, 2003, the applicant filed a Petition for Reconsideration ("petition") of the Preliminary Order.

The Department has reviewed the petition and responds to the matters raised, in the sequence raised, as follows:

1. A response is not required.

2. In its denial of the application, the Department is not addressing a policy, and instead is following provisions of Section 42-222, Idaho Code. This section provides that an application for transfer may be used to change the point of diversion, place of use, period of use or nature of use of all or part of a water right. The application seeks to change the source of water from one independent source to a different independent source of water which change is not authorized under Section 42-222, Idaho Code. The Department is not authorized to approve the application changing the source and should deny the petition.

ORDER

IT IS HEREBY ORDERED that the Petition for Reconsideration filed by the applicant is **DENIED**.

Dated 7th day of March, 2003.

L. GLEN SAXTON, P.E., Chief
Water Allocation Bureau

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AUG 20 2003

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of March, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

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

Deborah J. Gibson
Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED
AUG 20 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY, INC.	)	**PRELIMINARY ORDER**

This matter having come before the Idaho Department of Water Resources ("Department") in the form of an application for transfer, the Department proposes to enter the following Findings of Fact, Conclusions of Law and Preliminary Order:

FINDINGS OF FACT

1. The Department has recommended the Snake River Basin Adjudication ("SRBA") claim filed on License No. **33-02141** as follows:

Source:	Ground water
Priority:	January 29, 1949
Rate of diversion:	3.2 cubic feet per second ("cfs")
Point of diversion:	NW1/4SE1/4 Section 19, T10N, R27E, B.M.
Use:	Irrigation
Place of use:	167.2 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.
Conditions of Approval:	Use of this right together with right nos. 33-00087 and 33-02034 shall not exceed 3.34 cfs. Use of this right together with right nos. 33-00087 and 33-02034 is limited to 167.1 acres in a given irrigation season. This right is limited to the irrigation of 160 acres within the above described place of use in a single irrigation season.

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

2. The Department also has recommended the SRBA claim filed on License No. **33-02106** as follows:

Source:	Ground water
Priority:	August 7, 1961
Rate of diversion:	3.0 cfs
Point of diversion:	NESW Section 19, T10N, R27E, B.M.
Use:	Irrigation
Place of use:	150 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.

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Conditions of approval:

Use of this right together with right nos. 33-00087, 33-02034 and 33-02141 shall not exceed 6.14 cfs.
Use of this right when combined with right nos. 33-00087, 33-02034, and 33-02141 is limited to the irrigation of 307.1 acres in a given irrigation season.

3. The Department also has recommended SRBA Claim No. **A33-11002** filed by Ted S. Sorenson, Birch Creek Ranches, LLC as follows:

Source:	Ground water
Priority:	August 8, 1961
Rate of diversion:	1.8 cfs
Point of diversion:	NESE Section 19, T10N, R27E, B.M.
Use:	Irrigation
Season of use:	April 1 to October 31
Place of use:	150 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.

Conditions of approval:

Use of this right when combined with right nos. 33-00087, 33-02034, 33-02141 and 33-02106 shall not exceed a combined rate of diversion of 6.14 cfs

Use of this right when combined with right no. 33-02106 is limited to a combined diversion rate of 4.8 cfs and 525 acre feet per annum ("AFA")

Use of this right when combined with right nos. 33-00087, 33-02034 and 33-02141 shall not be used for the irrigation of more than 307.1 acres in any irrigation season.

4. On November 16, 1999, the Reno Ditch Company, Inc. ("applicant") filed Application for Transfer No. 5760 ("application") with the Department proposing to change the point of diversion and place of use of water right nos. 33-02106, 33-02141 and R33-11002 to 306.8 acres in Section 32, T9N, R33E, B.M. The proposed points of diversion are within Sections 19, 29 and 32 in T10N, R30E, B.M. and Section 24, T10N, R29E, B.M.

5. The Department published notice of the application that was subsequently protested on July 7, 2000 by Mud Lake Water Users, Inc. ("protestant"). The protestant subsequently withdrew its protest.

6. The applicant proposes to change the place of use of water rights from the Little Lost River drainage in Butte County to a place of use in the Birch Creek drainage located approximately 36 miles to the southeast in Clark County. The proposed new points of diversion are wells located near Blue Dome that are approximately 19 miles east of the authorized place of use and about 18 miles

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AUG 2 3 2003

northwest of the proposed place of use.

7. The application proposes to divert ground water near Blue Dome, inject the water into Birch Creek, redivert the water from Birch Creek at a point used by the applicant to divert surface water to a hydropower generation plant owned by the applicant, use the water in the power plant, and then convey the water on to the place of use for irrigation.

8. The aquifer in the Little Lost River drainage is a separate aquifer from the aquifer in the Birch Creek drainage. The ground water in the Little Lost River drainage is not directly hydraulically connected to ground water in the Birch Creek drainage although both aquifers are connected to the Eastern Snake River Plain aquifer.

9. On April 16, 2001, the Department corresponded with the applicant seeking information related to potential enlargement of water use and potential injury to other water rights. In March 2002, the applicant responded to the information request relative to the consumptive irrigation requirement but did not address enlargement and injury concerns associated with a change from the Little Lost River Drainage to the Birch Creek drainage. On January 27, 2003, the applicant provided additional information to address the enlargement and injury concerns of the Department.

ANALYSIS

Section 42-222, Idaho Code, allows changes in certain elements of a water right but not others. Source is one of the elements not included in Section 42-222. The application can not be approved.

The application for transfer filed by the applicant essentially proposes a new appropriation of water in the Birch Creek drainage. The application could also be viewed as an exchange between ground water sources and there are no provisions for ground water exchanges in the Idaho statutes.

Even though the net effect of the discharge of ground water from either the Birch Creek drainage or from the Little Lost River drainage upon the Eastern Snake River Plain aquifer might be similar in amount and/or timing, the effects of the change within either drainage themselves are unknown and will result in changes and can not be accurately predicted.

CONCLUSIONS OF LAW

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

> (1) Any person, entitled to the use of water whether represented by license issued by the department of water resources, by claims to water rights by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of

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AUG 2 8 2003

all or part of the water, under the right shall first make application to the department of water resources for approval of such change. ... (Emphasis added).

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

2. The change of water use as proposed in the application is not readily administrable and could result in the diversion and use of more ground water and surface water in the Little Lost River drainage.

3. The Department should deny the application.

ORDER

IT IS THEREFORE hereby ORDERED that Application for Transfer No. 5760 in the name of Reno Ditch Company, Inc. is **DENIED**.

Signed this 4th day of February, 2003.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

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AUG 2 0 2003

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of February, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

HAROLD JONES
IDWR-EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

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

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED
AUG 2 0 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY, INC.	)))))	**NOTICE OF CONDITIONAL WITHDRAWAL**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department issues the following Findings of Fact, Conclusions of Law and Notice of Conditional Withdrawal Order:

FINDINGS OF FACT

1. On December 26, 2002, the Department served a Notice of Proposed Default Order ("notice") upon Reno Ditch Co, Inc. ("applicant") for failure respond to an information request and to provide requested information.

2. On December 30, 2002, the applicant responded to the notice advising that he had not received the letter from the Department dated October 24, 2002 that requested additional information and that the address used by the Department to mail the notice was incorrect.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01702 (Rule of Procedure 702) authorizes the Department to withdraw a Notice of Default Order upon a satisfactory showing why a default order should not be entered.

2. The Department should conditionally withdraw the notice, since the mailing address used by the Department is incorrect.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Notice of Proposed Default Order issued by the Department on December 26, 2002 in connection with Application for Transfer No. 5760 is **CONDITIONALLY WITHDRAWN** as described below:

1. The applicant shall submit the requested information within thirty (30) days of the date of service of this order.

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2. Failure of the applicant to timely submit the requested information or failure to submit suitable information to respond to enlargement and injury concerns due to the proposed transfer from the Little Lost River drainage to the Birch Creek River drainage will result in reinstatement of the Notice of Proposed Default Order originally issued on December 26, 2002.

Dated this 30th day of December, 2002.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of December, 2002, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

HAROLD JONES
IDWR – EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

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

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY, INC.	)	**NOTICE OF PROPOSED DEFAULT ORDER**

This matter having come before the Idaho Department of Water Resources ("Department") in the form of an application for transfer, the Department proposes to enter the following Findings of Fact, Conclusions of Law and Default Order:

FINDINGS OF FACT

1. The Department has recommended the Snake River Basin Adjudication ("SRBA") claim filed on License No. **33-02141** as follows:

Source:	Ground water
Priority:	January 29, 1949
Rate of diversion:	3.2 cubic feet per second ("cfs")
Point of diversion:	NW1/4SE1/4 Section 19, T10N, R27E, B.M.
Use:	Irrigation
Place of use:	167.2 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.
Conditions of Approval:	
	Use of this right together with right nos. 33-00087 and 33-02034 shall not exceed 3.34 cfs.
	Use of this right together with right nos. 33-00087 and 33-02034 is limited to 167.1 acres in a given irrigation season.
	This right is limited to the irrigation of 160 acres within the above described place of use in a single irrigation season.

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

2. The Department also has recommended the SRBA claim filed on License No. **33-02106** as follows:

Source:	Ground water
Priority:	August 7, 1961
Rate of diversion:	3.0 cfs
Point of diversion:	NESW Section 19, T10N, R27E, B.M.
Use:	Irrigation
Place of use:	150 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.

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Conditions of approval:

Use of this right together with right nos. 33-00087, 33-02034 and 33-02141 shall not exceed 6.14 cfs.

Use of this right when combined with right nos. 33-00087, 33-02034, and 33-02141 is limited to the irrigation of 307.1 acres in a given irrigation season.

3. The Department also has recommended SRBA Claim No. **A33-11002** filed by Ted S. Sorenson, Birch Creek Ranches, LLC as follows:

Source:	Ground water
Priority:	August 8, 1961
Rate of diversion:	1.8 cfs
Point of diversion:	NESE Section 19, T10N, R27E, B.M.
Use:	Irrigation
Season of use:	April 1 to October 31
Place of use:	150 acres within parts of Sections 19, 20, 29 and 30, T10N, R27E, B.M.

Conditions of approval:

Use of this right when combined with right nos. 33-00087, 33-02034, 33-02141 and 33-02106 shall not exceed a combined rate of diversion of 6.14 cfs

Use of this right when combined with right no. 33-02106 is limited to a combined diversion rate of 4.8 cfs and 525 acre feet per annum ("AFA")

Use of this right when combined with right nos. 33-00087, 33-02034 and 33-02141 shall not be used for the irrigation of more than 307.1 acres in any irrigation season.

4. On November 16, 1999, the Reno Ditch Company, Inc. ("applicant") filed Application for Transfer No. 5760 ("application") with the Department proposing to change the point of diversion and place of use of water right nos. 33-02106, 33-02141 and R33-11002 to 306.8 acres in Section 32, T9N, R33E, B.M. The proposed points of diversion are within Sections 19, 29 and 32 in T10N, R30E, B.M. and Section 24, T10N, R29E, B.M.

5. The Department published notice of the application that was subsequently protested on July 7, 2000 by Mud Lake Water Users, Inc. ("protestant"). The protestant subsequently withdrew its protest.

6. The applicant proposes to change the place of use of water rights from the Little Lost River valley in Butte County to a place of use in the Birch Creek drainage located approximately 36 miles to the southeast in Clark County. The proposed new points of diversion are wells located near Blue Dome that are approximately 19 miles east of the authorized place of use and about 18 miles northwest of the proposed place

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AUG 2 3 2003

of use.

7. The application proposes to divert ground water near Blue Dome, inject the water into Birch Creek, redivert the water from Birch Creek at a point used by the applicant to divert surface water to a hydropower generation plant owned by the applicant, use the water in the power plant, and then convey the water on to the place of use for irrigation.

8. On April 16, 2001, the Department corresponded with the applicant seeking information related to potential enlargement of water use and potential injury to other water rights. In March 2002, the applicant responded to the information request relative to the consumptive irrigation requirement associated with the application. The response, however, did not address enlargement and injury concerns associated with a change from the Little Lost River Drainage to the Birch Creek drainage.

9. On October 24, 2002, the Department again corresponded with the applicant requesting the information and advised that failure of the applicant to provide adequate information to address the enlargement and injury issues within 30 days would result in rejection or denial of the application. The applicant did not respond to the Department's inquiry.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01700 (Rule of Procedure 700) authorizes the Department to issue a Notice of Proposed Default Order for failure to respond to a written information inquiry.

2. The applicant has not provided the requested information relative to the pending application.

3. The Department should deny the application.

DEFAULT ORDER

IT IS THEREFORE hereby ORDERED that Application for Transfer No. 5760 in the name of Reno Ditch Company, Inc. is **DENIED** for failure to respond to the information inquiry and to provide the requested information.

Signed this 26th day of December, 2002

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

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AUG 20 2003

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of December, 2002, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

HAROLD JONES
IDWR – EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

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

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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AUG 2 0 2003

Form 1-222 November 30, 1999

Page 1 of 11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5760

Revised **APPLICATION FOR TRANSFER OF WATER RIGHT** Revised

PART 1

Name of Applicant RENO DITCH Company Inc Phone (208) 523-0620

Post Office address c/o Holden, Kidwell, Hahn & Crapo P.O. Box 50130 ID Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes To dry up lands presently irrigated and irrigate other lands in Basin 32 (Birch Creek drainage)

RECEIVED
FEB 12 2001
Department of Water Resources

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
33-02106	8/07/1961	3.00 cfs	Irrigation	4-15 to 10-31
33-02141	1/29/1949	3.20 cfs	" "	" to "
R33-11002	8/8/1961	1.80 cfs	" "	" to "
				to

2. Total amount of water being transferred 8.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	SW	19	10N	30E	Clark	
		SE	SE	24	10N	29E		
		SW	SW	29	10N	30E		
		NW	NW	32	10N	30E		

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	33E	32	17	17	17	17	29.7	29.7	29.7	29.7	30	30	30	30					

Total Acres 306.8

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AUG 23 2001

0

PART 1

6. General Information:

a. Description of diversion system Well or wells pump into Birch Creek then rediverted at the hydropower channel. The water then goes thru the power plant and Reno Ditch company puts water into their system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The lands irrigated will be dried up.

d. Remarks:
If this transfer is approved then surface rights 33-00087 & 33-02034 will be relinquished

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

_____
For the Director

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AUG 20 2009

TRANS NO. 5760

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-02141**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/31	3.20 CFS	560.0 AF

SOURCE

GROUNDWATER

Priority: 01/29/1949

LOCATION OF POINT(S) OF DIVERSION: SENWSE , Sec. 19, Township 10N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N	27E	19																	49.6
			NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10N	27E	19									14						35		
10N	27E	20			34		40												74.5
10N	27E	29																	37.9
10N	27E	30	05																5.2
																	TOTAL ACRES		167.2

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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. SECTION 42-1412(6), IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.34 CFS. COMBINED RIGHT NOS.: 33-00087 AND 33-02034.

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TRANS NO. 5760

Claim No. 33-02141

5. **USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087 AND 33-02034.**

6. **THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.**

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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AUG 20 2003

TRANS NO. 5760

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **33-02106**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/31	3.00 CFS	525.0 AF

SOURCE

GROUNDWATER

Priority: 08/07/1961

LOCATION OF POINT(S) OF DIVERSION: NENESW , Sec. 19, Township 10N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

	NE								NW								SW								SE								
	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N 27E 19						40																				25		36		07		03	112.0
10N 27E 20																		03															3.5
10N 27E 29										11		08																					20.0
10N 27E 30		13						.7																									14.5
																											TOTAL ACRES						150.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. SECTION 42-1412(6), IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE

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TRANS NO. 5760

Claim No. 33-02106

IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.

5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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AUG 20 2003

TRANS NO. 5760

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **R33-11002**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	1.80 CFS

SOURCE

GROUNDWATER

Priority: 08/08/1961

LOCATION OF POINT(S) OF DIVERSION: NENESW , Sec. 19, Township 10N, Range 27E
BUTTE County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10N	27E	19			40										25	36	07	03	112.0
10N	27E	20										03							3.5
10N	27E	29						11	08										20.0
10N	27E	30	13			.7													14.5
																	TOTAL ACRES		150.0

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. SECTION 42-1412(6), IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141, 33-02106.
4. USE OF THIS RIGHT WITH RIGHT NO. 33-02106 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.8 CFS AND TO A TOTAL

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AUG 2 0 2003

Claim No. R33-11002

COMBINED ANNUAL DIVERSION VOLUME OF 525 AF.

5. **USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.**

6. **THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.**

6. **RIGHT NO. 33-11002 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.**

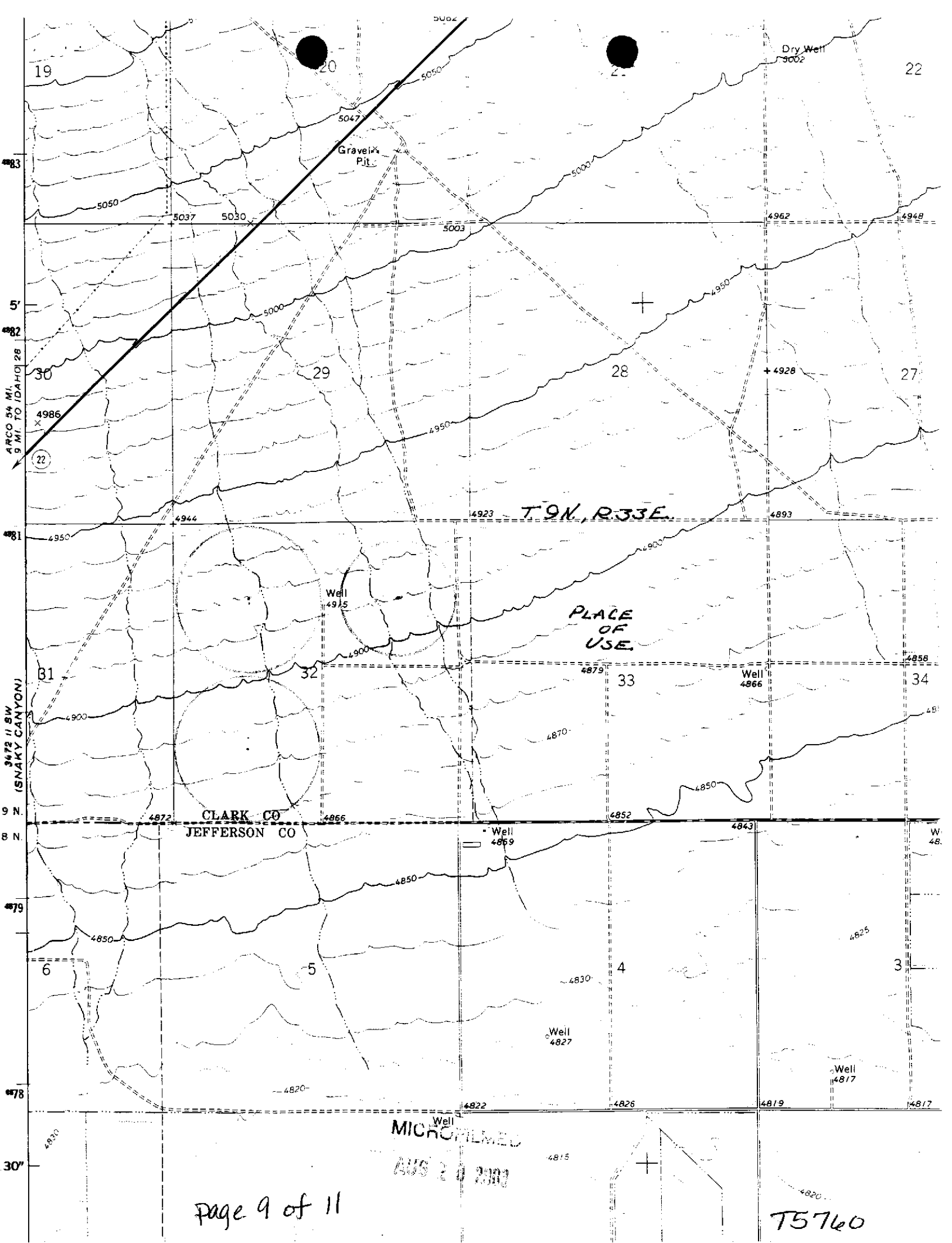
Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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AUG 20 2009



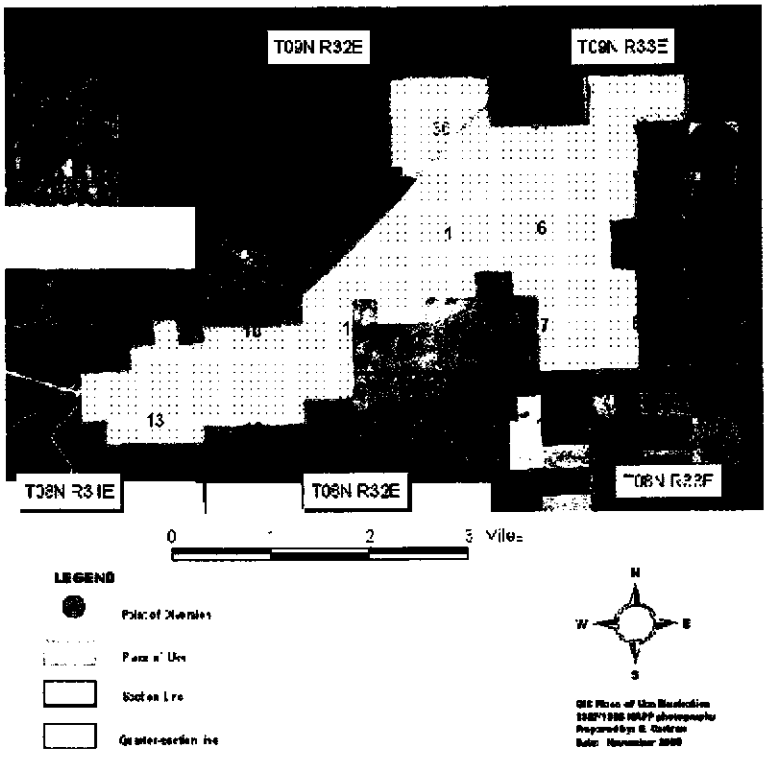
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T5760

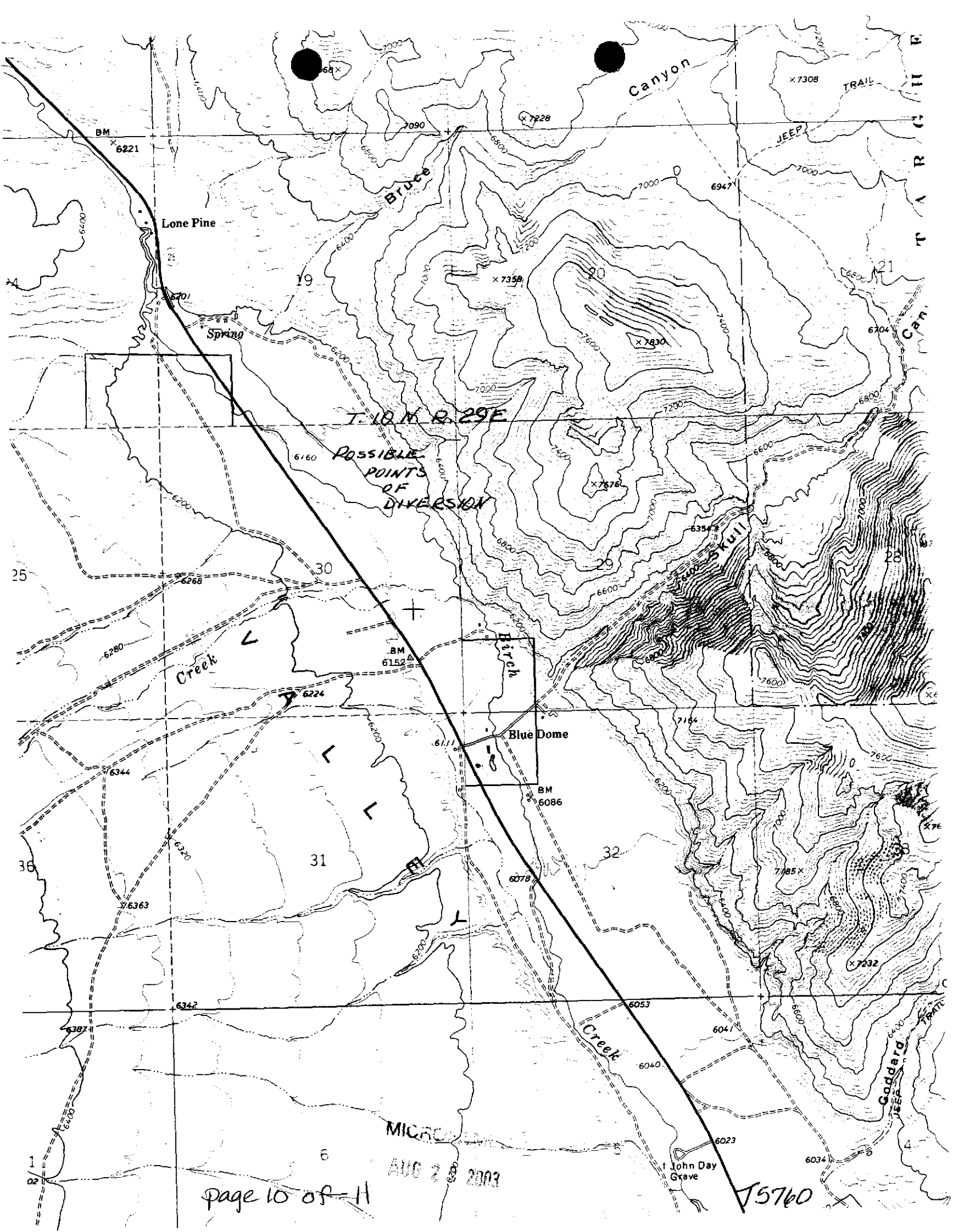
STATE OF IDAHO

Department of Water Resources

Claimant: Reno Ditch Company



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AUG 20 2003



AUG 2 2007

Page 10 of 11

T5760

Transfer No. 5670

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

(Signature of Applicant)

Subscribed and sworn to before me this 9th day of June, 2000.

(Notary Public)

JENNIFER CRABTREE NOTARY PUBLIC STATE OF IDAHO

My commission expires 9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and _____ attachments

Received by HWJ Date 11-16-99 Protest filed by _____

Prelim. Check by _____ Fee $100

Receipted by HWJ # E 025472 Date 11-16-99

Published in Post Register Copies of protest forwarded by _____

Pub. Dates June 22 & 29, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☑ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder _____

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AUG 20 2003

IM 3-1-59

State of Idaho

License and Certificate of Water Right

Water License No. G-30055 Priority August 7, 1961 Amount 3.26 c.f.s.

THIS IS TO CERTIFY that Jess L. Amy - Assignee Alan J. Amy

of Howe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 7, 19 61; that Permit No. G-30055 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.26 second feet, was issued thereunder on March 13, 19 67, showing that said works were completed on the 22nd day of July, 19 66; and that on the 22nd day of July, 19 66, Alan J. Amy

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of a subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-30055 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8696, on the 13th day of March, 19 67.

The right hereby confirmed dates from August 7, 19 61.

The Point of Diversion is located in the NE ¼ SW ¼, Sec. 19, Twp. 10 N., R. 27 E., B.M. Butte County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.26 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	27 E.	19	NW¼ SE¼	40	35
			SE¼ SE¼	40	35
		20	SW¼ SW¼	40	36
		29	NW¼ NW¼	40	40
		30	NE¼ NE¼	40	17
			Total number of acres to be irrigated:		163

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13th day of March, 19 67.

R. Keith Higginson
State Reclamation Engineer.

33 21[illegible]

30055

30055-

State of Idaho

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. G-30055

To Alan J. Amy

Howe, Idaho

Source of Supply a well

Butte County

Amount 3.26 Sec. Ft.

Point of Diversion NE¼ SW¼, Sec. 19,

T. 10 N., R. 27 E., B.M.

Place of Use NW¼ SE¼, SE¼ SE¼, Sec. 19;

SW¼ SW¼, Sec. 20; NW¼ NW¼, Sec. 29;

NE¼ NE¼, Sec. 30; T. 10 N., R.

27 E., B.M.

Purpose Irrigation and Domestic

Date of Priority August 7, 1961

Recorded March 13, 1967

in Book 14 of Licenses, Page 8696

G-30055

Notice 7-44 of ... 33-2106 MTG: JOHNS HANCOCK INS

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38081
Permit No. G- 30055
District No.

Assigned to Alan J. Amy
Howe - Idaho

1. **Name of Applicant:** Jess L. Amy

   Postoffice address: Howe **County:** Butte **State:** Idaho

2. **Quantity of water claimed:** 4 sec. ft.

   (a) **Rate of withdrawal in cubic feet per second** or Idaho
   Miners' inches or gallons per minute

   (b) **Annual withdrawal in acre feet per annum**

3. **Source of water supply:** Underground

4. **Location of point of diversion or well is in the** NE ¼ of the SW ¼ of Section 19

   Twp. 10 N , Rge. 27 E , B.M., County of Butte

5. **Water is to be used for:** Irrigation and domestic purposes

6. If for municipal, industrial or recreational purposes, give:

   (a) **Point of use of water is in the** ¼ of the ¼ of Section , Twp.
   Rge. , B. M.

   (b) **Waste water or sewage effluent is to be returned to**
   at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. **Kind of works:** Deep well and electrical pump

8. **Estimated cost of works:** $ 6,000.00

9. (a) Is reservoir to be used?

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is five years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
   Little Lost River water

   (a) 4.0 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Jess L. Amy *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. August 7, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30055

Recorded in Book 105 Page 30055 Approved August 11, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 11, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before August 11, 1966

Witness my hand this 11th day of August, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of August, 1961

Countersigned:

(SEAL)

s/ ARNOLD WILLIAMS
By .....
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
10 N	27 E	19		40											40	40		40	160
		20									40	40	40	40					160
		29						40											40
		30	40																40
																TOTAL			400

A S S I G N M E N T

For value received, I hereby assign all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30055 to Alan J. Amy of Howe, Idaho

/s/ Jess L. Amy, Permit Holder

/s/ Hazel M. Amy, Wife of Permit Holder

State of Idaho)
: ss
County of Butte)

On this 15th day of June, 1966, before me, a Notary Public for the State of Idaho residing at Arco, Idaho personally appeared Jess L. Amy and Hazel M. Amy, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

/s/ O. T. JONES, Notary Public residing at Arco, Idaho

My commission expires: November 6, 1966

Permit No. G-30055
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JESS L. AMY -Assignee ALAN J. AMY of Howe, County of Butte, and State of Idaho, the holder of Permit No. G-30055, issued upon Application No. G-38081 bearing date of priority of August 7, 1961, authorizing the diversion of 4.0 second feet of waters of a well, tributary of a subterranean flow, County of Butte, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.26 second feet of the waters of a well, tributary of a subterranean flow; that the point of diversion of said waters is in the NE¼ SW¼, Sec. 19., T. 10 N., R. 27 E., B.M.; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

NW¼ SE¼, SE¼ SE¼, Sec. 19; SW¼ SW¼, Sec. 20; NW¼ NW¼, Sec. 29; NE¼ NE¼, Sec. 30, T. 10 N. R. 27 E., B. M.

Proof of Completion of Works Made: July 22, 1966

Witness my hand this 13th day of March, A. D. 1967.

s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 3.26 SEC. FT.
LICENSE PAGE NO. 8696

SE

PLETE THIS SECTION

Complete items 1 and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

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

33-2106

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Catherine Harris | 3/11/03

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X Catherine Harris ☑ Agent ☐ Addressee

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AUG 20 2003

IDAHO DEPT OF WATER
RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706

RECEIVED
MAR 13 2003
Department of Water Resources

SENDER: *COMPLETE THIS SECTION*

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1. Article Addressed to:

TED S SORENSON
VP RENO DITCH CO
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

33-2106

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)*: Gayle C. Sorenson — B. Date of Delivery: 3/10/03

C. Signature: X [signature] ☒ Agent ☐ Addressee

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Department of Water Resources

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Sent To: Kent Foster

Street, Apt. No.; or PO Box No.: PO Box 50130

City, State, ZIP+4: Id. Falls, ID 83405

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Sent To: Ted Sorenson

Street, Apt. No.; or PO Box No.: 5203 S. 11th E

City, State, ZIP+4: Idaho Falls ID. 83404

7000 1670 0011 3313 9932

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

March 7, 2003

CERTIFIED MAIL

Re: Application for Transfer No. 5760 in the name of Reno Ditch Company

Dear Interested Parties:

The Department of Water Resources (department) has issued the enclosed **Order Denying Petition for Reconsideration** pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party files an exception and/or brief as described in the enclosed information sheet.**

If you have any questions, please call me at (208) 327-7953.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures
c: IDWR - Regional Office

MICROFILMED
AUG 2 0 2003

EXPLANATORY INFORMATION

The accompanying order is an **Order Denying Petition for Reconsideration** of the "preliminary order" issued previously in this proceeding by the Idaho Department of Water Resources ("department") pursuant to section 67-5243, Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after the service date of the denial of petition for reconsideration of the preliminary order, any party may in writing file exceptions to any part of the preliminary order and file a brief in support of the party's position on any issue in the proceeding with the Director. Otherwise, the preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to the preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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 Rules of Procedure 302 and 303.

FINAL ORDER

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

MICROFILMED

AUG 2 0 2003

MICROFILMED

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 the 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 the preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
AUG 20 2003

RECEIVED
FEB 18 2003
Department of Water Resources

Reno Ditch Company
5203 South 11th East
Idaho Falls, Idaho 83404
Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: ted @tsorenson.net

February 14, 2003

Glen Saxton
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Application for Transfer No. 5760 Petition for Reconsideration

Mr. Saxton:

We are in receipt of your preliminary order and wish to have you consider this as a Petition for Reconsideration.

1. This transfer is a community effort with community benefits. We have worked long and hard on this transfer. There are no protests

2. We feel that Dr. Brockway's science is good in answering the questions you raise. In reading your conclusions it is apparent that there may be some Departmental policy that is being addressed here that we know nothing about. We would like to understand the policy of the Department and we would like to have a chance to have position heard and have someone who is familiar with hydro geology talk to us and Dr. Brockway concerning the proposal and impacts, if any.

Therefore, we request that reconsideration be given us and a chance for a sit down to discuss this matter be given to us.

Very truly yours,

Ted S. Sorenson, Vice President
Reno Ditch Company

TSS/ptj
cc: Lavar Newman, President Reno Ditch Company
Jim Demordant, Secretary Reno Ditch Company
Kent Foster
Chuck Brockway
C:\My Documents\Word Perfect\Sorenson Eng\2003Letters\RenoDit.ltr.wpd

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AUG 20 2003

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HOLDEN KIDWELL HAHN &
CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

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AUG 20 2003

T5760/33-02141

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B. Date of Delivery FEB. 10TH

C. Signature

X B Foster

☐ Agent
☐ Addressee

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RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706

RECEIVED
FEB 18 2003
Department of Water Resources

83706+1280

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1. Article Addressed to:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

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AUG 2 0 2003

T5760/33-02141

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B. Date of Delivery: 2/7/03

C. Signature

X Pam Jones ☐ Agent ☐ Addressee

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If YES, enter delivery address below: ☐ No

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1301 N ORCHARD ST
BOISE ID 83706

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Department of Water Resources

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dlg

Sent To: Ted Sorenson / Reno Ditch

Street, Apt. No.; or PO Box No.: 5203 South 11th East

City, State, ZIP+4: Idaho Falls, ID. 83404

7160 3901 9844 7720 2720

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dlg

Sent To: Kent Foster

Street, Apt. No.; or PO Box No.: PO Box 50130

City, State, ZIP+4: Idaho Falls ID 83405

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

February 5, 2003

Re: In the matter of Application for Transfer No. 5760 in the name of Reno Ditch Company, Inc.

Dear Interested Parties:

The Department of Water Resources (department) has issued the enclosed **Preliminary Order** pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.**

If you have any questions, please call me at (208) 327-7953.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures
c: IDWR - Regional Office Manager

MICROFILMED
AUG 20 2003

Responding To Preliminary Orders Issued By The Idaho Department Of Water Resources

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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.

MICROFILMED
AUG 2 0 2003

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 Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The 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.

MICROFILMED
AUG 2 0 2003

To: Glen Saxton

From: Jeff Peppersack

Re: Review of Injury and Enlargement Issue for Transfer 66127 (old no. 5760) Reno Ditch Co.

Date: January 31, 2003

This transfer submitted by Reno Ditch Co. proposes to transfer ground water rights from Little Lost River drainage to Birch Creek drainage for irrigation purposes.

In April 2001, IDWR requested information regarding potential injury and enlargement issues related to the inter-basin transfer. In March 2002, the applicant submitted a report by Brockway discussing the hydrology and effects to the Snake River within the ESPA. The report indicated that the computed difference in impact on the Snake River reach gains is zero.

In October, 2002, IDWR requested additional information because the report did not address the increased impacts to water users in the Birch Creek drainage and the resultant enlargement potential due to increased diversions by downstream water users in the Little Lost River in conjunction with the new use in the Birch Creek drainage. In January, 2003, Brockway submitted a response to those concerns. The report can be summarized as follows:

- Birch Creek is perched above the aquifer and is a losing reach in the vicinity of the proposed points of diversion. Proposed ground water diversions would not impact flows in Birch Creek.

- Birch Creek drainage is tributary to ESPA. There are no irrigation wells down gradient of the proposed points of diversion (within the Birch Creek drainage), so there is no potential impact on ground water users in that area. No indication given regarding non-irrigation wells in the area.

- Net increase in water in the aquifer for the Little Lost River drainage would be 685.8 afa. Little Lost River drainage is ultimately tributary to ESPA. Net gains to ESPA would occur over many years, therefore the time and magnitude of increase is dissipated.

- Net gains to Little Lost River near original point of diversion would be about 68.6 afa. Due to residence time in the aquifer, an increase during the irrigation season would amount to about 18.8 afa. During the early part of the irrigation season when river discharge is in excess of demand, the additional volume resulting from the transfer could not result in increased diversions and depletion of the resource. The average increase in river flow over the entire irrigation season would be 0.09 cfs. This amounts to about 0.1% of the average irrigation season flow of 108 cfs at Howe. Water measurements are not capable of detecting the potential increase. Non-irrigation season flows are recharged to the aquifer at the U.S. Army Corps recharge ponds and would assure that the increased flows are not diverted.

MICROFILMED
AUG 2 0 2003

- Irrigated acreage within the Little Lost River Valley is not expanding. Conversions to sprinkler irrigation have reduced demand. Diversion of additional water for fixed acreages would not increase depletion from the system, but rather decrease efficiency and increase deep percolation to the aquifer.

- If increased diversions from Little Lost River drainage remain a concern due to the transfer, the watermaster could be instructed to assure passage of the increased flows or discharge to the recharge facility near Howe. Also, the relinquishment of two surface water rights (overlapping the ground water rights proposed for transfer) as proposed in the transfer, could mitigate for increased diversions or the rights could be diverted for recharge to the aquifer.

Although it may be possible to administer the rights in the Little Lost River to prevent increased diversions, or to mitigate for any increased diversions, this transfer amounts to a new appropriation in the Birch Creek drainage. The application could also be viewed as an exchange between ground water sources and there are no provisions for ground water exchanges in the statutes. Is it possible to structure a new application for permit for appropriation in the Birch Creek drainage (protecting priority of other users in Birch Creek) with non-use of rights in the Little Lost River drainage to mitigate any potential impacts of the new appropriation on the Snake River?

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JAN 30 2003
Department of Water Resources

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

January 27, 2003

Glenn Saxton
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-0098

Re: Additional Information Hydrologic Report-Amy Transfer 5760

Dear Glenn:

This letter and enclosed report is in response to your request for additional information relative to differences in potential impacts to water users in the Birch Creek drainage and the potential enlargement due to increased diversions by downstream water users in the Little Lost River. This concern was outlined in a letter from Jeff Peppersak to Reno Ditch Company Inc. dated October 24, 2002.

I believe the additional information and analysis addresses the two concerns outlined in Mr. Peppersak's letter.

Let me know if you have any questions.

Sincerely,

Charles E. Brockway PhD., PE

Enclosure: Response to Request for Additional Information - Trans. #66127

cc: Ted Sorenson

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

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

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

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AUG 20 2003

Response to Request for Additional Information
Hydrologic Evaluation of Proposed Water Right Transfer 66127
(old #5760)

Reno Ditch Company

By

C.E. Brockway PhD., PE

Brockway Engineering P.L.L.C.

January 24, 2003

Introduction

A report issued March 12, 2002 was prepared and submitted in support of the application by Reno Ditch Company, Inc. which proposes to transfer all of ground water irrigation water rights 33-02106, 33-02141, and 33-11002 from the present place of use (Amy Property) and point of diversion in Little Lost River valley to a series of wells in the Birch Creek valley with transport via Birch Creek and canals to a place of use east of the mouth of Birch Creek
A request for additional information was made by the Department on October 24, 2002 which allowed 30 days for submittal. A Notice of Proposed Default Order was issued on December 26, 2002 but for some reason the Notice was not received by the applicants.

This addendum to the March 12, 2002 report is being submitted in response to the request for information.

Specifically, the concerns expressed by the Department were, (1) that the analysis did not address the increased impacts to water users in the Birch Creek drainage and (2) the resultant enlargement due to increased diversions by downstream water users in the Little Lost River in conjunction with the new use in the Birch Creek drainage.

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The proposed diversion points in the Birch Creek drainage are located near the site of Blue Dome (see Figure 1 of report). This location is on the alluvial fan of Birch Creek. Depths to water in the aquifer at this site, as indicated by driller's logs for the area are from 50 to 100 feet below ground surface. Birch Creek is perched above the aquifer and is a losing reach from Blue Dome downstream as indicated by seepage loss measurements (see measurements on file, by Don Shenton, Watermaster and by C.E. Brockway). Water levels in the aquifer from Blue Dome downstream show a gradient toward the basalt system of the Eastern Snake River Plain aquifer (ESRPA) so that all underflow at Blue Dome and seepage from Birch Creek downstream, reaches the ESRPA. The proposed ground water diversion at Blue Dome would therefore not impact the flows in Birch Creek . There is only one other surface diversion from Birch Creek downstream of Blue Dome. This is the senior surface water right on Birch Creek and always receives the allotted discharge. There are no irrigation wells down gradient of the proposed points of diversion so there is no potential impact on ground water users.

Birch Creek is diverted into a lined power canal which conveys the total flow through the Birch Creek Power generating facility and thence to the water users of the Reno Ditch Company who are the applicants for this transfer and who will benefit from the proposed transfer. Members of the Reno Ditch Company Inc. have water rights on Birch Creek and share in the discharge based on water rights and contractual agreements. There are no other water rights on the Birch Creek which could be affected by the proposed transfer. Members of the Reno Ditch Co will share in the increased water available under the proposed transfer.

An analysis of consumptive use under water rights appurtenant to the Amy Property on Little Lost River(see page 2 of the March 12, 2002 report) indicates a net depletion from drying up 310 acres of 685.8 acre feet per year. The net increase in water in the aquifer at the Amy site would therefore be this net reduction in depletion. Little Lost River and underlying aquifer system was

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thoroughly investigated in evaluations performed for prior transfer proceedings. Basically, the river gains from near the Amy property to below Badger Creek then loses from Badger Creek downstream to Big Spring Creek, gains from Big Spring Creek to the USCE aquifer recharge diversion below the Blaine Canal and then loses downstream to the sinks south of Howe. The alluvial aquifer of Little Lost River Valley joins the ESRPA near Howe.

Based on reach-gain measurements in Little Lost River, the river experiences a net gain from Wet Creek (near Amy) to the USCE structure of about 10 percent (Figure 7, March 12, 2002 report). It can be assumed, conservatively, that an increase in the aquifer of 685.8 af due to cessation of pumping at the Amy property could result in about the same percentage net gain in the river as was measured previously by Brockway and others or 68.6 af/year. Ground water travel times within the valley aquifer are estimated to be in the tens of years from Wet Creek to the mouth. The short-term effects of deferring ground water pumping at the Amy property are buffered by the long residence time in the aquifer and deferred irrigation season pumping remains in the aquifer enters the Eastern Snake River Plain aquifer throughout many years. Therefore, the time during which an increase in ground water resulting from the cessation of pumping at the Amy property during the irrigation season will be significantly increased and the magnitude of any increase in river flow as a result of the cessation will be dissipated. The irrigation season at the Amy property is estimated at approximately 100 days during which cessation of pumping would occur under the proposed transfer. However, the increase in ground water flow will likely take place over at least the entire year. An increase in river flow as a result of increased ground water levels will also take place over the entire year. An estimate of the magnitude of the increase in river flow during the irrigation season would be 100/365 x 68.6= 18.8af. This additional volume would be available over the entire irrigation season. However, during the early part of the irrigation when the discharge of the river is in excess of irrigation demand, water flows past the last diversion (May's) and any additional volume resulting from the transfer could not result in additional diversion and depletion of the resource.

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Over the entire irrigation the average discharge for the full 18.8 af would be 0.09 cfs .

There are two additional surface water rights, 33-00087 (1.6 cfs from Deep Creek, priority 10/1/1900) and 33-02034 (0.3 cfs from Deep Creek and Black Creek, priority 5/16/1934), diverted from Little Lost River tributaries which are appurtenant to the Amy Property. Water from Deep Creek and Blacks Creek has historically seeped into the aquifer and not reached the Little Lost River. These rights were delivered from a long ditch that leaked badly until a power plant was installed with water supplied by in 1987. According to Mr. Jake Amy the output of the ditch was never more than 30 to 40 miners inches due to leakage, In one to two years out of five he never received any water.

With the power plant penstock installed the water does reach the Amy property. These diversions will no longer be utilized and the irrigation water rights will be relinquished. This will allow waters previously diverted for irrigation from Deep Creek and Blacks Creek to flow into Little Lost River. No record of the magnitude or timing of surface water diversion rates or amounts is apparently available, but the testimony is that the primary irrigation water source prior to 1987 and for the last several years since a small hydro was installed on the Deep Creek diversion has been the two wells associated with the water rights proposed to be moved. There are no measurements of the flow of Blacks Creek or Deep Creek, however, the power plant is rated for 11.6 cfs. Relinquishment of the two surface water rights (33-00087 and 33-02034) would result in enhancement of the flow in the river to the extent of the historical surface water diversion to the Amy lands.

Irrigated acreage within the Little Lost River Valley is not expanding. A majority of the lower valley irrigators have converted to sprinkler and, with water rights based on full supplies for flood irrigation, have a more reliable water supply to the sprinkler irrigated acres. On this basis, the diversion of additional water, if available, to fixed irrigated acreage does not increase depletion from the system but results in decreased irrigation efficiency and increased deep percolation to the aquifer.

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During the non-irrigation season, the flow of Little Lost River is diverted to the U.S. Army Corps of Engineers recharge and flood control ponds in Section 3, T6N R 28E. Diversion of non-irrigation season flow to these large ponds assures that non-irrigation season flows are recharged to the aquifer and not diverted.

The magnitude of potentially available discharge above historical levels in the downstream reaches of Little Lost River during the irrigation season is not measurable by current discharge measuring methods. The potential average increase of 0.09 cfs (4.5 miners inches) is about 0.1 percent of the average irrigation season flow of 108 cfs at Howe (USGS).

Regulation of irrigation diversions from Little Lost River by the Watermaster is provided to assure that individual diversions are limited to water right allowed discharges. However, water measurements of either the diversions or the river are not capable of detecting the 0.09 cfs of potential discharge increase.

The net potential increase in available water in Little Lost River which might be subject to additional diversion for existing water rights is 18.8 af. The estimated decrease in depletion at the Birch Creek site due to the decrease in irrigated acreage from 310 to 306.8 is 21.4 af/a. Therefore, there is no expansion of the water right even if there is additional opportunity for diversion of water as a result of the cessation of pumping.

If the potential increase in available flow for other water rights of 0.09 cfs is a concern for regulatory purposes, the water master could be instructed to assure that this discharge be allowed to pass the last irrigation diversion (May diversion at Howe) or be discharged into the USCE recharge facility above Howe. Or, a provision could be required in the transfer that the Blacks Creek and Deep Creek surface rights when within priority could be recharged at the Amy property.

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E-mail message
Rec'd 1-27-03

January 27, 2003

Glenn Saxton
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-0098

Re: Additional Information Hydrologic Report-Amy Transfer 5760

Dear Glenn

This letter and enclosed report is in response to your request for additional information relative to differences in potential impacts to water users in the Birch Creek drainage and the potential enlargement due to increased diversions by downstream water users in the Little Lost River. This concern was outlined in a letter from Jeff Peppersak to Reno Ditch Company Inc. dated October 24, 2002.
I believe the additional information and analysis addresses the two concerns outlined in Mr. Peppersak's letter.

Let me know if you have any questions.

Sincerely,

Charles E. Brockway PhD., PE

Enclosure: Response to Request for Additional Information Trans. #66127

cc: Ted Sorenson

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Response to Request for Additional Information
Hydrologic Evaluation of Proposed Water Right Transfer 66127
(old #5760)

Reno Ditch Company

By

C.E. Brockway PhD., PE

Brockway Engineering P.L.L.C.

January 24, 2003

Introduction

A report issued March 12, 2002 was prepared and submitted in support of the application by Reno Ditch Company, Inc. which proposes to transfer all of ground water irrigation water rights 33-02106, 33-02141, and 33-11002 from the present place of use (Amy Property) and point of diversion in Little Lost River valley to a series of wells in the Birch Creek valley with transport via Birch Creek and canals to a place of use east of the mouth of Birch Creek
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Birch Creek is diverted into a lined power canal which conveys the total flow through the Birch Creek Power generating facility and thence to the water users of the Reno Ditch Company who are the applicants for this transfer and who will benefit from the proposed transfer. Members of the Reno Ditch Company Inc. have water rights on Birch Creek and share in the discharge based on water rights and contractual agreements. There are no other water rights on ~~the~~ Birch Creek which could be affected by the proposed transfer. Members of the Reno Ditch Co will share in the increased water available under the proposed transfer.

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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

December 31, 2002

RE: In the matter of Application for Transfer No. 5760 in the in the name of Reno Ditch Company, Inc.

Dear Parties:

Enclosed, is a copy of a **Notice of Conditional Withdrawal** issued in response to the request filed by Ted Sorenson on December 30, 2002 regarding the above-entitled matter. This order grants a thirty (30) day extension to the parties for submittal of information as requested by the department.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
Cc: Service List

MICRO...
AUG 2 0 2003

~~BIRCH CREEK RANCHES, L.L.C.~~ Reno Ditch Company
5203 SOUTH 11TH EAST
IDAHO FALLS, IDAHO 83404
208-522-8069 FAX 208-522-8223
E-mail: ted@tsorenson.net

MEMORANDUM

TO: Glenn Saxton P.E. **DATE:** 12/30/2002
IDWR
Water Allocation Bureau
fax 208-327-7866

FROM: Ted S. Sorenson, Vice President

SUBJECT:
"Notice of Proposed Default Order"
Application for transfer 5760. (new 66127)

REMARKS:
I am in receipt of the notice of default. I did not receive a copy of the October 24, 2002 request for additional information. Glenn Saxton faxed me a copy today. The letter was addressed to Box 349, Preston, Idaho. I did not respond because I did not receive the October 24th letter. I live in Idaho Falls I spoke with Kent Foster. He does not recall receiving the letter. Therefore I request an additional 30 days to respond to the October 24th letter.

SIGNED: Best Regards

CC:

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AUG 20 2003

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

December 26, 2002

RE: In the Matter of Application for Transfer No. 5760 in the name of Reno Ditch Company, Inc.

Dear Interested Parties:

I have enclosed a copy of the **NOTICE OF PROPOSED DEFAULT ORDER** in regards to the above referenced water right application.

According to IDAPA Rule of Procedure 700 states in part that if a party fails to appear or fails to respond to a written information inquiry the presiding officer may serve upon all parties a notice of a proposed default order denying the application. Additionally, IDAPA Rule of Procedure 701 states that within seven (7) days after the service of the notice of proposed default order, the party against whom it was filed may file a written petition requesting that a default order not be entered. The petition must state the grounds why the petitioning party believes that default should not be entered.

If you have any questions regarding the enclosed order, please contact either Mr. Saxton or me at (208) 327-7900.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

C: Parties on Certificate of Service

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AUG 2 0 2003

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2002

RENO DITCH COMPANY INC
C/O TED S SORENSON
PO BOX 349
PRESTON ID 83263

Re: Application for Transfer No. 66127 (old no. 5760)

Dear Mr. Sorenson:

The Department of Water Resources requested information relative to the transfer referenced above in a letter dated April 16, 2001. The requested information was received by the department in March 2002 in the form of a report prepared by Charles E. Brockway PhD, PE.

The department's information request identified two issues related to enlargement and injury that needed to be addressed prior to further consideration of the application by the department. The first issue identified was the need for documentation regarding the consumptive irrigation requirement for the original and proposed place of use. That issue has been adequately addressed in your submittal.

The second issue identified was the enlargement and injury concerns due to the proposed transfer from the Little Lost River drainage to the Birch Creek River drainage. That issue has not been adequately addressed. Although the computed difference in impacts on the Snake River reach gains was determined to be zero, the analysis does not address the increased impacts to water users in the Birch Creek drainage and the resultant enlargement due to increased diversions by downstream water users in the Little Lost River in conjunction with the new use in the Birch Creek drainage.

The department will hold further processing of this application for 30 days to allow submittal of additional information to show that enlargement and injury will not occur or can be reasonably managed or mitigated. After that time, if information is not provided to adequately address the concerns, the department will prepare a preliminary order to reject or deny the application.

If you have questions, please feel free to contact the department.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

cc: Holden, Kidwell, Hahn & Crapo
PO Box 50130
Idaho Falls, ID 83405

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AUG 2 0 2003

RENO DITCH COMPANY
5203 South 11th East
Idaho Falls, Idaho 83404

Phone: 208-522-8069
Fax: 208-522-8223
E-Mail: ted@tsorenson.net

RECEIVED
MAR 18 2002
Department of Water Resources

March 15, 2002

L. Glenn Saxton, P.E., Chief
Water Allocations Bureau
Idaho Dept of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Application for Transfer No. 5760 in the name of Reno Ditch Company

Dear Mr. Saxton:

Attached is a report prepared by our consultant Charles Brockway in response to your letter dated April 16, 2001 requesting additional information. We trust this information to be sufficient for you to process the transfer.

Very truly yours,

Ted S. Sorenson
Vice President
Reno Ditch Company

cc: Jim Demordaunt, Secretary, Reno Ditch Co.
Enc.
TSS/ptj

Word\2002letter\Saxton.ltr

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AUG 20 2003

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

March 12, 2002

Mr. Ted Sorenson
5203 South 11th East
Idaho Falls, ID 83404

Re: Revised Hydrologic Report-Amy Transfer 5760

Dear Ted:

Enclosed is the report and associated material to be submitted to Glen Saxton, IDWR in response to his request for additional information and questions regarding the proposed transfer impact.

I believe the report addresses the additional items we discussed. Please review and, if there are additional concepts or any omissions, they can be addressed.

I believe you should transmit this to Glen Saxton as the applicant.
Let me know if you have any questions.

Sincerely,

Charles E. Brockway PhD., PE

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

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

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

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AUG 2 0 2003

A Report on

Hydrologic Evaluation of Proposed Water Right Transfer 5760

Reno Ditch Company

By

C.E. Brockway PhD., PE

Brockway Engineering P.L.L.C.

March 12, 2002

Introduction

Reno Ditch Company, Inc. proposes to transfer all of ground water irrigation water rights 33-02106, 33-02141, and 33-11002 from the present place of use (Amy Property) and point of diversion in Little Lost River valley to a series of wells in the Birch Creek valley with transport via Birch Creek and canals to a place of use east of the mouth of Birch Creek (Reno Ditch Co., RDC). Specifically, the transfer of the diversion would be from Sec 19 T10N R27E to Section24T10N R19E and Sections 19, 29, and 32 T10N R30E. The new proposed place of use would be in Section 32 T9N R33E. The current and proposed points of diversion and places of use are shown on Figure 1.

Two additional surface water rights, 33-00087 and 33-02034, diverted from Little Lost River are appurtenant to the Amy Property. These diversions will no longer be utilized and the irrigation water rights will be relinquished. This will allow waters previously diverted for irrigation from Deep Creek and Blacks Creek to flow into Little Lost River.

The transfer application contemplates a total of 8.0 cfs. ground water diversion and irrigation of 306.8 acres at the new place of use. Under the existing water rights, the irrigated acreage is limited to 310 acres.

The natural channel of Birch Creek, which will be utilized for transport of the diverted ground water to the new place of use, experiences significant seepage losses. It is estimated these losses constitute 32.9 percent of the flow in the

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creek so that the actual farm delivery will be less than the proposed 8.0 cfs ground water diversion. Alternatively, the net pumping affect on the aquifer from this proposed diversion would be reduced considerably below 8.0 cfs and the impact on the local and ESRP aquifer would be reduced proportionately.

Depletion

Use of irrigation water on crops causes a net depletion of the applied water by consumptive use. Calculation of the depletion of the applied water, or amount of applied water utilized by the crop, depends on the effective precipitation occurring during the growing season, the crop consumptive use, and the carry-over soil moisture available to and used by the crop.

An analysis of the depletion at the current (Amy) place of use and the proposed place of use was made using the published data on consumptive use of alfalfa at Howe. The Howe evapotranspiration (Et) from Allen and Brockway, 1983 (attached), was utilized with corrections for elevation differences from Howe to the current and proposed places of use. Figures 2 and 3 are spreadsheets showing computations and assumptions used in determining the net depletions at both sites.

Based on the irrigated acreage at the Amy site of 310 acres as determined from Standard Form 5s for the water rights, the depletion is 685.8 acre feet per season. The proposed irrigated acreage of 306.8 acres at the new place of use results in a depletion of 666.4 acre feet per season or a decrease of 19.4 acre feet per season. The proposed transfer therefore does not result in an expansion of the water right either in acres or consumptive use.

Hydrology of Little Lost River

The current points of diversion (2 wells and surface diversion) for the Amy property are in the Little Lost River Valley approximately 32 miles upstream of Howe where the flow sinks into the Eastern Snake River Plain Aquifer, Figure 4. The Little Lost River flows in a confined alluvial valley. The river gains water

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from the aquifer in several reaches and loses in other reaches. Figures 1, 2, and 3 of the attached report by C.E. Brockway (February 1993) shows the gaining and losing reaches as determined from flow measurements made by Brockway Engineering in 1993 in connection with other water right deliberations (Sagewillow Transfers 4221 through 42227, 1994). This report analyzed historical loss measurements and new measurements and determined that the stream gains from the aquifer from Wet Creek near the Amy Property to below Badger Creek (a distance of 6 miles, loses significantly from Badger Creek to just below Big Spring Creek (11.5 miles), gains from below Big Spring Creek to the USCE aquifer recharge diversion structure(4 miles) , and then loses to the aquifer as the water table elevation approaches the regional Eastern Snake Plain Aquifer levels.

Relinquishment of the two surface water rights (33-00087 and 33-02034) would result in enhancement of the flow in the river to the extent of the historical diversion to the Amy lands. No record of the magnitude or timing of surface water diversion rates or amounts is apparently available, but the testimony is that the primary irrigation water source prior to 1987 and for the last several years since a small hydro was installed on the Deep Creek diversion has been the two wells associated with the water rights proposed to be moved. In any case, some of the increased flow in the river would be lost through seepage in the reach from Below Badger Creek to Big Spring Creek and perhaps re-emerge to some extent in the Big Spring Creek to USCE Structure gaining reach. Historic reach-gain measurements indicate that the net loss to Little Lost River in the Wet Creek to Below Big Spring Creek reach is about 36 percent of the flow. The reach gain in the Below Big Spring Creek to USCE structure reach is about 42 percent and the loss in the USCE structure to below May's Diversion (mouth) is 32 percent. The net loss in the 30 mile reach from Wet Creek to the mouth is approximately 80 percent.

The above measured gains and losses indicate that the aquifer-river quantity relationships are variable but definable but the timing of flow is not determinable from these measurements. Time of travel in the aquifer is a significant factor in

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determining the fate of any water made available from forgone diversions as contemplated under the proposed transfer. If it is assumed that the valley aquifer is somewhat continuous and homogeneous, an estimate of the approximate time of travel can be made using the groundwater gradient, estimated aquifer parameters, and length of the flow path. With a 32 mile long flow path, a hydraulic conductivity of 100 ft per day for valley alluvium, an average gradient of 1450 ft in 32 miles (0.00858 ft/ft), and a porosity of 0.30, the estimated average ground water velocity is 2.9 feet per day and the estimated time of travel to the mouth of Little Lost River is 162 years.

This indicates that the short-term effects of deferring ground water pumping at the Amy property are buffered by the long residence time in the aquifer and that deferred irrigation season pumping which remains in the aquifer enters the Eastern Snake River Plain aquifer throughout many years.

Irrigated acreage within the Little Lost River Valley is not expanding. A majority of the lower valley irrigators have converted to sprinkler and, with water rights based on full supplies for flood irrigation, have a more reliable water supply to the sprinkler irrigated acres. On this basis, the diversion of additional water, if available, to fixed irrigated acreage does not increase depletion from the system but results in decreased irrigation efficiency and increased deep percolation to the aquifer.

It is significant that, during the non-irrigation season, the flow of Little Lost River is diverted to recharge and flood control ponds in Section 3, T6N R 28E. This facility was constructed by the U.S. Army Corps of Engineers to provide aquifer recharge of off-season flows and prevent flooding in the lower reaches of the river. These large ponds therefore assure that non-irrigation season flows are recharged to the aquifer and not diverted.

Regulation of irrigation diversions from Little Lost River is provided by the Watermaster to assure that individual diversions are limited to water right allowed discharges. The last diversion on the river is the May diversion at Howe. Water flows below this diversion sink into the aquifer.

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Effect on the Eastern Snake River Plain Aquifer

An analysis was performed to determine the change in impact within the Eastern Snake River Plain aquifer which might result from the proposed transfer of ground water. The deferred pumping of groundwater in the Little Lost River valley at the Amy site will result in additional ground water underflow into the ESRPA at or near Howe. The additional pumping from proposed well fields in the Birch Creek valley will result in a reduction in underflow at the mouth of Birch Creek. Figure 3 shows the two points of diversion relative to the ESRPA as well as water table elevation contours and flow lines. Essentially changes in ground water underflow into the ESRPA from the two valleys enter the regional aquifer approximately 18 miles apart.

The University of Idaho 'Effects Spreadsheet', which utilizes the results of the ESRPA ground water flow model to determine the impact on reach-gains in the Snake River from ground water pumping, was used to analyze the differences in impact to the Snake River from the proposed transfer. Figure 5 shows the response zones utilized by the University of Idaho in evaluating reach-gain impact. The mouth of Little Lost River or the Little Lost River Sinks lies in Zone 19. The mouth of Birch Creek, where the effect of pumping at the new Reno Ditch Company point of diversion will occur, is also in Zone 19.

The Effects Spreadsheet was run assuming an average of 222 acre feet per trimester (666 acre feet per year) would be pumped in Zone 19 every year for a 50 year period. The computed changes in Snake River reach gains for various reaches are shown on Figures 6 through 9 These figures show that the depletion from pumping each year for 50 years in Zone 19 results in a decrease in the Heise-Ashton to Lewisville reach of the Snake River of 8.1 percent of the depletion, 71.6 percent in the Shelley to Neeley reach, 3.3 percent in the Neeley to Minidoka reach, and 4.7 percent in the Milner to King Hill reach. Since the effect of diverting from either the current point of diversion or the proposed point

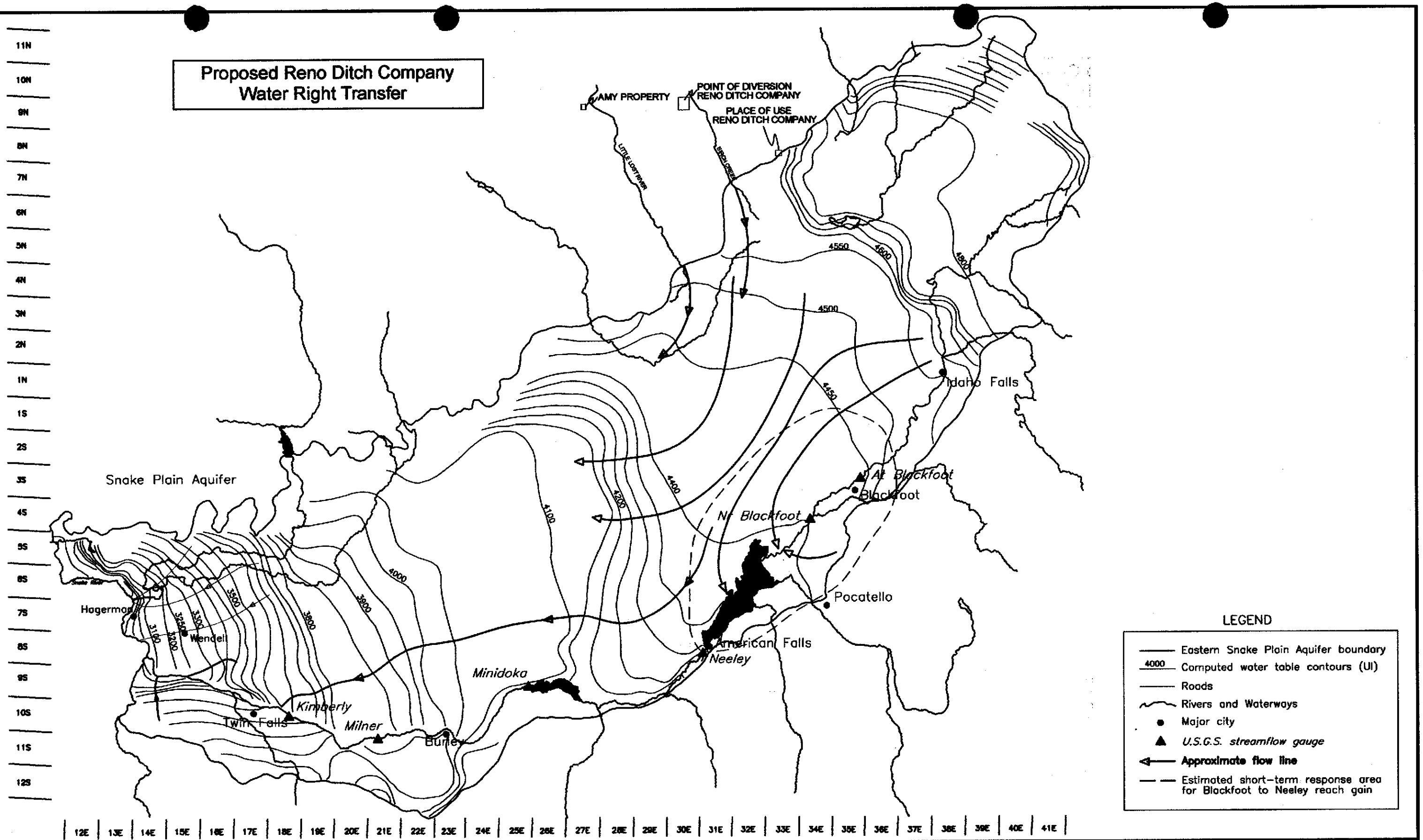
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of diversion occurs in the same aquifer Zone, the computed difference in impact on the Snake River reach gains is zero.

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Proposed Reno Ditch Company Water Right Transfer



LEGEND

- Eastern Snake Plain Aquifer boundary
- 4000 Computed water table contours (UI)
- Roads
- Rivers and Waterways
- Major city
- *U.S.G.S. streamflow gauge*
- **Approximate flow line**
- Estimated short-term response area for Blackfoot to Neeley reach gain

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REV	DESCRIPTION	DATE	APPD.	REFERENCE DRAWINGS

BROCKWAY ENGINEERING, PLLC
HYDRAULICS – HYDROLOGY – WATER RESOURCES
2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS, ID 83301
(208) 736-8543

EASTERN SNAKE RIVER PLAIN AQUIFER

PROJECT #

DWG # | REV

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AUG 20 2003

Depletion Estimate Reno Ditch Company Property RDC
Sec 32 T9N R32E
Using Brockway and Allen 1983 Consumptive Use for Crops in Idaho
Station Howe Elev. 4824 Irrigated Area-RDC 306.8 acres primary water rights
Annual Precip at Howe 10 inches From State Climatologist Annual Precip Map 1961-1990
Elev. RDC property 4900
RDC Property is 76 ft higher than Howe in elevation. 23.16 meters
Annual Precip at RDC Prop. 12.5 inches
Estimated correction for elevation 0.23 percent (+10% per 1000m, Doorenbos and Pruit, 1977, FAO)
Assume monthly precip is 80 percent effective
Carry over soil moisture is assumed to be 67 percent of non-growing season precip.
Irrigation Method Sprinkler

Month	Precip				Alfalfa ET			Effective
	Howe mm/day	RDC -est mm/day	Howe in/month	RDC -est in/month	Howe mm/day	Howe in/month	RDC -est in/month	Precip
April	0.64	0.80	0.76	0.94	1.6	1.89	1.89	0.63
May	1.2	1.50	1.46	1.83	5.31	6.48	6.50	1.23
June	1.53	1.91	1.81	2.26	6.65	7.85	7.87	1.51
July	0.51	0.64	0.62	0.78	6.56	8.01	8.02	0.52
August	0.88	1.10	1.07	1.34	4.73	5.77	5.79	0.90
September	0.67	0.84	0.79	0.99	2.79	3.30	3.30	0.66
October	0.47	0.59	0.57	0.72	0.87	1.06	1.06	0.48
Season			7.09	8.86	872	34.36	34.44	5.94
Season-inches								
Annual Precip	10			12.5				
non season	10.00			3.64				

Annual Depletion=Seasonal Et-Effective Precip-Carryover soil moisture
Seasonal Et= 34.44 inches/acre
Effective Precip= 5.94 inches/acre
Carryover Soil Moisture 2.44 inches/acre
Annual Depletion= 26.07 inches/acre

Annual Irrig acreage 306.8 acres
Annual Irrig. Depletion 666.4 af

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Depletion Estimate Amy Property-Little Lost River.

Using Brockway and Allen 1983 Consumptive Use for Crops in Idaho

Station Howe Elevation 4824 Irrigated Area-Amy 307.1 acres primary water rights
Annual Precip at Howe 10 inches From State Climatologist Annual Precip Map 1961-1990
Elevation Amy Property 6000 ft
Amy Property is 1176 ft higher than Howe in elevation. 358.4 meters
Annual Precip at Amy Prop. 13.5 inches
Estimated correction for elevation 3.58 percent (+10% per 1000m, Doorenbos and Pruit, 1977 FAO)
Assume monthly precip is 80 percent effective
Carry over soil moisture is assumed to be 67 percent of non-growing season precip.
Irrigation Method flood or border

Month	Precip				Alfalfa ET			Effective
	Howe mm/day	Amy -est mm/day	Howe in/month	Amy -est in/month	Howe mm/day	Howe in/month	Amy in/month	Precip
April	0.64	0.86	0.76	1.02	1.6	1.89	1.96	0.68
May	1.2	1.62	1.46	1.98	5.31	6.48	6.71	1.32
June	1.53	2.07	1.81	2.44	6.65	7.85	8.14	1.63
July	0.51	0.69	0.62	0.84	6.56	8.01	8.29	0.56
August	0.88	1.19	1.07	1.45	4.73	5.77	5.98	0.97
September	0.67	0.90	0.79	1.07	2.79	3.30	3.41	0.72
October	0.47	0.63	0.57	0.77	0.87	1.06	1.10	0.52
Season			7.09	9.57	872	34.36	35.59	6.41
Season-inches	0.00							
Annual Precip	10			13.5				
non season	10.00			3.93				

Annual Depletion=Seasonal Et-Effective Precip-Carryover soil moisture

Seasonal Et= 35.59 inches/acre
Effective Precip= 6.41 inches/acre
Carryover Soil Moisture 2.63 inches/acre
Annual Depletion= 26.55 inches/acre

Annual Irrig acreage 307.1 acres
Annual Irrig. Depletion 679.4 af

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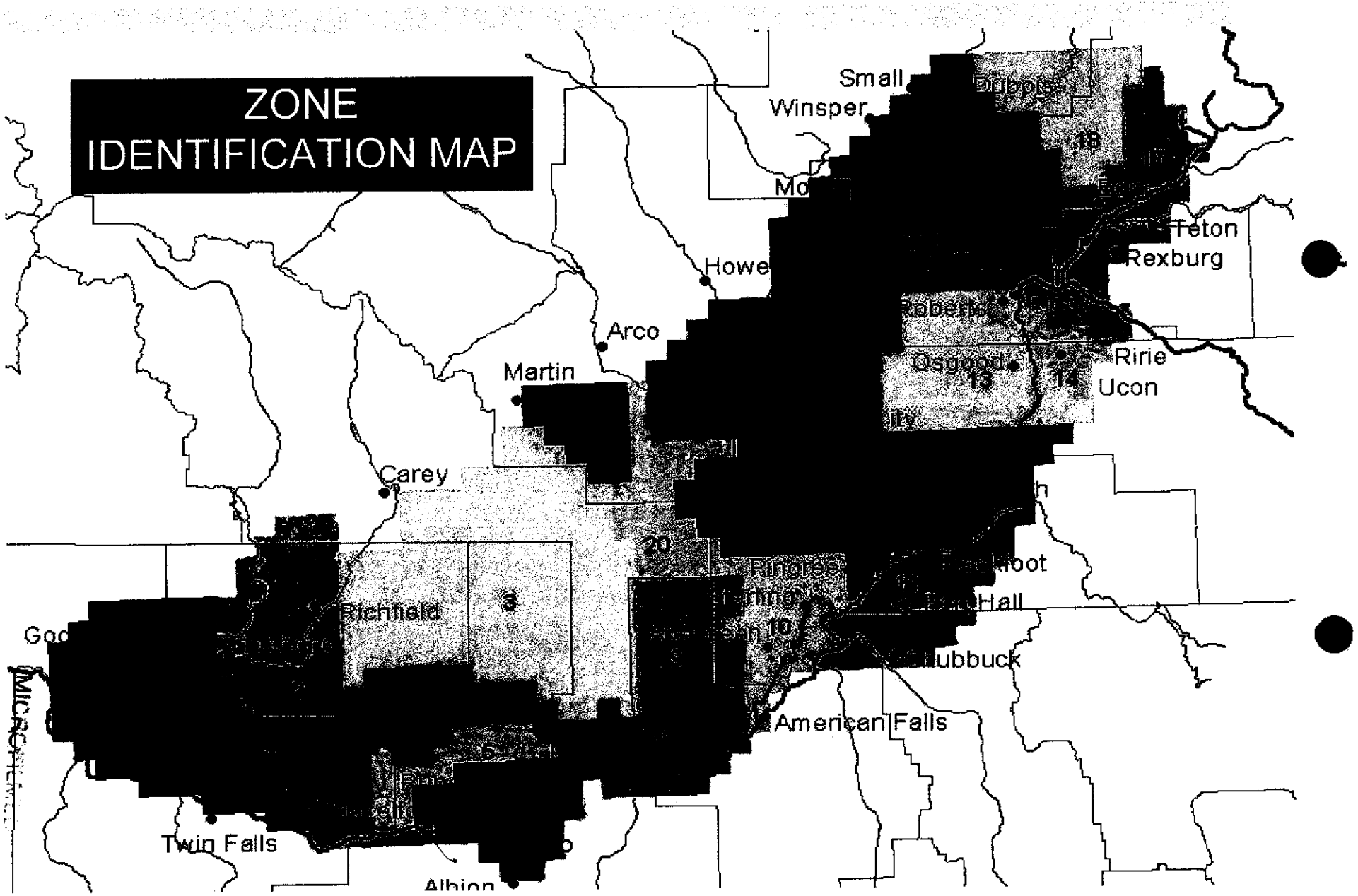
Proposed Reno Ditch Company Water Right Transfer

AMY PROPERTY

USCE RECHARGE SITE

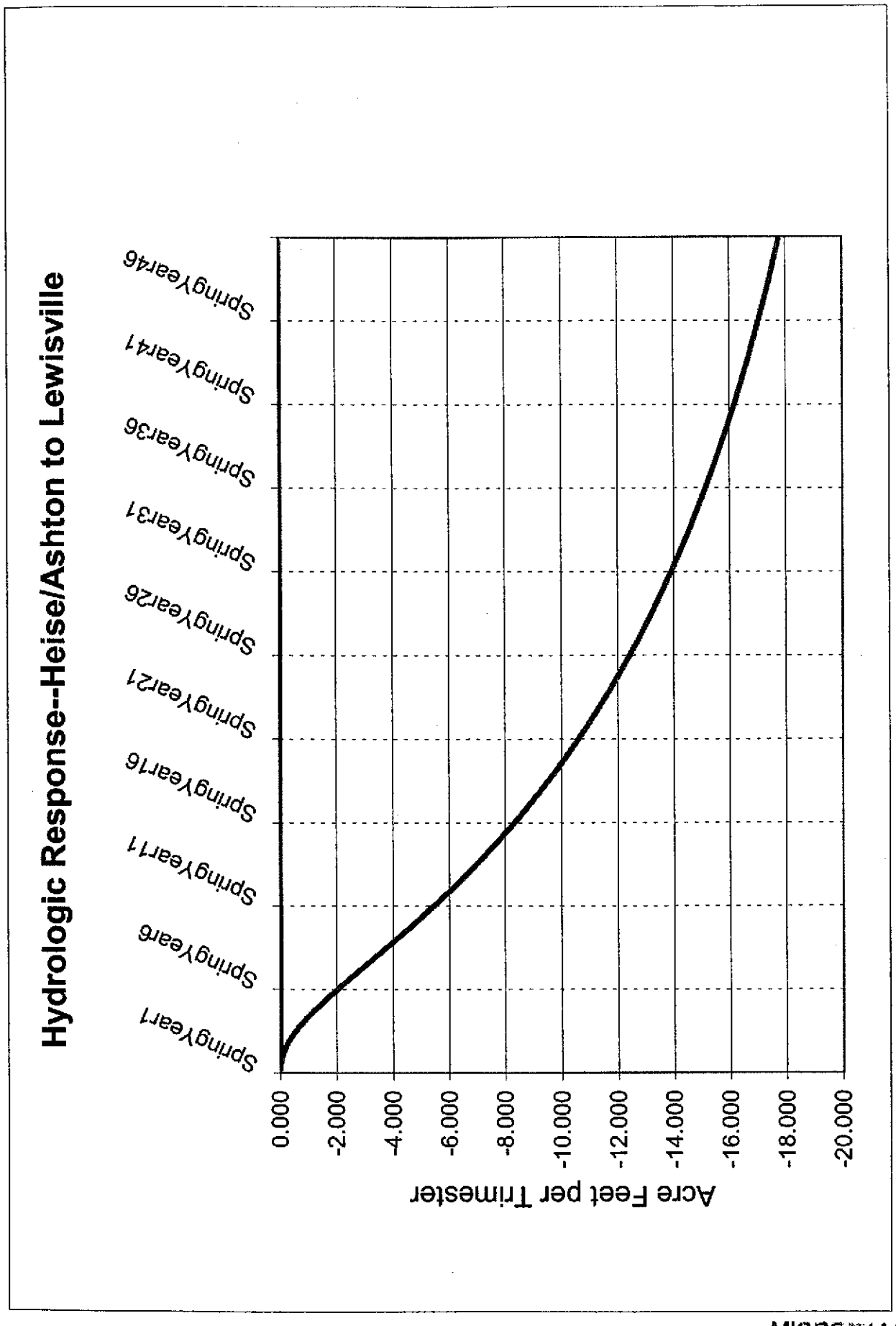
MAY DIVERSION

HOWE


ZONE
IDENTIFICATION MAP
Small
Winsper
Howe
Arco
Martin
Carey
Richfield
Twin Falls
Albion
American Falls
Rexburg
Teton
Ririe
Ucon
Hall
20
3
13
14
18

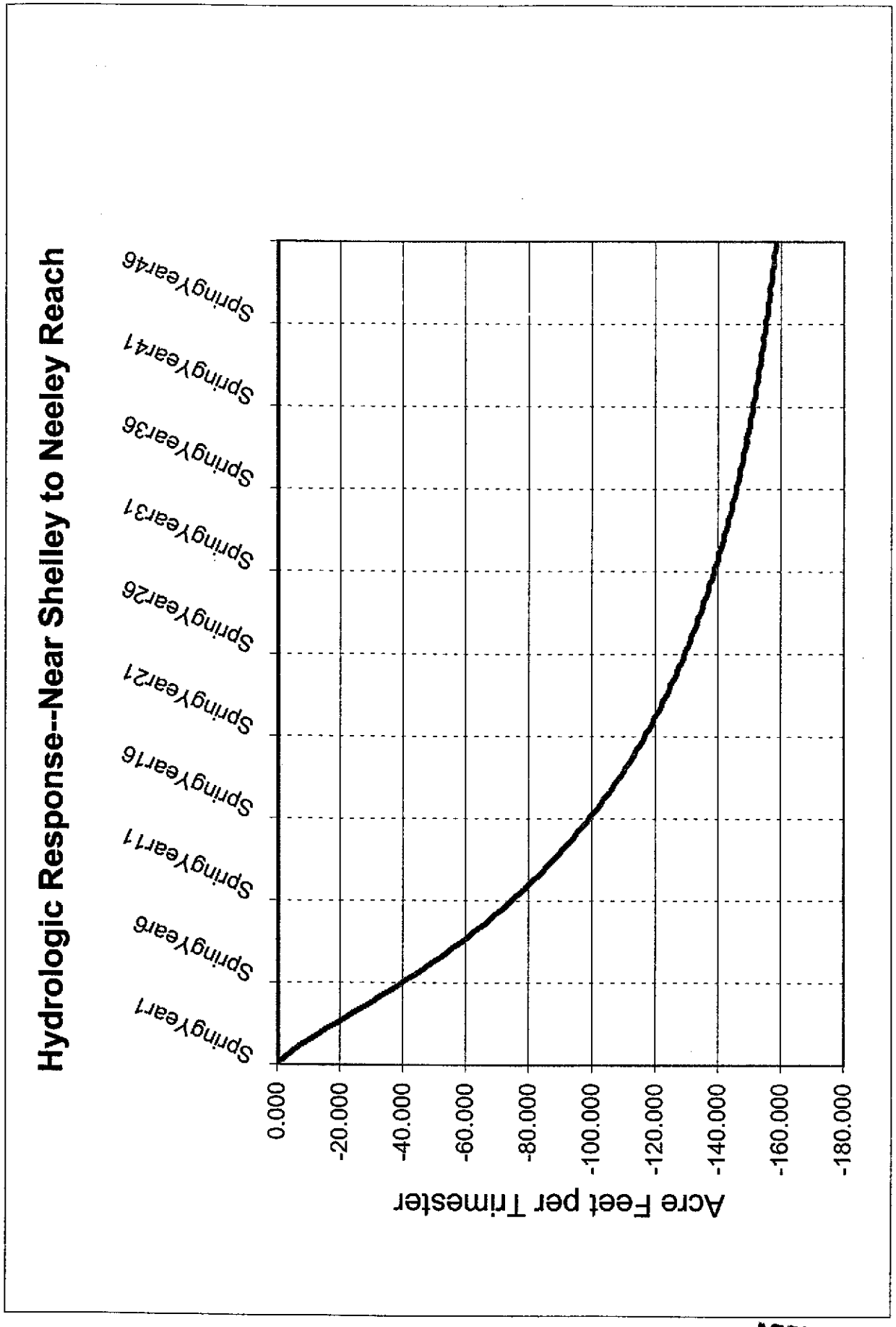
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FIGURE 6



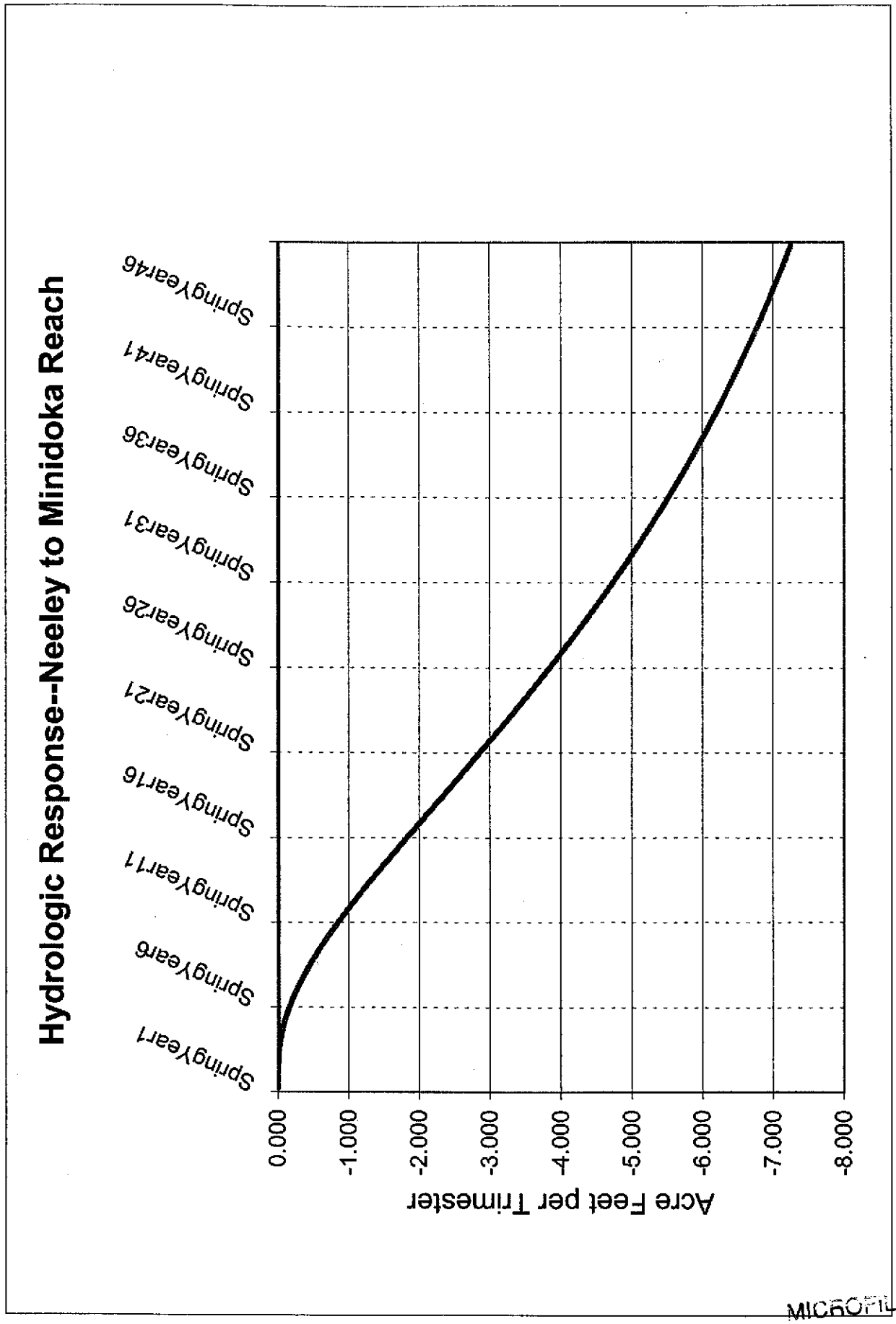
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FIGURE 7

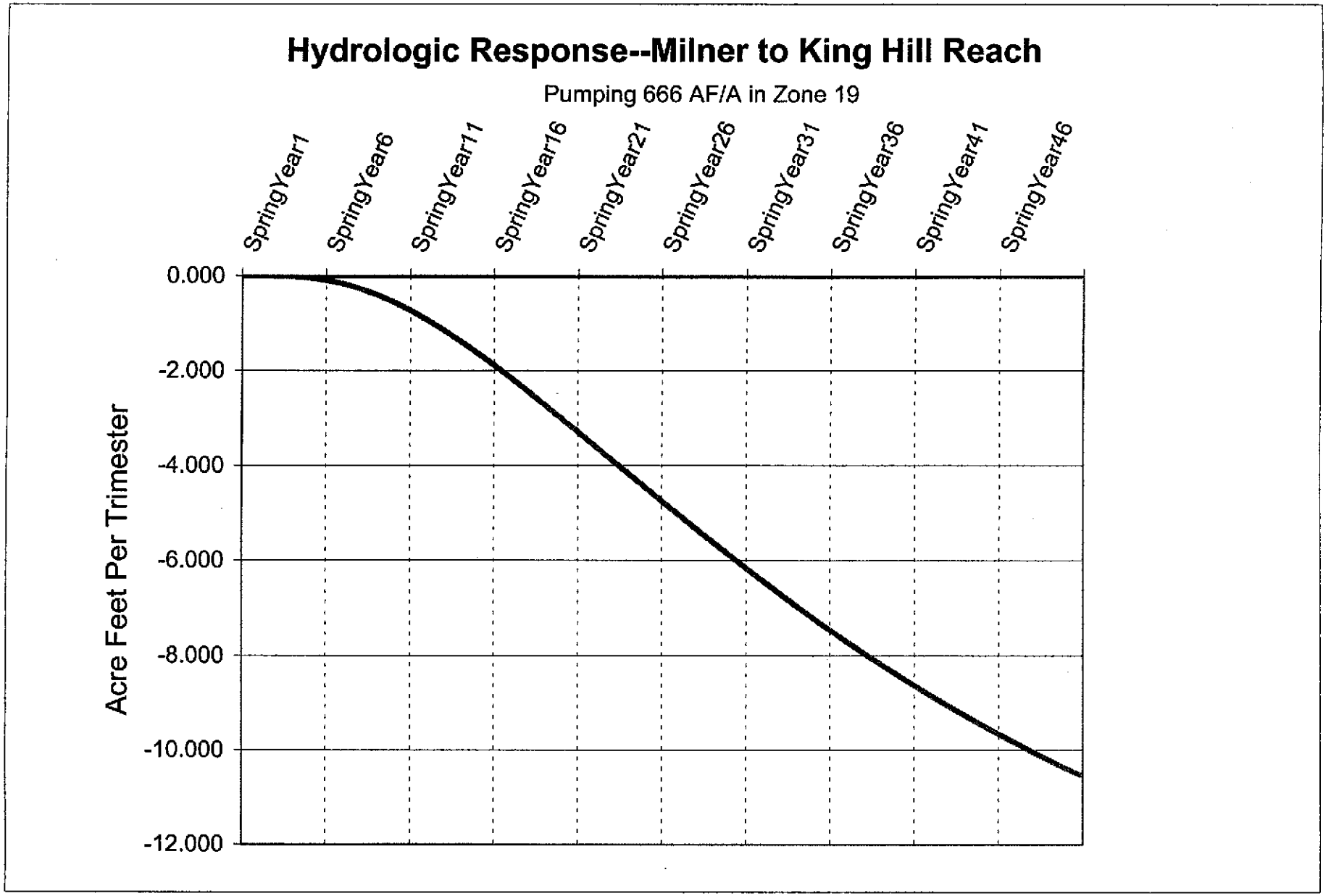


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FIGURE 8



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This page provides access to crop evapotranspiration and irrigation water requirement information for various weather stations from Appendix E of the University of Idaho report: "Estimating Consumptive Irrigation Requirements for Crops in Idaho" published in 1983 by R. G. Allen and C. E. Brockway. This report is a Research Technical Completion Report submitted to Idaho Department of Water Resources. Appendix E was not published with the report for general distribution. A copy of Appendix E is on file with IDWR.

The data forms retrieved via this procedure are an inverted copy of the original tables contained within the appendix to be conducive for import into spreadsheets. Additionally, the columns referencing the number of years in the historical record and precipitation are not included, nor are the estimates of the distribution skewness. To retrieve the data, please select a location from the following selection list and press the retrieve button.

Select location: Howe Retrieve

Brief background on the report "Estimating Consumptive Irrigation Requirements for Crops in Idaho"
R.G. Allen and C.E. Brockway
University of Idaho
August, 1983

The FAO-modifed Blaney-Criddle (FAO-BC) method (Doorenbos and Pruitt, 1977) was used as the basis for the 1983 report for estimating consumptive use on a statewide basis for Idaho, based on accuracy and responsiveness of the equation and the primary data requirement of air temperature, only. The originally grass-based FAO-BC method was converted into an alfalfa-reference method by multiplying by conversion ratios developed using Kimberly lysimeter data and the Kimberly Penman equation. These ratios were found to be transferable to other Idaho sites. Following conversion to an alfalfa reference method, the FAO-BC calculated reference ET was multiplied by alfalfa-based crop coefficients by Wright (1981). These Kc's include impacts of evaporation from wet soil due to irrigation and rainfall.

The FAO-BC method application utilized wind, humidity and solar radiation data from seven regional locations in Idaho. A ten percent upward adjustment to FAO-BC estimates per 1000 meters elevation as suggested by Pruitt (Doorenbos and Pruitt, 1977) was found to be necessary in Idaho and was applied.

NOAA weather stations throughout Idaho were objectively rated according to the degree of station aridity and environmental effects on air temperatures. Mean monthly temperatures at each NOAA site were adjusted downward according to the station aridity rating and maximum aridity effects. Monthly statistics were computed for consumptive use for 98 weather sites in Idaho using the calibrated FAO-BC with elevation correction and alfalfa/FAO-BC reference ratios.

Parameters in the tables are defined as follow:

MEAN CU	Mean monthly consumptive use over the historical period of record for the station. Units are mm/day for monthly values and mm per season for the growing season period. CU is synonymous with crop evapotranspiration.
MEAN IR	Mean net irrigation requirement for the historical period of record for the station. Units are mm/day for monthly values and mm per season for the growing season period. IR was calculated as IR = CU - Pe where Pe is effective precipitation, calculated in the 1983 study as Pe = 0.7 P. IR must be divided by irrigation efficiency to obtain the gross irrigation water requirement.
STDEV CU	Standard deviation of monthly consumptive use by month or of seasonal consumptive use over the historical period of record for the station. Units are mm/day for monthly values and mm per season for the growing season period.
STDEV IR	Standard deviation of monthly IR by month or of seasonal IR over the historical period of record for the station. Units are mm/day for monthly values and mm per season for the growing season period.

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Howe Consumptive Use from Allen and Brockway 83
** Monthly average daily (mm/day) and Seasonal Totals (mm) **

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
ETr									
MEAN ETr	1.12	4.39	5.95	7.49	7.99	6.26	4.44	2.78	1235.
STDV ETr	0.48	0.46	0.37	0.45	0.31	0.33	0.48	0.36	48.
Alfalfa Hay									
MEAN CU		1.60	5.31	6.65	6.56	4.73	2.79	0.87	872.
MEAN IR		1.28	4.47	5.47	6.20	4.15	2.42	0.67	753.
STDEV CU		0.17	0.33	0.40	0.25	0.25	0.30	0.11	29.
STDEV IR		0.49	0.69	0.85	0.57	0.67	0.56	0.28	55.
Alfalfa Seed									
MEAN CU		2.45	5.17	6.69	6.48	3.27	1.62	0.59	803.
MEAN IR		2.11	4.34	5.51	6.12	2.75	1.28	0.40	686.
STDEV CU		0.25	0.32	0.40	0.25	0.17	0.17	0.08	27.
STDEV IR		0.55	0.68	0.86	0.57	0.59	0.46	0.25	54.
Silage Corn									
MEAN CU				2.25	4.26	5.90	3.99	1.73	555.
MEAN IR				1.40	3.96	5.30	3.60	1.53	483.
STDEV CU				0.13	0.17	0.31	0.43	0.22	23.
STDEV IR				0.54	0.44	0.72	0.66	0.36	37.
Peas									
MEAN CU		1.32	2.30	6.21	4.24	1.09			463.
MEAN IR		1.04	1.70	5.20	3.97	0.69			383.
STDEV CU		0.14	0.14	0.37	0.16	0.06			17.
STDEV IR		0.42	0.44	0.75	0.41	0.42			40.
Potatoes									
MEAN CU			1.78	3.95	6.66	5.00	2.94		623.
MEAN IR			1.29	3.22	6.39	4.57	2.67		555.
STDEV CU			0.11	0.24	0.26	0.26	0.32		21.
STDEV IR			0.35	0.53	0.47	0.54	0.49		36.
Sugar Beets									
MEAN CU		1.32	1.78	2.56	6.60	6.23	4.06	2.07	754.
MEAN IR		1.01	1.14	1.68	6.25	5.61	3.66	1.86	648.
STDEV CU		0.14	0.11	0.15	0.26	0.32	0.44	0.27	28.
STDEV IR		0.46	0.45	0.57	0.57	0.75	0.68	0.40	48.
Spring Grain									
MEAN CU		1.32	2.41	6.94	7.96	3.45			676.
MEAN IR		1.04	1.81	5.91	7.62	2.99			593.
STDEV CU		0.14	0.15	0.41	0.31	0.18			23.
STDEV IR		0.41	0.43	0.79	0.59	0.52			46.
Winter Grain									
MEAN CU	0.35	3.04	5.85	7.49	7.89	2.52			831.
MEAN IR	0.14	2.71	5.04	6.34	7.52	2.06			728.
STDEV CU	0.15	0.31	0.36	0.45	0.31	0.13			29.
STDEV IR	0.25	0.57	0.69	0.87	0.61	0.51			56.
Pasture									
MEAN CU		1.82	4.57	5.77	6.15	4.82	3.42	2.14	878.
MEAN IR		1.51	3.81	4.70	5.81	4.26	3.05	1.93	765.
STDEV CU		0.19	0.28	0.34	0.24	0.25	0.37	0.28	31.
STDEV IR		0.49	0.62	0.77	0.53	0.65	0.61	0.41	52.

End of Data Set

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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 16, 2001

Reno Ditch Company
c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

RE: APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY INC.

Dear Mr. Foster:

The Reno Ditch Company has recently contacted the department seeking an expedited drilling permit in connection with the above referenced application. The application proposes to change the point of diversion and place of use of three ground water rights in the Little Lost River drainage to be diverted from ground water within the Birch Creek drainage and used in the Medicine Lodge drainage approximately 37 miles east of the original place of use..

The department's regional office has forwarded the application to this office for final review and action. Review in this office has identified two issues that are troubling to the department and need to be addressed by the applicant in order to further consider the application. The concerns are both related to potential enlargement with associated injury and are further described as follows:

1. Is the total diversion requirement and consumptive irrigation requirement at the proposed new place of use the same or less than at the original location? Please explain and provide evidence to support your response.

2. Three ground water rights and two surface water rights in the Little Lost River drainage will cease to be diverted under the proposed transfer. If the water diverted and used under these rights, in fact, is diverted and used by other rights in the Little Lost River drainage, the consumption under these rights when considered together with the use of water under the transfer appears to represent an enlargement in use of water to the detriment of other water users in the Snake Plain Aquifer. Please address this issue and/or provide information or evidence to show that this enlargement and injury will not happen or can be reasonably managed or mitigated.

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A STUDY OF WATER TRANSFER LOSSES
LITTLE LOST RIVER

BY

C.E. BROCKWAY P.E.

FEBRUARY 1993

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WATER TRANSFER LOSSES-LITTLE LOST RIVER

INTRODUCTION

The Little Lost River Basin in Idaho lies between the Lost River Range and Lemhi Range of mountains and drains south toward the Eastern Snake River Plain. The Little Lost River is formed by joining of Sawmill Creek and Summit Creek in T10N R26E. Some of the major tributaries include Dry Creek, Wet Creek, Deer Creek, Badger Creek, and Uncle Ike Creek. The river and tributaries support extensive irrigation by individual and cooperative irrigation entities. Most of the tributaries are developed for irrigation and the river is totally diverted for irrigation during the irrigation season.

Water rights within the basin are administered by Water District No 31 with a water master and Board of Directors as authorized under Idaho Code. The regulation of water deliveries is performed by the water master under the direction of the Idaho Department of Water Resources based on valid decreed and licensed water rights and permits and approved transfers. Idaho Code allows for development of surface and ground-water under the prior appropriation doctrine and for transfers and changes in points of diversion of established water rights so long as no injury to other water right holders results. When the point of diversion and/or place of use of an established water right is changed, there is usually a change in the hydrologic balance of the stream-aquifer system compared with the balance prior to the transfer. Determination of that change, and the resultant impact on current right holders, depends on quantification of the change in the reach-gain from seepage or subsurface inflow from the point of the historical diversion to the new point of diversion. Downstream transfers, when allowed, have usually been assigned some quantify of "shrink" or decrease in diversion allowed to account for the change in water balance. Quantification of the amount of "shrink" allowed in the Little Lost River system is critical to equitable distribution of water under established rights.

The purpose of this report is to review current data on the hydrology of the Little Lost River including measurements of reach gains and losses and to present a concept for allocation of losses to be assigned to transferred water.

PHYSICAL FEATURES OF THE BASIN

The Little Lost River basin comprises a drainage area of approximately 900 square miles with small, short, usually ephemeral streams entering from the east and somewhat longer streams draining from the Lost River Range on the west.

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Nearly all of these streams have developed alluvial fans composed of highly permeable materials which increase seepage and decrease surface flows reaching the river. The valley floor, covered with alluvium of varying depths, averages about 6 miles wide. Large masses of bedrock jut into the valley floor from both east and west sides(Clebsch, Waite and Decker, 1974).

RIVER -AQUIFER RELATIONSHIPS

Generally, the aquifer underlying the valley is an unconfined system, however, clay layers may produce localized perched or semi-confined systems. This is especially true near the mouth of the valley near Howe where sediments tend to be more fine- grained as the aquifer integrates with the Snake Plain basalt aquifer. Water tables in the alluvium are generally below the water level in the river; however local geology and rock intrusions cause anomalies in the water table gradient which result in springs and gains to the river (Clebsch, Waite and Decker, 1974). Aquifer water levels adjacent to the river are generally below the river except for a reach beginning below the confluence of Big Spring Creek to just upstream of the USCE structure. Data from Mundorff(1963) indicate that the Little Lost river loses to the aquifer even in the reach parallel to Big Spring Creek.

DISCHARGE MEASURING STATIONS

Gauging stations have been operated by the USGS at three stations on the LIttle Lost River. The gage Little Lost River near Howe was operated from 1921 through October 1991. This gauging station is located in Sec 11 T6N R28E, approximately 1/4 mile above the Blaine Canal Diversion. The gauging station Little Lost River above Wet Creek near Howe has been operated since January 1958 and is located in Sec 4 T10N R28E approximately 1/4 mile below the mouth of Wet Creek. A station was operated at the mouth of Sawmill Canyon called Sawmill Creek near Goldburg from 1960 through 1973. Daily average discharge is published for each station except when the stations were inoperable due to ice or other factors.

HISTORICAL STREAM LOSS MEASUREMENTS

Several investigators have made measurements of losses in specific reaches of the LIttle Lost River in connection with litigation and for other studies. Copies of the Idaho Department of Water Resources records containing information on historical measurements of stream losses were furnished by Mr. Tim Luke of the Boise IDWR office.

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A series of measurements were made on August 17, 18, and 21 of 1923 by the USGS and reported in a letter to Mr. W.G. Swenson, Idaho Commissioner of Reclamation. These measurements included inflow-outflow on Dry Creek from the Dry Creek Dam to the mouth of Wet Creek, Little Lost River from Raymond Ranch (above Wet Creek) to Holland Ranch (below Badger Creek), Little Lost River from Holland Ranch to above the Blaine County Diversion Canal, and a series of measurements on Sawmill Creek, and Sawmill Ditch. These measurements included estimates of some smaller flows but most were made with current meters. The letter indicates that a heavy rain occurred during the last day of measurement making those measurements in the Sawmill Creek-Sawmill Ditch area 'not altogether favorable'.

The following table summarizes the results of these measurements for Dry Creek-Wet Creek and the Little Lost River:

Reach	Total Inflow	Diversion or Outflow	Loss
	cfs	cfs	cfs
Dry Cr. at mouth of pipeline to Wet Cr. nr mouth	83.12	65.18	17.94 or 21.6%
Little Lost at Raymond ranch(above Wet Cr.)to Holland ranch(below Badger Cr.)	110.82	100.61	10.21 or 9.2%
Little Lost at Holland ranch to above Blaine Div.	112.97	109.71	3.26 or 2.9%
Combine Little Lost at Raymond ranch(above Wet Cr.) to above Blaine Div.	141.91	128.64	13.47 or 9.5%

The 1923 measurements were made on two separate days when the measured difference in discharge of the Little Lost River at Holland Ranch was over 2 cfs.

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On May 4 and 5, 1926 Mr G.G. Paulsen, assisted by Mr. Nephi Hansen, water master for LIttle Lost River, made a series of measurements on Dry Creek and the Little Lost River as reported in a letter from Mr. Paulsen to W.G. Swendsen on May 14, 1926. A summary of those measurements is as follows:

Reach	Total Inflow	Diversion or Outflow	Loss
	cfs	cfs	cfs
Dry Creek Dam to Mouth of Wet Creek	35.58	23.74	11.84 or 33%
Little Lost above Wet Creek to wagon bridge 1 1/2 miles above Holland ranch	87.85	84.37	3.48 or 3.96%
Little Lost River above Holland ranch to above Blaine Div.	117.22	108.98	8.24 or 7.03%
Combine Little Lost above Wet Creek to above Blaine Div.	124.77	113.05	11.72 or 9.4%

On August 25, 1928 the USGS reported in a letter to Mr Geo. N. Carter, Idaho Commissioner of Reclamation on discharge measurements made on August 19, 20, 1928 to determine losses from Dry Creek to the Blaine Diversion. The following summarizes those findings:

Reach	Total Inflow	Diversion or Outflow	Loss
	cfs	cfs	cfs

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Div. canal below end of Dry Creek pipe line to Corral Cr. at mouth	20.3	14.5	5.8 or 28.6%
Corral Cr.at mouth to Wet Creek at mouth	27.64	23.67	3.97 or 14.4%
Little Lost below Wet Cr. to above Knollin Ranch	51.21	42.18	9.03 or 17.6%
Little Lost above springs at Knollin Ranch to below springs at Knollin R.	43.3	42.9	0.4 or 0.9%
Little Lost below springs at Knollin R to Blaine Div.	66.93	62.18	4.75 or 7.1%
Combine-Little Lost below Wet Cr. to Blaine Div.	77.55	63.38	14.17 or 18.3%

A series of measurements were made be E.G. Bailey of the USGS on July 25, 25, 1932 and reported in a letter to R.W. Faris, Idaho Commissioner of Reclamation on August 4, 1932 by T.R. Newell, District Engineer, USGS Boise. These measurements appear to be useful; however, the copy from the IDWR files is not readable.

The USGS measured 18 sites from Wet Creek above Corral Creek to the Little Lost River above the Blaine Diversion on September 5,6, 1933 as reported in a letter from T.R. Newell to R.W. Faris on September 19, 1933. The analysis of these measurements is not as complete as previous USGS communications; however, a summary of the measurements is as follows:

Reach	Total Inflow	Diversion or Outflow	Loss
	cfs	cfs	cfs

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Wet Cr. above Corral Cr. to Wet Cr. at mouth	18.60	14.02	4.58 or 24.6%
Little Lost below Wet Cr. to above Knollin ranch	21.16	12.03	9.13 or 43.1%
Little Lost below Knollin ranch to Blaine Div.	36.19	31.3	4.89 or 13.5%
Combine Little Lost below Wet Cr. to Blaine Div.	44.85	32.13	12.72 or 28.4%

E.G., Bailey of the USGS reported on measurements made on the Little Lost River and tributaries obtained during August 25-28, 1935. He was assisted by N.W. Hansen. Measurements were made at 31 sites on Dry Creek, Wet Creek, Sawmill and Little Lost River. Some measurements concerned with the old Sawmill By-pass canal and the Summit Creek canal. The following is an extract and compilation of pertinent loss calculations based on Mr. Bailey's report of measured flows:

Reach	Total Inflow	Diversion or Outflow	Loss
	cfs	cfs	cfs
Wet Creek above Corral Cr. to Wet Cr 0.3 mi. above mouth	21.66	17.88	3.78 or 17.5%
Little Lost below Wet Cr to above Knollin ranch	34.77	24.17	10.66 or 30.5%
Little Lost above conf. w/ Spring Cr to above Blaine Div.	45.03	41.09	3.94 or 8.7%

The IDWR files contain a list of measurements for 11 stations made on May 15 and 16, 1968 titled Wet Creek and Little Lost River Loss Measurements. There is no indication of the location of the 11 stations or who made the

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measurements. Calculations include a list of percentage losses from Dry Creek Ditch to the various stations as follows:

Loss from Dry Creek Ditch To:	Loss
Station No. 2	1.0%
Station No. 3	7.9%
Station No. 4	10.7%
Station No. 5	--
Station No. 6	17.1%
Station No. 7	17.5%
Station No. 8	20.1%
Station No. 9	30.2%
Station No. 10	Gain
Station No. 11	40.7%

Station No 11 was listed as the Howe Station which is likely the USGS gage operating as Little Lost River near Howe in 1968 which was the gage upstream of the Blaine Canal Diversion.

Clebsch, Waite and Decker (1974) discuss river channel gains and losses and point out that some 'losses' may actually return to the stream down the valley where the stream gains through spring flows and/or unmeasurable ground-water inflow. This publication does not provide detailed data on the quantity of stream loss or gains but does point out that the river gains or loses based on adjacent aquifer water levels. Mundorf, Broom and Chabot (1963) provided insight to the intricate relationships of the ground-water system and the river based on measurements of some 40 different sites including the main river, tributaries, and spring inflows. The purpose of this study was to define the hydrology of the Little Lost River basin and apparently no detailed analysis of flow data was performed.

RECENT MEASUREMENTS OF LOSSES

In order to define reach gains and losses, a series of measurements of the river and inflows and outflows was performed on October 27, 1992 by C.E. Brockway P.E. and Clearance W. Robison P.E. During this period of the year, aquifer levels are normally lower than late spring or early summer due to ground-water inflow recession and any affects due to irrigation pumping. Since the Upper Snake River and tributaries have experienced a drought since 1987, general aquifer water levels are likely lower than normal historical levels. Gains to the Little Lost River should be expected to be lower than normal and losses to be

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higher. River and inflowing streams and springs were measured using current meters and operating diversions were measured through the diversion measuring structures, usually submerged orifices. Current meter measurements were made using Ott propeller type meters using standard measurement procedures. All operating diversions were measured. Some diversions, although closed, were leaking but the leakage was not significant.

Measurements were made beginning early the morning of October 27, 1992 using two water measurement teams. Each team measured a series of sites as measurement proceeded from the road bridge at the mouth of Sawmill Canyon downstream to the last diversion at Mr. Bob Mays near Howe. No water was flowing in LIttle Lost River below the Mays diversion. Measurement proceeded downstream so that the time between successive measurements used for loss calculations would be minimized and the diurnal fluctuations in flow would not be significant.

Duplicate measurements at two sites were made by each team to assure that differences between measurements by different personnel were not excessive.

Measurements were also made on the lower reach of Summit Creek just upstream from the confluence with Little Lost River and on Wet Creek beginning below the Dry Creek Hydro inflow to the county road bridge upstream of the confluence with Little Lost River.

Locations of each measurement site were determined using USGS 7.5 minute topographic maps and river mile locations were determined using a distance wheel on the USGS maps.

Calculation of losses between river measuring stations was based on the sum of inflows minus the sum of outflows in the reach. Inflow includes all measured surface inflow including the river at the upstream end of the reach and outflows include all diversions and the flow of the river at the downstream end of the reach. Table 1 shows the measurements made at each site, the river mile of each site progressing upstream from the Bob May diversion, and the calculated gain or loss in the river reach.

Figure 1 shows the measured losses between each measuring site on the topographic map and Figure 2 shows the loss per mile between stations. Figure 3 is a plot of the loss for each reach as a percentage of total inflow into the reach. The river loses between the mouth of Sawmill Canyon and the USGS gage below Wet Creek then gains approximately 1.5 cfs per mile between the USGS gage and Badger Creek. The highest losing reach, about 3.8 cfs per

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mile, is between Badger Creek and below Big Spring Creek. Below Big Spring Creek to the USCE structure, the river gains approximately 4.8 cfs per mile which is consistent with the higher aquifer water levels as indicated by Clebsch, Waite and Decker, 1974. Downstream of the USCE structure, the river is a continuously losing reach. The 1992 measurements indicated a net loss of 78% in the reach from the Sawmill Canyon road to the May Diversion based on the summation of losses by individual sub-reach for the length of the river.

The Bureau of Land Management has made several sets of measurements to determine stream discharges in connection with applications for maintenance of insert flows. Measurements have been made on Wet Creek, Badger Creek, Deer Creek, Big Spring Creek and Warm Springs Creek. However, apparently no measurements have been made on Little Lost River. Wet Creek measurements were made during 1990, 1991, and 1992 at six sites beginning at the US. Forest Service boundary downstream to the confluence with Little Lost River. Inflow to Wet Creek and diversions from the creek may have been measured but were not reported in data received from the BLM so stream losses cannot be determined.. Differences in stream flows on tributaries such as Badger Creek were also reported but it is not clear whether any diversions or inflow were occurring between measuring points.

CONCEPTS FOR ESTIMATING LOSSES

Decisions on whether or not transfers should be allowed are dependent on the determination of whether or not injury may occur to senior water right holders or whether mitigation for injury can be effected by proper conditions attached to the transfer. On the LIttle Lost River, all loss measurements, current and historical, indicate that the river experiences a net loss of flow over the full length of the valley. However, there are reaches of the river which experience significant gains. Transfers of water rights for significant distances downstream to new points of diversion should recognize that transferred water is subject to a reasonable loss along with other allocated water in the stream. When additional water is carried in a stream, the water level is raised an amount depending on the stream geometry. This rise in water level increases the wetted or seeping area of the stream and causes increased pressure on the wetted area. Figures 4 and 5 show graphically the effect on the stream channel due to increased stream flow. If the water level is below the stream water level, the stream is losing water and the increased stream flow increases the loss, Figure 3 If the water level in the aquifer is above the stream water level, the stream is gaining

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and the increased stream flow causes a decrease in the ground-water gradient toward the stream and decreases the inflow or gain, Figure 4. The theory, held by some, that downstream transfer of water and the resulting increase in stream flow does not increase stream losses or decrease ground-water inflow is not valid. The concept that the "new" water essentially rides on top of the "old" water with no change in net stream loss is not valid. Unfortunately, precise mathematical quantification of changes in natural stream losses is not possible. However the determination of the feasibility of transfer applications, and the equitable administration of approved transfers, depends on whether reasonable procedures for assigning losses or 'shrink' to water transferred downstream to new points of diversion can be developed.

Since it is not hydraulically possible nor economically feasible to install continuous discharge measuring devices at a sufficient number of sites along the river to document losses or gains for short reaches, some simplified but equitable method with reasonable hydrologic justification must be adopted.

Uniform Linear Losses

One procedure is to utilize a linear relationship between percentage of total inflow and distance with the relationship based on measured losses in the main stream and accounting for all inflows and diversions. Using a uniform linear loss distribution averages the total loss over the reach and gives credit for gains to transferred water. Figure 5 shows the uniform linear relationships from below Sawmill Canyon road to the May diversion for the 1992 loss measurements. Using this relationship, the loss assign able to a transfer from point A to point B in Figure 5 is 56 percent minus 15 percent or 41 percent.

Uniform Linear Loss over Sub-reaches

Using this procedure, the loss rate between measuring stations is assumed uniform and full credit for gain is given to transferred water. This method recognizes the differences in gains and losses between subreaches; however, there is a question as to whether the transferred water should share fully in the natural gain over a sub-reach. Figure 6 shows a plot of percentage losses for the 1992 measurements from Sawmill Canyon road to the May Diversion. Using this procedure, the assigned loss for a transfer from point A to point B would be 95 percent minus 40 percent or 55 percent, Figure 6.

Figure 7 shows a comparison of the procedure for loss assignment using a uniform linear distribution and uniform linear loss over sub-reaches.

Uniform Linear Loss without Gain Allowance

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A third alternative procedure for loss assignment is to assign losses to transferred water over sub-reaches where loss occurs but not allow any credit for natural gain to the transferred water. This procedure is based on the premise that the natural gain is not affected by the additional water in the stream or at least is not affected significantly. Using this procedure could result in estimated losses over long reaches of greater than 100 percent and is not recommended. Losses in tributaries can be developed using similar procedures. The 1992 loss measurements included only the reach of Wet Creek from the Dry Creek Hydro inflow to the County Road bridge above the mouth which exhibited a loss of 17.25 percent. Historical measurements indicate losses on Wet Creek from either the confluence of the old Dry Creek flume or from Corral Creek at 17 to 24 percent. A reasonable loss value for the reach from the Dry Creek Hydro to the mouth of Wet Creek is 20 percent.

CONCLUSIONS

The hydrogeology of the Little Lost River is complex and results in river-aquifer exchanges which make definition of stream losses or gains difficult. Historical measurements of losses have concentrated on the Dry Creek-Wet Creek segment and on the Little Lost River from the Wet Creek confluence down to the Blaine Canal Diversion. Water diversions transferred downstream should share in the natural losses experienced over the length of the transfer and new diversions decreased appropriately. Operating losses cannot be adequately defined by location or seasonally without a planned program of water measurement specifically designed to define the losses by river reach. Any procedure for allocation of transfer losses should be based on a consistent water measurement program and the losses updated as new measurements become available. The procedure should be usable by the water master without extensive mathematics and applicable to all transfers. Stream losses and gains calculated from the series of water measurements made on October 27, 1992 are reasonable estimates of current losses and gains for the reaches measured. Comparisons of the 1992 measured losses with historical losses are reasonable except for measurements made in the early 1920's.

RECOMMENDATIONS

1. A water measurement program on the Little Lost River and tributaries designed to define losses on the main river and pertinent tributaries should be initiated. Consideration should be given to defining seasonal and climatic variations in loss rates.

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2. Consideration should be given to re-activating the USGS gage above the Blaine Canal diversion to provide another real-time measurement of river flow at two points for assistance in water distribution and regulation and to provide data for loss determinations.

3. A program for annual maintenance and evaluation of water measurement devices on all diversions and tributary inflows where possible should be implemented. Currently some diversion structures and measuring devices are in need of repair or cleaning and are likely not providing accurate measurements of diverted water. Provisions for measuring devices on major tributaries would provide additional data for continuing loss measurements.

4. A procedure to assign losses to downstream water transfers should be adopted and implemented with the 1993 irrigation season. In light of the large variation in losses and gains in the LIttle Lost River and the difficulty in defining the beginning and end of specific gaining or losing reaches, the recommended procedure is to use a uniform linear estimate of the percent loss. This procedure can be based on the 1992 measured loss rates for initial values and can be structured for any initial starting point.. The losses used in the estimates should be updated based on the water measurement program.

5. Consideration should be given to providing real or near real-time notification to the water master of the operations of exchange wells so that timely allocation of river flows based on priorities can be made.

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TABLE 1 LITTLE LOST RIVER REACH GAIN ANALYSIS

DISCHARGE MEASURED OCTOBER 27, 1992 C.E. BROCKWAY P.E. AND C.W. ROBISON P.E.
ALL KNOWN MEASUREABLE INFLOW AND DIVERSIONS ACCOUNTED FOR

RIVER MILE STATIONS OF WATER MEASUREMENT SITES
DATA OBTAINED BY DISTANCE WHEEL ON USGS QUAD SHEETS

SCALE 1 INCH=		2000	FT					
SITE	DIST	DISCH	REACH LOSS(-) GAIN(+)	TOTAL REACH INFLOW	TOTAL REACH OUTFLOW	GAIN(+) LOSS(-) %	LOSS OR GAIN/MI	DESCRIPTION
	Miles	cfs	cfs	cfs	cfs		cfs	
28	0.00	11.51						BOB MAYS DIV. NO FLOW PAST THIS DIVERSION
27	0.57	3.60	-13.28	49.27	35.99	-26.95%	-4.57	LEO AND ISHAM DIVERSION
26	2.66	20.88						HARTMAN DIVERSION STRUCTURES
25	2.91	49.27						LITTLE LOST RIVER ABOVE HARTMAN DIV.
24	3.98	3.46						HAWLEY/NORRIS EAST DIVERSION
23	3.98	4.58	-2.92	61.44	58.52	-4.76%	-0.48	HAWLEY/NORRIS WEST DIVERSION
22	6.70	5.34						THREE WELLS INFLOW
21	7.83	1.21						BLAINE DIVERSION
20	8.98	56.10						LITTLE LOST RIVER AT USCE STRUCTURE
19	9.32	5.22	18.31	37.79	56.10	48.45%	4.69	SPRING INFLOW
18	12.88	32.57						LITTLE LOST RIVER BELOW BIG SPRING CREEK
17	12.92	17.37	-43.17	75.74	32.57	-57.00%	-3.74	BIG SPRING CREEK INFLOW AT CONFLUENCE
16	24.41	58.37						LITTLE LOST BELOW DEER AND BADGER CREEK
15	24.43	0.17	9.13	49.24	58.37	18.54%	1.56	DEER CREEK INFLOW
14	24.45	2.76						BADGER CREEK INFLOW
10	30.28	46.31						LITTLE LOST RIVER AT USGS GAGE
13	30.44	17.74						WET CREEK INFLOW

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9A	31.99	1.42	-0.77	48.50	47.73	-1.59%	-0.16	DAVE ANDREASON DIVERSION
9	33.30	9.93						SPRING INFLOW(BLACK CREEK)
8	35.13	6.15						SUMMIT CREEK INFLOW
7	35.15	14.68						LITTLE LOST RIVER ABOVE SUMMIT CREEK
6	35.42	3.61	-2.53	17.21	14.68	-14.70%	-1.59	SPRING INFLOW
5	36.16	1.33						PANCHERI HYDRO INFLOW
3	36.74	12.27						LITTLE LOST RIVER @SHEARING CORRALS
2	44.15	5.88	-8.38	20.65	12.27	-40.58%	-1.08	WARM CREEK INFLOW
1	44.47	14.77						LITTLE LOST AT SAWMILL CANYON ROAD

WET CREEK

13	0.00	17.74						CONFLUENCE WITH LITTLE LOST
	0.84	0.42	-3.78	21.94	18.16	-17.25%	-1.45	RICK PANCHERI DIVERSION
12	2.61	21.94						WET CREEK BELOW HYDRO
11	2.62	10.85						HYDRO PLANT INFLOW

SUMMIT CREEK

7	0.00	14.68						CONFLUENCE WITH LITTLE LOST
	1.63	0.00	5.37	9.31	14.68	57.68%	3.08	J ANDREASON DIVERSION(LEAK)
4	1.74	9.31						SUMMIT CREEK

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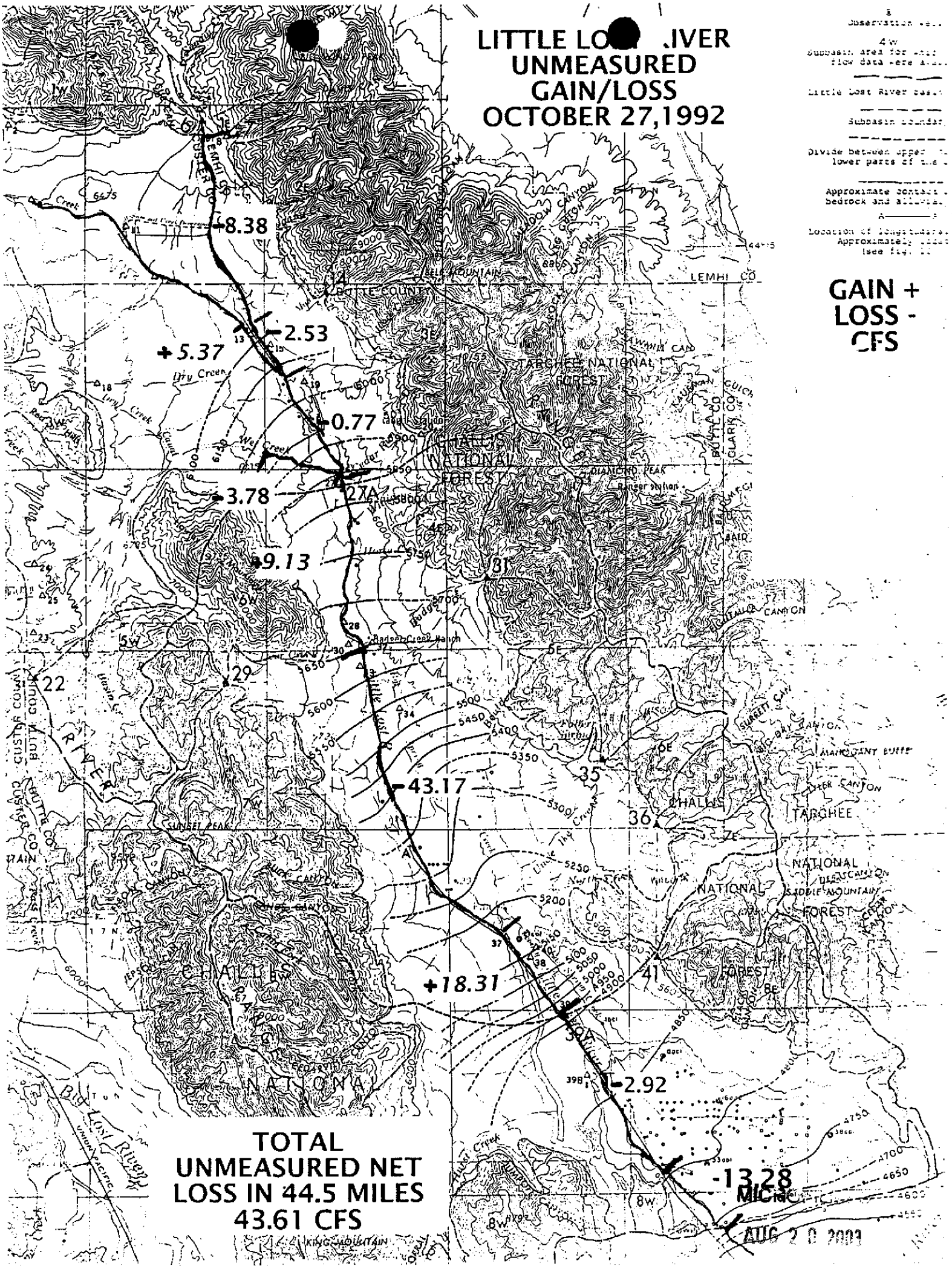
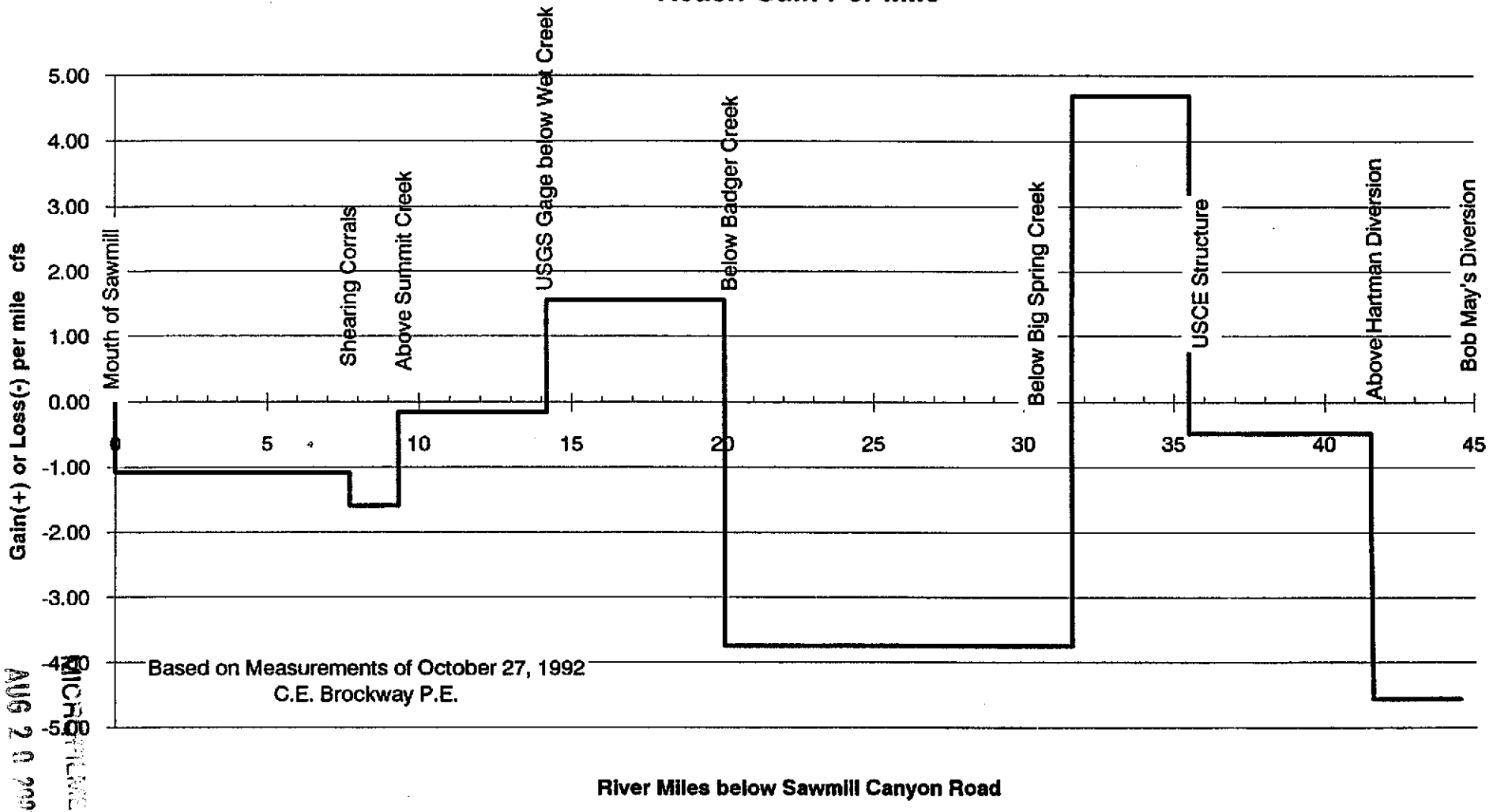

LITTLE LOST RIVER
UNMEASURED
GAIN/LOSS
OCTOBER 27,1992
GAIN +
LOSS -
CFS
+8.38
-2.53
+5.37
-0.77
-3.78
+9.13
-43.17
+18.31
-2.92
-13.28
TOTAL
UNMEASURED NET
LOSS IN 44.5 MILES
43.61 CFS
LEMHI CO
BUTTE COUNTY
CUSTER CO
BUTTE CO
CHALLIS
TARGHEE
NATIONAL
FOREST
DIAMOND PEAK
Ranger Station
Radert Creek Ranch
Little Lost River
Big Lost River
Wet Creek
Hayden Creek
Dry Creek
Lirty Creek
Antelope Creek
Sunset Peak
Saddle Mountain
Diamond Creek
Timber Creek
Antelope Creek
Rock Canyon
Beaver Canyon
Deer Canyon
Sheep Canyon
Buttalo Canyon
Clark Canyon
Bell Mountain
Rock Creek Canyon
Lawson Creek
Lawson Gulch
Sunset Cany
Big Canyon
Mountain Butte
King Mountain
Union Pacific
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FIGURE 2

Little Lost River
Reach Gain Per Mile

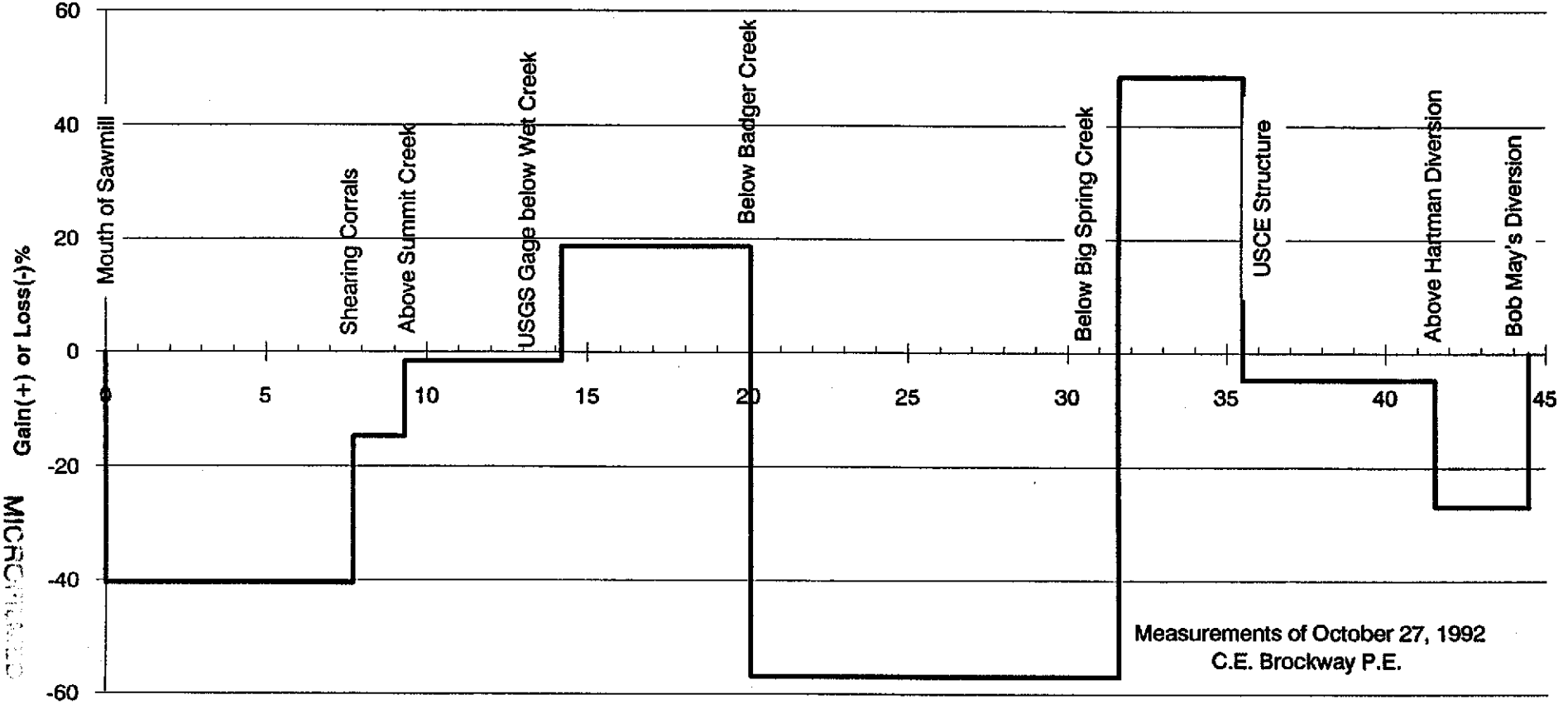


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FIGURE 3

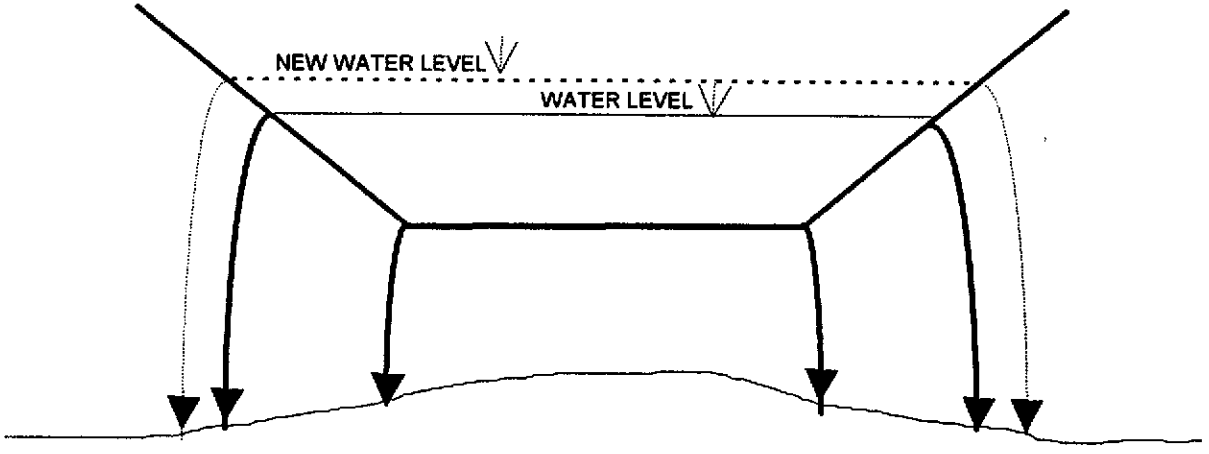
Little Lost River
Percent Reach Gain/lLoss by Sub-reach



River Miles Below Sawmill Canyon Road

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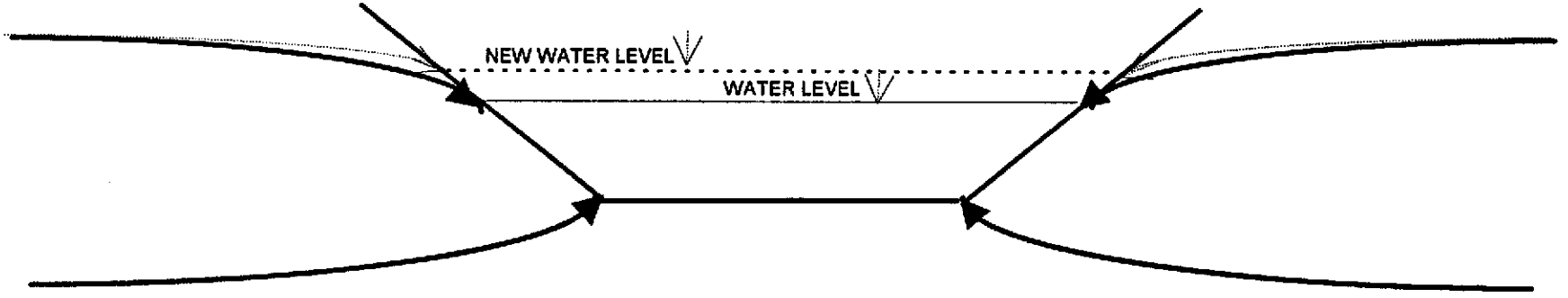
FIGURE 4
SEEPAGE FROM OPEN CHANNELS
LOSING REACH TO GROUND-WATER



ASSUME UNIFORM MEDIA
INCREASED WATER LEVEL CAUSES INCREASED WETTED AREA PLUS INCREASED PRESSURE ON CHANNEL BOTTOM CAUSING INCREASED SEEPAGE

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FIGURE 5
SEEPAGE FROM OPEN CHANNELS
GAINING STREAM FROM GROUND-WATER



ASSUME UNIFORM MEDIA
INCREASED WATER LEVEL CAUSES DECREASED INFLOW INTO STREAM
BY DECREASING GRADIENT TOWARD STREAM

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FIGURE 6

Little Lost River
Uniform Linear Loss

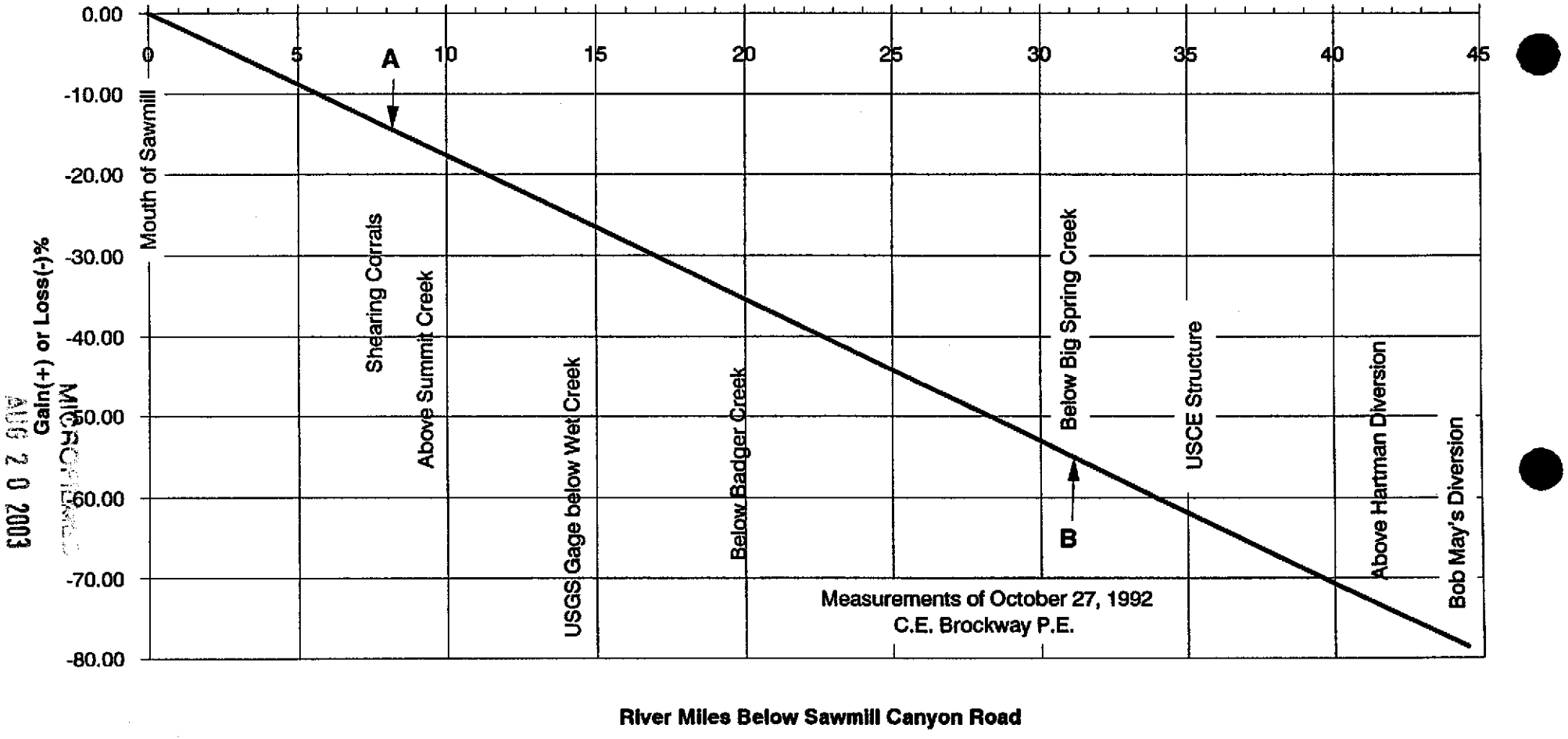
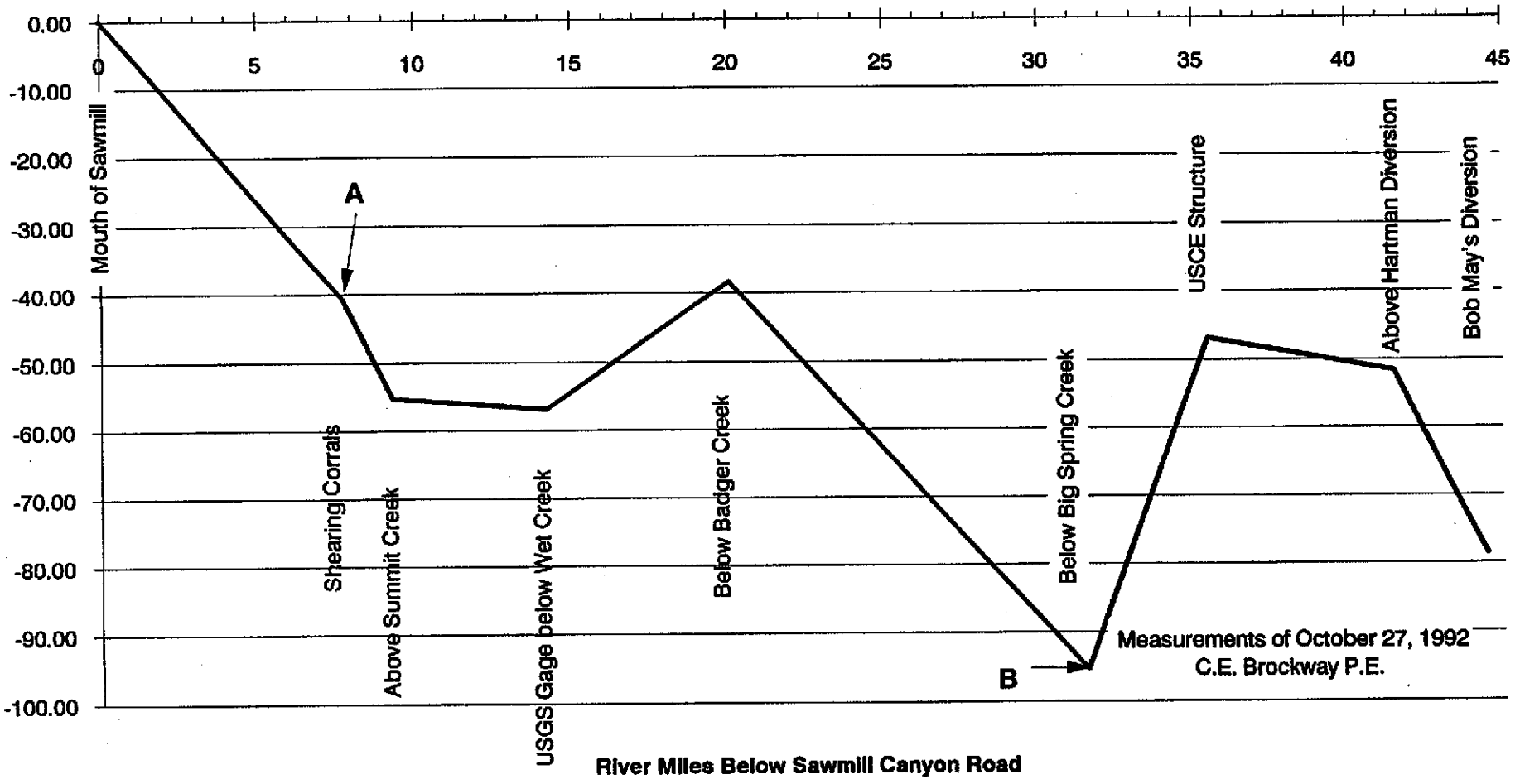


FIGURE 7

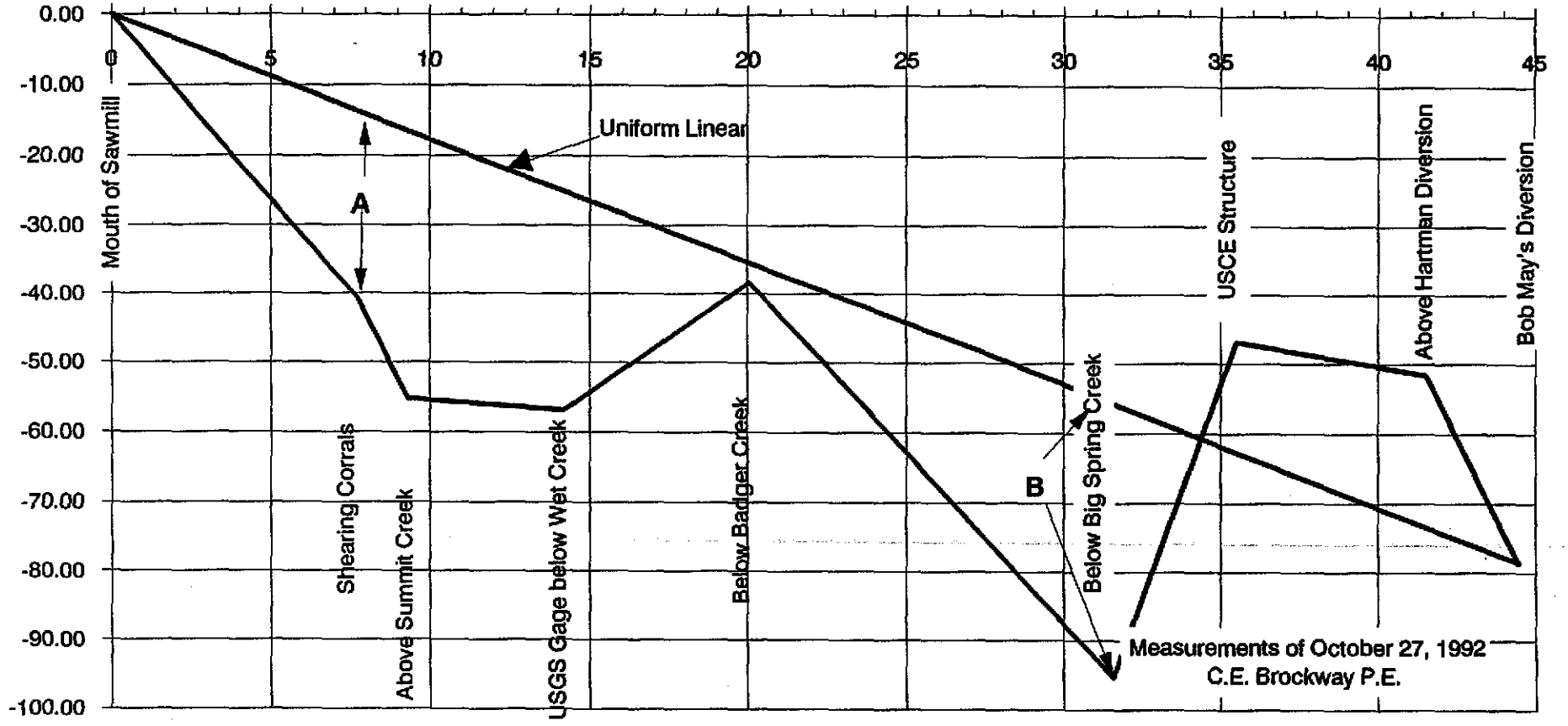
Little Lost River
Cumulative Percent Loss



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FIGURE 8

Little Lost River
Comparison of Cumulative and Uniform Linear Percent Loss



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TED S SORENSON BIRCH CREEK RANCHES LLC 5203 S 11TH E IDAHO FALLS ID 83404 (208) 522-8069	08/07/1961	IRRIGATION	04-15	10-31	3.000 CFS	525.00 AFA
					TOTAL DIVERSION:	3.000 CFS	525.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T10N R27E S19 NENESW BUTTE County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10N 27E 19			40										25	36	07	03	112.0
10N 27E 20										03							3.5
10N 27E 29						11	08										20.0
10N 27E 30	13			.7													14.5
														TOTAL ACRES			150.0

POU County: BUTTE

Other Rights: 33-00087, 02034, 02141

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

C18 - 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. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date: 04/07/2000

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 10/14/1999 User-ID: ARUBERRY Subject: OVERLAP
THERE IS NOT A COMPLETE OVERLAP OF ALL RIGHTS, ONLY PORTIONS.

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 03/03/94 RUBERRY 03/30/95 POST-STD 10/14/99 ARUBERRY 11/22/99 AJU10-EC
01/05/00 ARUBERRY 01/30/00 CPDSHAFF 04/06/00 ADT-DSHA 04/12/00 UPD-SEGB

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TED S SORENSON BIRCH CREEK RANCHES LLC 5203 S 11TH E IDAHO FALLS ID 83404 (208) 522-8069	01/29/1949	IRRIGATION	04-15	10-31	3.200 CFS	560.00 AFA
				TOTAL DIVERSION:		3.200 CFS	560.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T10N R27E S19 SENWSE BUTTE County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10N 27E 19													14			35	49.6
10N 27E 20										34	40						74.5
10N 27E 29						37											37.9
10N 27E 30		05															5.2
														TOTAL ACRES			167.2

POU County: BUTTE

Other Rights: 33-00087, 02034, 02106

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

C18 - 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. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.34 CFS. COMBINED RIGHT NOS.: 33-00087 AND 33-02034.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087 AND 33-02034. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 04/26/1996 User-ID: ARUBERRY Subject: CHANGE OF OWNERSHIP
CHANGE OF OWNERSHIP REMOVES DECEASED FATHERS NAME,**26APR96,ABR**

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/05/2000 User-ID: ARUBERRY Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP 1/5/00.

Audit: 04/23/96 ARUBERRY 04/26/96 ARUBERRY 10/14/99 ARUBERRY 11/22/99 AJU10-EC
01/05/00 ARUBERRY 01/30/00 CPDSHAFF 04/06/00 ADT-DSHA

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TED S SORENSON BIRCH CREEK RANCHES LLC 5203 S 11TH E IDAHO FALLS ID 83404 (208) 522-8069	08/08/1961	IRRIGATION	04-01	10-31	1.800 CFS	
					TOTAL DIVERSION:	1.800 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE

Point(s) of Diversion: T10N R27E S19 NENESW BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10N	27E	19			40										25	36	07	03	112.0
10N	27E	20										03							3.5
10N	27E	29						11	08										20.0
10N	27E	30		13		.7													14.5
																		TOTAL ACRES	150.0

POU County: BUTTE

Other Rights: 33-02106

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO - SECTION 42-1425, IDAHO CODE.

C18 - 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. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141, 33-02106.
USE OF THIS RIGHT WITH RIGHT NO. 33-02106 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 525 AF.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.
~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

EXP RIGHT NO. 33-11002 IS ALSO DIVERTED THROUGH THE POINT OF

Remarks: DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/28/2000 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
THIS IS NOT AN ENLARGEMENT CLAIM. IT IS BASED ON MEASURED FLOW ABOVE WHAT WAS ORIGINALLY LICENSED BY 33-02106.
ADDITIONAL DIVERSION RATE IS BASED ON DOCUMENTATION BY NATURAL RESOURCE CONSERVATION SERVICE (NRCS) INDICATING ADDITIONAL WATER IS REQUIRED FOR ECONOMIC IRRIGATION.

Audit: 01/28/00 ARUBERRY 01/31/00 ARUBERRY

RECEIVED
MAY 16 2001
Department of Water Resources

RENO DITCH COMPANY
P.O. Box 5
Rexburg, Idaho 83440

May 10, 2001

Glenn Saxton P.E.
Chief Water Allocation Bureau
Idaho Department of Water Resources
Boise, ID

RE: Transfer 5760

Gentlemen:

Pursuant to your letter of April 10, 2001, we have retained the services of Mr. Chuck Brockway to answer the questions raised in your letter. Mr. Brockway informs us that he cannot prepare an answer to your letter for at least one month. In the interim, because of the ongoing drought conditions, we would appreciate your allowing us a permit to drill a test well to determine if there is sufficient volume of water in the area. We appreciate your consideration in this matter.

Very Truly Yours,

Lavar Newman, President
Reno Ditch Canal Company

Ted S. Sorenson, Vice President
Reno Ditch Canal Company

Jim Demordaunt, Secretary
Reno Ditch Canal Company

TSS/ptj
Pc: Chuck Brockway
2001Letters\IDWR.ltr

MICROFILMED
AUG 20 2003

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 16, 2001

COPY

Reno Ditch Company
c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

RE: APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY INC.

Dear Mr. Foster:

The Reno Ditch Company has recently contacted the department seeking an expedited drilling permit in connection with the above referenced application. The application proposes to change the point of diversion and place of use of three ground water rights in the Little Lost River drainage to be diverted from ground water within the Birch Creek drainage and used in the Medicine Lodge drainage approximately 37 miles east of the original place of use..

The department's regional office has forwarded the application to this office for final review and action. Review in this office has identified two issues that are troubling to the department and need to be addressed by the applicant in order to further consider the application. The concerns are both related to potential enlargement with associated injury and are further described as follows:

1. Is the total diversion requirement and consumptive irrigation requirement at the proposed new place of use the same or less than at the original location? Please explain and provide evidence to support your response.

2. Three ground water rights and two surface water rights in the Little Lost River drainage will cease to be diverted under the proposed transfer. If the water diverted and used under these rights, in fact, is diverted and used by other rights in the Little Lost River drainage, the consumption under these rights when considered together with the use of water under the transfer appears to represent an enlargement in use of water to the detriment of other water users in the Snake Plain Aquifer. Please address this issue and/or provide information or evidence to show that this enlargement and injury will not happen or can be reasonably managed or mitigated.

MICROFILMED

AUG 2 0 2003

Upon receipt of this information, the department will further consider the application. If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Reno Ditch Company
Mud Lake Water Users Ass'n
IDWR - Harold Jones
Norman C. Young

MICROFILMED
AUG 2 0 2003

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 16, 2001

Reno Ditch Company
c/o Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

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MICROFILMED

AUG 2 0 2003

Upon receipt of this information, the department will further consider the application. If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Reno Ditch Company
Mud Lake Water Users Ass'n
IDWR - Harold Jones
Norman C. Young

MICROFILMED
AUG 2 0 2003

RECEIVED
MAR - 5 2001
Department of Water Resources

RENO DITCH COMPANY

P.O. Box 5
Rexburg, Idaho 83440

February 28, 2001

Norm Young
Deputy Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

RE: Water Transfer No. 5760

Dear Mr. Young:

This letter is written to request an expedited permit to drill a well this spring. The snow course measurement of Meadow Lake at the head of our valley is way below normal (see attached copy). As you can see, we are going to be very short of water this year. The transfer amount requested is approximately 8 CFS. We would like to request an expedited permit to drill the initial well at 2 to 3 CFS. We would appreciate your prompt consideration in this matter as soon as possible.

Very Truly Yours,

Lavar Newman, President 657-2252

Ted Sorenson, Vice President 522-8069

Jim Demordaunt, Secretary/Treasurer 356-9427

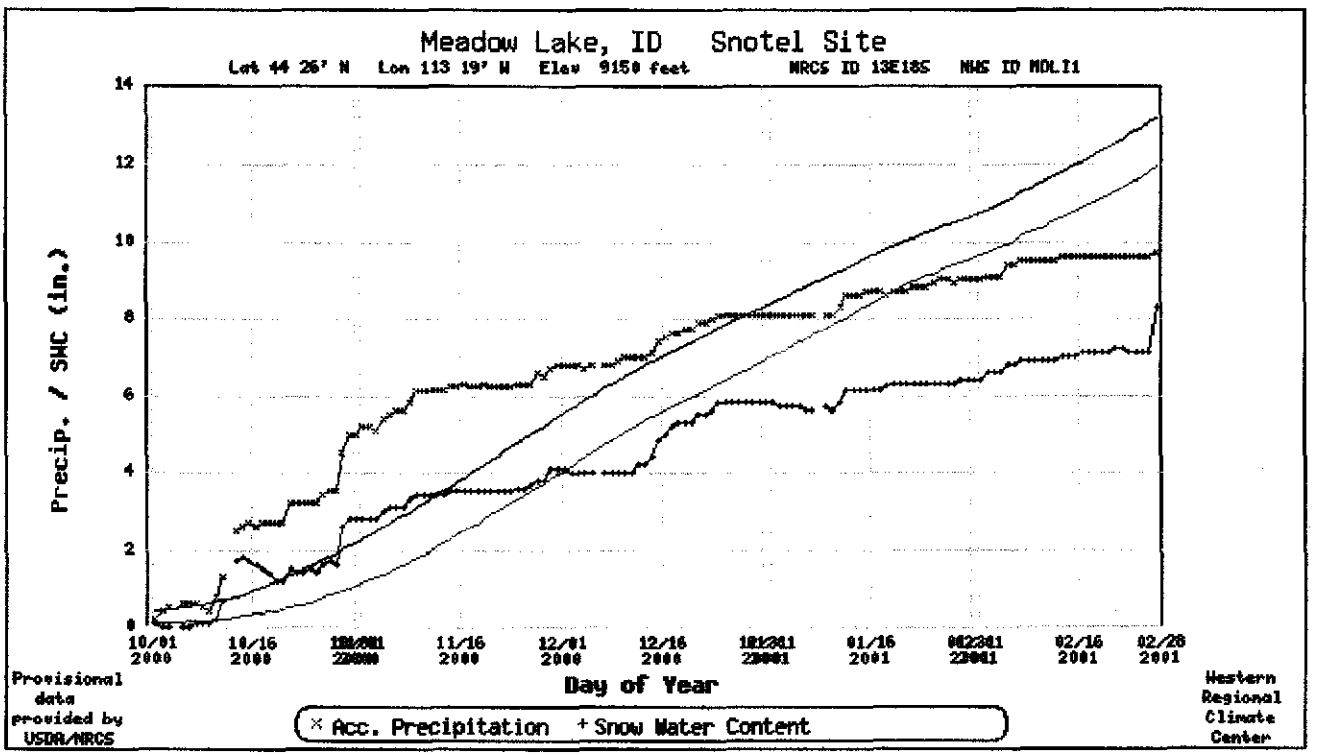
66127

33-2106
2141
11002

C:\My Documents\Word Perfect\Ted's Letters\Young.ltr.wpd

MICROFILMED
AUG 2 0 2003

Snotel Graph



Return to Snotel Graph Options

Return to Home Page

MICROFILMED
AUG 2 0 2002

Jones, Harold (Skip)

From: Tuthill, Dave
Sent: Tuesday, January 30, 2001 12:09 PM
To: King, Scott; Ruberry, Allen; Jones, Harold (Skip); Carlsen, Ernie; McHugh, Candice
Cc: 'Marci Pape (E-mail)'
Subject: RE: Sorensen Hubble analysis

RECEIVED
FEB 12 2001
Department of Water Resources

Marci's results look reasonable to me. I would feel good about using them for the transfer.

Dave

-----Original Message-----
From: King, Scott
To: Ruberry, Allen; Jones, Harold (Skip); Carlsen, Ernie; Tuthill, Dave; McHugh, Candice
Cc: Marci Pape (E-mail)
Sent: 1/26/01 11:41 AM
Subject: Sorensen Hubble analysis

Hi All,
Following are Marci's results. She finds a reasonable volume requirement
of 4.82 AFA, which exceeds our standard by 38%. The volume will be reached
in 76 days if diverting at 4.8 cfs (88 days if diverting at 4.14 cfs).

The expected annual consumptive use of irrigation water is 2.49 AFA. The
additional 2.33 AFA is attributed to losses, either runoff or deep percolation.

The SCS analysis was performed using the NRCS program FIRI. This program
is a small executable available from the Idaho NRCS homepage. I downloaded
it and put in information for this particular farm, and was able to obtain
a wide range of results, which are based on fairly subjective questions.
I was able to obtain the 9 acre fee/acre computed by the NRCS agent, but was quite liberal with inefficiencies.

If you are interested, I'd encourage you to give it a try. However, I do not think that it is a reliable alternative to the Hubble or Brockway methods.
It appears to be much more useful for making "what-if" evaluations, such as computations to estimate how much water could be saved if irrigation practices were improved.

Scott

3/16/01
Needs Hydrology Review
Basin - Basin transfer
Expedited drilling permit not granted - see Norm's letter

-----Original Message-----
From: Marci66@aol.com [mailto:Marci66@aol.com]
Sent: Wednesday, January 24, 2001 5:54 PM

MICROFILMED
AUG 20 2003

To: sking@idwr.state.id.us
Subject: Sorensen analysis

Scott -

I just finished the numbers for the Sorensen right. Sorry I wasn't able to have everything for you yesterday in time for the meeting. Also, the diversion rate changed, but only by 1/100 of a cfs, so I hope that doesn't cause a problem. I came up with a total of 4.14 cfs and 722.55 ac-ft/yr for 149.8 acres. If the total acreage being recommended differs from that, the rate and volume will have to be prorated based on the correct acreage. I got acres from the shapefile, which could be different from the recommended acres, I suppose.

I still have some printing to do and I want to put together a map, so I should be able to wrap it up and have something for you Friday or Monday at the latest.

Thanks,
Marci

MICROFILMED
AUG 20 2007

SORENSON ENGINEERING

5203 South 11th East
Idaho Falls, Idaho 83404
Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: sorenson@ida.net

Harold Jones
Water Rights Supervisor
Idaho Department of Water
900 North Skyline Drive Su
Idaho Falls, ID 83402

RE: Application fo

Dear Mr. Jones:

This letter is writte
contemplates transferring
approximately 400 inches
the acre. However, as sh
Valley with discharge to
Area to the discharge to t
the attached tables from
Therefore, we believe th
as follows:

Total Transfer
Average Loss
Net to irrigated

Acres irrigated
Net Applied in

Therefore, we
the upper Birch Creek

TSS/ptj

INTER-DEPARTMENT MEMO

TO: File # S760 (Transfer)

FROM: H. W. Jones

SUBJECT: 4 CFS

DATE: 1-22-01

The original rights had late claim 33-1102 filed
because of a need for additional cfs on said
(See SCS memo), with this transfer to Basin 32, the well
pumps into Birch Creek some miles above the place of
use. The applicant feels the had lost justifies the
additional cfs claim 33-1102 following rights 33-02167 + 33-02141

Please note Glenn E-mail of Oct 25 2000 that this
Office go thru hydrologic review at the State Office
(Doug)

( ) Response required (X) For your information

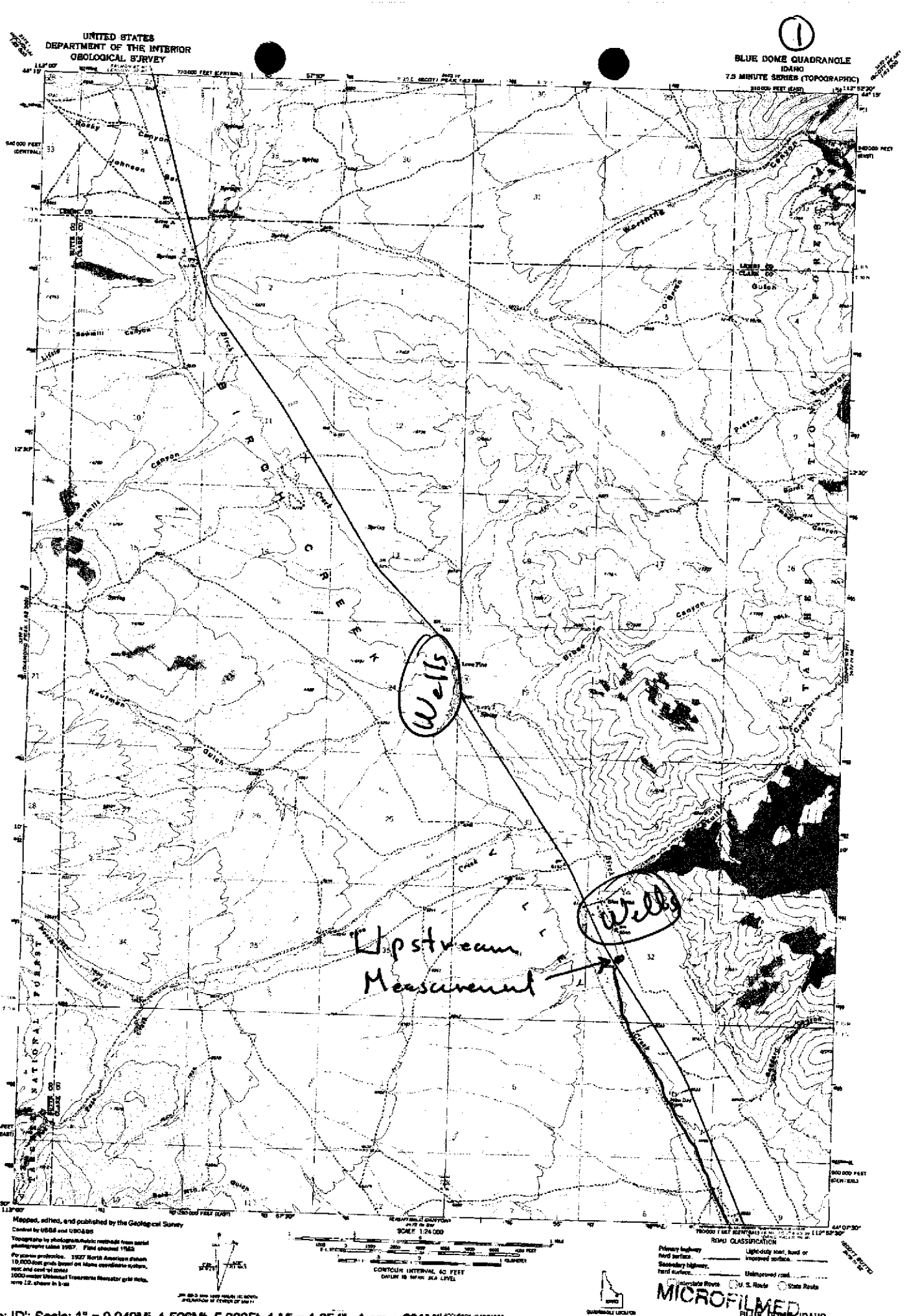
P.S. See Marci's evaluation for additional AFA!

Signature

MICROFILMED

AUG 10 2001

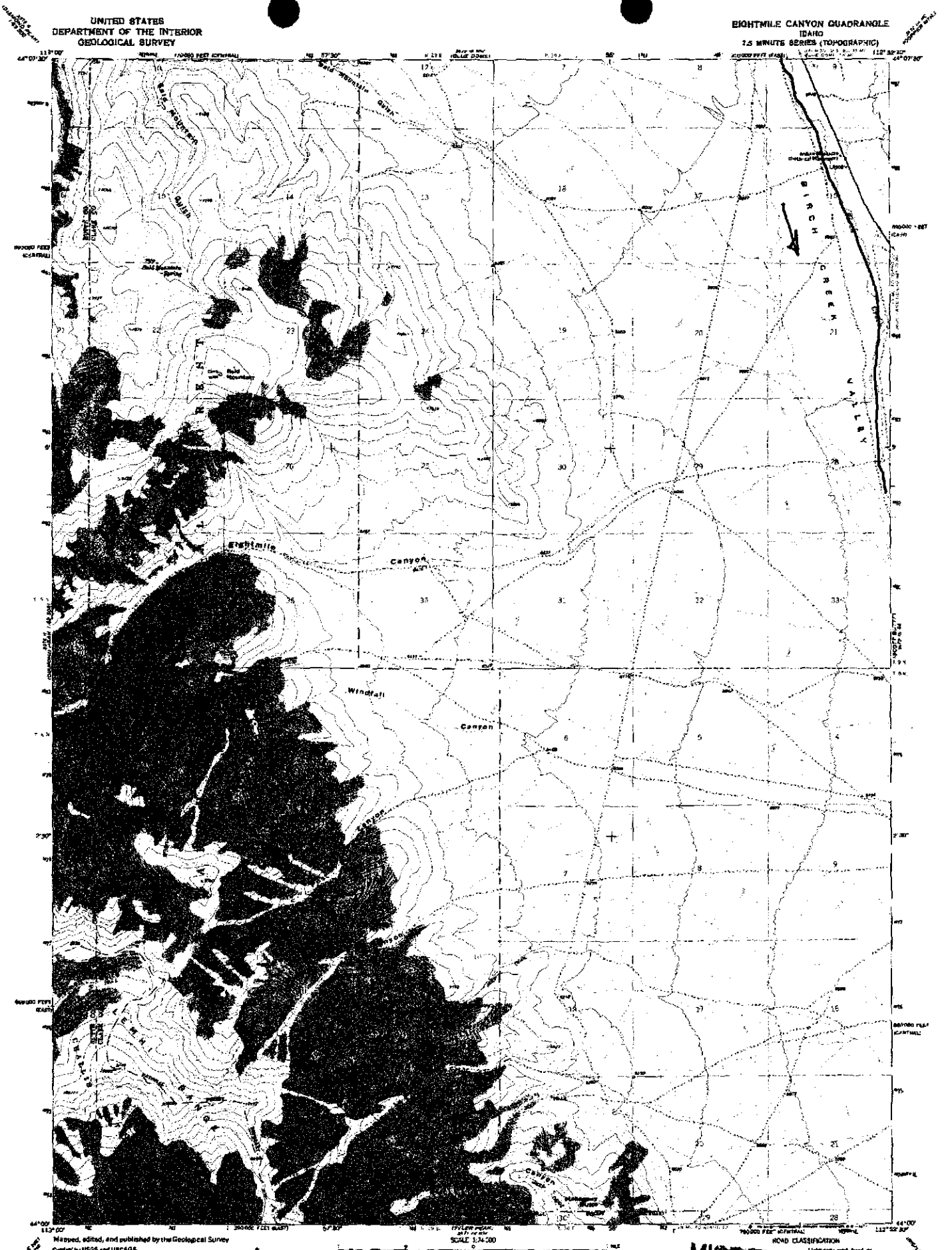
#Hwy



'Blue Dome; ID'; Scale: 1" = 0.949Mi 1,526Mt 5,008Ft, 1 Mi = 1.054" , 1 cm = 601Mt

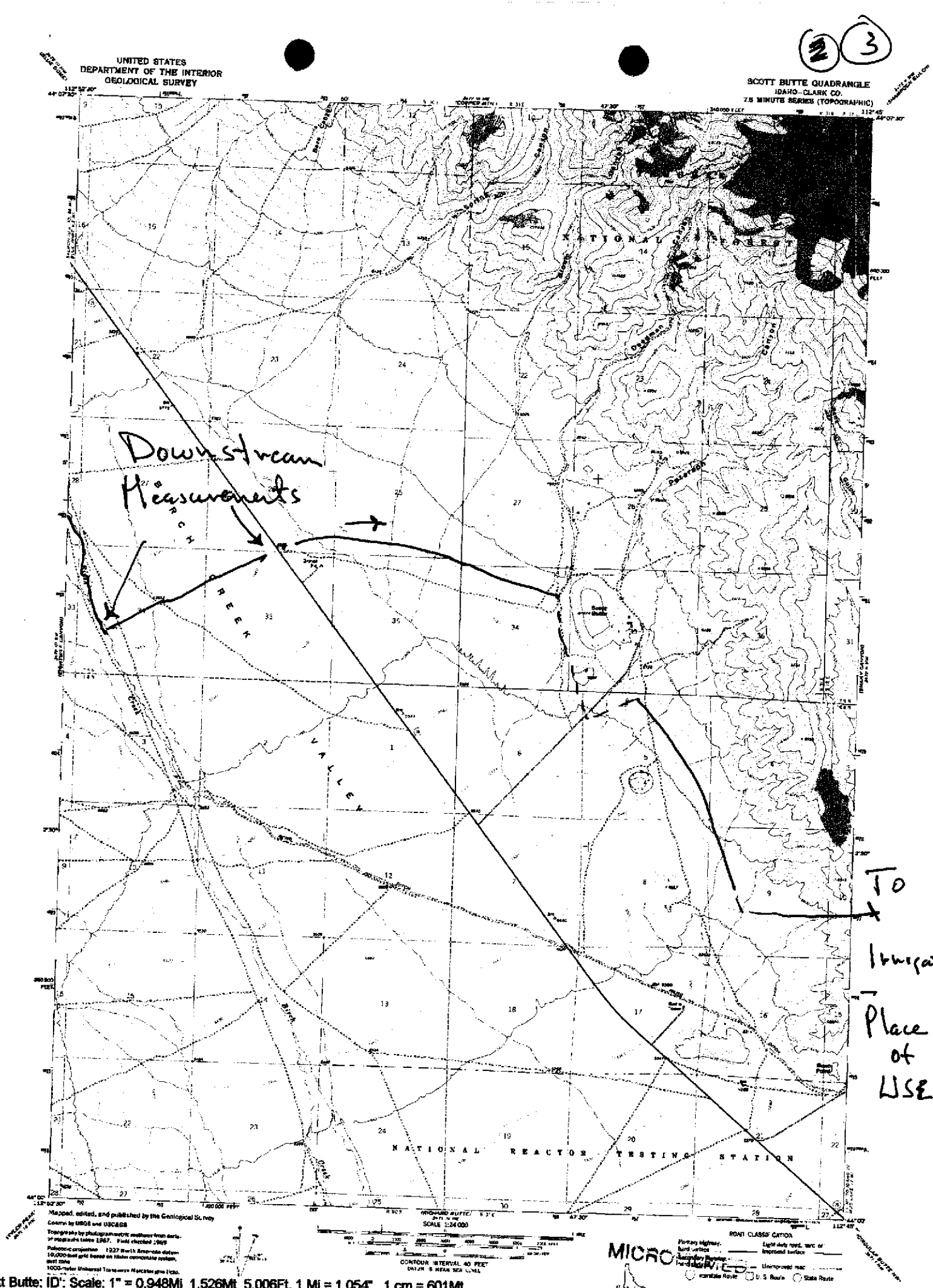
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AUG 2 0 2003

(2)



'Eightmile Canyon: ID'; Scale: 1" = 0.951Mi 1,530Mt 5.019Ft. 1 Mi = 1.052" . 1 cm = 602Mt

MICROFILMED
AUG 20 2003



'Scott Butte: ID': Scale: 1" = 0.948Mi 1.526Mt 5.006Ft. 1 Mi = 1.054" . 1 cm = 601Mt

MICRO

RECEIVED

AUG 20 2003

Shenton/USGS Bedloss measurements in Birch Creek								
	Data	Upsteam		Diversions	Downstream		Bedloss	
Date	Source	Measurement		In Between	Measurement			
		A		B	C		A-B-C	(A-B-C)/A
		CFS	Location	CFS	CFS	Location	CFS	%
7/22/88	Shenton	58.1	BD USGS	4.26	26.6	Hwy Weir	27.24	46.9%
7/22/88	Shenton	58.1	BD USGS	4.26	25.7	Hwy Weir	28.14	48.4%
8/13/88	USGS	58.4	BD USGS	4.4	28.7	Power Pnd	25.3	43.3%
5/15/89	Shenton	79.6	BD USGS	7.18	50.3	Hwy Weir	22.12	27.8%
5/23/89	Shenton	77.5	BD USGS	5.48	46.8	Power Pnd	25.22	32.5%
5/23/89	USGS	77.5	BD USGS	5.21	46.8	Power Pnd	25.49	32.9%
7/3/89	Shenton	81.2	BD USGS	7.89	47	Hwy Weir	26.31	32.4%
7/13/89	Shenton	81.2	BD USGS	8	47	Hwy Weir	26.2	32.3%
7/19/89	Shenton	81.2	BD USGS	7.73	44.8	Hwy Weir	28.67	35.3%
7/26/89	Shenton	80	BD USGS	7.37	45.9	Hwy Weir	26.73	33.4%
8/1/89	Shenton	80	BD USGS	8.12	47.5	Hwy Weir	24.38	30.5%
8/2/89	Shenton	80	BD USGS	7.93	47.5	Hwy Weir	24.57	30.7%
8/10/89	Shenton	81.2	BD USGS	7.14	49.2	Hwy Weir	24.86	30.6%
8/17/89	Shenton	80	BD USGS	7.37	51.9	Hwy Weir	20.73	25.9%
8/23/89	Shenton	78.3	BD USGS	7.51	49.7	Hwy Weir	21.09	26.9%
8/31/89	Shenton	80.4	BD USGS	7.46	49.2	Hwy Weir	23.74	29.5%
8/31/89	USGS	80.4	BD USGS	5.86	42.2	Power Pnd	32.34	40.2%
9/22/89	Shenton	82.4	BD USGS	6.05	46.4	Hwy Weir	29.95	36.3%
9/30/89	Shenton	83.6	BD USGS	6	44.8	Hwy Weir	32.8	39.2%
10/2/89	Shenton	86	BD USGS	6	51.4	Hwy Weir	28.6	33.3%
10/3/89	Shenton	87.2	BD USGS	6	51.4	Hwy Weir	29.8	34.2%
10/5/89	Shenton	86	BD USGS	6	50.3	Hwy Weir	29.7	34.5%
10/6/89	Shenton	86	BD USGS	5.86	48.1	Hwy Weir	32.04	37.3%
10/10/89	Shenton	84.8	BD USGS	5.73	46.4	Hwy Weir	32.67	38.5%
10/24/89	Shenton	80.3	BD USGS	6.54	48.1	Hwy Weir	25.66	32.0%
5/15/90	Shenton	86	BD USGS	5.45	55.3	Hwy Weir	25.25	29.4%
5/23/90	Shenton	86	BD USGS	5.16	53.1	Hwy Weir	27.74	32.3%
5/31/90	Shenton	90.8	BD USGS	5.68	58.2	Hwy Weir	26.92	29.6%
6/5/90	USGS	83	BD USGS	4.07	51.3	Power Pnd	27.63	33.3%
6/5/90	Shenton	83	BD USGS	5.49	51.4	Hwy Weir	26.11	31.5%
6/12/90	Shenton	86	BD USGS	5.9	50.8	Hwy Weir	29.3	34.1%
6/21/90	Shenton	84.8	BD USGS	5.95	44.8	Hwy Weir	34.05	40.2%
6/28/90	Shenton	82.4	BD USGS	7.24	46.4	Hwy Weir	28.76	34.9%
6/30/90	Shenton	82.4	BD USGS	7.24	44.3	Hwy Weir	30.86	37.5%
7/2/90	Shenton	82.4	BD USGS	5.94	44.8	Hwy Weir	31.66	38.4%
7/9/90	Shenton	82.4	BD USGS	5.6	42.2	Hwy Weir	34.6	42.0%
7/9/90	Shenton	82.4	BD USGS	5.6	42.2	Hwy Weir	34.6	42.0%
7/20/90	Shenton	86	BD USGS	5.76	45.4	Hwy Weir	34.84	40.5%
7/27/90	Shenton	81.2	BD USGS	4.86	43.2	Hwy Weir	33.14	40.8%
8/8/90	Shenton	82.4	BD USGS	5.35	45.9	Hwy Weir	31.15	37.8%
8/16/90	Shenton	82.4	BD USGS	5.41	47	Hwy Weir	29.99	36.4%
8/23/90	Shenton	83.6	BD USGS	5.51	47	Hwy Weir	31.09	37.2%
8/28/90	Shenton	81.1	BD USGS	5.4	45.9	Hwy Weir	29.8	36.7%
8/28/90	USGS	81.1	BD USGS	4.01	50.9	Power Pnd	26.19	32.3%

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Bedloss

							CFS	%
9/8/90	Shenton	82.4	BD USGS	5.3	44.8	Hwy Weir	32.3	39.2%
9/9/90	Shenton	82.4	BD USGS	5.19	43.8	Hwy Weir	33.41	40.5%
9/12/90	Shenton	82.4	BD USGS	5.41	44.3	Hwy Weir	32.69	39.7%
9/20/90	Shenton	82.4	BD USGS	4.46	49.3	Hwy Weir	28.64	34.8%
9/27/90	Shenton	82.4	BD USGS	4.52	46.3	Hwy Weir	31.58	38.3%
10/10/90	Shenton	83.6	BD USGS	4.51	48.4	Hwy Weir	30.69	36.7%
10/22/90	Shenton	84.8	BD USGS	1.28	50	Hwy Weir	33.52	39.5%
10/29/90	Shenton	84.8	BD USGS	1.28	52.3	Hwy Weir	31.22	36.8%
4/29/91	Shenton	80.83	BD USGS	4.07	51.4	Hwy Weir	25.36	31.4%
5/6/91	Shenton	79.14	BD Weir	3.96	49.2	Hwy Weir	25.98	32.8%
5/14/91	Shenton	82.26	BD Weir	4.5	51.4	Hwy Weir	26.36	32.0%
5/20/91	USGS	80.4	BD USGS	4.07	51.1	Power Pnd	25.23	31.4%
5/20/91	Shenton	83.36	BD Weir	4.57	47.7	Hwy Weir	31.09	37.3%
5/28/91	Shenton	78.62	BD Weir	4.5	48.1	Hwy Weir	26.02	33.1%
6/4/91	Shenton	80.87	BD Weir	4.5	44.3	Hwy Weir	32.07	39.7%
6/6/91	Shenton	79.73	BD Weir	4.4	47.5	Hwy Weir	27.83	34.9%
6/11/91	Shenton	77.72	BD Weir	4.06	41.7	Hwy Weir	31.96	41.1%
6/20/91	Shenton	75.02	BD Weir	4.57	39.5	Hwy Weir	30.95	41.3%
6/27/91	Shenton	73.1	BD Weir	4.06	36.7	Hwy Weir	32.34	44.2%
7/2/91	Shenton	76.05	BD Weir	4.06	39	Hwy Weir	32.99	43.4%
7/8/91	Shenton	71.73	BD Weir	3.84	31.6	Hwy Weir	36.29	50.6%
7/20/91	Shenton	72.93	BD Weir	4.17	37.2	Hwy Weir	31.56	43.3%
7/23/91	Shenton	73.73	BD Weir	4.1	36.2	Hwy Weir	33.43	45.3%
7/30/91	Shenton	74.02	BD Weir	4.11	37.1	Hwy Weir	32.81	44.3%
8/8/91	Shenton	72.83	BD Weir	4.17	37.6	Hwy Weir	31.06	42.6%
8/15/91	Shenton	73.93	BD Weir	4.1	38.6	Hwy Weir	31.23	42.2%
8/16/91	Shenton	71.73	BD Weir	4.1	39.1	Hwy Weir	28.53	39.8%
8/19/91	USGS	72.7	BD Weir	4	34.2	Power Pnd	34.5	47.5%
8/19/91	Shenton	73.02	BD Weir	4.11	39.6	Hwy Weir	29.31	40.1%
8/23/91	Shenton	72.83	BD Weir	4.1	39.1	Hwy Weir	29.63	40.7%
9/5/91	Shenton	73.03	BD Weir	4.17	37.1	Hwy Weir	31.76	43.5%
9/18/91	Shenton	73.93	BD Weir	4.07	31.7	Hwy Weir	38.16	51.6%
9/24/91	Shenton	73.93	BD Weir	4.07	32.2	Hwy Weir	37.66	50.9%
9/30/91	Shenton	74.02	BD Weir	4	32.2	Hwy Weir	37.82	51.1%
10/3/91	Shenton	74.02	BD Weir	4	32.6	Hwy Weir	37.42	50.6%
10/10/91	Shenton	72.73	BD Weir	4	33.6	Hwy Weir	35.13	48.3%
10/15/91	Shenton	72.82	BD Weir	4	35.6	Hwy Weir	33.22	45.6%
10/21/91	Shenton	73.73	BD Weir	0.8	22.6	Hwy Weir	50.33	68.3%
10/22/91	Shenton	74.73	BD Weir	0.8	23	Hwy Weir	50.93	68.2%
10/27/91	Shenton	77.42	BD Weir	0.8	29.9	Hwy Weir	46.72	60.3%
10/29/91	Shenton	76.02	BD Weir	0.8	29.9	Hwy Weir	45.32	59.6%
11/8/91	Shenton	76.02	BD Weir	0.8	32.6	Hwy Weir	42.62	56.1%
11/10/91	Shenton	77.42	BD Weir	0.8	30.7	Hwy Weir	45.92	59.3%
3/12/92	Shenton	77.62	BD Weir	0	51.9	Hwy Weir	25.72	33.1%
3/15/92	Shenton	77.62	BD Weir	1	47	Hwy Weir	29.62	38.2%
3/18/92	Shenton	78.42	BD Weir	1	47.5	Hwy Weir	29.92	38.2%
3/31/92	Shenton	79.52	BD Weir	1.2	43.8	Hwy Weir	34.52	43.4%
4/8/92	Shenton	75.82	BD Weir	4.05	42.7	Hwy Weir	29.07	38.3%
4/24/92	Shenton	77.32	BD Weir	3.96	44.3	Hwy Weir	29.06	37.6%
5/1/92	Shenton	74.73	BD Weir	4	38.1	Hwy Weir	32.63	43.7%
5/7/92	Shenton	74.82	BD Weir	4.1	36.1	Hwy Weir	34.62	46.3%

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Bedloss

							CFS	%
5/13/92	Shenton	73.83	BD Weir	4.06	36.7	Hwy Weir	33.07	44.8%
5/20/92	Shenton	69.36	BD Weir	4.06	32.6	Hwy Weir	32.7	47.1%
5/28/92	Shenton	73.82	BD Weir	4.06	36.6	Hwy Weir	33.16	44.9%
6/6/92	Shenton	74.91	BD Weir	4.06	36.6	Hwy Weir	34.25	45.7%
6/11/92	Shenton	70.55	BD Weir	4.1	31.7	Hwy Weir	34.75	49.3%
6/23/92	Shenton	72.73	BD Weir	4.11	33.6	Hwy Weir	35.02	48.2%
6/29/92	Shenton	73.8	BD Weir	3.9	35.6	Hwy Weir	34.3	46.5%
6/29/92	USGS	73.8	BD Weir	3.85	32.4	Power Pnd	37.55	50.9%
7/9/92	Shenton	72.73	BD Weir	3.95	34.2	Hwy Weir	37.55	47.5%
7/14/92	Shenton	72.73	BD Weir	4.06	35	Hwy Weir	34.58	46.3%
7/20/92	Shenton	73.55	BD Weir	4.06	36.1	Hwy Weir	33.67	44.9%
7/20/92	USGS	73.6	BD Weir	3.96	36.6	Power Pnd	33.04	44.9%
7/28/92	Shenton	68.27	BD Weir	4.06	32.6	Hwy Weir	31.61	46.3%
8/5/92	Shenton	71.64	BD Weir	4.06	36.1	Hwy Weir	31.48	43.9%
8/17/92	Shenton	72.73	BD Weir	4.17	34.6	Hwy Weir	33.96	46.7%
8/20/92	Shenton	73.73	BD Weir	4.06	35.1	Hwy Weir	34.57	46.9%
8/22/92	Shenton	73.64	BD Weir	4.06	35.1	Hwy Weir	34.48	46.8%
8/25/92	Shenton	71.64	BD Weir	4.06	36.1	Hwy Weir	31.48	43.9%
8/25/92	USGS	71.6	BD Weir	3.96	32.9	Power Pnd	34.74	48.5%
9/4/92	Shenton	73.83	BD Weir	4.06	37.6	Hwy Weir	32.17	43.6%
9/12/92	Shenton	74.93	BD Weir	4.06	34.6	Hwy Weir	36.27	48.4%
9/15/92	Shenton	73.83	BD Weir	4.06	35.1	Hwy Weir	34.67	47.0%
9/23/92	Shenton	73.55	BD Weir	4.06	32.2	Hwy Weir	37.29	50.7%
10/5/92	Shenton	73.73	BD Weir	4.06	34.6	Hwy Weir	35.07	47.6%
10/13/92	Shenton	74.73	BD Weir	4.06	33.1	Hwy Weir	37.57	50.3%
10/21/92	Shenton	74.73	BD Weir	0.97	37.6	Hwy Weir	36.16	48.4%
10/30/92	Shenton	75.83	BD Weir	0.97	34.6	Hwy Weir	40.26	53.1%
3/28/93	Shenton	77.13	BD Weir	4	44.8	Hwy Weir	28.33	36.7%
4/7/93	Shenton	77.32	BD Weir	0	51.9	Hwy Weir	25.42	32.9%
4/13/93	Shenton	75.83	BD Weir	4.07	48.1	Hwy Weir	23.66	31.2%
4/20/93	Shenton	78.03	BD Weir	4	49.2	Hwy Weir	24.83	31.8%
5/6/93	Shenton	96.5	BD Weir	4.64	55.3	Hwy Weir	36.56	37.9%
5/26/93	Shenton	73.64	BD Weir	3.96	41.7	Hwy Weir	27.98	38.0%
5/25/93	USGS	73.6	BD Weir	3.96	40	Power Pnd	29.64	40.3%
6/1/93	Shenton	73.5	BD Weir	4.3	38.6	Hwy Weir	30.6	41.6%
6/10/93	Shenton	74.64	BD Weir	4.35	41.7	Hwy Weir	28.59	38.3%
6/22/93	Shenton	70.45	BD Weir	4.26	39.1	Hwy Weir	27.09	38.5%
7/1/93	Shenton	74.73	BD Weir	4.35	39.6	Hwy Weir	30.78	41.2%
7/7/93	USGS	71.4	BD Weir	3.96	38	Power Pnd	29.44	41.2%
7/7/93	Shenton	71.36	BD Weir	3.96	40.3	Hwy Weir	27.1	38.0%
7/14/93	Shenton	70.27	BD Weir	4	38.6	Hwy Weir	27.67	39.4%
7/21/93	Shenton	71.36	BD Weir	4	39.1	Hwy Weir	28.26	39.6%
8/6/93	Shenton	70.27	BD Weir	4.18	41.7	Hwy Weir	24.39	34.7%
8/13/93	USGS	70.3	BD Weir	3.96	39.4	Power Pnd	26.94	38.3%
8/13/93	Shenton	70.27	BD Weir	3.96	41.7	Hwy Weir	24.61	35.0%
8/20/93	Shenton	70.27	BD Weir	3.96	41.7	Hwy Weir	24.61	35.0%
8/27/93	Shenton	68.18	BD Weir	4	42.7	Hwy Weir	21.48	31.5%
9/4/93	Shenton	66.28	BD Weir	3.74	40.6	Hwy Weir	21.94	33.1%
9/9/93	Shenton	67.28	BD Weir	3.74	40.1	Hwy Weir	23.44	34.8%
9/16/93	USGS	67.3	BD Weir	4.18	40.7	Power Pnd	22.42	33.3%
9/23/93	Shenton	72.36	BD Weir	3.96	40.1	Hwy Weir	28.3	39.1%

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Bedloss

Birch Creek Hydrology--Bedloss

							CFS	%
9/26/93	Shenton	73.36	BD Weir	4.18	40.1	Hwy Weir	29.08	39.6%
9/29/93	Shenton	73.51	BD Weir	3.64	40.38	Hwy Weir	29.49	40.1%
9/30/93	Shenton	72.36	BD Weir	3.64	41.2	Hwy Weir	27.52	38.0%
10/11/93	Shenton	73.51	BD Weir	3.96	41.42	Hwy Weir	28.13	38.3%
10/15/93	Shenton	73.51	BD Weir	3.96	41.42	Hwy Weir	28.13	38.3%
10/22/93	Shenton	74.64	BD Weir	3.96	41.94	Hwy Weir	28.74	38.5%
5/3/94	Shenton	73.02	BD Weir	3.85	46.4	Hwy Weir	22.77	31.2%
5/11/94	Shenton	75.83	BD Weir	3.96	44.8	Hwy Weir	27.07	35.7%
5/21/94	Shenton	74.83	BD Weir	3.74	47.5	Hwy Weir	23.59	31.5%
5/24/94	Shenton	73.6	BD Weir	3.64	45.4	Hwy Weir	24.56	33.4%
5/24/94	USGS	73.6	BD Weir	3.64	45.1	Power Pnd	24.86	33.8%
6/2/94	Shenton	73.55	BD Weir	3.96	44.3	Hwy Weir	25.29	34.4%
6/8/94	Shenton	71.64	BD Weir	4.07	41.7	Hwy Weir	25.87	36.1%
6/18/94	Shenton	72.55	BD Weir	3.96	42.2	Hwy Weir	26.39	36.4%
6/24/94	Shenton	72.73	BD Weir	3.96	41.7	Hwy Weir	27.07	37.2%
6/29/94	Shenton	70.55	BD Weir	3.96	43.8	Hwy Weir	22.79	32.3%
7/6/94	Shenton	71.64	BD Weir	3.96	45.4	Hwy Weir	22.28	31.1%
7/12/94	Shenton	72.73	BD Weir	3.85	43.2	Hwy Weir	25.68	35.3%
7/19/94	Shenton	70.55	BD Weir	3.74	43.8	Hwy Weir	23.01	32.6%
7/19/94	USGS	70.6	BD Weir	3.74	37.7	Power Pnd	29.16	41.3%
7/30/94	Shenton	69.27	BD Weir	4.07	41.7	Hwy Weir	23.5	33.9%
8/4/94	Shenton	70.45	BD Weir	3.96	43.2	Hwy Weir	23.29	33.1%
8/12/94	Shenton	69.36	BD Weir	3.96	42.2	Hwy Weir	23.2	33.4%
8/18/94	Shenton	69.45	BD Weir	3.74	43.8	Hwy Weir	21.91	31.5%
8/23/94	Shenton	69.36	BD Weir	3.96	43.2	Hwy Weir	22.2	32.0%
9/2/94	Shenton	70.55	BD Weir	4.07	43.8	Hwy Weir	22.68	32.1%
9/7/94	Shenton	68.46	BD Weir	3.74	40.6	Hwy Weir	24.12	35.2%
9/7/94	USGS	68.5	BD Weir	3.74	41	Power Pnd	23.76	34.7%
9/13/94	Shenton	67.37	BD Weir	3.96	39.1	Hwy Weir	24.31	36.1%
9/22/94	Shenton	69.55	BD Weir	4.04	42.2	Hwy Weir	23.31	33.5%
9/30/94	Shenton	70.55	BD Weir	4.18	42.2	Hwy Weir	24.17	34.3%
10/4/94	Shenton	71.55	BD Weir	4.3	45.9	Hwy Weir	21.35	29.8%
10/14/94	Shenton	71.55	BD Weir	3.96	44.3	Hwy Weir	23.29	32.6%
10/29/94	Shenton	73.73	BD Weir	0.9	48.1	Hwy Weir	24.73	33.5%
11/6/94	Shenton	73.73	BD Weir	0.83	50.8	Hwy Weir	22.1	30.0%
5/8/95	Shenton	77.42	BD Weir	4.07	54.2	Hwy Weir	19.15	24.7%
5/18/95	Shenton	75.93	BD Weir		55.9	Hwy Weir	20.03	26.4%
5/19/95	Shenton	75.93	BD Weir	4.07	52.5	Hwy Weir	19.36	25.5%
5/19/95	USGS	75.9	BD Weir	4.07	44.8	Power Pnd	27.03	35.6%
5/24/95	Shenton	72.83	BD Weir	4.18	50.8	Hwy Weir	17.85	24.5%
5/31/95	Shenton	72.64	BD Weir	3.67	49.7	Hwy Weir	19.27	26.5%
6/6/95	Shenton	78.52	BD Weir	4.18	64	Hwy Weir	10.34	13.2%
6/13/95	Shenton	73.64	BD Weir	3.93	50.8	Hwy Weir	18.91	25.7%
6/21/95	Shenton	78.12	BD Weir	4.18	53.6	Hwy Weir	20.34	26.0%
6/29/95	Shenton	72.64	BD Weir	3.8	49.2	Hwy Weir	19.64	27.0%
7/5/95	Shenton	71.55	BD Weir	3.93	47.9	Hwy Weir	19.72	27.6%
7/13/95	Shenton	72.73	BD Weir	3.93	47	Hwy Weir	21.8	30.0%
7/18/95	Shenton	72.64	BD Weir	4.05	40.6	Hwy Weir	27.99	38.5%
7/18/95	USGS	72.6	BD Weir	4.05	44.7	Power Pnd	23.85	32.9%
7/24/95	Shenton	71.55	BD Weir	3.8	46.4	Hwy Weir	21.35	29.8%
8/3/95	Shenton	68.27	BD Weir	4.05	42.7	Hwy Weir	21.52	31.5%

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Bed loss
CFS %
& CF

8/11/95	Shenton	68.27	BD Weir	4.05	45.9	Hwy Weir	18.32	26.8%
8/18/95	Shenton	69.36	BD Weir	4.05	46.4	Hwy Weir	18.91	27.3%
8/23/95	Shenton	68.36	BD Weir	3.93	44.8	Hwy Weir	19.63	28.7%
8/31/95	Shenton	68.36	BD Weir	4.05	45.9	Hwy Weir	18.41	26.9%
9/6/95	Shenton	69.45	BD Weir	4	42.7	Hwy Weir	22.75	32.8%
9/12/95	Shenton	69.55	BD Weir	4.12	44.3	Hwy Weir	21.13	30.4%
9/12/95	USGS	69.6	BD Weir	4.12	43.9	Power Pnd	21.58	31.0%
9/20/95	Shenton	69.36	BD Weir	3.95	43.8	Hwy Weir	21.61	31.2%
9/27/95	Shenton	69.45	BD Weir	4.08	45.4	Hwy Weir	19.97	28.8%
10/6/95	Shenton	70.45	BD Weir	4.1	47	Hwy Weir	19.35	27.5%
10/17/95	Shenton	70.45	BD Weir	4.1	45.9	Hwy Weir	20.45	29.0%
4/19/96	Shenton	77.52	BD Weir	3.93	55.9	Hwy Weir	17.69	22.8%
5/7/96	Shenton	77.52	BD Weir	4	54.7	Hwy Weir	18.82	24.3%
5/13/96	Shenton	77.42	BD Weir	4.18	51.9	Hwy Weir	21.34	27.6%
5/13/96	USGS	77.4	BD Weir	4.18	50.9	Power Pnd	22.32	28.8%
5/25/96	Shenton	77.52	BD Weir	4	54.7	Hwy Weir	18.82	24.3%
5/28/96	Shenton	78.32	BD Weir	4	56.5	Hwy Weir	17.82	22.8%
6/6/96	Shenton	77.42	BD Weir	4	51.4	Hwy Weir	22.02	28.4%
6/11/96	Shenton	74.93	BD Weir	4	50.3	Hwy Weir	20.63	27.5%
6/20/96	Shenton	74.83	BD Weir	4	50.8	Hwy Weir	20.03	26.8%
6/24/96	Shenton	73.73	BD Weir	4	49.7	Hwy Weir	20.03	27.2%
7/5/96	Shenton	74.83	BD Weir	4	48.6	Hwy Weir	22.23	29.7%
7/10/96	Shenton	72.64	BD Weir	4	47.5	Hwy Weir	21.14	29.1%
7/22/96	Shenton	73.73	BD Weir	3.8	50.8	Hwy Weir	19.13	25.9%
7/22/96	USGS	73.7	BD Weir	3.8	47.9	Power Pnd	22	29.9%
7/31/96	Shenton	72.64	BD Weir	4	51.9	Hwy Weir	16.74	23.0%
8/10/96	Shenton	72.64	BD Weir	4	51.9	Hwy Weir	16.74	23.0%
8/15/96	Shenton	72.73	BD Weir	4	53.1	Hwy Weir	15.63	21.5%
8/23/96	Shenton	71.55	BD Weir	4.05	51.4	Hwy Weir	16.1	22.5%
8/28/96	Shenton	71.64	BD Weir	3.93	51.9	Hwy Weir	15.81	22.1%
9/5/96	Shenton	71.64	BD Weir	3.8	50.3	Hwy Weir	17.54	24.5%
9/11/96	Shenton	71.64	BD Weir	3.93	49.2	Hwy Weir	18.51	25.8%
9/18/96	Shenton	72.73	BD Weir	4	54.2	Hwy Weir	14.53	20.0%
9/23/96	Shenton	72.73	BD Weir	3.42	54.2	Hwy Weir	15.11	20.8%
9/23/96	USGS	72.7	BD Weir	3.42	55.4	Power Pnd	13.88	19.1%
10/9/96	Shenton	72.73	BD Weir	3.93	49.2	Hwy Weir	19.6	26.9%
10/16/96	Shenton	75.83	BD Weir	4	53.6	Hwy Weir	18.23	24.0%
10/28/96	Shenton	74.83	BD Weir	3.8	56.5	Hwy Weir	14.53	19.4%
5/6/97	USGS	80.62	BD Weir	4.18	55.9	Power Pnd	20.54	25.5%
5/15/97	USGS	78.22	BD Weir	4.15	59.3	Power Pnd	14.77	18.9%
5/21/97	USGS	77.42	BD Weir	4.1	58.2	Power Pnd	15.12	19.5%
5/26/97	USGS	79.22	BD Weir	4.15	61.1	Power Pnd	13.97	17.6%
6/4/97	USGS	78.1	BD Weir	3.9	59.9	Power Pnd	14.3	18.3%
6/11/97	USGS	78.22	BD Weir	4.1	60.5	Power Pnd	13.62	17.4%
6/19/97	USGS	75.93	BD Weir	4.1	75.9	Power Pnd	-4.07	-5.4%
6/25/97	USGS	74.83	BD Weir	3.9	58.2	Power Pnd	12.73	17.0%
7/1/97	USGS	73.73	BD Weir	4.1	57.6	Power Pnd	12.03	16.3%
7/9/97	USGS	72.73	BD Weir	4.1	54.7	Power Pnd	13.93	19.2%
7/15/97	USGS	73.83	BD Weir	4.1	56.5	Power Pnd	13.23	17.9%
7/24/97	USGS	77.23	BD Weir	4.15	54.7	Power Pnd	18.38	23.8%
7/31/97	USGS	74.93	BD Weir	4.1	55.9	Power Pnd	14.93	19.9%

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AUG 2 0 2003

Bed loss

							CFS	%
8/5/97	USGS	77.42	BD Weir	4.1	58.8	Power Pnd	14.52	18.8%
8/13/97	USGS	76.12	BD Weir	4.1	57.6	Power Pnd	14.42	18.9%
8/20/97	USGS	73.73	BD Weir	4.1	56.5	Power Pnd	13.13	17.8%
8/26/97	USGS	74.83	BD Weir	4.1	55.3	Power Pnd	15.43	20.6%
9/1/97	USGS	75.83	BD Weir	4	54.2	Power Pnd	17.63	23.2%
9/10/97	USGS	77.42	BD Weir	4.2	53.6	Power Pnd	19.62	25.3%
9/11/97	USGS	75.93	BD Weir	4.1	55.3	Power Pnd	16.53	21.8%
9/19/97	USGS	77.33	BD Weir	4.1	54.7	Power Pnd	18.53	24.0%
9/24/97	USGS	75.83	BD Weir	4	55.3	Power Pnd	16.53	21.8%
10/1/97	USGS	77.23	BD Weir	4.1	54.2	Power Pnd	18.93	24.5%
10/9/97	USGS	78.12	BD Weir	4.42	57	Power Pnd	16.7	21.4%
10/15/97	USGS	78.12	BD Weir	4.1	57	Power Pnd	17.02	21.8%
10/20/97	USGS	75.73	BD Weir	4.1	54.2	Power Pnd	17.43	23.0%
11/1/97	USGS	79.12	BD Weir		61.7	Power Pnd	17.42	22.0%
4/27/98	USGS	81.2	BD Weir	4.15	60.5	Power Pnd	16.55	20.4%
5/4/98	USGS	86.5	BD Weir	4.1	58.8	Power Pnd	23.6	27.3%
5/14/98	USGS		BD Weir			Power Pnd	0	#DIV/0!
5/20/98	USGS	81.62	BD Weir	4.15	59.3	Power Pnd	18.17	22.3%
5/21/98	USGS		BD Weir	1.65		Power Pnd	-1.65	#DIV/0!
6/3/98	USGS	82.72	BD Weir	4.15	61.1	Power Pnd	17.47	21.1%
6/12/98	USGS	79.42	BD Weir	4.15	57	Power Pnd	18.27	23.0%
6/18/98	USGS	80.52	BD Weir	4.1	58.2	Power Pnd	18.22	22.6%
6/24/98	USGS	79.42	BD Weir	4.15	51.5	Power Pnd	23.77	29.9%
6/29/98	USGS	78.22	BD Weir	4.03	55.3	Power Pnd	18.89	24.1%
7/8/98	USGS	77.83	BD Weir	4.1	53.1	Power Pnd	20.63	26.5%
7/13/98	USGS	77.13	BD Weir	3.9	51.9	Power Pnd	21.33	27.7%
7/22/98	USGS	75.73	BD Weir	4.1	55.9	Power Pnd	15.73	20.8%
7/29/98	USGS	75.73	BD Weir	4.03	53.6	Power Pnd	18.1	23.9%
8/5/98	USGS	77.23	BD Weir	3.77	53.6	Power Pnd	19.86	25.7%
8/12/98	USGS	75.73	BD Weir	4.15	53.6	Power Pnd	17.98	23.7%
8/21/98	USGS	75.83	BD Weir	4.15	54.2	Power Pnd	17.48	23.1%
8/24/98	USGS	75.73	BD Weir	4.03	54.2	Power Pnd	17.5	23.1%
9/10/98	USGS	77.23	BD Weir	4.15	53.1	Power Pnd	19.98	25.9%
9/16/98	USGS	77.23	BD Weir	4.42	53.1	Power Pnd	19.71	25.5%
9/25/98	USGS	78.03	BD Weir	4.15	54.7	Power Pnd	19.18	24.6%
10/3/98	USGS	79.12	BD Weir	4.28	54.2	Power Pnd	20.64	26.1%
10/8/98	USGS	77.33	BD Weir	4.15	54.7	Power Pnd	18.48	23.9%
10/18/98	USGS	79.22	BD Weir	4.15	56.5	Power Pnd	18.57	23.4%
11/1/98	USGS	79.22	BD Weir	4.15	57	Power Pnd	18.07	22.8%
4/26/99	USGS	85.24	BD Weir	4.05	64	Power Pnd	17.19	20.2%
5/3/99	USGS	87.45	BD Weir	4.15	65.2	Power Pnd	18.1	20.7%
5/15/99	USGS	85.24	BD Weir	4.42	62.8	Power Pnd	18.02	21.1%
5/22/99	USGS	86.03	BD Weir	4.15	59.9	Power Pnd	21.98	25.5%
5/29/99	USGS	82.72	BD Weir	4.15	62.3	Power Pnd	16.27	19.7%
6/3/99	USGS	86.14	BD Weir	4.42	62.8	Power Pnd	18.92	22.0%
6/11/99	USGS	83.83	BD Weir	4.42	62.8	Power Pnd	16.61	19.8%
6/18/99	USGS	83.72	BD Weir	4.15	59.3	Power Pnd	20.27	24.2%
6/25/99	USGS	83.72	BD Weir	4.15	59.3	Power Pnd	20.27	24.2%
7/1/99	USGS	82.62	BD Weir	4.15	57.6	Power Pnd	20.87	25.3%
7/7/99	USGS	82.62	BD Weir	4.15	58.2	Power Pnd	20.27	24.5%
7/14/99	USGS	79.42	BD Weir	4.96	54.7	Power Pnd	19.76	24.9%

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AUG 2 0 2003

Bed loss

							CFS	%
7/22/99	USGS	77.52	BD Weir	4.15	54.7	Power Pnd	18.67	24.1%
7/30/99	USGS	78.42	BD Weir	4.15	54.7	Power Pnd	19.57	25.0%
8/3/99	USGS	77.62	BD Weir	4.15	54.7	Power Pnd	18.77	24.2%
8/13/99	USGS	77.52	BD Weir	4.15	59.3	Power Pnd	14.07	18.2%
8/23/99	USGS	77.42	BD Weir	4.03	58.2	Power Pnd	15.19	19.6%
8/31/99	USGS	81.42	BD Weir	4.03	63.4	Power Pnd	13.99	17.2%
9/11/99	USGS	80.42	BD Weir	4.03	58.2	Power Pnd	18.19	22.6%
9/14/99	USGS	80.52	BD Weir	4.03	58.8	Power Pnd	17.69	22.0%
9/24/99	USGS	79.52	BD Weir	4.15	58.2	Power Pnd	17.17	21.6%
9/30/99	USGS	81.42	BD Weir	4.15	60.5	Power Pnd	16.77	20.6%
10/14/99	USGS	81.42	BD Weir	4.42	60.5	Power Pnd	16.5	20.3%
10/22/99	USGS	83.72	BD Weir	4.03	62.8	Power Pnd	16.89	20.2%
11/1/99	USGS	83.83	BD Weir	4.15	64	Power Pnd	15.68	18.7%

Ave 32.9 %

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AUG 2 0 2001

RECEIVED
DEC 1 8 2000
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT NO. 5760

WATER DISTRICT: #32-D

WATERMASTER: Gregory A. Shenton

DATE: 12/14/00

HAS THIS WATER RIGHT (S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ????? **NO** ?????

COMMENTS: It is unknown if this water right has been delivered within the last five years do to the fact that this water right is out of our water basin and is not currently in the 32-D water basin but is in the 33 basin to which we have no contorl of.

xx I do endorse approval of this change.

_____ I do not endorse approval of this change.

I recommend the following conditions of approval:

_____

_____

_____

Gregory A. Shenton

Watermaster

MICROFILMED
AUG 2 0 2003

Jones, Harold (Skip)

From: Saxton, Glen
Sent: Wednesday, October 25, 2000 10:58 AM
To: Jones, Harold (Skip)
Subject: APPLICATION FOR TRANSFER NO. 5760 - RENO DITCH CO.

Skip,

We recently cancelled a hearing in connection with the above referenced application for transfer. This application proposes to transfer groundwater from the Little Lost River Basin to the Birch Creek Basin in order to provide more water to run through the Sorenson powerhouse to generate power. Please be sure to flag this file recommending that it needs hydrologic review in this office before action is taken on it. I just don't want this one to slip thorugh the system without adequate review. Thanks, lgs

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AUG 2 0 2003

Adjudication Claim A33-11002

This claim is based on historic flows from the well, in-part unlicensed and unclaimed.

Point of Diversion: T.10N., R.27E., Sec. 19 NENESW

Measurement History:
Original flow measurement, 07/22/66, 4.89 cfs
Licensed rate of flow, 03/13/67, 3.26 cfs
Adjudication Claim, 01/12/90, 3.00 cfs (unknown why the lesser amt.)
Measured output, 07/11/96, 4.80 cfs
Adjudication recommendation, January 2000, 3.00 cfs (as claimed)

Evidence of Priority Date (August 8, 1961) is based on three separate Completions of Works; Deposition of Holder, documents that clearly show first use of this well was 1961. This is one day after the Licensed Priority Date.

33-02106 was originally Licensed March 13, 1967, with a Priority Date of August 7, 1961, for 163 acres, and a Diversion Rate of 3.26 cfs.

Mr. Sorenson has provided documents from the Natural Resource Conservation Service (NRCS) which indicate the soil would require additional water to raise an economic crop and a statement form Alan J. Amy (prior owner), which states he has always used the total output of the well for irrigation of the ranch, even though the well was Licensed for 3.26 cfs. This is an open discharge well, which is conveyed to the irrigated lands by ditches for flood irrigation.

The Adjudication field exam is documented in the file of 33-02106, which shows irrigated lands, photo of the well, and flow measurement tape.

NEW CLAIM 33-11002

This claim is based on historic measurement of the well that is unlicensed; the difference between the Adjudication recommended amount (3.0 cfs) of 33-02106 and the 1996 flow measurement (4.80 cfs), which is 1.80 cfs. Place of Use is the same as that for 33-02106. The Priority Date, August 8, 1961, is one day after the Licensed priority date since there was no attempt to permit the additional amount of water measured after the original Licensing field exam.

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AUG 2 0 2003

COMPUTATION SHEET
SCS-ENG-423 Rev. 8-69

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

STATE		PROJECT		
Idaho		IRRIGATION WATER USE		
BY	DATE	CHECKED BY	DATE	JOB NO.
CM	1-25-00			
SUBJECT				SHEET OF
TED SORENSON				

PROBLEM: TED SORENSEN PURCHASED CROPLAND PROPERTY FROM JAKE AMY LOCATED NORTH OF CLYDE IDAHO APPROX. 5 MI. FOR FLOOD IRRIGATION ONE AC. IN. IS NOT ENOUGH.

"FARM IRRI. RATING INDEX"

AREA IRRIGATED : 168. AC.

CROPS : OATS & ALFALFA

SOILS : SPARMO COMPLEX

INTAKE FAMILY: 2.0 INCHES

BORDER IRRIGATION.

~~TOTAL~~ ACRE-FEET OF WATER USE.

EQUIRED (F.I.R.I.) 1516.77 /AC ft.

90 day GROWING SEASON - CLIMATIC AREA V

$$\frac{1516.77 \text{ AC. FT}}{90 \text{ Days} \quad 168.77 \text{ ac}} = \frac{0.0998 \text{ AC-FT}}{\text{DAY - AC}}$$

$$\frac{2.0 \text{ AC-FT}}{\text{DAY}} = 1.0 \text{ CFS}$$

$$0.0998 \times 1/2 = 0.0499 \frac{\text{CFS}}{\text{AC.}}$$

$0.0499 \times 50 = 2.49$ MINERS INCH/AC.

By: Chris J. Merrill C.E.T.

MICROFILMED
AUG 2 0 2003

orm 222a
i/78

6-9-00
T5760

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

NITIAL REVIEW BY: Alw

1. Right number 33-02106, -02141, -11002 Applicant Rano Ditch Comp
2. Type of right: ☐ Decree ☐ License ☐ Claim ☒ SRBA Recommendation
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____
4. Check:
   a. ☑ Source ☑ Priority ☑ Amount ☑ Purpose ☑ Period of use
   b. ☑ Description of original point of diversion.
   c. ☑ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☑ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☑ Check description of point(s) of diversion.
   d. ☑ Check description of place of use.
   e. ☑ Check map (shows p.d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☑ Check proof of ownership of right &/or land from which water is transferred.
   h. ☑ Check for expansion in use of right. Comments See attached comments by applicant justifying extra diversion rate
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) _____
   j. ☑ Is use within a Watermaster District? ☒ Yes ☐ No
      If yes, what district? WD 32 - But applicants get all the water as it is from a well.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* The protestants will be specifically notified if this right is ever proposed for transfer again.
4. By RDC Date 2/1/2001

* *All uses within Watermaster Districts require special conditions.*

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

November 13, 2000

GREG SHENTON
WATERMASTER #32
PO BOX 33
DUBOIS ID 83423

RE: Application for Transfer #5760

Dear Greg:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by November 20, 2000.

If you have any questions, please feel free to contact us. Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

MICROFILMED
AUG 2 0 2003

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

October 20, 2000

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON ID 83450

RE: Withdrawal of protest on Application for Transfer No.: 5760

Dear Protestants:

This Department has received your withdrawal of protest against the application of Reno Ditch. 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

MICROFILMED

AUG 2 0 2003

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

October 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RENO DITCH COMPANY
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0620

RE: Withdrawal of protest on Application for Transfer No. 5760

Dear Sir:

This Department has received a withdrawal of protest from Mud Lake Water Users Inc.

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

MICROFILMED
MICROFILMED
AUG 2 0 2003
AUG 2 0 2003

MUD LAKE WATER USERS, INC
P.O. BOX 68
1400 E 1500 N
TERRETON, IDAHO 83450
PHONE (208) 663-4359 FAX (208) 663-4369

Idaho Department of Water Resources
c/o Harold Jones
900 N Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

RE: Proposed change of water right # T5760

Dear Harold,

Mud Lake Water Users, Inc. including Independent Water Users, Monteview Canal Company, and Producers Canal company, after exhausting our attempts to get a hydrologist or someone else capable of presenting our problems with the propose change of water right # T5760, wish to withdraw our protest on same.

If this water right should ever come up for transfer out of this service area we would like to be notified.

We still feel that this is an out-of-basin transfer. We also feel that the fact water from Birch Creek is running out onto the desert during the irrigation season should be considered before granting a transfer on the basis of lack of water.

Our attorney in this matter has been Jerry Rigby from Rexburg, Idaho.

Sincerely,

Garth Soderquist

Mud Lake Water Users, Inc.
Garth Soderquist, President

MICROFILMED

AUG 2 0 2003

10/19/00

OCT-20-15 02:44 PM OWSLEYICANAL 6634369 P.02

October 19, 2000

MEMORANDUM

To: Glen Saxton
Through: Bob Sutter
From: Shane Bendixsen
Subject: Application Transfer No. 5760-Reno Ditch Co.

It is my understanding the proposed transfer is surface water from the Little Lost River Basin to the ground water in the Birch Creek Basin. Water will be transferred down the basin via Birch Creek and then diverted to a power generation plant. The application proposes to divert ground water in the upper part of the basin and to convey the water in Birch Creek to a point of re-diversion in the lower part of the basin. Place of use will then be in the Medicine Lodge Creek Basin for irrigation. A water rights hearing is pending. The question is what issues should be considered at the hearing regarding the proposed transfer.

Ground and surface water in both the Little Lost Basin and the Birch Creek Basin should be considered as a single resource. One can not be used without affecting the other in either basin.

Both basins are tributary to the Snake Plain Aquifer and in the same response zone (Ground Water Response Zones, Idaho Department of Water Resources). Therefore the transfer will have minimal effects on the Snake Plain Aquifer or spring flow to the Snake River.

Ground water levels in the Birch Creek Basin indicate no problems with ground water supply. However possible problems associated with the transfer are localized well interference problems.

Another question is in what areas are Birch Creek and the underlying aquifer hydraulically connected. Ground water diverted at the proposed place of diversion to be conveyed as surface water flow, may re-enter the ground water system at some point where Birch Creek is no longer hydraulically connected to ground water. Therefore at the point of re-diversion the ground water diverted in the upper basin may not be available (i.e. it has returned to the ground water system). Therefore surface water flows below the point of re-diversion may be directly affected.

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In summary, flow into the Snake Plain Aquifer, spring flow into the Snake River and ground water supply in the Birch Creek Basin will not be factors. At the proposed points of diversion near Blue Dome, ground water pumpage may directly affect other ground water users. It is questionable whether water diverted at the point of diversion will be available at the point of re-diversion from Birch Creek. Reduced surface water flows may be of concern to Fish and Wildlife interests and to surface water users below the point of re-diversion. Since the place of use is in a different basin, there will not be any return flow to Birch Creek.

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AUG 2 0 2003

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RENO DITCH CO
C/O KENT FOSTER
PO BOX 50130
IDAHO FALLS ID 83405

MICROFILMED
AUG 20 2003

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* | B. Date of Delivery 9-8-00

C. Signature
X [signature] ☒ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
7000 0520 0015 7057 0489

PS Form 3811, July 1999 Domestic Return Receipt 102595-[illegible]-0952

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DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

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AUG 20 2001

RECEIVED
SEP 11 2000
Department of Water Resources
Eastern Region

ATTN: TRANSFER 5760

40[redacted]718

SENDER [redacted]

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MUD LAKE WATER USERS
PO BOX 68
TERRETON ID 83450

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* B. Date of Delivery 4.8.06

C. Signature
X [signature] ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
7000 0520 0015 7057 0496

PS Form 3811, July 1999 Domestic Return Receipt 102595-[redacted]-0952

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AUG 2 0 2007

UNITED STATES POSTAL SERVICE



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DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

RECEIVED
SEP 1 1 2000
Department of Water Resources
Eastern Region

MICROFILMED
AUG 2 0 2003

ATTN: TRANSFER 5760

Before the Department of Water Resources
of the
State of Idaho

IN THE MATTER OF APPLICATION	)
FOR TRANSFER NO. 5760	)
IN THE NAME OF	)
RENO DITCH COMPANY	)

NOTICE OF HEARING

On June 22, 2000, Application for Transfer No. 5760 was advertised.

The Application was subsequently protested by Mud Lake Water Users, Inc.

The Department has scheduled the matter for hearing at 9:00 a.m. on Oct. 25, 2000, at the Idaho Department of Water Resources office at 900 N Skyline Drive, Ste. A, Idaho Falls, ID, in accordance with the provisions of the adopted Rule of Procedure of the Department of Water Resources. The hearing officer will be Glen Saxton.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.0106 requires that you provide a copy of exhibits to each party and to the presiding officer.

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

Dated this 6th **day of Sept, 2000.**

RONALD D CARLSON
Regional Manager

MICROFILMED
AUG 2 0 2003

I hereby certify that on the 7th day of September, 2000, mailed a true and correct copy, postage prepaid, of the document to the applicant(s) and protestant(s) listed below:

Sharla Cox
Secretary

Certified

Reno Ditch Company
C/O Kent Foster
PO Box 50130
Idaho Falls, ID 83405

Mud Lake Water Users
PO Box 68
Terreton, ID 83450

MICROFILMED
AUG 2 0 2003

RECEIVED
AUG 2 4 2000
Department of Water Resources
Eastern Region

Reno Ditch Company
5203 South 11th East
Idaho Falls, Idaho 83404

Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: sorenson@ida.net

August 23, 2000

Harold Jones
Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402

Re: Water Transfer # 5760

Dear Mr. Jones:

The only protest received to this transfer application was from the Mud Lake water users. The president of our ditch company, LaVar Newman, Dr. Charles Brockway, our consultant and myself, made an appointment and met with the Mud Lake Water Users the 3rd week in July in an attempt to resolve the matter. Dr. Brockway went through the application and proposed transfer to show no impact to the Mud Lake Water Users. Yesterday we contacted the Mud Lake Water Users to see if they would be willing to withdraw the protest. They indicated they are not. By direction of the Reno Ditch Board of Directors I am requesting that this matter be set for hearing as soon as possible. As you are aware we are in a drought condition with the outlook to be worse. Therefore we would like to request the hearing be set on an expedited basis.

Very truly yours,

Ted S. Sorenson
Vice President

cc: Reno Ditch Board of Directors
Kent Foster, Esq.
Charles Brockway

MICROFILMED
AUG 2 0 2003

Receipt #E025965

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED
JUL 0 7 2000
Department of Water Resources
Eastern Region

This form may be used to file a protest with the department under sections 42-108B, 42-203B, 42-203C, 42-211, 42-222, and 42-[illegible] code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested CHANGE OF WATER RIGHT # T5760

2. Name of protestant MUD LAKE WATER USERS, INC.

3. Protestant's representative for service (If different than protestant)

4. Service mailing address PO BOX 68 TERRETON, IDAHO 83450

5. Service telephone number (208)663-4359

6. Basis of protest (including statement of facts and law upon which protest is based)

1: MAY CONSTITUTE AN ENLARGEMENT OF THE ORIGINAL WATER RIGHTS.

2: MAY BE INCONSISTANT WITH THE CONSERVATION OF WATER RESOURCES.

3: ABOUT 1994 A HEARING WAS HELD BY IDWR & WATER USERS WHERE BASIN TO BASIN WATER TRANSFERS WERE NOT APPROVED. T5760 APPEARS TO BE SUCH A TRANSFER. WE OPPOSE SUCH A TRANSFER.

7. What would resolve your protest? DO NOT MOVE WATER RIGHTS FROM BASIN TO BASIN.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this SIXTH day of JULY, 2000.

Garth Soderquist Pres
Mud Lake Water Users, Inc
PROTESTANT

PROTESTANT'S REPRESENTATIVE

MICROFILMED

AUG 2 0 2003

8:23 AM
07/06/00

E025965

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
July 31, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RENO DITCH COMPANY INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer No.: 5760

Dear Applicant:

Enclosed please find copies of the protests filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1) Are other water rights injured by the transfer?
2) Does the change constitute enlargement in the use of the original water right?
3) Is the change consistent with the conservation of water resources within the state of Idaho?
4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR State Office

MICROFILMED
AUG 2 0 2003

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

July 31, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON ID 83450

RE: Application for Transfer No. 5760

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?

2. Does the change constitute enlargement in the use of the original right?

3. Is the change consistent with the conservation of water resources within the state of Idaho?

4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

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. The address is as follows:

RENO DITCH COMPANY INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

MICROFILMED
AUG 2 0 2003

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office

MICROFILMED
AUG 2 0 2003

Proof of Publication

RECEIVED
JUL 27 2000
Department of Water Resources
Eastern District Office

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 22ND day of JUNE, 2000, last publication having been made on the 29TH day of JUNE 2000 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

S Bob Bright

Subscribed and sworn to before me, this 5TH day of JULY, 2000

PATRICIA O'MALLEY NOTARY PUBLIC STATE OF IDAHO

Patricia O'Malley
Notary Public

My commission expires January 3, 2003

MICROFILMED
AUG 2 0 2003

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5760

Notice is hereby given that Reno Ditch Company Inc., C/0 Holden, Kidwell, Hahn & Crapo, PO Box 50130, Idaho Falls ID 83405, has applied to the Department of Water Resources to change the point of diversion and to change the place of use of a groundwater source. The rights sought to be changed are evidenced by a SRBA Recommendations and recorded as follows:

SRBA Recommendation No.: 33-02141
Source: Groundwater
Amount: 3.20 cfs
Priority: 01/29/1949
Point(s) of Diversion: SENWSE SEC 19 T10N R27E, BUTTE COUNTY
The water is used for irrigation of 167.2 acres within SEC 19, 20, 29 and 30 T10N R27E, B.M.

SRBA Recommendation No.: 33-02106
Source: Groundwater
Amount: 3.00 cfs
Priority: 08/07/1961

SRBA Recommendation No.: 33-11002
Source: Groundwater
Amount: 1.80 cfs
Priority: 08/08/1961
Point(s) of Diversion: NENESW SEC 19 T10N R27E, BUTTE COUNTY
The water is used for irrigation of 307 acres within SEC 19, 20, 29 and 30 T10N R27E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicants are transferring three well rights to be diverted from a new well or wells near Blue Dome, T10N R30E and pumped into Birch Creek. The water will flow down thru the power plant and be re-diverted by the Reno Ditch Company to irrigate 306.8 acres in the NE ¼, NW ¼ of SEC 32 T09N R33E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of $25 on or before July 10, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director
Published: June 22, 29, 2000

MICROFILMED
AUG 2 0 2003

Receipt #E025965

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED
JUL 07 2000
Department of Water Resources
Eastern Region

This form may be used to file a protest with the department under sections 42-108B, 42-203B, 42-203C, 42-211, 42-222, and 42-[illegible] code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested CHANGE OF WATER RIGHT # T5760

2. Name of protestant MUD LAKE WATER USERS, INC.

RECEIVED
AUG -3 2000
Department of Water Resources

3. Protestant's representative for service (If different than protestant)

4. Service mailing address PO BOX 68 TERRETON, IDAHO 83450

5. Service telephone number (208)663-4359

6. Basis of protest (including statement of facts and law upon which protest is based)

1: MAY CONSTITUTE AN ENLARGEMENT OF THE ORIGINAL WATER RIGHTS.

2: MAY BE INCONSISTANT WITH THE CONSERVATION OF WATER RESOURCES.

3: ABOUT 1994 A HEARING WAS HELD BY IDWR & WATER USERS WHERE BASIN TO BASIN WATER TRANSFERS WERE NOT APPROVED. T5760 APPEARS TO BE SUCH A TRANSFER. WE OPPOSE SUCH A TRANSFER.

7. What would resolve your protest? DO NOT MOVE WATER RIGHTS FROM BASIN TO BASIN.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this SIXTH day of JULY, 2000.

Garth Soderquist Pres
Mud Lake Water Users, Inc
PROTESTANT

PROTESTANT'S REPRESENTATIVE

MICROFILMED
AUG 2 0 2003

8:23 AM
07/06/00

E025965

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

June 15, 2000

RENO DITCH COMPANY INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer #5760

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on June 22 and 29, 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

MICROFILMED

AUG 2 0 2003

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

June 14, 2000

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83403

Dear Cathy Von Borstel:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before July 10, 2000.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.

Mailed
6/15/00
SC

MICROFILMED
AUG 2 0 2003

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5760

Notice is hereby given that Reno Ditch Company Inc., C/O Holden, Kidwell, Hahn & Crapo, PO Box 50130, Idaho Falls ID 83405, has applied to the Department of Water Resources to change the point of diversion and to change the place of use of a groundwater source. The rights sought to be changed are evidenced by a SRBA Recommendations and recorded as follows:

SRBA Recommendation No.:	**33-02141**	**Source:**	**Groundwater**
Amount:	**3.20 cfs**	**Priority:**	**01/29/1949**

Point(s) of Diversion: SENWSE SEC 19 T10N R27E, BUTTE COUNTY
The water is used for irrigation of 167.2 acres within SEC 19, 20, 29 and 30 T10N R27E, B.M.

SRBA Recommendation No.:	**33-02106**	**Source:**	**Groundwater**
Amount:	**3.00 cfs**	**Priority:**	**08/07/1961**

SRBA Recommendation No.:	**33-11002**	**Source:**	**Groundwater**
Amount:	**1.80 cfs**	**Priority:**	**08/08/1961**

Point(s) of Diversion: NENESW SEC 19 T10N R27E, BUTTE COUNTY
The water is used for irrigation of 307 acres within SEC 19, 20, 29 and 30 T10N R27E, B.M.

<u>TO BE CHANGED AS FOLLOWS:</u>

The applicants are transferring three well rights to be diverted from a new well or wells near Blue Dome, T10N R30E and pumped into Birch Creek. The water will flow down thru the power plant and be re-diverted by the Reno Ditch Company to irrigate 306.8 acres in the NE ¼, NW ¼ and SW ¼ of SEC 32 T09N R33E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of $25 on or before July 10, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Post Register on June 22 and 29, 2000.

MICROFILMED

AUG 2 0 2003

Form 42-248/42-1409(6) March 26,1999

RECEIVED
JAN 0 3 2000
Department of Water Resources
Eastern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

1. Water Right No(s).: _____

   Adjudication Claim No(s).: 33-00087, 33-02034, 33-0206, 33-02141

2. The following REQUIRED information must be submitted with this form:

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

   OR

   C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant: Alan J. Amy
   PO Box 32 Howe ID 83244

4. New Owner/Claimant(s): Ted S. Sorenson
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: Birch Creek Ranches LLC
   City, State and ZIP Code: 5203 South 11th East Idaho Falls ID 83404
   New Telephone Number: (208) 522-8069 Day 529-2469 Evan.

5. Date you acquired the property: 1996

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses

7. Signature of New Owner(s) or Claimant(s): Ted S. Sorenson

   Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILMED
AUG 2 0 2003

QUITCLAIM DEED
FOR
WATER RIGHTS

THIS INDENTURE is made this 20th day of December, 1999, between Alan J. Amy and Afton Louise Amy, husband and wife, referred to herein as the "GRANTOR" and Birch Creek Ranches, LLC, a limited liability company, referred to herein as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Butte, State of Idaho, to-wit:

WATER RIGHT NO.	AMOUNT	PRIORITY DATE
33-00087	1.6 cfs	October 1, 1900
33-02034	0.3 cfs	May 16, 1934
33-02106	3.0 cfs	August 7, 1961
33-02141	3.2 cfs	January 29, 1949

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

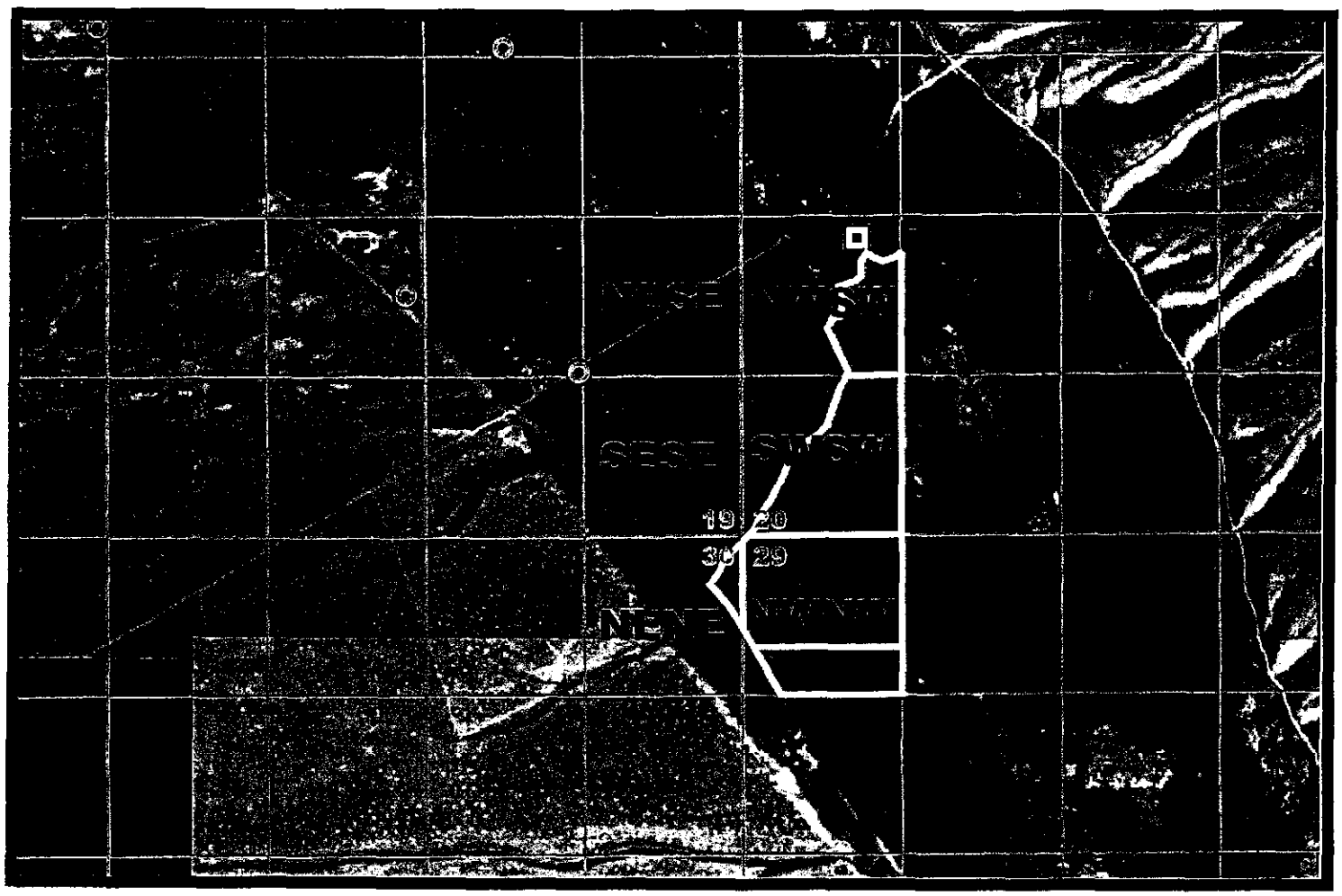
TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

MICROFILMED
AUG 2 0 2003

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02034, 33-00087



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 20 (parts of) W2SW,
Section 29 (part of) NWNW,
Section 30 (part of) NENE

Point(s) of Diversion: T.10N., R.27E.
Sec. 20 NENWSW (surface)

N

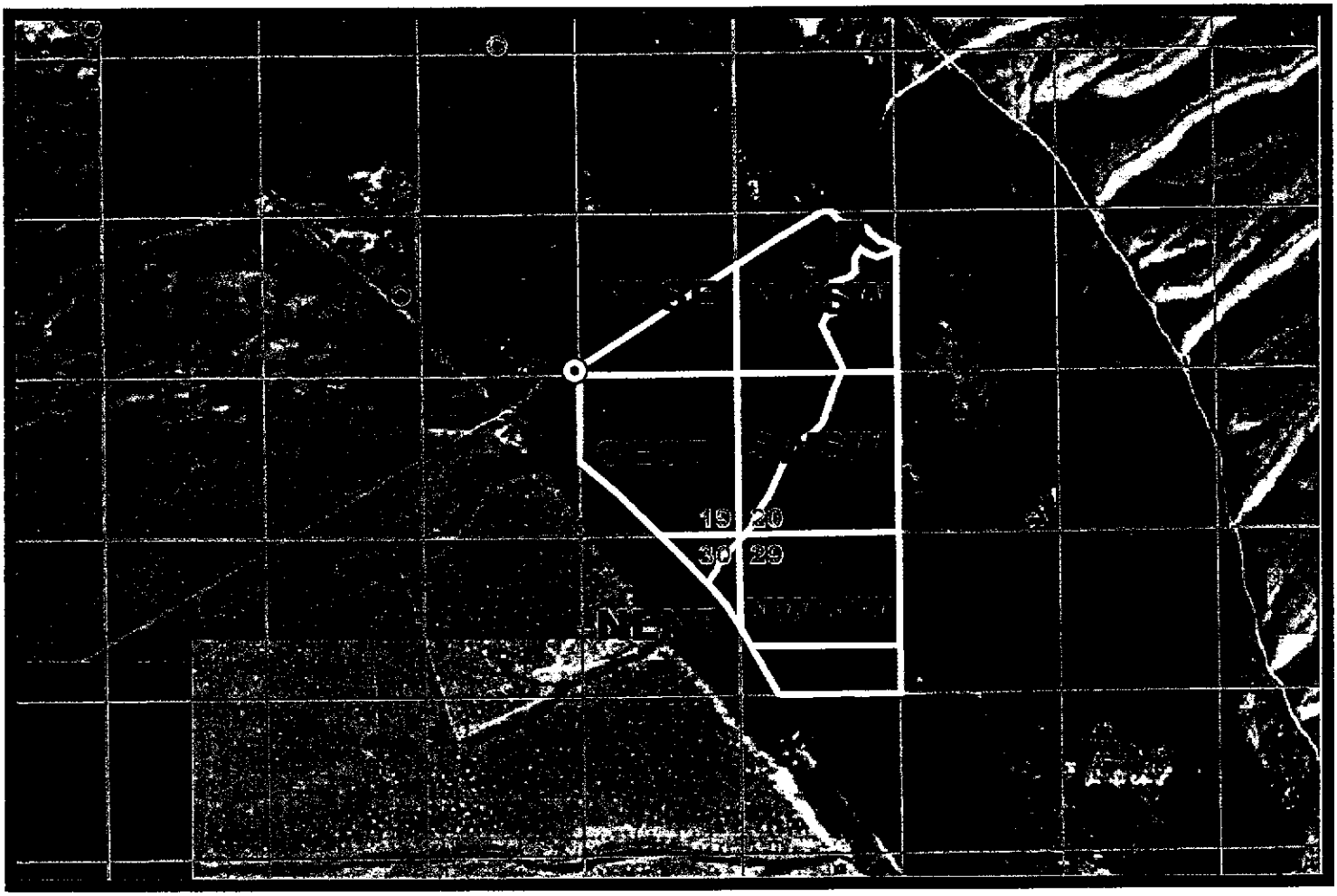
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

MICROFILMED
DEC 2 0 2003

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02141, 33-02034, 33-00087



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) E2SE,
Section 20 (part of) W2SW,
Section 29 (part of) NWNW,
Section 30 (part of) NENE

Point(s) of Diversion: T.10N., R.27E.
Sec. 19 SENWSE (well)
Sec. 20 NENWSW (surface)

N

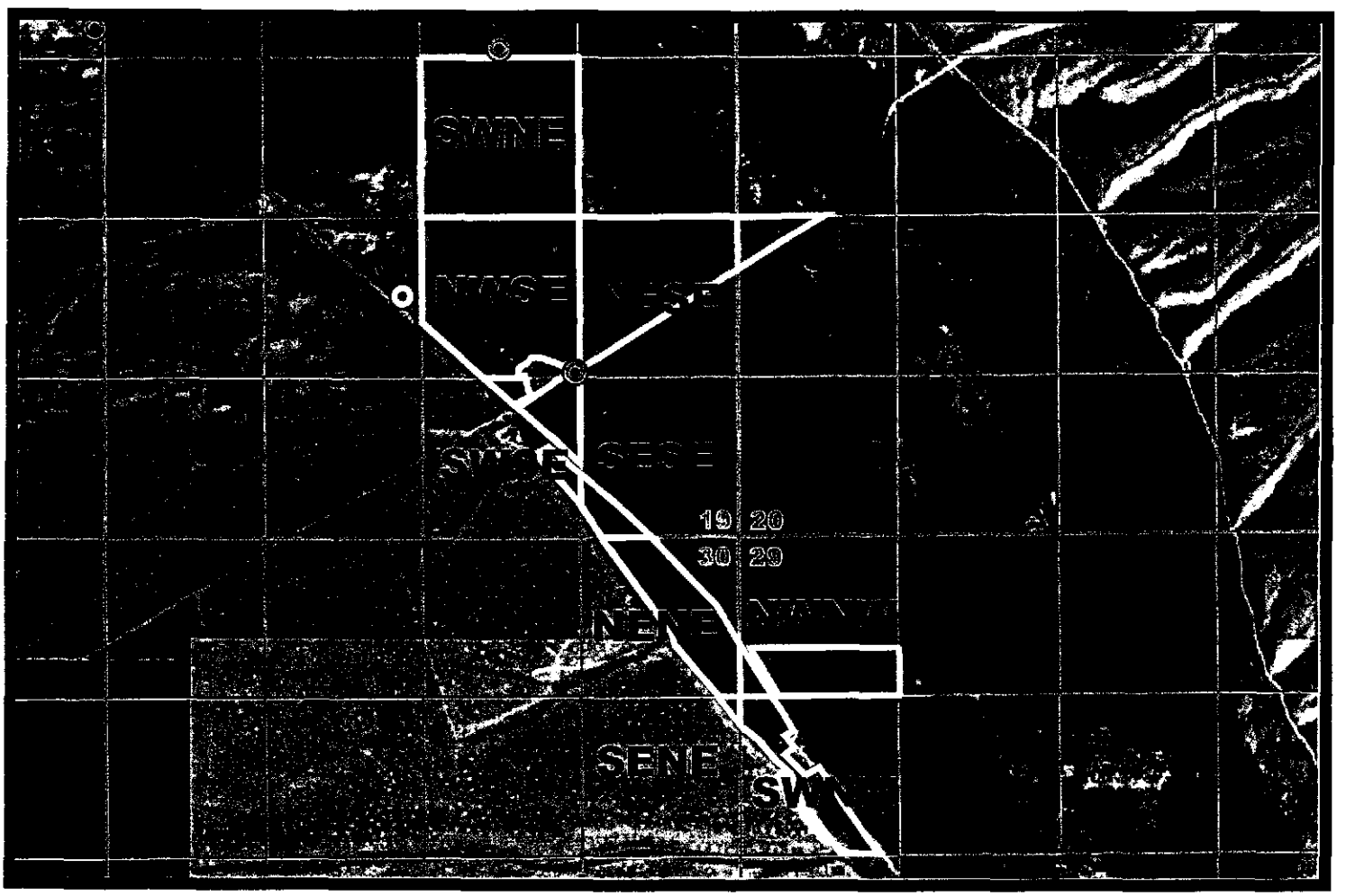
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

MICROFILMED
AUG 2 0 2003

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02106



LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

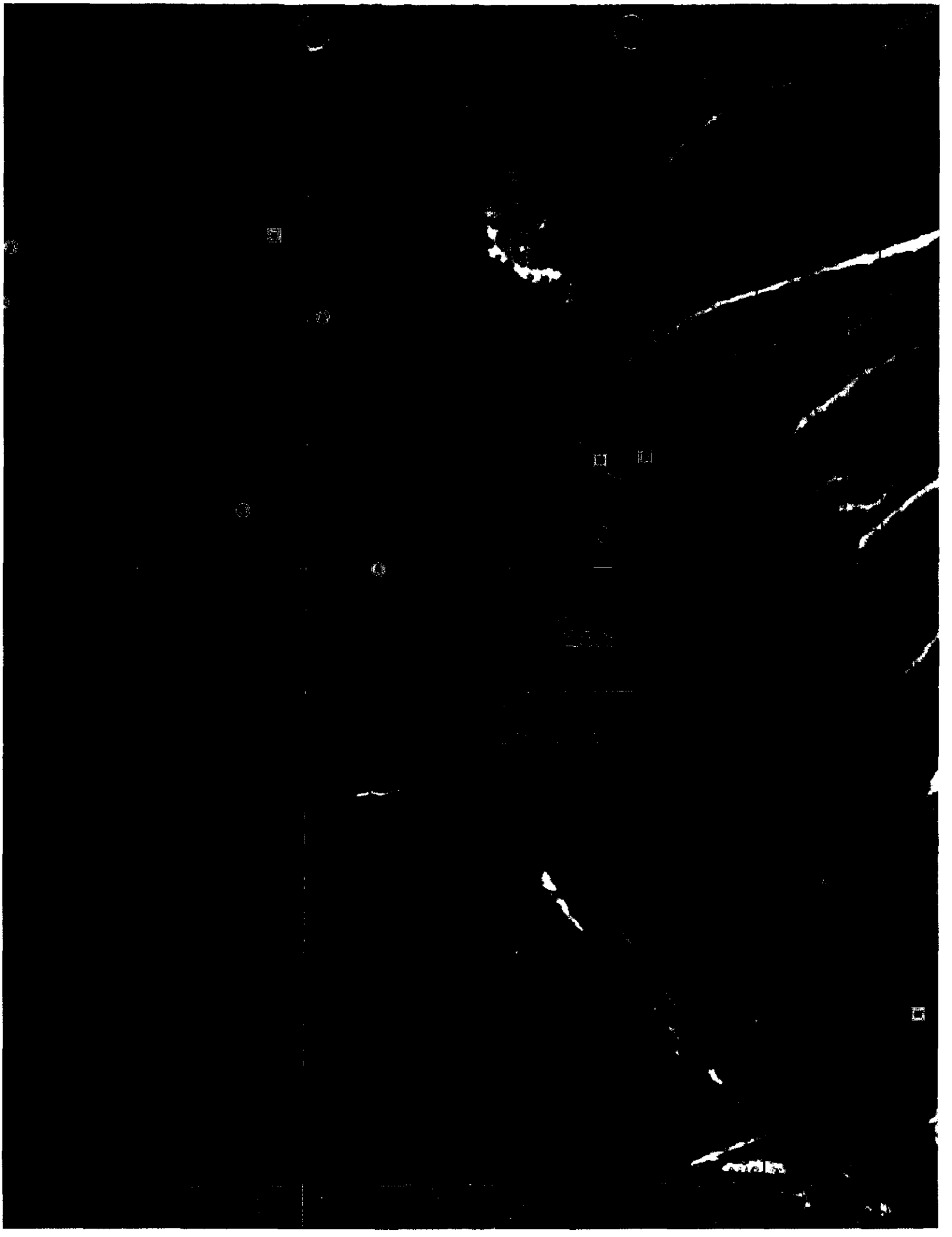
Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) SWNE, SE,
Section 20 (part of) NWSW,
Section 29 (part of) W2NW,
Section 30 (part of) E2NE

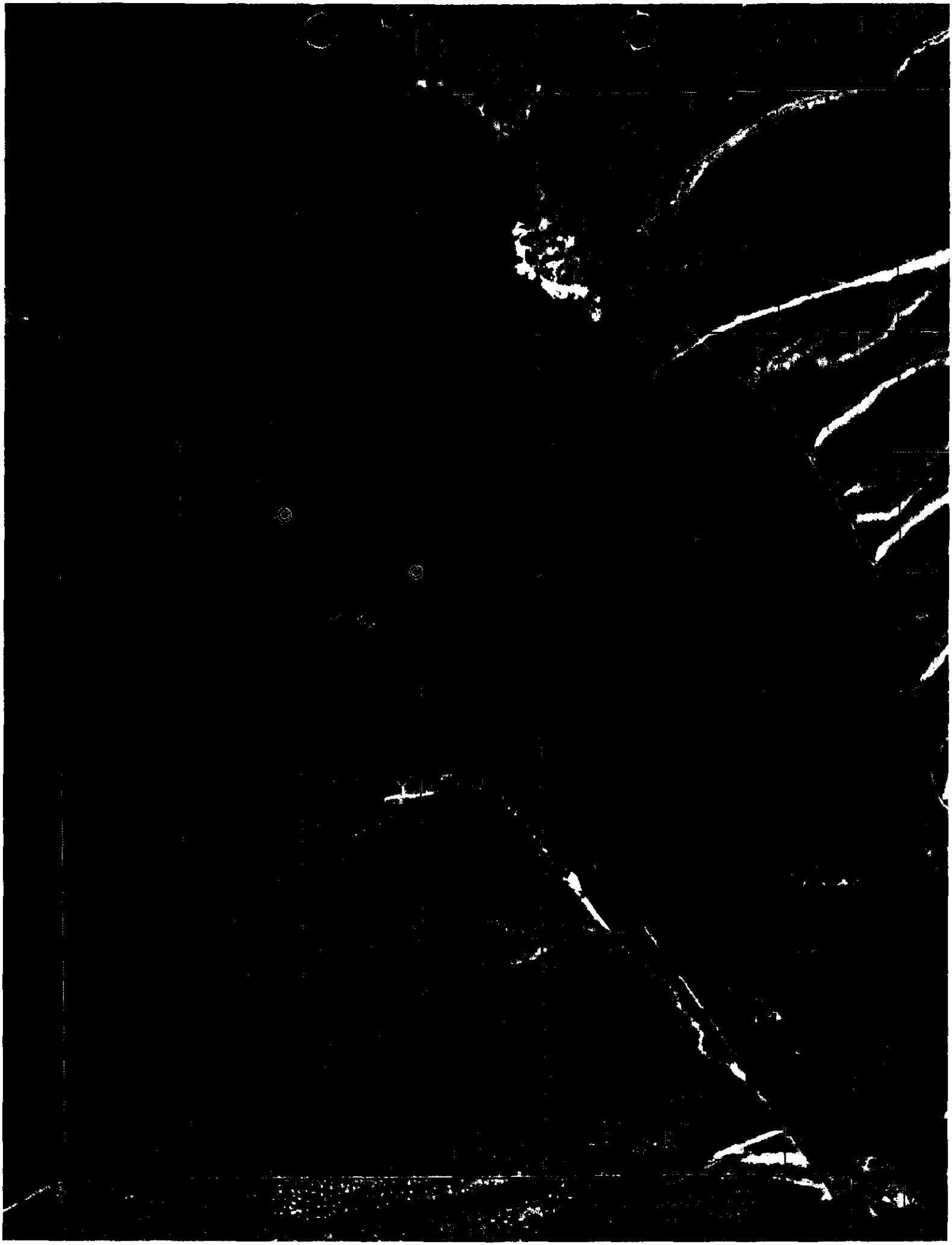
Point(s) of Diversion: T.10N., R.27E.
Sec. 19 NENESW

MICROFILMED
AUG 2 0 2003

N

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999





Form 222
1-87

VOID

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Reno Ditch Company, Inc. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo P.O. Box 50130, Idaho Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To dry up lands presently irrigated and irrigate other lands more conveniently irrigated

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
33-02106	08/07/1961	3.00	Irrigation	04-01 to 11-01
33-02141	01/29/1949	3.20	Irrigation	04-01 to 11-01

2. Total amount of water being transferred 6.20 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to _____

4. Point(s) of Diversion: 1-4 wells

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	19	10N	29E	Clark	well and pump
		SE	SE	24				
		SW	SW	29				
		NW	NW	32				

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	33E	32	17.5	17.5	17.5	17.5	30	30	30	30	30	30	30	30					310

Total Acres 310

MICROFILMED
AUG 2 0 2003

6. General Information:

a. Description of diversion system well or wells and pump or pumps into Birch Creek near Lone Pine or Blue Dome; then from Birch Creek at hydro-pond and through existing power channel, ditches and pipelines to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
The land now irrigated will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 1999.

_____

MICROFILMED
AUG 2 0 2003

 Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____
   in case of _____ vs. _____
   dated _____ in _____ county of _____.

   b. License No. 33-02106 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of Water groundwater tributary to _____

4. Date of priority 08/07/1961

5. Water is used for the following purpose:

   amount 3.00 for Irrigation purposes from 04-01 to 11-01
   (cfs/ac-ft)

6. Total amount of water under right 3.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	19	10N	27E	Butte	
		SE	SE	19	10N	27E	Butte	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	27E	19			37										24	35	09	04	109
		20										02							02
		29						11	10			04							25
		30	13			01													14

MICROFILMED

AUG 2 0 2003

Total Acres 150

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

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

MICROFILMED
AUG 2 0 2003

 Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____
   in case of _____ vs. _____
   dated _____ in _____ county of _____.

   b. License No. 33-02141 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of Water groundwater tributary to _____

4. Date of priority 01/29/1949

5. Water is used for the following purpose:

   amount 3.20 for Irrigation purposes from 04-01 to 11-01
   (cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	19	10N	27E	Butte	
		SE	SE	19	10N	27E	Butte	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	27E	19													14			34	48
		20										37	40						77
		29						28											28
		30	07																07

MICROFILMED
AUG 2 0 2009

Total Acres 160

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

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

MICROFILMED
AUG 2 0 2003

 Transfer No. _____

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indication the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached maps

SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
AUG 2 8 2003

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

No return flows

3. Describe effects on other water uses resulting from the proposed change:

No effects

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

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

Rangen, Inc. Company by _____ (Signature of Applicant) Vice President

Subscribed and sworn to before me this 16 day of November, 1999.

KENT W. FOSTER NOTARY PUBLIC STATE OF IDAHO

_____ Notary Public

My Commission Expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWJ Date 11-16-99 Protest filed by _____

Prelim. check by HWJ Fee 100

Receipted by HWJ # E025472 Date 11-16-99

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
AUG 20 2003

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

RECEIVED
JUN 13 2000
Department of Water Resources
Eastern Region

In Reply Refer To:

7250

June 7, 2000

Harold Jones
Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: Transfer Request from Ted Sorenson - SRBA Claim #s 33-02106

Dear Mr. Jones:

By this letter I state that I have the authority to act on behalf of the United States, Department of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that Ted Sorenson wishes to transfer water under the above water right from federal public property to land which he owns as private property. The federal public property legal description is as follows:

T.10N, R.27E, S.30 SENE (0.7 acres)

I understand that the Idaho Department of Water Resources cannot complete such a transfer of water under a water right without the notarized consent of the land owner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer, which will result in the discontinuance of water being applied to federal public land. The United States' non-opposition to the application for transfer does not represent recognition by the United States of the claim elements nor their validity.

If there are questions regarding any statements above, please do not hesitate to contact Deena Teel at (208) 524-7533 or at the address provided above.

Sincerely,

Joe Kraayenbrink
Field Manager

MICRO
AUG 20 2003

SUBSCRIBED [redacted] SWORN to before me this 7th day of [redacted]e, 2000.

STATE OF IDAHO)
) ss:
COUNTY OF BONNEVILLE)

On this 7th day of June, 2000, personally came before me, a notary public in and for said County and State, the within-named JOE KRAAYENBRINK, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Sandra S Hoffer

Notary public in and for the

State of Idaho,

County of Bonneville

Residing at Shelley, ID

My commission expires: 11-25-2003

MICROFILMED

AUG 20 2003

July 1, 1968

COPY

Re: Water License No. G-30055

Alan J. Amy
Howe, Idaho 83244

Dear Mr. Amy:

Please be advised that Permit No. G-30055 has gone to license and therefore we cannot change or amend as per your request of June 21, 1968.

The only means by which you can get the water right to cover the 40 acres in question is to file a new application for permit. We have prepared an application for permit for your is you so desire. In most cases, the Bureau of Land Management will accept the intent of an application for permit in cases such as these. You should contact Mr. Curtis Taylor or Mr. Orval Hadley in Boise, Idaho, to see if these arrangments would be sufficient.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: App. for Permit & Inst.

30055

Arco, Idaho
June 21, 1968

RECEIVED
JUN 24 1968
Department of Reclamation

Idaho Dept of Reclamation
State House
Boise, Idaho

Dear Sir; Re-State Water Permit # G-30055
Alan J. Amy Howe Idaho

In reference to my water permit number G-30055 wherein we irrigate certain lands in Butte County Idaho, we failed to include the SW¼SE¼ Section 19, Twp 10 N R 27 EBM in this permit. I wish to amend the said permit to include this 40 acre tract. I need this amended as this was a desert land entry, and before final proff can be made this tract must be included.

Please find enclosed a copy of a letter from the Idaho Land office which more clearly shows what has to be done. If this amendment is approved by your dept, would you please file a copy with the State land office for me. I would be ever gratful to you. If there is a charge for this, please bill me, and I will forward a check immediately.

Thank you for your efforts, and may I hear from you soon.

Alan J. Amy

Howe, Idaho

Alan J Amy

30055

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

IN REPLY REFER TO:
L:VSS
Idaho 014138

RECEIVED
JUN - 1 1968
Department of Reclamation
MAY 1968

Mr. Alan J. Amy
Howe, Idaho 83244

Dear Mr. Amy:

This refers to the final proof for your desert land entry Idaho 014138. The proof appears to be acceptable, except for your water permit.

Your State water permit No. G-30055 does not show that the SW¼SE¼ Sec. 19, T. 10 N., R. 27 E., is to be irrigated from the well located in the NE¼SW¼ Sec. 19. I would suggest that, either,

(1) You amend the description of the lands to be irrigated in permit G-30055 to include the SW¼SE¼ Sec. 19, or

(2) File a copy of an active, approved State water permit showing the point of diversion as being in the NE¼SW¼ Sec. 19 and the land to be irrigated as the SW¼SE¼ Sec. 19, T. 10 N., R. 27 E., B. M., Idaho.

If you amend the land description as mentioned under number 1, a copy of the amendment approved by the State Department of Reclamation must be filed in this office.

We would appreciate receiving a copy of the amendment or a new water permit as soon as possible.

Sincerely yours,

Curtis R. Taylor

Curtis R. Taylor
Assistant Manager - Lands

588-2254

30055

30055

Permit No. G-30055

Certificate of Completion of Works

Dated March 13, 1967

Stream a well

County Butte

Amount 3.26 c.f.s.

Date of Priority August 7, 1961

Recorded in Book 105

of Permits, page 30055

FORM 22

Permit No. G-30055

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Jess L. Amy - Assignee Alan J. Amy of Howe, County of Butte, and State of Idaho, the holder of Permit No. G-30055, issued upon Application No. G-38081 bearing date of priority of August 7, 1961, authorizing the diversion of 4.0 second feet of waters of a well, tributary of a subterranean flow;

County of Butte, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.26 second feet of the waters of a well, tributary of a subterranean flow;

that the point of diversion of said waters is in the NE¼ SW¼, Sec. 19, T. 10 N., R. 27 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NW¼ SE¼, SE¼ SE¼, Sec. 19; SW¼ SW¼, Sec. 20; NW¼ NW¼, Sec. 29; NE¼ NE¼, Sec. 30, T. 10 N., R. 27 E., B.M.

Proof of Completion of Works Made: July 22, 1966.

Witness my hand this 13th day of March, A. D. 1967

R. Keith Higginson
State Reclamation Engineer

30055

March 13, 1967

Re: Permit No. G-30055

Alan J. Amy
Howe, Idaho 83244

Dear Mr. Amy:

Enclosed is your Certificate of Completion of Works and License and Certificate of Water Right No. G-30055. Also enclosed is departmental receipt No. G-11308 in the amount of $15.00 covering the fees.

We are pleased to have been of service to you.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:dj

Encl: Certificate of Completion of Works
License and Certificate of Water Right No. G-30055
Receipt for $15.00

COPY

30055

xxxxxxxxxx

January 11, 1967

RE: Permit No. G-30055

Alan J. Amy
Howe, Idaho

Dear Mr. Amy:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30055 shows the well(s) is (are) capable of conveying 163 miner's inches, or 3.26 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling $ 15.00 , we will issue the Certificate of Completion of Works for 3.26 c.f.s. and the License and Certificate of Water Right for 3.26 c.f.s. confirming the right, with priority of August 7, 1961 , to the use of subterranean water with the point of diversion in NE¼SW¼, Sec. 19, T. 10 N, R. 27 E, B.M., for irrigation of 163 acres in NW¼SE¼, SE¼SE¼, Sec. 19; SW¼SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N, R. 27 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30055

ROBERT E. SMYLIE
Governor

XXXXXXXXXXXXX
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 11, 1967

RE: Permit No. G-30055

RECEIVED
FEB 8 1967
Department of Reclamation

Alan J. Amy
Howe, Idaho

Dear Mr. Amy:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30055 shows the well(s) is (~~are~~) capable of conveying 163 miner's inches, or 3.26 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling $ 15.00, we will issue the Certificate of Completion of Works for 3.26 c.f.s. and the License and Certificate of Water Right for 3.26 c.f.s. confirming the right, with priority of August 7, 1961, to the use of subterranean water with the point of diversion in $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 19, T. 10 N, R. 27 E, B.M., for irrigation of 163 acres in $NW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 19; $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 20; $NW\frac{1}{4}NW\frac{1}{4}$, Sec. 29; $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 30, T. 10 N, R. 27 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30055

STATE OF IDAHO

Department of Reclamation

Check

No. G-11308

Boise, Idaho, Feb 8, 1962

RECEIVED FROM Alan J. Amy of Howe, Idaho $ 15 00

Fifteen Dollars and no/00 DOLLARS

FOR		
Well Driller's License Fee -	$	
Application No. - - - - - -	$	
Proofs G-30055 - - -	$	15 00
Certified Copy G-30055	$	
Recording Assignment - - -	$	
- - -	$	
TOTAL - - -	$	15 00

Mary Lauder
STATE RECLAMATION DEPARTMENT

RECEIVED FEB 9 1962
Department of Reclamation

Alan J. Amy
Howe, Idaho

Dear Mr. Amy:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30055 shows the well(s) is (are) capable of conveying 163 miner's inches, or 3.26 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling $ 15.00, we will issue the Certificate of Completion of Works for 3.26 c.f.s. and the License and Certificate of Water Right for 3.26 c.f.s. confirming the right, with priority of August 7, 1961, to the use of subterranean water with the point of diversion in NE¼SW¼, Sec. 19, T. 10 N, R. 27 E, B.M., for irrigation of 163 acres in NW¼SE¼, SE¼SE¼, Sec. 19; SW¼SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N, R. 27 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30055

Re: Permit No. G-30055

July 29, 1966

Alan J. Amy
Howe, Idaho

Dear Mr. Alan:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Arco Advertiser all submitted in proof of completion of works and beneficial use on Permit No. G-30055.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

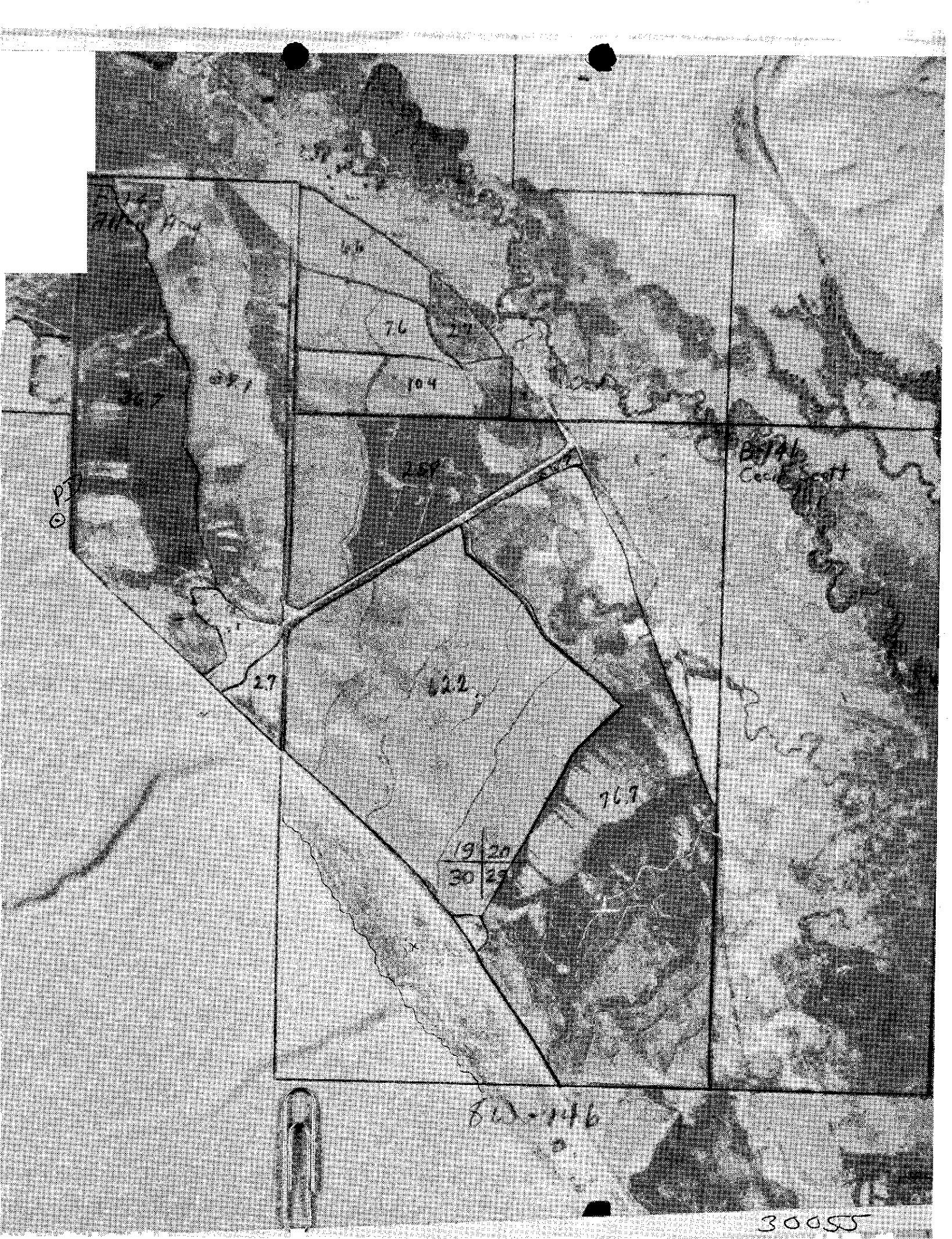
We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

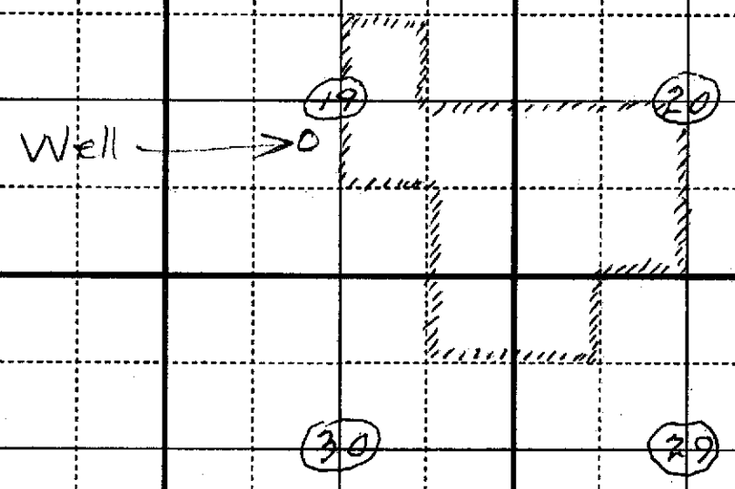
30055


76
104
267
264
27
222
767
19
20
30
29
BW-146
30055

NAME OF APPLICANT Je[redacted] L. Amy. Howe. Idaho. [redacted]

Form No. 0

T 10 N R 27 EBM.



Permit Map No. G 30055
As Approved AUG 11 1961
GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30055

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

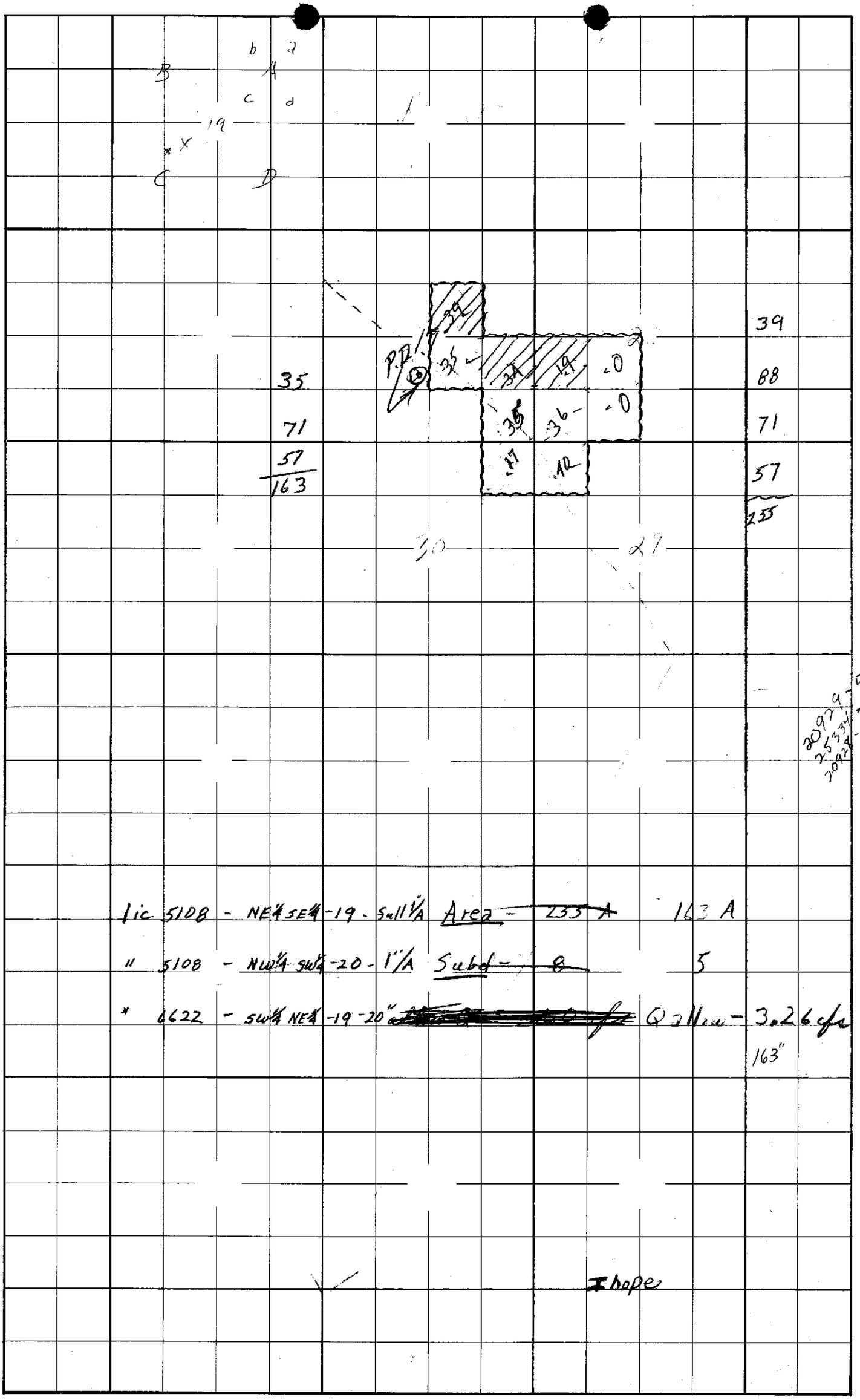
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30055

REPORT ON PROOF OF Completion of Works & Beneficial Use

30055



lic 5108 - NE¼SE¼-19-5s11E¼A Area = ~~233 A~~ 163 A

" 5108 - NW¼SW¼-20-1E¼A Subd = ~~8~~ 5

" 6622 - SW¼NE¼-19-20E ~~[illegible]~~ Q = Max - 3.26 cfs

163"

~~I~~ hope

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30055

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-30055

This proof is for Completion of Works & Beneficial Use in Water District No.

1. Name of applicant Jess L. Amy

2. Source of water supply: a well

3. Location of point of diversion: Is in the NE¼SW¼ of Section 19
T. 10 N R. 27 E., B.M. County of Butte 4595 19 C21

4. Describe works as they exist, giving dimensions and capacities of same:
40 HP GE Motor # NHJC87 4509
Peerless pump # 150605 10" discharge to ditch

5. Water is used for: Irrigation & domestic

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SW¼NE¼, N½SE¼, SE¼SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29;
NE¼NE¼, Sec. 30, T. 10 N., R. 27 E., .M.

NE SE NW SE SE SE

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

10⅛" id 6" @ 18½"

A = .359

$V = \frac{4.01(1.34)}{.707} = \frac{6.18}{.707} = 8.74$

$Q = 8.74(.359) = 4.89$

This examination was made on the 20th day of July, 1966

(Signed) Don Watts
Examiner.

30055

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Alan J. Amy
Howe, Idaho

Permit No. G-30055

Examination for Completion of Works & Beneficial Use

County Butte

Quantity: 4.0 c.f.s. Sec. 19 T. 10N R. 27 E., B.M.

Source: a well

P.D.: NE¼SW¼, Sec. 19, T. 10 N., R. 27 E., B.M.

Use: Irrigation & domestic

Extension:

Protest:

Completion of Works:

Other Rights: Little Lost River

Filed: August 7, 1961

Due: August 11, 1966

Made: July 22, 1966

Priority Aug. 7, 1961

30055

RECEIVED
JUL 25 1966
Department of Reclamation

Affidavit of Publication

I, Elizabeth L. Brammer, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four (4) consecutive weeks, commencing with the issue dated June 30, 1966 and ending with the issue dated July 21, 1966

Elizabeth L. Brammer

Subscribed and sworn to before me this 21 day of July, 1966

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.
My commission expires 2-4, 1969

PUBLIC NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 22nd day of July, 1966, at Arco, County of Butte, State of Idaho before Charles A. Jones, Notary Public, at 221 Grand Avenue, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30055, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Alan J. Amy, Howe, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is irrigation & domestic, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE¼SW¼, Sec. 19, T. 10 N., R. 27 E., B. M. Butte County, Idaho.

5. The place where said water is used is SW¼NE¼, NW¼SE¼, E½SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N., R. 27 E.B.M., Butte County, Idaho.

6. The date of priority which said user is prepared to establish is August 7, 1961.

R. KEITH HIGGINSON,
Deputy State Reclamation Engineer.

Pub. 6-30 thru 7-21, 1966.

ALAN J AMY
30055

Form 16 - 2M
5-5-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

RECEIVED
JUN 25 1966
Department of Reclamation

Permit No. G-30055

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address:

Alan J Amy Howe, Idaho Howe, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

none

Ques. 3. State number, approval date of permit, and date of priority:

G-30055. Aug 7th, 1961 Aug 7th, 1961

Ques. 4. State source of water supply: irrigation well
Give location of point of diversion, showing subdivision, section, township and range

NE¼SW¼ sec 19, twp 10 N R 27 Ebm

Ques. 5. Describe your works of diversion: well, pump, motor, ditches, electrical connections; state amount of water they are capable of conveying from point of diversion to place of use: 4.0 C F; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditches; if a well, state depth of well 80 ft; depth and size of casing 14 inch; depth to water 35 ft; if pump is used, state discharge of pump: 4.0 CF; tell how it was measured or determined over weir; if sprinkler irrigation, give number and size of nozzles and operating pressure: none

Ques. 6. State for what purpose water is used: irrigation only
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

SW¼NE¼, NW¼SE¼, E½SE¼, sec 19, SW¼, sec 20, NW¼NW¼, sec 29, NE¼NE¼ sec30 all in Twp 10 N R 27 EBM all irrigated

Logan

D

30055

State nature of all improvements which have been made as a direct result of said use:

all has beeame good farm land

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Bob Wade, Hamer Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

none

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

By assignment filed with Dept of Reclamation

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1961 - Time used since first use:

every irrigation season since

Ques. 10. Describe all other water rights appurtenant to same place of use:

40 miners inches out of Deep Creek, plus another well

(sign) Alan J Almy

* * * * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Arco, County of Butte, State of Idaho, on this 22 day of July, A. D. 19 66.

Clarence G Jones

My commission expires: 5/14/70

30955

Form 17A - 4M
5-6-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30055

* * * * * * *

RECEIVED
JUL 25 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

F. Neil Reed 33 Howe, Idaho Rancher, Howe, Idaho

Ques. 2 Are you acquainted with Alan J Amy, the holder of Permit No. G-30055? How long have you known him and where does he reside?

20 years Howe, Idaho

Ques. 3. Have you read or heard said Permit No. G-30055 read, and are you familiar with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: irrigation well

Give location of place of diversion, showing subdivision, section, township and range

$NE\frac{1}{4}SW\frac{1}{4}$ sec 19, Twp 10 N R 27 EBM

Describe works for conveying water to place of use: pump, motor, laterals, ##### electrical connections

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 cubic Feet How much water have you seen being so conveyed? 4 C F

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

$SW\frac{1}{4}NE\frac{1}{4}$ $NW\frac{1}{4}SE\frac{1}{4}$ $E\frac{1}{2}SE\frac{1}{4}$, sec 19, $SW\frac{1}{4}$, sec 20, $NW\frac{1}{4}NW\frac{1}{4}$ Sec 29, $NE\frac{1}{4}NE\frac{1}{4}$ sec 30 all in twp 10 N R 27 EBM all irrigated

30055

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

none

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

all good farm land , 1 miner inches per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? summer of 1961

Other times you have seen such use: every irriagtion season since

(Signed):

X F. Neil Reed

* * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Arco, County of Butte, State of Idaho, on this 22 day of July, A. D. 1966

Charles [illegible]

Notary Public for the State of Idaho

Residing Arco, Idaho

My commission expires 5-14-70

300555

Form 17A – 4M
5-6-65

RECEIVED
JUL 25 1966
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30055

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

James Andreasom 24 Howe, Idaho Farmer Howe, Idaho

Ques. 2 Are you acquainted with Alan J Amy, the holder of Permit No. G-30055 ? How long have you known him and where does he reside?

10 years Howe, Idaho

Ques. 3. Have you read or heard said Permit No. G-30055 read, and are you familiar with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: irrigation well

Give location of place of diversion, showing subdivision, section, township and range

NE¼SW¼ sec 19, twp 10 N R 27 EBM

Describe works for conveying water to place of use: well, pump motor, private ditche

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 C F How much water have you seen being so conveyed? 4 Cubic feet

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

SW¼NE¼, NW¼SE¼, E½SE¼ sec 19, SW¼, sec 20, NW¼NW¼ se 29, NE¼NE¼ see 30

Twp 10 N R 27 EBM all irrgated

30055

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

none

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

all has became good farm land, 1 miners inch per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? 1961

Other times you have seen such use: every irrigation season since

(Signed): X James Anderson

* * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Arco, County of Butte, State of Idaho, on this 22nd day of July, A. D. 19 66

Clarence G Jones

Notary Public for the State of Idaho

Residing Arco Idaho

My commission expires 5-14-70

30055

Re: Permit No. G-30055 June 22, 1966

Arco Advertiser
Arco, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to July 22, 1966. The expense of the publication is to be paid by Alan J. Amy of Howe, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. legal notice

300555

June 22, 1966

Re: Permit No. G-30055

Alan J. Amy
Howe, Idaho

Dear Mr. Amy:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30055. The proofs are to be made [redacted] on the 22nd day of July, 19 66. before Charles A. Jones Arco, Idaho Notary Public.

As of this date, we have mailed the Notice to the Arco Advertiser, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

M. Russell Bosch
Office Manager

Encl.

cc: Notary

P.S. Please note that in order to allow for publication in 4 consecutive weekly issues of the paper we had to advance the date for making proof to July 22, 1966.

30055

June 22, 1966

RE: Permit G-30055

Mr. Jess L. Amy
Howe, Idaho

Dear Mr. Amy:

Enclosed is the assignment on the above referenced permit which has been recorded in this office.

Also enclosed is departmental receipt No. G-10501 in the amount of $0.50 which covers the fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Assignment
Receipt

30055

June 18, 1963

Re: Permit No. G-30055
Jess L. Amy

Alan J. Amy
Howe, Idaho

Dear Mr. Amy:

Enclosed are two forms, one to assign a permit and one to amend the land list.

We must have a letter from the Farmers Home Administration before we can accept an assignment or amendment to the permit.

We will send two copies of the permit showing assignment and amendment to the Bureau of Land Management, direct from this office, or to you, for a fee of $3.50. The original of the two copies would be certified as correct.

There is also a fee of $0.50 for recording an assignment and a fee of $1.00 for recording an amendment. Be sure and include on the amendment the land description of all the land you intend to irrigate under this permit.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Enc.
assignment form
amendment form

Rt: ew

30055

$.50 received

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
JUN 21 1966
Department of Reclamation

June 17, 1966

Re: Permit No. G-30055

Mr. Jess L. Amy,
Howe, Idaho.

Dear Mr. Amy:

Receipt is hereby acknowledged of the assignment of your permit, and the notice of publication forms for the above referenced permit. However, further action will be delayed until we are in receipt of the required $.50 recording fee for the assignment. Also, due to the need for clarification, we must advance the date you are to appear before Notary Public, Charles A. Jones, to the 22nd of July, 1966. Should this date not be satisfactory, please advise us by return mail.

Very truly yours,

Donald W. McEldowney

DONALD W. McELDOWNEY
State Water Rights Clerk

~~Sir~~;

DWMc:pmk

Sirs;

Please find enclosed the required $.50 for the transfer, and the 22nd of July will be fine to appear before the Notary.

Leo Amy

30055

ALAN J AMY
HOWE, IDAHO
JUNE 14, 1963

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

107 State House

Bosie, Idaho

Dear Sirs:

I would like to get, if possiable 2 copies of water permit #G-30055 witch is a producing well now and under the name of Jess L Amy but has been sold to me through contract of sale. I would like to have these permits because I would like to use a portion of the water from this well to irrigate a 40 arce subdivision of witch I am filing on through the Land Office P.O. Box 2237. This would be part of a Desert-entry and I would need 40 minor inches of water from this well to use on this portion of Desert-Entry.

Description of this sub-division is SE¼ SW¼ Sec 19 Range 27 EBM.

T. 10. N.

Very truly yours,

Alan J Amy

Alan J Amy

300055

June 17, 1966

Re: Permit No. G-30055

Mr. Jess L. Amy,
Howe, Idaho.

Dear Mr. Amy:

Receipt is hereby acknowledged of the assignment of your permit, and the notice of publication forms for the above referenced permit. However, further action will be delayed until we are in receipt of the required $.50 recording fee for the assignment. Also, due to the need for clarification, we must advance the date you are to appear before Notary Public, Charles A. Jones, to the 22nd of July, 1966. Should this date not be satisfactory, please advise us by return mail.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

DWMc:pmk

30055

Form No. 11
2M 12-64

RECEIVED
JUN 16 1966
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 15, 1966

(P. O.) Howe, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Arco Advertiser of Arco, Idaho Published in the county in which the works are situated.

Alan J. Amy

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

30055

No. 36 - 4M
1/65

RECEIVED
JUN 13 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ~~2~~ P ~~M~~., on the 18th day of July 19 66, at Arco, County of Butte, State of Idaho before Charles A. Jones, Notary Public, at (address) Office 221 Grand Avenue, Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4 (200 M inches) cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30055, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Howe, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE¼SW¼ Section 19, Township 10 North, Range 27 E B M, Butte County, Idaho

5. The place where said water is used is SW¼NE¼, NW¼SE¼, SE¼SE¼, NW¼SE¼, Section 19, E½SW¼, NW¼SW¼, SW¼SW¼ Section 20, NW¼NW¼ Section 29, NE¼NE¼ Section 30, Township 10 North, Range 27 E B M Butte County, Idaho.

6. The date of priority which said user is prepared to establish is Aug 11, 1961.

State Reclamation Engineer

30055

Not received

RECEIVED
JUN 16 1966
Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all My ____ of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 30055 to Alan J. Amy of Howe, Idaho

*_____

_____

Jess L Amy
Permit Holder

Hazel M Amy
Wife of Permit Holder

STATE OF IDAHO)
: ss
County of Butte)

On this 15th day of June, 1966, before me, a Notary Public for the State of Idaho, residing at Arco, Idaho personally appeared Jess L. Amy and Hazel M. Amy husband and wife known to me to be the person s whose name s are ~~is~~ subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

O. Jones
Notary Public
Residing at Arco, Idaho

My commission expires: Nov 6, 1966

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

30055

No. 36 - 4M
I/65

RECEIVED
JUN 16 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 2 P. M.~~, on the 18th day of July 19 66, at Arco, County of Butte, State of Idaho before Charles A. Jones, Notary Public, at (address) Office 221 Grand Avenue, Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4 ~~200 M inches~~ cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30055, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is ~~Howe, Idaho~~ A/A/J/T Amy Howe, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is irrigation & Domestic, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE-1/SW¼ ~~NW¼SW¼~~ Section 19, Township 10 North, Range 27 E B M, Butte County, Idaho

5. The place where said water is used is SW¼NE¼, NW¼SW¼, SE¼SE¼, NW¼SE¼, Section 19, E½SW¼, NW¼SW¼, ~~SW¼SW¼~~ Section 20, NW¼NW¼ Section 29, NE¼NE¼ Section 30, Township 10 North, Range 27 E B M Butte County, Idaho.

6. The date of priority which said user is prepared to establish is Aug 21, 1961.

State Reclamation Engineer

OK

30055

Form 36

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 1, 1966

Re: Permit No. G - 30055

Jess L. Amy
Howe, Idaho

Dear Mr. Amy:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30055 are due not later than Aug. 11, 1966.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Tolman

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30055

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Box 700
Idaho Falls, Idaho

RECEIVED
DEC 15 1961
Department of Reclamation

December 13, 1961

State of Idaho
Department of Reclamation
George N. Carter, State Reclamation Engr.
Boise, Idaho

Dear Mr. Carter:

This is to advise you that on November 30, 1961, Jess L. Amy of Howe, Idaho, mortgaged to the Farmers Home Administration by a mortgage fourth only to a mortgage to the Connecticut Mutual Life Insurance Company and two mortgages to the United States of America, his rights to permit numbers G28690 and G30055. He agreed not to assign or amend the permits without consent of the Farmers Home Administration.

Would you please make this notation in your files so these permits will not be transferred, assigned, etc. without the consent of the Farmers Home Administration.

Sincerely yours,

Henry E. Jenkins

Henry E. Jenkins
County Supervisor

30955

September 6, 1961

Re: Permit No. G-30055
Jess L. Amy

U. S. Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

Enclosed is a certified copy of Permit No. G-30055, in the name of Jess L. Amy, which he has requested forwarded to you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Enc. certified copy

cc: Fred W. Kiefer
Civil & Irrigation Engineer
Blackfoot, Idaho

30055

September 6, 1961

Re: Permit No. G-30055
Jess L. Amy

F. W. Kiefer
Civil & Irrigation Engineer
Blackfoot, Idaho

Dear Mr. Kiefer:

A certified copy of Permit No. G-30055 has been mailed to the Bureau of Land Management, as per attached copy of letter.

We enclose departmental receipt No. G-6498, in the amount of $2.50 covering the fees for such copy.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30055

F. W. KIEFER
CIVIL AND IRRIGATION ENGINEER
BLACKFOOT, IDAHO

Department of Reclamation

State Engineer,
Boise, Idaho.

~~L-2~~ L-30055

Dear Sir;

Jess L Amy has made application for permit to appropriate 200 inches of water in section 19 T 10 N R 27 EBM.

Will you kindly furnish the US Bureau of Land Management a certified copy of theis permit.

You will find enclosed check to cover the fee.

Yours very truly,

Fred W. Kiefer

1 Certified Copy of Permit

27

30055

August 21, 1961

Re: Permit No. G-30055

Mr. Jess L. Amy,
Howe, Idaho.

Dear Mr. Amy:

We enclose Permit No. G-30055 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6377 which was issued covering payment in the amount of $5.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

30055

Permit G-30055

SW NE Sec 19 Lic # 6622 - 40 Acres

NE SE Sec 19 Lic # 5108 - 40 Acres

NW SW Sec 20 Lic # 5108 - 40 Acres

TRANS. 844

40
40
20
100

30055

Galley Proof

PUBLIC NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 22nd day of July, 1966, at Arco, County of Butte, State of Idaho before Charles A. Jones, Notary Public, at 221 Grand Avenue, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30055, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Alan J. Amy, Howe, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is irrigation & domestic, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE¼SW¼, Sec. 19, T. 10 N., R. 27 E., B. M. Butte County, Idaho.

5. The place where said water is used is SW¼NE¼, NW¼SE¼, E½SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N., R. 27 E.B.M., Butte County, Idaho.

6. The date of priority which said user is prepared to establish is August 7, 1961.

R. KEITH HIGGINSON,
Deputy State Reclamation Engineer.

Pub. 6-30 thru 7-21, 1966.

30055