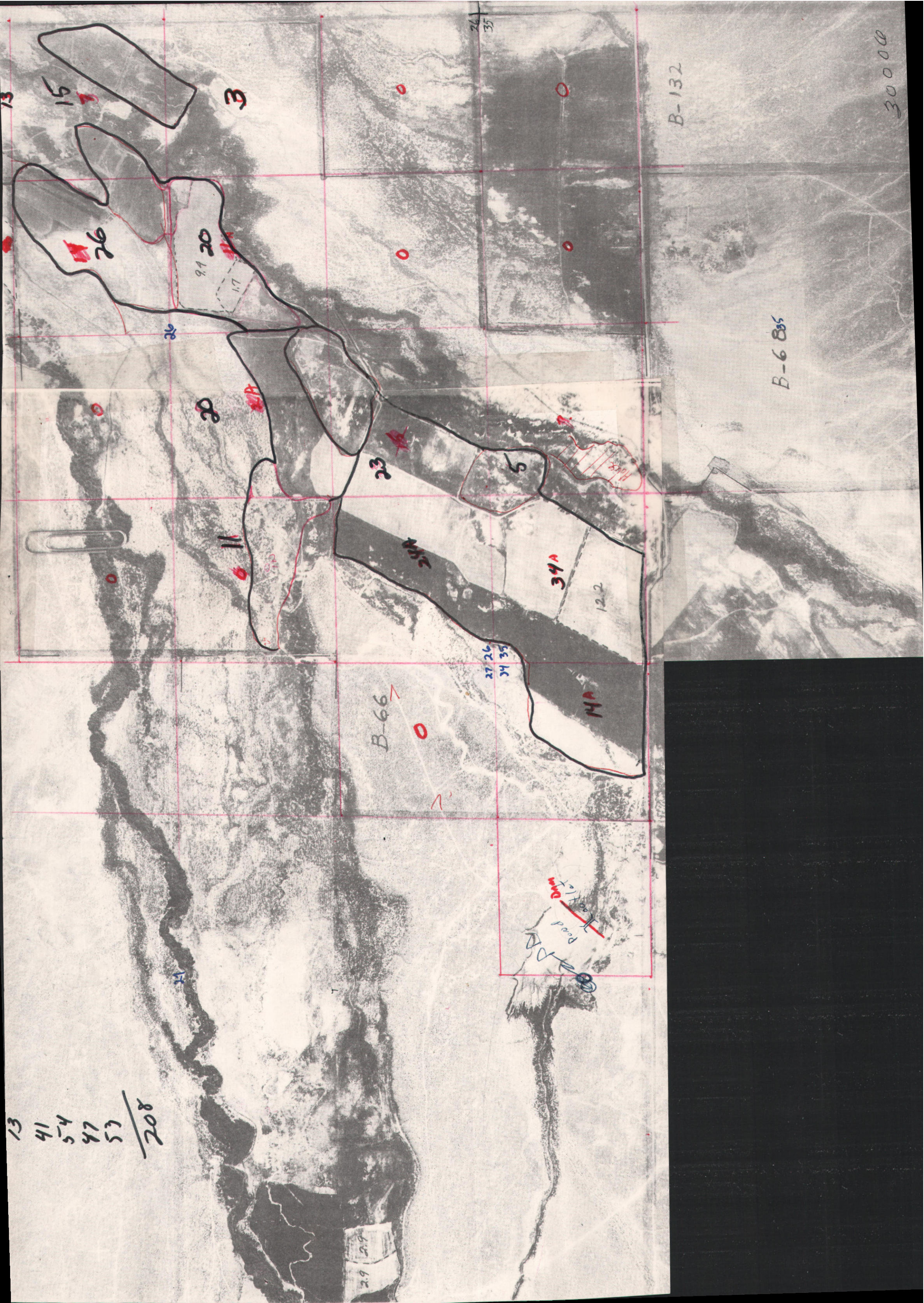


13
41
54
47
53
208



B-685

B-132

30000

Dug Pond
Ant Hill

B-66

2.9 2.9

27 26
34 35

12.2

34A

14A

5

23

20

11

26

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3

15

13

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9.9

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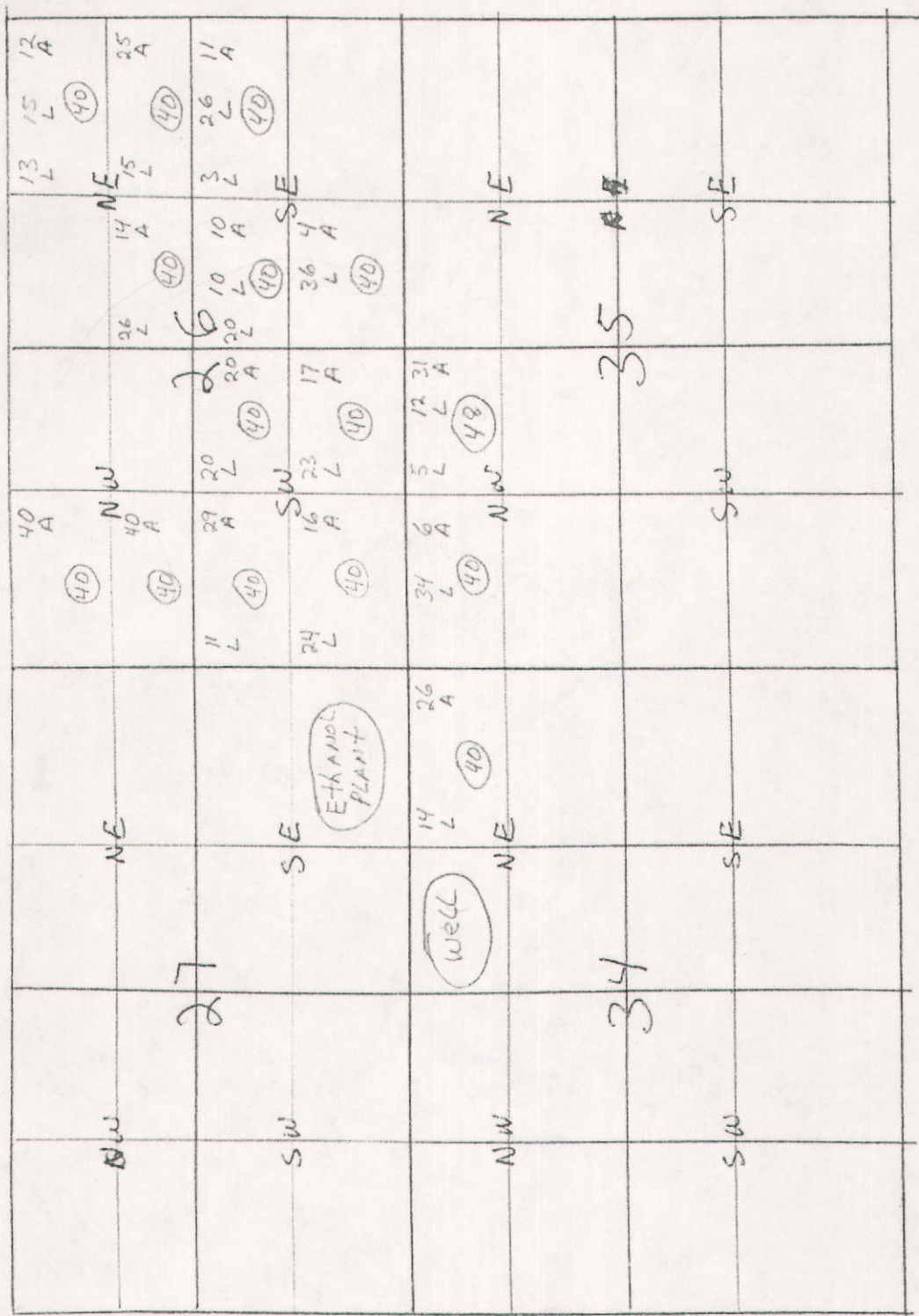
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21

55-

LIC. 57-2246
 208
 LIC. 57-2253
 99
 APP. 57-7266
 301
 608
 4.00
 1.98
 6.02
 12.00 cfs

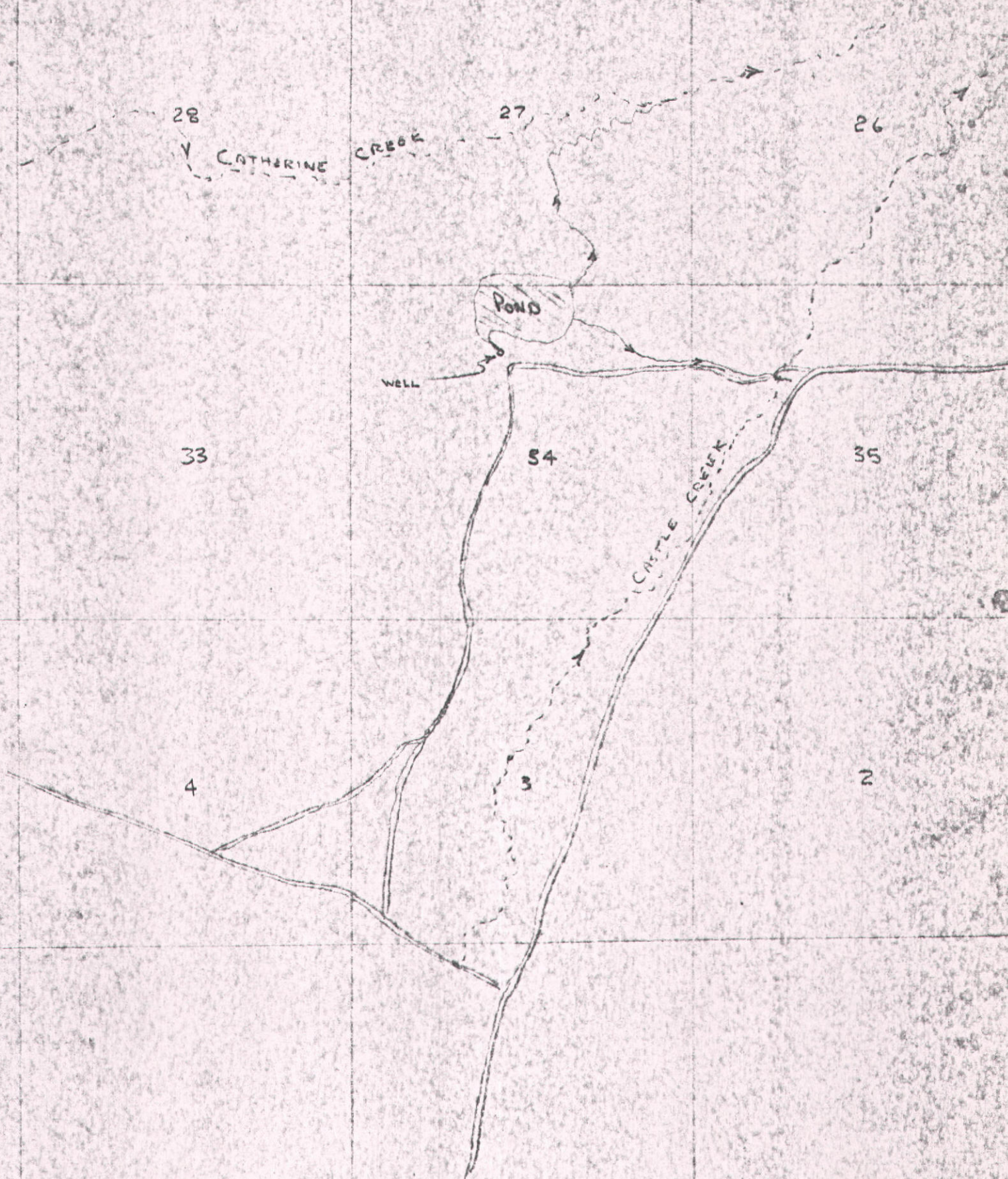


PSR
 2-5-81

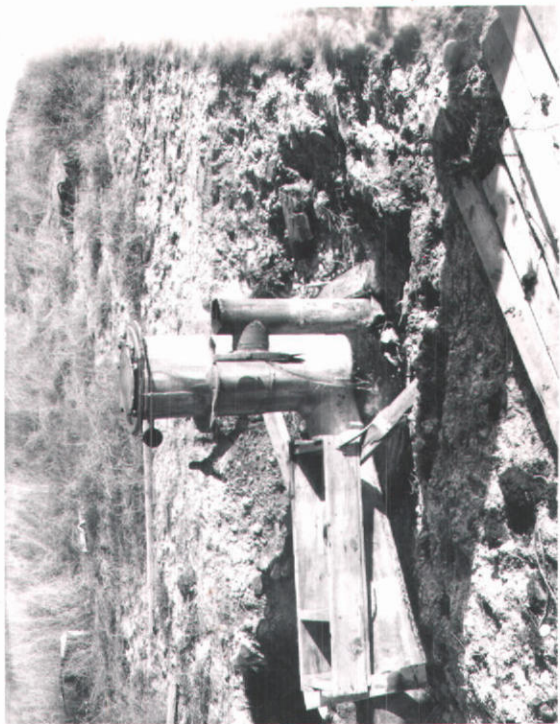
Acreage Key
 L L A

LIC. NO. 57-2246
 Priority 7-26-61
 LIC. NO. 57-2253
 Priority 8-23-62
 APP. NO. 57-7266
 Priority 1-14-81

T4S R1E











T45 R1E

28

CATHERINE

CREEK

27

26

POND

WELL

33

34

35

CASTLE CREEK

4

3

2

MEMO

Reference: Permit No. G-30006

Date: January 31, 1967

During a reinspection of the lands irrigated under Permit No. G-30006, this examiner questioned Mr. Foreman as to the progress he was making in controlling his flowing well, under permit G-30006. Mr. Foreman stated he had secured the assistance of a driller and by pumping sand, sawdust, and permanent type low alkali cement into the smallest seepage ponds, the seepage had been controlled. However, the largest hot water seepage pond was now increasing in size. Therefore, Mr. Foreman had now increased the flow of the well until the shut in pressure is now at 50 P.S.I. At the time of the first inspection made on permit G-30006, the shut in pressure was approximately 75 P.S.I. pressure.

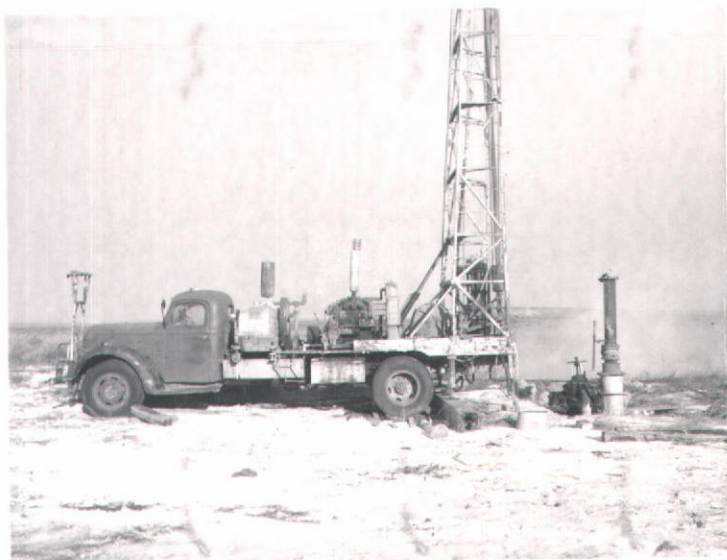
Mr. Foreman stated he not not know when the driller, who had been secured to control the well, would be able to return and complete the control project.

At the date of reinspection the well driller's drilling rig was set up near the well casing, however, there was no evidence of tools for drilling apparent.

D. W. McEldowney
Field Examiner

*Motor hours on well rig
1-31-67 57725*

Discharge pipe 1/2 full



2-9-67

57-2246
30006

Pge. 15.

13

13

41

54

47

53

208

27

PPD

11

14

26

15

20

20

24

23

34

5

26

15

3

20

20

20

3

34

35

Area - 208 A

Subst - 12

allow $Q = 2090 \text{ cfs}$

VOL = 1045 AC-FT / SEASON

QUANTITY DIVERTED SHALL NOT EXCEED 1045 AF / SEASON WHEN COMBINED
WITH ALL OTHER WATER RIGHTS
12-17-68
DRR

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 19 day of May, 1966, and the last publication being on the 9 day of June, 1966;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 9 day of June, 1966...

Leone L. L. L.
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

RECEIVED
JUL 15 1966

Department of Reclamation

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

Notice is hereby given that on the 14th day of July, 1966, at Boise, County of Ada, State of Idaho, before Sharron Derooin, Notary Public, at (address) 224 Idaho Building, 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-30006, 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 D. I. Foreman, Oreana, 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T4S-R1E, B. M.

5. The place where said water is used is E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ -NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T4S - R1E, B. M.

6. The date of priority which said user is prepared to establish is 7/26/61.

CARL E. TAPPAN,
State Reclamation Engineer
Published May 19 and 26, June 2 and 9, 1966
The Owyhee Nugget
Marsing, Owyhee County, Idaho

30006

MILO AXELSEN
ATTORNEY AT LAW
1407 3RD STREET SOUTH
NAMPA, IDAHO

January 3rd, 1965

Mr. Carl E. Tappan
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

RECEIVED
JAN 4 1966

Department of Reclamation

Dear Mr. Tappan:

On behalf of D. I. Foreman, acknowledgment is hereby made of your letter dated December 27, 1965 sent to him from your office by certified mail.

On December 7th, 1965, two representatives from your office called at the ranch of Mr. Foreman and requested his permission to examine his well, which he freely granted to them. They requested and received permission from him to open the well, with the express instructions from him to leave the same amount of flow as was flowing at the time they went to examine the well. I believe your Department is aware that in the summer of 1965, the well developed a leak and water percolated outside of the well into neighbors fields, and Mr. Foreman had Mr. H. E. Steiner, who drilled the well, work on the well for about 30 days in order to stop the leak. After completion of the work, Mr. Steiner felt that it was possible that some additional work was necessary, but that it was very important not to shut the well completely down, not only for the reason that the pressure would pull the seal from the casing, at the bottom of the well, but also to prevent the leak breaking out and again percolating to the surface and flooding a neighbor's farm.

Mr. Foreman provided ample controls to shut off his well, which I understand met the approval of your department, and because of the leak and the consequent damage to a neighbor's farm lands, and upon the advise of Mr. Steiner, permitted approximately 50 inches to be flowing at the time your representatives were there. I understand from Mr. Foreman that the pressure with this amount of flow at the top of his well is about 95 pounds, and when it is shut down to about 20 inches, the pressure is between 105 and 110 pounds. Your representatives, on December 7, 1965, shut the well completely down, which was not known to Mr. Foreman until the following day when Mr. Steiner had gone to check the well. Prior to that time, no water was percolating to the surface to cause any damage. As a direct result of your representatives shutting the well off, the water has commenced to percolate again to the surface and is flooding the neighbor's farm land, and it was necessary that Mr. Foreman construct a ditch to prevent flooding as much as possible to his neighbor's farm land.

30006

Mr. Carl E. Tappan

-page 2-

January 3rd, 1965

It would seem that all of the work which was done on the well last summer by Mr. Steiner in repairing the leak has been completely lost by the negligence of your representatives, and we feel that your office should assume some responsibility and liability for their acts.

Mr. Foreman at all times has attempted to cooperate fully with your department and your office, and is quite disturbed about your representatives ruining his well and also apparently causing a great deal of damage to his neighbor, for which he feels responsible, and for which he also feels is a direct result of your representatives.

It will be some time before work can again be commenced on the well to repair the damage, and at such time as it is repaired, Mr. Foreman would certainly control any waste water as far as is practicable.

Mr. Foreman contemplates commencing work on the repair of damage to the well as soon as the weather permits, and it would be greatly appreciated if you would write to us with respect to your intentions in this matter.

Very truly yours,

Milo Axelsen

MILO AXELSEN

MA/1

30006

MILO AXELSEN
ATTORNEY AT LAW
1407 3RD STREET SOUTH
NAMPA, IDAHO

January 3rd, 1965

Mr. Carl E. Tappan
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

RECEIVED
JAN 4 1966

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30006
59-2246

Mr. Carl E. Tappan

-page 2-

January 3rd, 1965

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Very truly yours,

Milo Axelsen

MILO AXELSEN

MA/1

30006
57-2246

NAME OF APPLICANT

D. I. Foreman

Form No. 0

T4S-R1E., B.M., Idaho

Sec. 27

Sec. 26

Well
Pump + →
Cooling Pond

Sec. 34

Sec. 35

Permit Map No. 30006

As Approved 1951 JUL 28 1951

GEO. N. CARTER
State Reclamation Engineer

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF A FLOWING ARTESIAN WELL)
OWNED BY H. ZANE BLOCK IN THE NW¼NE¼)
SECTION 34, Township 4S, Range 1E,)
OWYHEE COUNTY)
_____)

ORDER
TO SHOW
CAUSE

FINDINGS OF FACT

This matter having come before the Idaho Department of Water Resources (Department) as a result of an inspection by the Department personnel, the Department finds as follows:

1. A thermal well was constructed during the time period of October 30, 1961 to July 8, 1962 for Mr. D.I. Foreman in the NW¼NE¼ Section 34, Township 4 South, Range 1 East, for irrigation purposes.
2. In 1965 Department personnel inspected the well to determine if the water was being put to beneficial use and to determine if the well could be shut-in during non use periods. The Department sent a letter to the owner requesting the well be shut-in to .4 cfs.
3. On May 16, 1966, an order was issued by the Department to have plans submitted to modify the well and allow it to be shut-in in order to prevent waste of the resource.
4. On March 2, 1967, a suit was filed on behalf of the Idaho Department of Water Resources, with the District Court of the Third Judicial District of the State of Idaho in and for the County of Owyhee, against D.I. Foreman for repair of the flowing artesian well.

5. Licensed Water Right 57-2246 issued by the Department on November 4, 1969 with a priority of July 26, 1961 authorized a rate of diversion of 4.0 cfs from the well during each irrigation season from April 1 to October 31.

6. In the summer 1968, the well was reworked allowing flow from the well to be reduced to approximately 100 gpm, with the State subsequently withdrawing the suit.

7. On July 28, 1983, Department personnel met with Mr. Zane Block (present owner of the Foreman well) to discuss the condition of the well and determine if the flow from the well was being beneficially used.

8. On November 22, 1983, the Department sent Mr. Zane Block (owner) a letter requesting the gate valve be repaired or replaced so that the flow could be reduced to 100 gpm or less.

9. On June 15, 1984, the Department again sent the owner a letter to determine if the previous request had been accomplished.

10. On June 28, 1984, the owner responded that the valving had been modified in a manner to prevent complete shut-in of the well.

11. On December 5, 1985, Department personnel again visited the well to make a determination of the condition of the well and the flow from the well. The well was found to be flowing at a rate of 1.84 cfs (825 gpm) and a small leak of under 1 gallon per minute was flowing from around the well casing.

CONCLUSIONS OF LAW

1. Idaho Code, Section 42-237a (1977 and Supp. 1985) provides in part as follows:

In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve

its ground water resources, the director of the department of water resources is empowered:

a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.

b. To require both flowing and nonflowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface.

2. Idaho Code, Section 42-1602. Unnecessary flow unlawful - Use for domestic purposes. -

It shall be unlawful for the owner, tenant, or occupant of the land upon which such well is situated to cause, permit, or suffer, such common nuisance, or suffer or permit it to remain or continue; and it shall be unlawful for any person owning, possessing or occupying any land, upon which is situated an artesian well, to suffer or permit the water to unnecessarily flow from such well or to go to waste provided, however, that it shall be lawful for any such person to insert a stop and waste cock, not exceeding one (1) inch in diameter, in the piping of such well and to take and use water therefrom through such stop and waste cock at any time for household, stock or domestic purposes. (1921, ch. 196, § 2, p. 399; I.C.A., § 41-1402.)

3. The source of the leakage from around the well casing should be determined and repaired.

4. The gate valve should be repaired or replaced such that a flow of 100 gpm or less can be maintained to fulfill livestock needs and maintain casing and well head temperature.

5. Water Right License 57-2246 authorizes the diversion of 4 cfs of water for irrigation purposes between April 1 and October 31 and this rate should not be exceeded.

ORDER

IT IS HEREBY ORDERED that the owner show cause before the Director of the Department of Water Resources, within 30 days of the receipt of this order, why the well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 East, B.M. should not be

repaired to a condition which allows the well to be shut-in to a maximum flow of 100 gpm without leakage above or below land surface, or abandoned using procedures approved by the Department.

DATED this 13TH day of JANUARY, 1986.


NORMAN C. YOUNG, Administrator
Resources Administration Division

WATER LICENSE

AMENDED

Water License No. G-30006/57-2246 Priority July 26, 1961 Amount 4.0 c.f.s.

THIS IS TO CERTIFY, that D. L. FOREMAN of Oreana, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated July 26, 1961, that Permit G-30006/57-2246 was issued pursuant to said application, that the proposed works were completed on or about August 1962 with a storage or carrying capacity of 4.04 c.f.s., said works consisting of flowing well, pond, and pipe, and that on July 14, 1966, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 10.45 acre feet per season, with a maximum rate of diversion of 1.0 cubic feet per second of the waters of ground-water, tributary of , for the purpose of Irrigation from April 1 to October 31 and for from to , and for from to and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is located in NW 1/4 NE 1/4, Sec 34, T 1 S, R 1 E B.M. and other additional points, in the County of Canyon, and that the amount of water to which such right is entitled and which is hereby confirmed for the purpose aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 10.45 acre feet per year.

Description and location of place of use

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 S	1 E	26	13		26	15					20	11	24	23	3	20			155
		34	11																14
		35					5	31											39

Total number of acres irrigated 208

The right to the use of the water 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

4th day of November, 1969

State Reclamation Engineer

57 2246

57-2246

WATER LICENSE

Water License No G-30006 Priority July 26, 1961 Amount 2.90 c.f.s.THIS IS TO CERTIFY, that D. I. FOREMAN

of Oreana, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 26, 1961; that Permit G-30006 was issued pursuant to said application; that the proposed works were completed on or about August 1962, with a storage or carrying capacity of 2.90 c.f.s., said works consisting of flowing well and pond and pipe, and that on July 14, 1966, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1045 acre feet per season, with a maximum rate of diversion of 2.90 cubic feet per second of the waters of ground water, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 34, T. 4 S, R. 1 E, B.M., and other additional points _____, in the County of Owyhee; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1045 acre feet per year

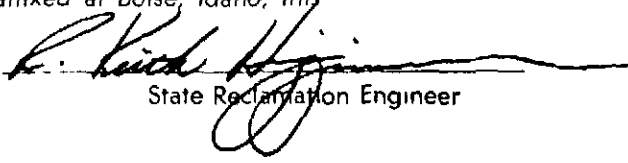
Description and location of place of use:

TWP.	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>4 S</u>	<u>1 E</u>	<u>26</u>	<u>13</u>		<u>26</u>	<u>15</u>					<u>20</u>	<u>11</u>	<u>24</u>	<u>23</u>	<u>3</u>	<u>20</u>			<u>155</u>
		<u>34</u>	<u>14</u>																<u>14</u>
		<u>35</u>					<u>5</u>	<u>34</u>											<u>39</u>

Total number of acres irrigated 208

The right to the use of the water 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

2nd day of January, 19 69.

 State Reclamation Engineer

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38031
Permit No. G- 30006
District No.

1. Name of Applicant: D. I. Foreman
Postoffice address: Oreana County: Owyhee State: Idaho
2. Quantity of water claimed: 200 miner's inches
(a) Rate of withdrawal in cubic feet per second $\frac{1}{4}$ or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34
Twp. 4 S, Rge. 1 E, B.M., County of Owyhee
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp
Rge., B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp., Rge., B.M.
7. Kind of works: Drilled well, (artesian) cooling pond
8. Estimated cost of works: \$15,000
9. (a) Is reservoir to be used? no
(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 5 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 onhand: \$
(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.
Decree from Castle Ck., 110", 1874
(a) $\frac{1}{4}$ (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 application for permit to appropriate the public waters of the State of Idaho as herein set forth.

D. I. Foreman

Applicant.

By

s/ Harley M. McDowell

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. July 26, 1961

Returned to applicant for correction:

Corrected application received

Approval of State Reclamation Engineer

The number of this permit is G- 30006

Recorded in Book 105 Page 30006 Approved July 28, 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 diligently 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 January 26, 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 July 28, 1966

Witness my hand this 28th day of July, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 28th day of July, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

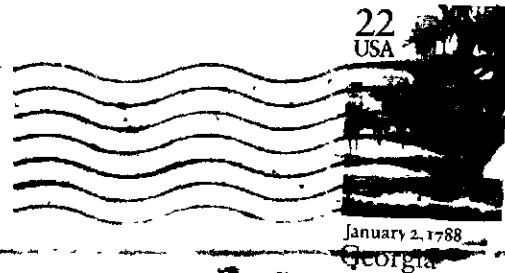
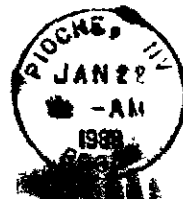
Twp.	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 S	1 E	35					40	40			40			40				80	
		26	40		40	40			40	40			40					280	
		27														40		40	
		34	40															40	
																		440	
APPLICATION TO LAND LIST																			
Permit No. G-30006 ✓																			
Comes now D. I. Foreman and represents to the State Reclamation Engineer of the State of Idaho, that he is the owner and holder of permit to appropriate the public Waters of the State of Idaho, No. G-30006, and requests that the list of lands to be irrigated, as described in said Permit, be changed to a point to read: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, T 4 S., R 1 E., B.M., making a total of 440 acres. That an additional amount of water is not asked for and the rights of others will not be adversely affected by such change.																			
Signed at Boise, Idaho, this 10th day of May, 1966. D.I. Foreman by /s/ ROLAND FOREMAN																			
Date of receipt at Department of Reclamation: May 11, 1966.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30006. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			

Recorded: May 11, 1966.

LICENSE ISSUED FOR 4.0 SEC. FI.
LICENSE PAGE NO. 30006

/s/ R. KEITH HIGGINSON
Deputy State Reclamation Engineer

Gordon G. King
P.O.Box 36
Murphy, Idaho 83650



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATE OFFICE
1301 North Orchard Street
BOISE, IDAHO 83706

Attn: John Beels
John Carlson

00000000000000000000

ROUTING SLIP

TO: Mark Slifka Lotwick Norm

FROM: Dan Tuttle

DATE: 11/5/90 TIME: _____

PER:	
Our Conversation	
Your Request	
The Attached	X

FOR YOUR:		REVIEW AND:	
Information	X	Take Proper Action	
Approval		Comment	
Signature		Draft A Reply	

ATTACHED TO BE: <u>Discarded (extra copy)</u>			
Posted		Returned To Me	
Circulated		Filed	
Distributed		Copied (_____ copies)	

Flow measurement was made with our polysonic device.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 2, 1990

Gordon King
Box 36
Murphy, ID 83650

RE: Flow reduction of Geothermal well following 1990 irrigation season.

Dear Mr. King:

Pursuant to the Department's field inspection and flow measurement of your well October 26, 1990, this letter is to remind you that the Department requires the flow rate of your well to be reduced as of November 1 each year.

The flow rate from your well on October 26, 1990 was measured at 1.95 cfs or an equivalent of 97.5 miners inches. This rate of flow should have been reduced as of November 1, 1990 to no less than .6 cfs or 30 miners inches to provide stockwater as reflected by your claim # A57-10460.

Please be advised that the Department will conduct a follow up field inspection November 9, 1990 to verify compliance with this flow reduction.

Additionally, in a letter dated January 25, 1990, the department requested installation of a measuring device on your well following the 1990 irrigation season. This installation is still expected and I will be more than happy to assist you in proper design and installation of this. Please contact me and advise me of your intentions, prior to November 9, 1990.

If I can answer any other questions please feel free to call me at this office.

Sincerely,

Rob Whitney
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

Water Right File

CFCIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 12, 1990

CERTIFIED MAIL

Mr. Gordon King
P.O. Box 36
Murphy, Idaho 83650

Dear Mr. King:

Attached to this cover letter you will find an administrative order which lists violations of Idaho Code 42-1601(2,3) and 42-226. Fines will be imposed if action is not taken within the time allotted to comply with the terms of this order.

After compliance with this order is verified, you may in writing request a conference with the Department to discuss this matter further.

Sincerely,

Lotwick I. Reese

LOTWICK I. REESE, P.E., Manager
Groundwater Protection Section

Enclosure

CC: IDWR - Western Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF GORDON KING,)
MURPHY, IDAHO, FAILURE TO STOP)
WASTE OF LOW TEMPERATURE)
GEOTHERMAL WATER RESOURCES)
)
)

ORDER

This matter coming before the Idaho Department of Water Resources (Department) as a result of a investigation by the Department, the Department makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Mr. Gordon King, P.O. Box 36, Murphy, Idaho 83650 is owner of the flowing artesian low temperature geothermal well located in the NW1/4NE1/4 Section 34, T4S-R1E, B.M., Owyhee County, Idaho.

2. Mr. King is the holder of water right license No. 57-2246 for the use of 4.0 cfs of water for irrigation purposes.

3. A maximum of 50 GPM of flow is needed to maintain the surface temperature and pressure during the time the water is not being used for irrigation purposes.

4. The owner of this well has historically allowed the well to flow water in excess of the minimum amount needed to maintain a safe level of surface temperature and pressure during the off irrigation season (November 1 - March 31). The waste of this low temperature geothermal resource continues despite requests by the Department that the well's flow be reduced to be in compliance with the license (Reference water right license G30006/57-2246).

5. The well is equipped with control valves which can be used to control the flow of water from the well.

6. Other water users in the area, particularly those utilizing the heat value of the resource for domestic and stock water, have complained that the static water level of this geothermal aquifer has been lowered over the last several years making their access to this resource more difficult and costly.

7. The Department sent Mr. King a certified letter on October 27, 1989 reminding Mr. King to reduce the flow of his well to 50 gpm before November 15, 1989 and informed him that the Department would verify compliance prior to November 30, 1989.

8. On December 8, the Department visited the well, along with other wells in the area, and found it to be flowing 600-1000 gpm.

Based on the foregoing findings of fact, the Department concludes as follows:

CONCLUSIONS OF LAW

1. Idaho Code, Section 42-1601(3), in part provides:

The owner of the land on which the well is located shall be deemed to own the well unless a deed, covenant, contract, easement, or other documentation acceptable to the director is available to demonstrate that the well is owned by another.

2. Idaho Code, Section 42-1601(2), in part provides:

Any person owning or controlling an artesian well shall maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals or through leakage around the outside of the casings, whether the leakage is above or below the land surface.

3. Idaho Code, Section 42-226, in part provides:

The traditional policy of the state of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state..., "the Code further provides that "In determining a reasonable ground water pumping level or levels, the director of the department of water resources shall consider and protect the thermal and/or artesian pressure values for low temperature geothermal resources and for geothermal resources to the extent that he determines such protection is in the public interest. All ground waters in this

state are declared to be the property of the state, whose duty it shall be to supervise their appropriation and allotment to those diverting the same for beneficial use.

4. Mr. Gordon King as owner of the above described well has violated Idaho Code, Section 42-1601(2,3) and 42-226 by refusing to control the waste of the geothermal resource through the reduction of the flow from his artesian well during non irrigation seasons to the amount requested by the Department to assure the resource is utilized beneficially and waste averted.

ORDER

IT IS HEREBY ORDERED as follows:

1. Mr. Gordon King shall within 10 days of the date of mailing of the order reduce the flow of the above described artesian well to 50 gpm or less.
2. Failure to reduce the flow rate shall result in a penalty of \$300.00, and \$100.00 per day for each day that the violation continues 10 days after receipt of this order. The Department may also impose an additional penalty of twenty-five (\$25.00) for each day that payment of the above penalty is late.

Dated this 12TH day of JANUARY 1990.


NORMAN C. YOUNG, Administrator
Water Management Division



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 23, 1988

Gene L. Schloemer
Acting District Manager
Bureau of Land Management
3948 Development Road
Boise, ID 83705

RE: FOREMAN WELL - OWYHEE COUNTY

Dear Mr. Schloemer:

The Department of Water Resources (IDWR) has received your letter dated February 17, 1988, together with the attachments in connection with the above referenced well.

As background for you, the department has sought repair of the control valve in the Foreman well for a number of years in order that flow from the well could be reduced during the non-irrigation season. Department motivation was originally provided by nearby water users who complained of the waste of water and of the resulting injury to their water rights due to reduced artesian pressure in the aquifer.

Added incentive to require repair of the Foreman well was prompted by the amended groundwater statutes which became effective July 1, 1987. The amended statutes clearly express the intent of the legislature with respect to the use of low temperature geothermal resources. The statutes require that the heat in the water be used in order for the diversion of a low temperature geothermal resource to be considered beneficial, substantially increases the bond amount to be posted by well drillers, provides for drilling permits prior to any drilling, provides for areas of drilling concern and substantially increases the penalties for violation of the statutes or rules and regulations. The penalties provided are \$100 per day not to exceed \$10,000 per violation.

As you probably know, a "Claim to a Water Right" is the document you can file with the department if you intend to claim use of the water which originates from the Foreman well. A claim does not confirm the use claimed and will not automatically provide a basis for the department to change its directive to the owner of the well to reduce the flow during the non-irrigation season. Information to satisfy the department that a water right has been established and is still valid will need to be submitted with the claim.

February 23, 1988

The copies of right of way information you have provided in connection with the original construction of the well could be submitted as an attachment to any claim to the water which the BLM may file.

A review of the file for license G30006/57-2246 indicates that the information supports licensing the flow from the well for irrigation with an April 1 to October 31 period of use. The right of way information can also be interpreted as supporting the irrigation use.

We appreciate your interest in this resource and do not intend to unreasonably impact valid users of the water. However, the department has been given rather clear direction to protect and stringently control thermal water resources. Concerns similar to yours are routinely raised as the department attempts to require control of flowing wells. The department will require a carefully documented file relative to allowable flows in order to avoid unacceptable precedents relative to such wells.

Sincerely,



NORMAN C. YOUNG,
Administrator

Encl: 1

c: W. Region
Gordon G. King



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
BOISE DISTRICT OFFICE
3948 DEVELOPMENT ROAD
BOISE, IDAHO 83705



IN REPLY REFER TO
3260

February 17, 1988

RECEIVED
FEB 18 1988

Mr. John Carlson
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Department of Water Resources

Dear John:

It had come to our attention in mid-January that the Department of Water Resources is considering ordering a reduction of non-irrigation season outflow from Foreman well (T4S, R1E, Sec 34, NW NE). This outflow would be reduced from several hundred gallons per minute (currently estimated at 600 gpm) to an approximate 35 gpm. Our right of way files (see attachments) for the well, cooling pond, and outflow ditch show that they were drilled and constructed prior to July 1962, and to our knowledge the above mentioned flow and quite possibly more has been discharging since. A substantial amount of habitat important to several varieties of wildlife has developed around the pond. This high flow keeps the 3 acre cooling pond ice free and provides thermal protection for wildlife during the winter months. A reduction in outflow to 35 gpm would have a negative impact on this habitat and the wildlife it supports.

The Bureau would like to establish a statutory claim of water based on historical use in an amount to maintain the existing habitat for wildlife purposes. We hope that the attached records are sufficient proof to document use prior to the March 25, 1963, date for ground-water claims. The amount of water to be claimed is currently being researched by this office.

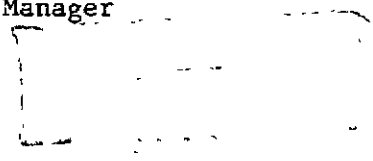
The preservation of wetlands is a high priority in the Bureau and it is hoped that an adequate amount of water can be allocated to support existing non-irrigation season conditions and uses.

Sincerely yours,

Gene L. Schloemer
Acting District Manager

Attachments

cc: Mr. Brad Dingee
Idaho Dept. of Water Resources



Department of Water Resources
Washington, D.C. 20250

February 1, 1988

Gordon G. King
P.O. Box 36
Murphy, ID 83650

RE: PERMIT 57-7448 AND LICENSE NO. 57-2246

Dear Mr. King:

The department has reviewed your letter dated January 20, 1988 in connection with the Foreman well. Your letter raised some questions about water right Permit No. 57-7448 in the name of James C. Fuquay.

A review of the water right file shows that Permit No. 57-7448 was issued on August 11, 1986 for the diversion of 0.01 cfs (approximately 4.5 gallons per minute) for heating purposes to be diverted from a well within the NW1/4NE1/4, Sec. 34, T4S, R1E, B.M., Owyhee County. One of the conditions of approval of the permit was that start of construction had to begin within one year of the date of issuance of the permit. The specific statute which requires the start of construction (Sec. 42-204, I.C.) goes on to say "...unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control". Obtaining a right-of-way or approval to use facilities (well) of another party are typical of these circumstances.

One of the other conditions of approval on the water right permit is that issuance of the water right permit does not grant a right-of-way across the land of another.

It is possible that Mr. Fuquay will not be able to obtain the needed approvals and/or rights-of-way and that a water right will never be developed. Due to the conditions on the permit, however, which are designed to protect the interests of all parties, the department does not intend to unilaterally take action to cancel the permit for failure to start construction within one year.

As information for you, nothing has been filed with the department which conveys any portion of existing water right 57-2246 (Old No. G-30006) to another party. This right provides for the diversion of 4.0 cfs of water from a well within the NW1/4NE1/4 Section 34, T4S, R1E, B.M. for the irrigation of 208 acres in parts of Sections 26, 34 and 35, T4S, R1E, B.M.

Mr. Gordon G. King

-2-

February 1, 1988

The season of use for this right is April 1 to October 31 of each year and the priority of use is July 26, 1961.

The department has not received a response from you relative to our January 4, 1988 letter (copy enclosed). Please respond to the letter within 30 days in order that we can measure the reduced flow from the well and resolve this long-standing matter.

If you have questions or if this office can be of assistance to you, please feel free to contact us.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Encl: 1

c: W. Region
G. W. Protection Sec.

January 20, 1988

Stat of Idaho Department of Water Resources
State Office
Boise, Idaho 83706

RECEIVED
JAN 25 1988
gve

Department of Water Resources

Dear Sirs:

I thank you for the copy of application for permit Ident. No. 57-7448 for a James C Fuquay, dated 7-1-1985. As per our telephone conversation of January 11, 1988 and having discussed this with our attorney, it is most definately illegal on the parts of Zane and Dorothy Block to have written any letter to convey any water from said well G 30006. Also that Mr. Fuquay had tried some timeago for the same and was told by someone within the water department he could not get into our well. In reading the permit, it said he shall commence excavation within one year of date this permit is issued, being issued one August 1986 and nothing being done by August 1987, should be enough to make a valid denial and terminate what was wrong to begin with. We request this permit be denied at this time. We also contacted the BLM requesting that no right of way be given across T4S-R1E B.M Idaho Sect 34 NW1/4NE1/4.

If no satisfaction comes from this our attorney will take the necessary actions for this to be corrected. We have numerous papers in file to document that Block had lost control of any rights in said property by March 5, 1985, so his letter has no value. These facts are made by District Judge, Wayne P. Fuller and U.S. Bankruptcy Judge Merlis S. Young.

As you can see the letter from Block is dated April 10, 1985, to convey to Fuquay, both parties knew they were in the wrong. Also the water rights were held in escrow to be delivered to purchaser when payment for the purchase price was made in full or redelivered to sellers in the event of default and forfeiture occurred. Purchasers shall not export any of said water to any other lands and agree that they will not alter or divert the water produced by the geothermal well to any use except for irrigation of the property which is the subject of the sales contract.

We thank you for giving this your most urgent attention:

Thanking you:

Gordon & King
Rose King
Gordon and Rose King

Copies:

Ronald P. Rainey Attorney
BLM



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 4, 1988

Mr. & Mrs. Gordon King
P.O. Box 36
Murphy, ID 83650

RE: Thermal Well - T4S, R1E, Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Dear Mr. & Mrs. King:

Thank you for your cooperation in repairing your well. The Department is pleased with the work Mr. Andrew has performed and we are hopeful that the well will not have to be repaired again for many years.

The reduced flow from the 3-inch pipe is an improvement, but the discharge is still in excess of what should be required to maintain well casing temperatures and to meet your stockwater needs.

The stockwater requirement for cattle and horses is 12 gpd/head. For 1500 head of beef cows, this would amount to a continuous flow of 12.5 gpm. A total diversion rate of 35 gpm should supply more than adequate water for your winter livestock needs and include reasonable conveyance losses.

The Department is aware that you and Mr. Andrew are concerned about lowering the well head temperature. You are requested to provide an estimate of the quantity you believe will be adequate. This number must be reasonable and should be supported by facts if it is in excess of the 35 gpm.

Reduced flow can be attained by gating back the 3-inch line with the existing gate valve or by installing a bell reducer on the end of the 3-inch pipe and leaving the 3-inch valve wide open and secured.

As John Carlson has told you, there is not a recorded right of your stockwater use; therefore, you should file a water right claim or submit an application for permit for stockwater use.

The Department will need to measure the flow once you have it reduced. Please contact John Carlson or me with an estimate of flow and a schedule of when the flow will be reduced.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP6-1.107)

Enclosure

CC: Howard Andrew



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address.
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 19, 1986

CERTIFIED MAIL

Mr. & Mrs. Gordon King
Star Route 5, Box 30
Ely, Nevada

RE: Hot Well - T4S, R1E, Sec. 34 NW $\frac{1}{4}$ NE $\frac{1}{4}$

Dear Mr. & Mrs. King:

On September 15, 1986, I sent you a letter regarding the well on your newly re-acquired property and requested that you provide a proposal for repair of the well. To date, the Department has not received the proposal.

This well must be repaired to a condition which allows the well to be shut-in and to flow a minimum amount when not being utilized for the licensed use.

Please provide this office with your proposed action in repairing said well within 20 days since the Department has provided reasonable time in the past for development of the proposal. Well repair must be completed soon thereafter.

If the Department does not hear from you within 30 days, the Department is prepared to pursue repair of the well through legal means.

If you have any questions, please feel free to contact John Carlson (phone 334-4406).

Sincerely,

John E. Beal

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt

CC: Dave Tuthill



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 15, 1986

Mr. & Mrs. Gordon King
Star Route 5, Box 30
Ely, Nevada

RE: Hot Well (Forman Well)

Dear Mr. & Mrs. King:

Thank you for your phone call on September 4, 1986. The Department is aware of your concern for this well and does not want to place an unnecessary hardship on you. The well, however, must be repaired and must be capable of being closed to a greater extent than is now attainable. The well presently flows more than the authorized water right during the non-irrigation (winter) period. Effective July 1, 1986, Statutes became effective to monetarily penalize unauthorized diversions or diversions in excess of the water right.

During the last well inspection, it was noted that water may have been leaking around the well casing. Mr. Block told the inspector that this was from a leaky valve just under the ground. Whatever the cause, this leak must be repaired.

As I told Mrs. King, there is increasing concern for the diversion and use of hot artesian water in Idaho. This concern likely will prompt amended statutes during the next session of the legislature relative to construction and maintenance of wells constructed in connection with hot water resources.

Please provide this office with your proposal to modify or repair the well for Department review and approval. The repair should be completed before the end of 1986.

If you have any questions or comments, contact either John Carlson or me.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt

CC: Dave Tuthill



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

March 11, 1986

H. Zane Block
77 Bar Ranch
HC 79 Box 2245
Oreana, ID 83650

Re: Order to Show Cause Concerning the Status of the Foreman Hot Artesian Well

Dear Mr. Block:

We are in receipt of your letter dated January 31, 1986, with which you responded to the above referenced Show Cause Order. The purposes of this letter are to advise you that your letter has stayed the Show Cause Order for now, and to outline the role of the Department regarding future repairs of the well.

Mr. John Carlson of the Department's Permit Section has been assigned as our liaison to assist in an advisory/inspection capacity with respect to the Foreman well. He will be contacting you to set up an initial visit. Based on his field inspection, he will be coordinating with you in establishing a reasonable time frame for repair of the well.

Your cooperation in working toward protection of the geothermal aquifer is appreciated.

Sincerely,

A handwritten signature in dark ink, reading "David R. Tuthill, Jr.", is positioned above the typed name.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

cc. John Beal/John Carlson

January 31, 1986

David Tuthill, Western Region Supervisor
State of Idaho
Dept. of Water Resources
450 W. State Street
Boise, ID 83720

Dear Mr. Tuthill:

RE: Receipt of Order to Show Cause concerning the status
of the Foreman hot artesian well.

I purchased the well in just about the condition the well is in now. At the time of purchase, I was informed by the vendor that the shut down flow was more or less at the present level because of a stop placed on the gate.

I have also determined that this well has also gone wild per se because it was once shut down on a Water Resource order.

I am willing, and already plan to repair the gate valve and the leak around the casing this year. The casing leak is new this winter.

We are going to open the well and start to irrigate 120 acres of fall planted grass and clover seeding during February. At that time, when the well pressure is diminished, we plan on repairing both the casing and gate.

I shall look forward to input from your department in restoring the well to proper servicable condition.

Sincerely,


H. Zane Block, D.V.M.
77 Bar Ranch
HC 79 Box 2245
Oreana, ID 83650

cc: Norman C. Young

HZB:db

RECEIVED
FEB 4 1986

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

January 20, 1986

CERTIFIED MAIL

Zane Block
Orena Star Route
Murphy, ID 83650

Dear Mr. Block:

The enclosed order to show cause is being sent to you due to the increased concern by this Department and others that the hot water resource of the state must be protected.

While the Department agrees that some minimum flow must be allowed in the winter, the existing minimum flow of 825 gpm is excessive and wasteful.

You should take action as indicated in the order to show cause. If you wish to have a hearing to present your grievances before the Idaho Water Resource Board, you must contact the Department within 15 days of the date you receive this order to show cause.

Very truly yours,

DAVID TUTHILL
Western Region Supervisor

DT:ldt

Enclosure

CC: IDWR - State Office

P 397 435 135
RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Zane Block	
Street and No. ORANGE STAR Route	
P O., State and ZIP Code MURPHY ID 83650	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

CONVERSATION MEMORANDUM

DATE Jan 20, 1986

FILE _____

NAME OF PARTY Zane Block 834-2542

EMPLOYEE Dave Tuthill

RE: Order dated Jan 13 '86

Pursuant to Norm Young's request I contacted the
Block residence (Spoke w/Mrs. Block) to advise that
this order is being sent.

DET

ACTION REQUIRED

FROM: NY

TO: Glen Saxon

1/13/86

- ① Be sure owner is called before this is sent. — Please have Don T or Lee call.
- ② Are we doing anything about the Adcock well? — Yes it is being processed.
- ③ Is 100 gm defensible? —

This is a number which should allow enough for stock & keep well hot.

WATER RIGHT NUMBER - 87-0746

OWNER LAST NAME - PERONA

FIRST NAME - J. I.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - IRRAWA

STATE - ID ZIP CODE - 83659

SOURCE - GROUNDWATER

PRIORITY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 07-25-1961 COUNTY - GWYHER

TOTAL DIV. RATE - 4.0000 -CFS

TOTAL DIV. VOLUME - 1045.00 AFA T-6/A-112 -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - LINE 34 04S 01E 11T 40-01 -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 12 - 10-01 USE - IRRIGATION

USE DIV. RATE - 4.0000 CFS USE DIV. VOLUME - 1045.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04S RNG 01E SEC 35 TRACT NENW LOT

AC 05 TRACT NWNW LOT AC 34

USE - IRRIGATION

PLACE OF USE - TWN 04S RNG 01E SEC 34 TRACT NENE LOT

AC 14

USE - IRRIGATION

PLACE OF USE - TWN 04S RNG 01E SEC 26 TRACT NENE LOT

AC 13 TRACT SWNE LOT AC 26

TRACT SENE LOT

AC 15 TRACT NPSW LOT AC 20

TRACT NWSW LOT

AC 11 TRACT SWSW LOT AC 24

TRACT SESW LOT

AC 23 TRACT NESE LOT AC 03

TRACT NWSE LOT

AC 20

DEGREE NAME -

DATE -

TOTAL ACRES 208

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR USE -

PROOF OF -

PERMIT/REVIEW -

PROTECTED -

HEARING -

OLD NO. - 30006

PROOF MADE - FULL EXAM - FULL EXAM -

DIVERSION MEANS -

VERIFIED J G
1/24/85

$$\begin{array}{r} 57-200'71 \\ \hline 20'9' \\ 26'1 \\ 00'4 \end{array}$$

18-2-2
+52

June 6, 1977

Re: License Nos. 57-2246 and 57-2253

Ken Brush
Western Farm Management Company
Box 1176
Caldwell, ID 83605

Dear Mr. Brush:

Enclosed are copies of the information you requested on June 3, 1977.

We found two licenses in the name of D. I. Foreman. We don't have a copy of the easement agreement. To obtain this, you may have to get in touch with the Bureau of Land Management, Box 043, Boise, Idaho, 83724, Telephone No. 384-1415.

If we can be of any further assistance, please feel free to contact us.

Sincerely,

CARROL A. HOMUTH
Senior Clerk

CAH

Enclosures

November 6, 1969

C Re: Permit No. G-30006/57-2246

O D. I. Foreman
c/o Roland M. Foreman
Oreana, Idaho 83659

Dear Mr. Foreman:

P Some time ago this office issued a Water License on Permit G-30006/57-2246. In reviewing that permit in conjunction with Permit G-30620/57-2253, we find that that license contained an error. The Water License should have been issued for 4.0 c.f.s. rather than 2.9 c.f.s. of water. I hope that this mistake has not caused you undue problems. You should attach the enclosed amended Water License to your original license.

Y Very truly yours,

C. Stephen Allred, P.E.
Deputy State Reclamation Engineer

CSA:kh
Enclosure

57-2246
30006



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

57-2246

19 October, 1977

Mr. and Mrs. Gordon King
Oreana, Idaho 83659

Dear Mr. and Mrs. King,

We acknowledge receipt of your letter of October 18, 1977, advising us that you are now the owners of water rights numbered #57-2246 and 57-2253.

This information has now been placed in the files to show present ownership.

Sincerely,

(Ms.) Kay Weaver
Records Supervisor

cc: Ken Brush, Western Farm Management
water rights files shown above



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

19 October, 1977

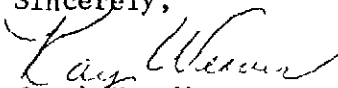
Mr. Ken Brush
WESTERN FARM MANAGEMENT
Box 1176
Caldwell, Idaho 83605

Dear Ken,

I hope the enclosed copy of the letter sent to Mr. and Mrs. Gordon King today will be suitable. I also enclose a copy of the letter received today by the Department from the Kings.

If there is anything else you need, please let me know.

Sincerely,


(Ms.) Kay Weaver
Records Supervisor

Encl.

OCT 19 1977

Department of Water Resources

Ward, Jack 8368

October 18, 1977

Sir:

Please note in your file for water
that on Sept. 14, 1973, the Gordon G.
~~and Rose M. King, Georgia~~
Foreman Ranch at Beana.

Including water rights as follows -

License # 57-2246 Priority July 26, 19
4.0 C F.S.

License # 57-2253 - Priority 8-23-62.
1.98 C F.S.

Attn. of Ray Weaver

Sincerely
Mrs. G.H. King

● Connecticut Mutual Life INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel (203) 549-4111

Department of Water Resources
Mortgages - Agricultural

November 11, 1974

57-2246

AIR MAIL

Department of Reclamation
State of Idaho
Boise, Idaho

permit # G-30006
Jule

Re: Water Permit No. G38031
Loan No. 92358-H, Foreman

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit number G38031 as described in Mortgage Deed dated August 24, 1961, given by D. I. Foreman and Nellie Foreman and Roland M. Foreman.

Said mortgage was recorded in the Public Records of Owyhee County, in Book 33, page 463.

Sincerely,

Jean Wright
Agricultural Investment Division

jw

cc: Ag-Land Mortgage Company

CM

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

STATE OF IDAHO, ex rel
R. KEITH HIGGINSON, State
Reclamation Engineer,

Plaintiff,

vs.

NELLIE B. FOREMAN, in person
and NELLIE B. FOREMAN, Admin-
istratrix of the Estate of
D. I. FOREMAN,

Defendant.)

Civil No. 2955

STIPULATION FOR DISMISSAL

COME NOW, WILLIAM D. COLLINS, Assistant Attorney General,
State of Idaho, attorney for the Plaintiff herein, and MILO
AXELSEN, attorney for Defendant herein, and stipulate as follows:

THAT the above entitled action be dismissed pursuant to
Rule 41 (a) (1) of the Idaho Rules of Civil Procedure.

DATED This 16 day of ^{October} ~~September~~, 1969.

WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho
Statehouse, Boise, Idaho 83707

MILO AXELSEN
1407 - 3rd Street South
Nampa, Idaho 83651

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

STATE OF IDAHO, ex rel
R. KEITH HIGGINSON, State
Reclamation Engineer,

Plaintiff,

vs.

NELLIE B. FOREMAN, in person
and NELLIE B. FOREMAN, Admin-
istratrix of the Estate of
D. I. FOREMAN,

Defendant.

Civil No. 2955

D I S M I S S A L

COMES NOW, the Plaintiff, by and through its attorney
of record, WILLIAM D. COLLINS, Assistant Attorney General,
State of Idaho, and upon the filing of the STIPULATION FOR
DISMISSAL herein, hereby dismisses the above action pursuant
to Rule 41(a)(1) of the Idaho Rules of Civil Procedure.

DATED This 10 day of ^{October} ~~September~~, 1969.


WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho
Statehouse, Boise, Idaho 83707



ROBERT M. ROBSON
ATTORNEY GENERAL

STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

BOISE

83707

*FILE UNDER
FOREMAN UNDER FILE*

October 17, 1969

Mr. Nick Ihli
Clerk of the District Court
Third Judicial District
Owyhee County Courthouse
Murphy, Idaho 83650

Re: State v. Foreman, Civil No. 2955

Dear Mr. Ihli:

Enclosed please find for filing STIPULATION FOR
DISMISSAL and DISMISSAL in the above entitled matter.

Very truly yours,

FOR THE ATTORNEY GENERAL

William D. Collins
WILLIAM D. COLLINS
Assistant Attorney General

WDC:R

cc: Mr. Milo Axelsen, Attorney at Law
1407 Third St. So., Nampa, Idaho

State Department of Reclamation
B U I L D I N G

THIS COPY FOR

Permit 30006

June 27, 1969

C
Mr. Roland M. Foreman
Oreana
Idaho 83659

Dear Mr. Foreman:

F We very much appreciate your cooperation in getting the large flowing well on your property properly equipped and controlled. We have advised the Attorney General's office that we would appreciate his withdrawing our action from the docket of the District Court and we will consider the matter closed as far as the court action is concerned.

Y We had felt for some time that the proper control of artesian wells in various basins in Owyhee County would result in the saving of artesian pressure and the water resources of the State. The enclosed chart is a hydrograph as recorded by an automatic recording device on an unused well owned by Mr. Bachman near where Castle Creek leaves the mountain front. You will note that there is a significant trend in the recovery line in the hydrograph from October of 1968 until the end of December. The trend of that line changes abruptly, coincidental with the date that the well on your property was controlled and the discharge stopped.

We cannot tell precisely how the recovery would have continued had your well not been controlled, but we can estimate, which I have done and indicated by the projection in red on the hydrograph. It would appear from this projection that the artesian pressures would have been ten feet less in the aquifer had your well not been shut down. The well of Bachman's and several others in the area seem to be hydrologically closely related to your well and any savings of artesian pressure that can be effected in any of the wells should decrease the water level declines that have been occurring for several years in the area. As evidence of these declines, the well that was drilled for Mr. Bachman and which is illustrated by this hydrograph, once had enough pressure in it to flow at land surface.

*30006
57-3246*

6/27/69

The investigation that the Department has been conducting throughout a good portion of northern Owyhee County is nearly completed and we hope in the near future to publish a report. We will be sure to provide you with a copy of that report when it is available, as I am sure you will find it most interesting.

I want to thank you again for your efforts to help conserve our State's water resources. If there are any questions you might have that our staff might help you with, please feel free to call upon us.

Very truly yours,

JACK A. BARNETT
Deputy State Reclamation Engineer

JAB/jib

cc: Bill Collins

30004
87-2246

ANDREW WELL DRILLING

Contractors

Phone 522-2794

Pump and Well Drilling Equipment Installed

1268 E. 17th St. — Idaho Falls, Idaho 83401

PURE DRINKING WATER IS THE ESSENCE OF LIFE, LET US DRILL YOUR WELL, AND YOU WILL BE SATISFIED.

April 1, 1969

Roland M. Foreman
Oreana, Idaho 83659

Statement:

Cement	2 Bulker loads	\$	1,526.25
	Pump truck Equipment	\$	1,132.00
	Andrew Well Drilling Contractors	\$	209.00
265 Miles	Move all equipment in & out Well ~~fix~~ location	\$	927.00 .00
237 Hours	Rework well to control Well flow	\$	5,214.00
	Well Packer	\$	95.00
	Valves, pipe & fittings	\$	90.22
	Total	\$	9,193.47

Well casing not
inc

30000
57-2246

DEPTH TO WATER IN FEET

52
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JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL

1968

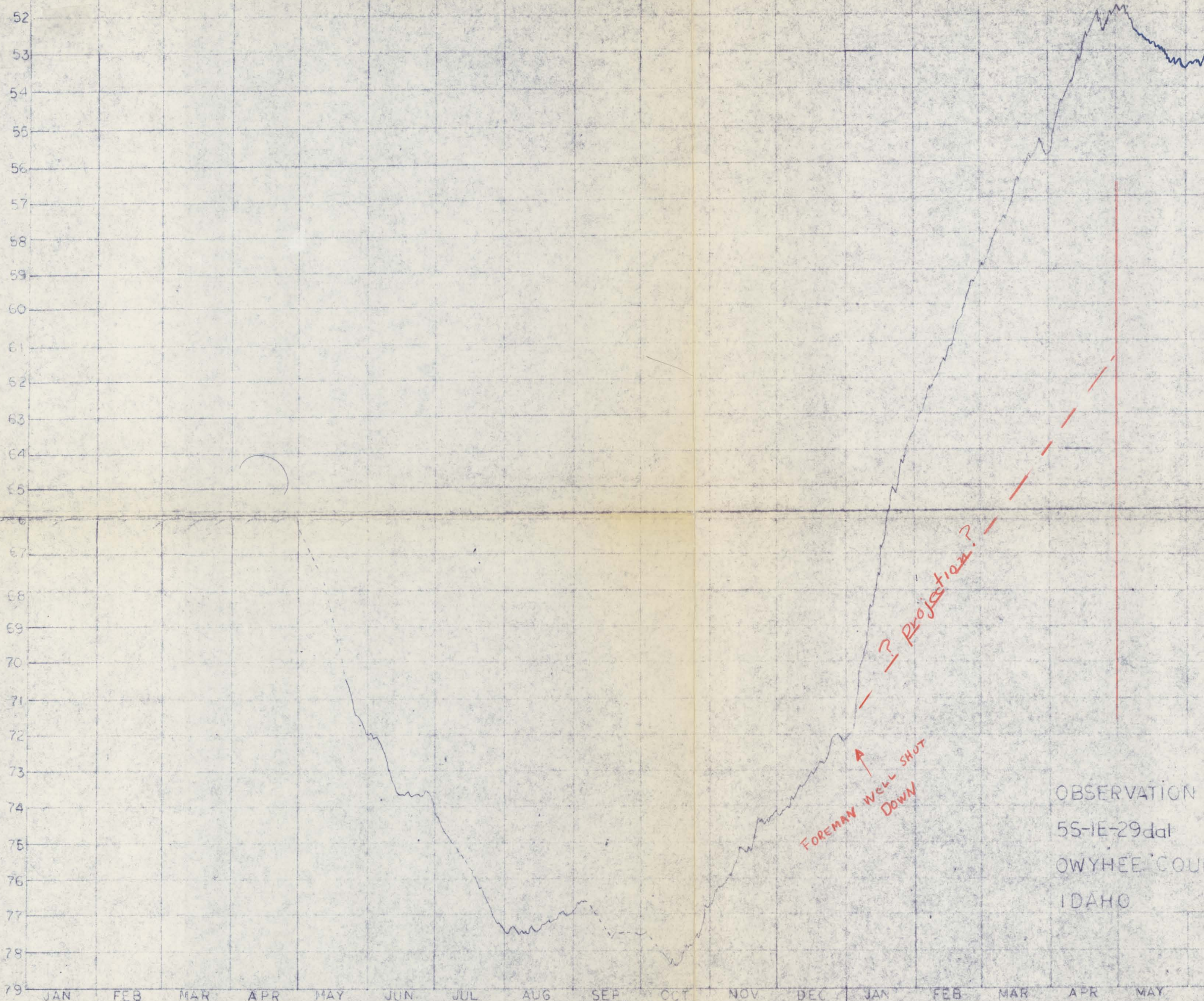
1969

57-2246 30004

OBSERVATION WELL
55-IE-29dal
OWYHEE COUNTY
IDAHO

FOREMAN WELL SHUT
DOWN

? Projection?



January 2, 1969

Re: Permit No. G-30006

Mr. D. I. Foreman
Oreana,
Idaho 83659

Dear Mr. Foreman:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 2435 in the
amount of \$29. covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

30006

December 17, 1968

Re: Permit No. G-30006

D. T. Foreman
Greene, Idaho

Dear Mr. Foreman:

A representative of this department has made an examination of the works covered by your permit G-30006 and has found the following:

Quantity of water diverted: 4.04 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.90 c.f.s.*

Purpose of use: Irrigation of 20² acres in NE 1/4, S1/4 NE 1/4, NW 1/4, S1/4 NE 1/4, Sec. 26; NE 1/4 NE 1/4, Sec. 34; NW 1/4 NW 1/4, Sec. 35, T. 4 S., R. 1 E., P.M.

The priority date established is: July 26, 1961.

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 1045 acre feet per season.

30006

DON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 17, 1968

Re: Permit No. G-30006

D. I. Foreman
Oreana, Idaho

Dear Mr. Foreman:

A representative of this department has made an examination of the works covered by your permit G-30006 and has found the following:

Quantity of water diverted: 4.04 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.90 c.f.s.*

Purpose of use: Irrigation of 208 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T. 4 S., R. 1 E., B.M.

The priority date established is: July 26, 1961.

A fee totaling \$29.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dean R. Schnaible".

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 1045 acre feet per season.

30006

FOREMAN WELL 4S 1E 34ub

JANUARY 4, 1968

VISITED WELL - FLOWING UNCONTROLLED
MEASURED DISCHARGE - TOTAL 7.18 cfs
(SEE ATTACHED MEMORANDUM)

FEBRUARY 8, 1968

VISITED WELL - FLOWING UNCONTROLLED
AT @ SAME DISCHARGE AS BEFORE.

TEMP - 173°F PH @ 8.1

FOLLOWED OUT DITCHES LEADING FROM
WELL TO THEIR INTERSECTIONS WITH
CASTLE AND CATHRINE CREEKS.

(SEE ATTACHED MAP). NO DIVERSIONS
WERE NOTED ALTHOUGH SEVERAL
HOBBOGIES WERE PRESENT. WELL
WAS AN INCREASING FLOW OF CASTLE
CREEK BY @ 40% AND CATHRINE
CREEK BY @ 200%

CHECKED WELL OR LOOKED AT IT ON
SEVERAL OTHER DATES EARLIER THAN
THE JANUARY DATE. WILL PLAN ON
CHECKING IT ON A DATE PRIOR TO MARCH 8, 1968

LD-200
1-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

SLC
DRR

Date 1-4 1963 DISCHARGE MEASUREMENT NOTES

CONTROLLED DISCHARGE - FOREMAN WELL RESERVOIR
River at _____

Angle coef- ficient	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or -----	Area	Discharge
							At point	Mean in ver- tical			
-	0.0	1.0	0	.6							
	1.0			.6							
	1.2	0.5	0.60	.6	10	45	.509			0.300	0.153
	1.4	0.2	0.75	.6	20	58	.779			0.150	0.117
	1.6	0.2	0.80	.6	15	57	.304	"		0.160	0.049
	1.8	0.2	0.90	.6	30	34	.854			0.180	0.154
	2.0	0.2	0.93	.6	40	44	.927			0.186	0.172
	2.2	0.2	0.89	.6	40	47	.871			0.178	0.155
	2.4	0.2	0.86	.6	60	50	1.21			0.172	0.208
	2.6	0.2	0.80	.6	70	48	1.46			0.160	0.234
	2.8	0.2	0.72	.6	70	46	1.52			0.144	0.219
	3.0	0.2	0.72	.6	60	42	1.43			0.144	0.206
	3.2	0.2	0.68	.6	60	50	1.21			0.136	0.165
	3.4	0.2	0.59	.6	60	56	1.08			0.100	0.108
	3.6	0.2	0.50	.6	68	51	1.19			0.100	0.119
	3.8	0.2	0.45	.6	40	46	.889			0.090	0.080
	4.0	0.2	0.40	.6	30	49	.631			0.080	0.050
	4.2	0.5	0.35	.6	30	55	.576			0.175	0.101
	4.4		0.26	.6							
	4.6										
										L Bank	
											2.290

No. _____ of _____ Sheets. Comp. by Pigmy R 375 Chk. by _____

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION SLC
ORR

Date 1-4, 1968 **DISCHARGE MEASUREMENT NOTES**

OVERFLOW DISCHARGE - FOREMAN WELL RESERVOIR

[illegible]

No. 10 of Pigmy Sheets, Comp. by DR Chk. by DR
375

LJ-200
1-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 2-7, 1966 **DISCHARGE MEASUREMENT NOTES**

Foreman North Fork River at 50 ft from Pond

Angle of elevation	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
	6.9		2.5	0							
	7.4	0.25	.5		50	40	1.28			.13	.17
	7.9	.44	.5		50	40	1.17			.22	.26
	8.4	.48	.5		50	44	1.17			.24	.28
	8.9	.52	.5		50	40	1.28			.26	.33
	9.4	.50	.5		60	44	1.39			.25	.35
	9.9	.44	.5		60	42	1.46			.22	.32
	10.4	.40	.5		60	44	1.39			.20	.28
	10.9	.40	.5		60	43	1.42			.20	.28
	11.4	.30	.5		50	41	1.25			.15	.19
	11.9	0	.25	0							
	<u>South Fork</u>										2.46
	2.4	0.3	.15								
	2.7	0.3	.3		40	47	.89			.09	.08
	3.0	0.6	.35		50	42	1.17			.21	.25
	3.4	0.95	.4		60	45	1.36			.38	.52
	3.8	1.08	.4		25	45	.69			.43	.26
	4.2	0.6	.4		60	40	1.39			.24	.33
	4.6	0.38	.4		40	52	.81			.15	.12
	5.0	0	.2	0							
											1.56
											2.46
											4.02

No. _____ of _____ Sheets. Comp. by R.N. Chk. by R.H.

20000 5752410

BJ-200
F-63

Temp. 168°

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 12-8-65 DISCHARGE MEASUREMENT NOTES

I. Forman Ditch River at below pond 200 yds

Stn	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
1	1.9	.25	0		0						
2	✓	.75	0.2		25	43	1.63			.15	.09
3	✓	1.0	0.2		50	40	1.28			.20	.26
4	✓	1.75	0.2		60	43	1.42			.15	.21
4	✓	.50	0.4		100	45	2.23			.20	.45
5	✓	.50	0.28		80	41	1.97			.14	.28
5	✓	.50	0.4		60	40	1.52			.20	.30
6	✓	.50	0.22		60	48	1.28			.11	.14
6	✓	.55	0.18		50	47	1.10			.10	.11
7	✓	.30	0		0						
1.84											

Mr. Hiltner who drilled well says
0.4 CFS. must flow To keep casing from
contracting and pulling loose at bottom, due
To Temp. change

of Sheets Comp. by R.H. Chk. by R.H.

20006
57-2241

Date 1-13 166 DISCHARGE MEASUREMENT NOTES R-440

Foreman Well River at below Pond 1/2 mile.

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

MEMORANDUM

TO: JACK A. BARNETT

FROM: DALE R. RALSTON

SUBJECT: DISCHARGE MEASUREMENT OF THE FOREMAN ARTESIAN WELL,
OWYHEE COUNTY (4S., 1E., Sec. 34 ab)

The D. I. Foreman well in the NW~~1~~NE~~1~~4, Sec. 34, T. 4 S., R. 1 E., B.M. was visited by Dale Ralston and Sherl Chapman of the Department of Reclamation on January 4, 1968, at approximately 3:00 P.M. The well was flowing with no apparent control. The iron cap on top of the casing had been out off and was just resting on the casing. The water was surging near the top of the casing, indicating that the control valve was fully, or very nearly fully opened. Six photographs of the installation were obtained, showing the casing, control valve, and discharge pipe.

The discharge from the well was determined by Pygmy Meter measurements on both the controlled discharge and the overflow discharge. These data are shown below:

Controlled Discharge	2.29 c.f.s.
Overflow Discharge	4.89 c.f.s.
Total	7.18 c.f.s.

The measurements were made in unlined ditches and are considered to be good.

Approximately 1,000 feet of 10 inch diameter casing are piled near the well. The well log on file indicates the well is 2980 feet in depth. The casing record shows a 16 inch casing from 0 to 130 feet, 12 inch casing from 0 to 1030 feet, and 10 inch casing from 1020 feet to 2160 feet. The lower two casings are sealed only with mud and a steel collar. The well discharge noted on the log is 7.97 c.f.s. in 1962.

The discharge rate of 7.2 c.f.s. is equal to about 14.26 acre-feet per day, 5,204 acre-feet per year, or 1,725 acre-feet in the non-irrigation season of October 31 to March 1.

~~MEMORANDUM OF FOREMAN WELL~~

MEMORANDUM

TO: JACK A BARNETT

FROM: DALE R RALSTON

SUBJECT: DISCHARGE MEASUREMENTS OF THE
FOREMAN ARTESIAN WELL, OWYHEE
COUNTY (45 IE 34 ab)

THE D. I. FOREMAN WELL IN ^{THE} NW NE SEC. 34
T4S, R1E WAS VISITED BY DALE RALSTON AND
SHERL CHAPMAN OF THE DEPARTMENT OF RECLA-
MATION ON JANUARY 4, (1967) AT APPROXIMATELY
3:00 P.M. THE WELL WAS FLOWING
WITH NO APPARENT CONTROL. THE IRON
CAP ON TOP OF CASING HAD BEEN CUT OFF
AND WAS JUST RESTING ON THE CASING.
THE WATER WAS SURGING NEAR THE TOP
OF THE CASING, INDICATING THAT THE
CONTROL VALVE WAS FULLY OR VERY NEARLY
FULLY OPENED. SIX PHOTOGRAPHS OF

THE INSTALLATIONS WERE OBTAINED SHOWING THE CASING, CONTROL VALVE AND DISCHARGE PIPE POINT.

THE DISCHARGE FROM THE WELL WAS DETERMINED BY PYGMY METER MEASUREMENTS ON BOTH THE ^{CONTROLLED} ~~PIPED~~ DISCHARGE ~~OUTLET~~ AND THE OVERFLOW DISCHARGE. THESE DATA ARE SHOWN BELOW:

^{CONTROLLED} ~~PIPED~~ DISCHARGE	2.29 cfs
OVERFLOW DISCHARGE	4.89 cfs
TOTAL	7.18 cfs

THE MEASUREMENTS WERE MADE IN UNLINED DITCHES AND ARE CONSIDERED TO BE GOOD.

APPROXIMATELY 1000^{FEET} OF 10 INCH DIAMETER CASING ARE ~~PRESENT~~ PILED NEAR THE WELL. THE WELL LOG ON FILE INDICATES THE WELL IS 2980 FEET IN DEPTH. THE CASING RECORD SHOWS A 16 INCH CASING FROM 0 TO 130 FEET, 12^{INCH} CASING FROM 0 TO 1030 FEET, AND 10^{INCH} CASING FROM 1020 TO 2160 FEET. THE LOWER

TWO CASINGS ARE SEALED ONLY WITH MUD AND A STEEL ~~SEA~~ COLLAR. THE ~~THE~~ WELL DISCHARGE NOTED ON THE LOG IS 7.97 CFS IN 1962.

THE DISCHARGE RATE OF 7.2 CFS IS EQUAL TO ABOUT 14.26 ACRE-FOOT PER DAY, 5,204 ACRE-FOOT PER YEAR, OR 1,725 ACRE-FOOT IN THE NON-IRRIGATION SEASON OF OCTOBER 31 TO MARCH 1.

MEMORANDUM

TO: JACK A. BARNETT

FROM: DALE R. RALSTON

SUBJECT: DISCHARGE MEASUREMENT OF THE FOREMAN ARTESIAN WELL,
OWYHEE COUNTY (4S., 1E., Sec. 34 ab)

The D. I. Foreman well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 4 S., R. 1 E., B.M. was visited by Dale Ralston and Sherl Chapman of the Department of Reclamation on January 4, 1968, at approximately 3:00 P.M. The well was flowing with no apparent control. The iron cap on top of the casing had been cut off and was just resting on the casing. The water was surging near the top of the casing, indicating that the control valve was fully, or very nearly fully opened. Six photographs of the installation were obtained, showing the casing, control valve, and discharge pipe.

The discharge from the well was determined by Pygmy Meter measurements on both the controlled discharge and the overflow discharge. These data are shown below:

Controlled Discharge	2.29 c.f.s.
Overflow Discharge	4.89 c.f.s.
Total	7.18 c.f.s.

The measurements were made in unlined ditches and are considered to be good.

Approximately 1,000 feet of 10 inch diameter casing are piled near the well. The well log on file indicates the well is 2980 feet in depth. The casing record shows a 16 inch casing from 0 to 130 feet, 12 inch casing from 0 to 1030 feet, and 10 inch casing from 1020 feet to 2160 feet. The lower two casings are sealed only with mud and a steel collar. The well discharge noted on the log is 7.97 c.f.s. in 1962.

The discharge rate of 7.2 c.f.s. is equal to about 14.26 acre-feet per day, 5,204 acre-feet per year, or 1,725 acre-feet in the non-irrigation season of October 31 to March 1.

T4S R1E

28

27

26

CATHERINE

CREEK

POND

WELL

33

34

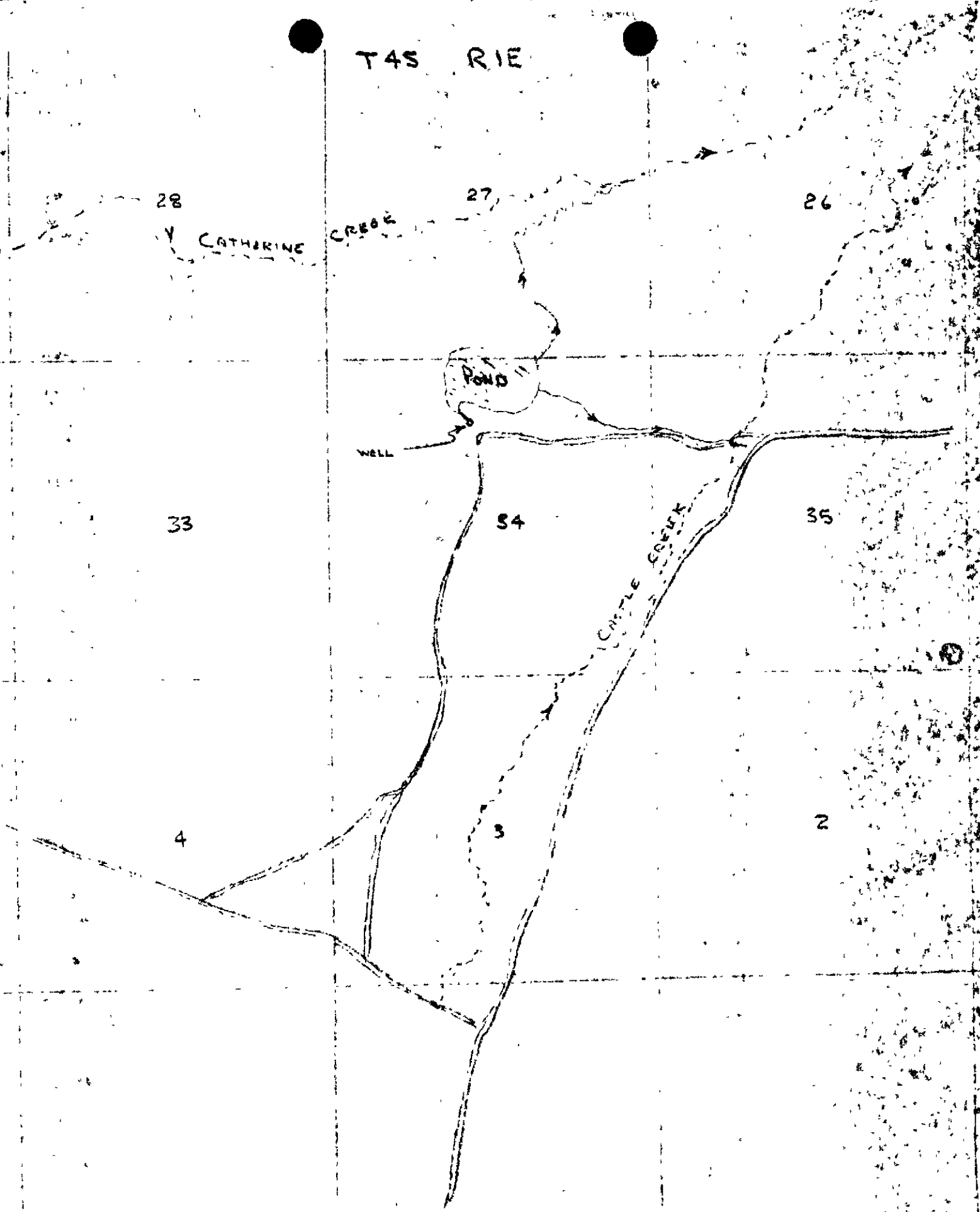
35

CATTLE CREEK

4

3

2



30006

P. S. Would you please send us a receipt for the fee?

Enc. \$1.05 cash

JAB:mr

Jack A. Barnett
Deputy State Reclamation Engineer

Very truly yours,

We would appreciate your mailing this document as soon as possible.

As you requested in our phone conversation of February 28 we have enclosed herein the payment of \$1.05 for a certified copy of the document that designated Nellie Foreman as administratrix of the D. L. Foreman Estate.

Gentlemen:
Probate Court
Canyon County
Caldwell, Idaho

February 28, 1967

30006

Y
P
U
C



FOREIGN INCL.

745 RIE 34 M. 105

JAN 4, 1923



FOREMAN FIELD

TAS RIE 34 MINE

Jan 4, 1917



1112

CLARKSON, W. L.

125 R 1 E 34 N 10 W

Jan 4, 1912.



FORESTHILL

725 RIE 34 DIVINE

June 4, 1968

T45 RIE

28

27

26

V CANTALINE

CREEK

POND

WELL

33

34

35

CATTLE CREEK

4

2

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____

Rec'd. Department, 1962

Well No. _____

Permit No. 20006

(DO NOT FILL IN)

Owner D. E. FOREMAN Address OREANA, IDAHO

Driller HAROLD A. STEINER Address OREANA, IDAHO Lic. No. 136

Location of Well: NW 1/4 NE 1/4 Sec. 34, T. 4S N/S, R 1E E/W Owyhee County,

and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ 1/4 _____ 1/4 Sec. _____

Size of Drilled Hole 12" DD" and 8" Total depth of Well 2980 Feet

Give depth of standing water from surface flowing Water Temp. 170 °Fahrenheit

On pumping test delivery was _____ g.p.m. or 7.97 flowing c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make the test none

Length of time pumped during check was _____ hr., _____ minutes.

If flowing well, give flow in c.f.s. 7.97 or g.p.m. _____ and shut in pressure 105 PSI

If flowing well, describe control works 12" T with 12" gate valve
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per linear foot 25# and 22#

Thickness of casing three eighths & three sixteenths casing material steel
E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing 4' above to 130' 16", 0 to 1030 12", 1020' to 2160" 10"
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER, CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER)

Number and size of perforations none located _____ feet to _____ feet from surface of ground.

Other perforations none

Date of commencement of well Oct 30, 1961 Date of completion of well July 8, 1962

Type of well rig rotary

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
16"	plus 4'	130'	130	grouted on outside with cement
12"	0	1030	1030	mud pumped behind and grouted at bottom and between 16 and 12
10"	1020	2160	1140	mud sealed back of it and steel collar between 10 and 12

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

water not tested

Certified to be a true and correct copy
of the document held by the State
Department of Reclamation on this 28th
day of August, 1962
Jack A. Bannett Deputy
State Reclamation Engineer
57-224 (rev. 5-55)
20006

WELL LOG

From Foot	To Foot	Type of Material	Drilling Time		Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hrs.	Min.		
0	70	yellow clay	10			
70	200	blue shale	21			
200	205	sand streak	1			
205	425	blue shale creviced	82		yes	no
425	900	blue shale, lost circulation	45		yes	no
900	1490	sticky blue shale	60			
1490	1630	sticky shale	32			
1630	1980	hard grey shale thin rock layers	49			
1980	2090	soft shale, blue	1			
2090	2120	white chalky shale hard	1			
2120	2130	Hard grey rock	3			
2130	2520	grey shale with rock layers	50			
2520	2530	red rock (cinders)	1			
2530	2570	black rock 2ft per hour	20			
2570	2630	black 2 to 6 feet per hour				
2630	2670	black rock 4 feet per hour				
2670	2900	soft grey shale	32			
2900	2980	grey rock soft and hard streaks	21			
If more space is required use Sheet No. 2						

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Harold A. Steiner
By Harold A. Steiner

Dated Aug 8, 1962

License No. 136

Certified to be a true and correct copy
of the document held by the State
Department of Reclamation on this 28th
day of Feb 1967
Jack H. Bennett Deputy
State Reclamation Engineer
56006
57-7741-

MEMO

Reference: Permit No. G-30006

Date: January 31, 1967

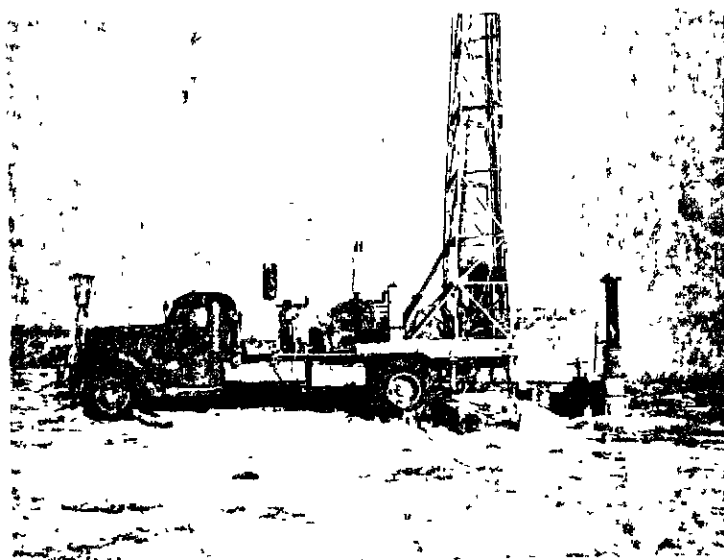
During a reinspection of the lands irrigated under Permit No. G-30006, this examiner questioned Mr. Foreman as to the progress he was making in controlling his flowing well, under permit G-30006. Mr. Foreman stated he had secured the assistance of a driller and by pumping sand, sawdust, and permanent type low alkali cement into the smallest seepage ponds, the seepage had been controlled. However, the largest hot water seepage pond was now increasing in size. Therefore, Mr. Foreman had now increased the flow of the well until the shut in pressure is now at 50 P.S.I. At the time of the first inspection made on permit G-30006, the shut in pressure was approximately 75 P.S.I. pressure.

Mr. Foreman stated he ^{did} not know when the driller, who had been secured to control the well, would be able to return and complete the control project.

At the date of reinspection the well driller's drilling rig was set up near the well casing, however, there was no evidence of tools for drilling apparent.

D. W. McEldowney
Field Examiner

Motor hours on well rig
1-31-67 57725



2-2-67

20006

MEMO

Reference: Permit No. G-30006

Date: January 31, 1967

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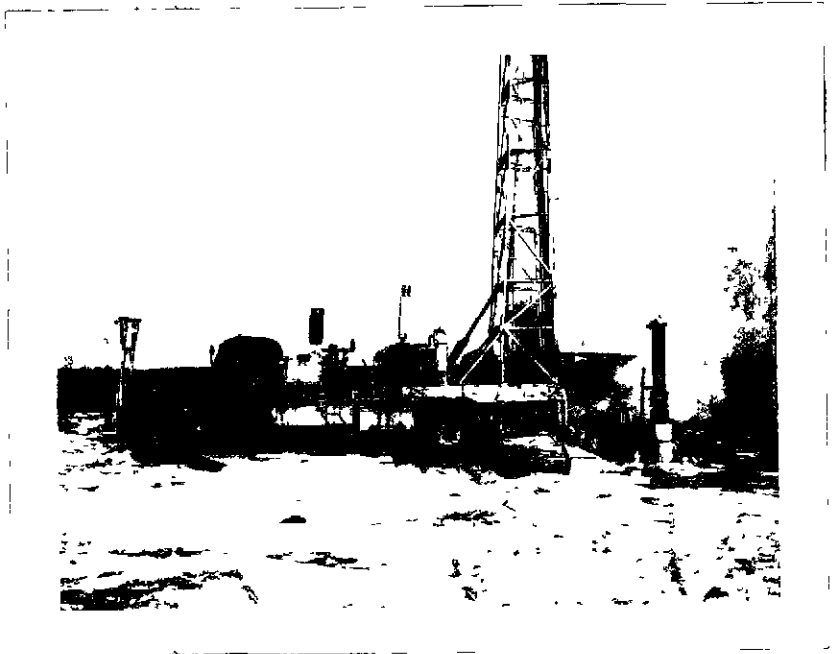
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D. W. McEldowney
Field Examiner

*More hours on well rig
1-31-67 57725*

Field Examiner



2-9-67

57-2246
30006

200-

*Check to see if this information
corresponds with last
examination.*

January 19, 1967

*Same
6-7-67*

*Check every
2 months
7-11-67
9, 1, 2*

RE: Permit No. G-30006

D. I. Foreman
Oreana, Idaho

Dear Mr. Foreman:

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-30006 shows the well ~~(is)~~ is ~~(able)~~ capable of conveying 145 miner's inches, or 2.9 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 \$ 25.00, we will issue the Certificate of Completion of Works for 2.9 c.f.s. and the License and Certificate of Water Right for 2.9 c.f.s. confirming the right, with priority of July 26, 1961, to the use of subterranean water with the point of diversion in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 4 S, R. 1 E, B.M., for irrigation of 145 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 4 S, R. 1 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

*Check with D W Lyle
issuing license.*

THE ABOVE IS NOT CORRECT 12-2-68 DRR

NOTE . 30620

PROOF SUBMITTED ON 65" 30006

200-

Check to see if this information
corresponds with last
examination.
January 19, 1967
Dunni
1-7-67

RE: Permit No. G-30006

D. I. Foreman
Greene, Idaho

Dear Mr. Foreman:

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-30006 shows the well ~~is~~ is ~~(2.9)~~ capable of conveying 145 miner's inches, or 2.9 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.

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Very truly yours,

M. Russell Bosch
Office Manager

MRB:rw

Check with D W before
issuing license.

THE ABOVE FEES LETTER IS NOT CORRECT

12-12-68 DRR

30006

FOREMAN

On January 13, 1967 the D. I. Foreman well was visited by Bob Hamilton and Jack Barnett and William Collins of the Attorney General's Office.

The well rig owned by Steiner was still set up on the well as it had been in November. There was no evidence to indicate that the equipment had been used within the last several weeks. Mr. Foreman indicated that he had called the well driller and that the well driller assured him that he would be back on the job within the next week or two. Mr. Foreman stated that he would advise us if any repairs were accomplished on the well.

30006
57-2246

December 12, 1966

Roland Foreman
D. I. Foreman Estate
Grandview, Idaho

Dear Mr. Foreman:

We recently had the opportunity of visiting your flowing well which has been the subject of much correspondence with our office over the period of the last few years. We noted the well drilling rig that had been moved on in an attempt to control the flow of the well, and we appreciate your efforts. Would you please keep us appraised of the repair work of the well as it proceeds as we are most actively interested.

If there is any assistance that our office can lend to you, please feel free to call upon us. The controlling of these hot, high artesian pressure waters in Owyhee County is very essential to the future agricultural economy in the area. We realize its significance and recently felt it necessary to file legal action against two well owners who have made no attempt to comply with our orders regarding the flow of their wells.

Very truly yours,

Jack A. Barnett
Assistant State Reclamation Engineer

JAB:mr

30006
57-2246

October 14, 1966

Mr. Ronald M. Foreman,
Oreana, Idaho.

Dear Mr. Foreman:

Our visit with you at your well October 12, 1966, was informative as to your plans to make necessary repairs on the well. We realize you have a problem that may be difficult to overcome. Your cooperation in this matter is appreciated. The water saved through the control of this well may prove very valuable at some future time.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

30004
57-2246

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

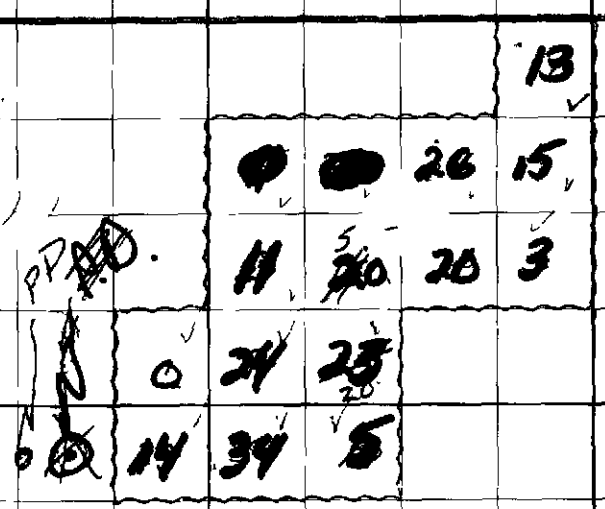
REPORT OF EXAMINER

PERMIT NO. G-30006

REPORT ON PROOF OF Completion of Works & Beneficial Use

30006
57-2246

13
 41
 54
 47
53
 208



Area - 208 A
 Subd - 12
 allow $Q = 2.90 \text{ cfs}$
 Vol = 1045 AC-FT / SEASON

(QUANTITY DIVERTED SHALL NOT EXCEED 1045 AF / SEASON WHEN COMBINED
 WITH ALL OTHER WATER RIGHTS
 12-12-68
 D122

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30006

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant D. I. Foreman

2. Source of water supply: a well

3. Location of point of diversion: Is in the Near center N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34

T. 4 S R. 1 E., B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Flowing Deep Hot well
Approx 3500' Deep. Casing 120' x 16", 1020' x 12", 1140' x 10" controlled
by a gate valve and discharges from a 12 $\frac{3}{8}$ " I.D. steel pipe into
approx. a 2 Acre pond for cooling

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

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):

E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34;

N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T. 4 S., R. 1 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks:

Measurement with well partly open -
12 $\frac{3}{8}$ " I.D. pipe = 7 $\frac{3}{4}$ " of water Approx 5" of Free board =
11" @ 14 $\frac{3}{4}$ " v. to 6" @ 14 $\frac{3}{4}$ " .69 Factor = 4.07 cfs
irrigation requirement = 500 AC-FT / ACRE / Season
Outlet of cooling pond 80°
Discharge at well 120° + approx 50°
Land reinspected 1-31-1967 Done Mr. Foreman
along

This examination was made on the 29 day of Sept, 1966

(Signed) Don Watts Don M. Elmore
Examiner.

30006

Plat —

12 3/8 ID

7 3/4" water

5' Flooded

1" @ 14 3/4"

or

4" @ 14 3/4"

factor 1.67 - 4.04 g/s

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.

D. I. Foreman
Oreana, Idaho

Permit No. G-30006

Examination for Completion of Works & Beneficial Use

County Owyhee

Quantity: 4.0 c.f.s. Sec. 34 T. 4S R. 1 E., B.M.

Source: a well

P.D.: NW 1/4 NE 1/4, Sec. 34, T. 4 S., R. 1 E., B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Castle Creek Decree, 110", 1874

Filed: July 26, 1961

Due: July 29, 1966

Made: July 14, 1966

Priority: July 26, 1961

90006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30006

RECEIVED
JUL 15 1966
Department of Reclamation

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: D. I. Foreman by
Roland Foreman, Agent; Oreana, Idaho, Farming, Oreana, 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:

Acting for an individual

Ques. 3. State number, approval date of permit, and date of priority: No: G-30006;
Approved: 7/28/61; Priority: 7/26/61

Ques. 4. State source of water supply: artesian well
Give location of point of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South - Range 1 East, B.M.

Ques. 5. Describe your works of diversion: well, casing, cooling pond, and ditches
; state amount of water they are capable of conveying from point of diversion to place of use: under this permit Give name of canal or ditch or other works by which water is conducted to such place of use: Private works
; if a well, state depth of well 2980'; depth and size of casing 130'-16"; 1020'-12"; 1140'-10"; depth to water Flowing; if pump is used, state discharge of pump: -0-; tell how it was measured or determined Office
installed in discharge pipe; if sprinkler irrigation, give number and size of nozzles and operating pressure: Gravity irrigation

Ques. 6. State for what purpose water is used: irrigation & domestic
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
Township 4 South - Range 1 East, B.M., Section 26 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 ac; SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 13 ac;
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 ac; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4 ac; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 25 ac; NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 ac;
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23 ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9 ac; Section 35 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 39 ac; NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 10 ac;
Section 34 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 ac.

30000 D

State nature of all improvements which have been made as a direct result of said use:

All improvements are a direct result of said use.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Harold Steiner, Oresana, 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:

Stock watering during the winter months.

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:

Acting in behalf of my father, who is the original applicant.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: August, 1962 - Time used since first use:

Used every irrigation season since.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Decreed water from Castle Creek and Permit G-30620.

D. I. FOREMAN

(sign)BY:

Roland Foreman
Agent

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

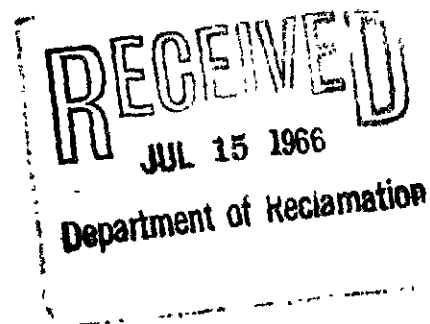
Boise, County of Ada

State of Idaho, on this 14th day of July, A. D. 1966.

My commission expires: 9/28/68

30006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30006



* * * * *

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:

William E. Cox, 62, Oreana, Idaho, Farmer, Oreana, Idaho

Ques. 2 Are you acquainted with D. I. Foreman, the holder of Permit No. G-30006? How long have you known him and where does he reside?

I have known Mr. Foreman about 40 years and he lives at Oreana, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30006 read, and are you familiar with its provisions and conditions: Yes xxx No.

Ques. 4. State source of water supply: Drilled artesian well

Give location of place of diversion, showing subdivision, section, township and range

~~XXXXXXXXXXXXXXXXXXXX~~ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T4S-R1E, B.M.

Describe works for conveying water to place of use: ditch and cooling pond

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 400" How much water have you seen being so conveyed? 200 to 300"

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23 ac; NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 25 ac; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4 ac;

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14 ac; SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 ac; SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 13 ac; NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 ac; Section 26;

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 ac; Section 34

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 39 ac; NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 10 ac; Section 35

All in Township 4 South - Range 1 East, B.M.

30006

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

No other use unless it would be stock watering

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.

Loam type farm land and all of the water used is required for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? 1962

Other times you have seen such use: Continuously in the summer time.

(Signed):

William E. Cox

* * * * *

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 Boise

 , County of Ada, State of Idaho, on this 14th day of July, A. D. 19 66

Sharon Dettin

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

30006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30006

RECEIVED
JUL 15 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:

Harold Steiner, 45, Grandview, Idaho, Contractor & Farmer, Oreana, Idaho

Ques. 2 Are you acquainted with Roland Foreman, the holder of Permit No. G-30006? How long have you known him and where does he reside?

I have known him about 15 years and he resides at Oreana, Idaho

Ques. 3. Have you read or heard said Permit No. G-30006 read, and are you familiar with its provisions and conditions: Yes xxx No. /

Ques. 4. State source of water supply: Artesian well

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T4S-R1E, B.M.

Describe works for conveying water to place of use: cooling reservoir & open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 7.97 cfs How much water have you seen being so conveyed? about 7.97 cfs.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Township 4 South - Range 1 East, B.M., Section 26 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 ac; SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 30 ac; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4 ac; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 25 ac; NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 23 ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9 ac., Section 34 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 ac; Section 35 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 39 ac; NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 10 ac.

30006

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Stock watering

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.

Soil is sort of a sandy loam but it varies in texture and all of the water used is required for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? 1962

Other times you have seen such use: Every year since then

(Signed):

Harold Steiner

* * * * *

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

Boise, County of Ada, State of Idaho, on this 14th day of July, A. D. 1966

Sharon Deaton

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

30006

RECEIVED
JUL 15 1966

Department of Reclamation

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 19 day of May, 1966, and the last publication being on the 9 day of June, 1966;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

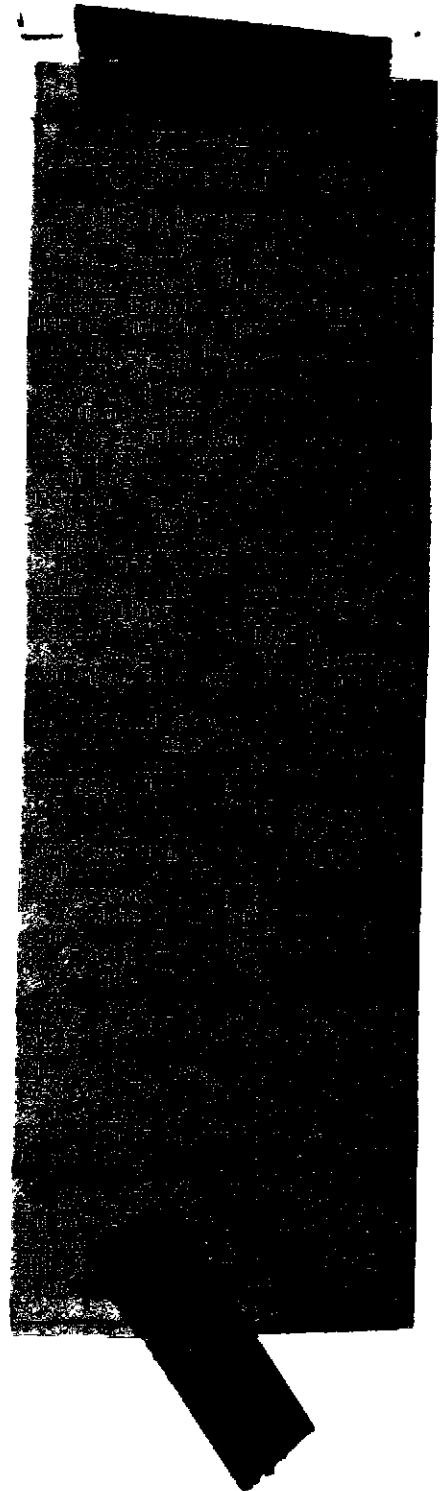
Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 9 day of June, 1966.

Leone S. L. L.
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)



30006

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

Notice is hereby given that at ~~10:00 AM~~, on the 14th day of July
19 66, at Boise, County of Ada, State of Idaho
before Sharon Dargin, Notary Public, at (address) 224 Idaho
Building, 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-30006, 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 D. I. Foreman, Oreson, 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 SW1/4, Section 34, T4S-R1E, B.M.

5. The place where said water is used is E1/4, SW1/4, S1/4, SW1/4, N1/4, Sec. 26;
SW1/4, Sec. 27; NE1/4, Sec. 34; NW1/4, Sec. 35, T4S-R1E, B.M.

6. The date of priority which said user is prepared to establish is 7/26/61

State Reclamation Engineer

30006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MAY 24 1966

Department of Reclamation

In the Matter of Closing of Well)
in Section 34, Township 4 South,)
Range 1 E. B. M., Owyhee County,)
State of Idaho.)

SHERIFF'S RETURN ON ORDER

State of Idaho,)
County of Owyhee,) ss.
Sheriff's Office.)

I hereby certify and return that I received the attached Order on the 16th day of May, 1966, and I further certify that I personally served said Order on Roland M. Foreman, son of D. I. Foreman, who has Power of Attorney to transact business for his father, by delivering to and leaving with Roland M. Foreman, personally, on the 18th day of May, 1966, in Owyhee County, Idaho, a copy of said Order.

I return said Order, served and assess my fees at seventy cents (.70).

AL BARBERIS, Sheriff
Owyhee County

By A. J. Jones
Deputy

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

Notice is hereby given that on the 14th day of July, 1966, at Boise, County of Ada, State of Idaho, before Sharron Deroin, Notary Public, at (address) 224 Idaho Building, 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-30006, 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 D. I. Foreman, Oreana, 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T4S-R1E, B. M.

5. The place where said water is used is E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T4S - R1E, B. M.

6. The date of priority which said user is prepared to establish is 7/26/61.

CARL E. TAPPAN,
State Reclamation Engineer
Published May 19 and 26, June 2, and 9, 1966
The Owyhee Nugget
Marsing, Owyhee County, Idaho

Re: Permit No. G-30006

July 22, 1966

D. I. Foreman
Oreana, Idaho

Dear Mr. Foreman:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Oxyhee Nugget~~ all submitted in proof of completion of works and beneficial use on Permit No. G-30006.

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,

Deputy State Reclamation Engineer

RKH:mr

30006

The original and one copy of the attached "ORDER" were delivered to Al Barberis, Sheriff, Bwyhee County, Murphy, Idaho, by Robert W. Hamilton, Supervisor of Water Distribution on Monday, May 16, 1966, to be served on D. I. FOREMAN.

(Permit No. 30006)

30006
54-2246

The original and one copy of the attached "ORDER" were delivered to Al Barberis, Sheriff, Owyhee County, Murphy, Idaho, by Robert W. Hamilton, Supervisor of Water Distribution on Monday, May 16, 1966, to be served on D. I. FOREMAN.

FILE IN PERMIT NO. 50006 FOLDER

30006

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of Closing of Well	)	
in Section 34, Township 4 South,	)	
Range 1 E. B. M., Owyhee County,	)	
State of Idaho,	)	
	)	

O R D E R

WHEREAS, This Department has examined that certain flowing well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. I. FOREMAN, for irrigation of the following described lands:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 8.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

"42-237a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:

- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
- b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

30006
57-2246

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. TOPPMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

30006
57-2246

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of Closing of Well	)	
In Section 34, Township 4 South,	)	
Range 1 E. B. M., Owyhee County,	)	O R D E R
State of Idaho,	)	
	)	

WHEREAS, This Department has examined that certain flowing well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. I. FOREMAN, for irrigation of the following described lands:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 8.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

"4.-237a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:

- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
- b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

30006

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. FOREMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

30006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of Closing of Well)
in Section 34, Township 4 South,)
Range 1 E. B. M., Cwyhee County,) ORDER
State of Idaho,)

WHEREAS, This Department has examined that certain flowing well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. L. FOREMAN, for irrigation of the following described lands:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 25; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34;
N $\frac{1}{2}$ N $\frac{1}{2}$, Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 3.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

"42-257a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:

- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
- b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

30006

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. FOREMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

30006

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of Closing of Well	)	
in Section 34, Township 4 South,	)	
Range 1 E. B. M., Owyhee County,	)	
State of Idaho,	)	
	)	

O R D E R

WHEREAS, This Department has examined that certain flowing well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. I. FOREMAN, for irrigation of the following described lands:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 8.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

"42-237a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:

- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
- b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

30006

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. FOREMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

30006

*Received
5-24-66*

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

RECEIVED
SHERIFF'S OFFICE
OWYHEE COUNTY, IDAHO
MAY 16 1966
HR _____ MIN _____ M.

BY _____ SHERIFF

DEPUTY

O R D E R

In the Matter of Closing of Well)
in Section 34, Township 4 South,)
Range 1 E. B. M., Owyhee County,)
State of Idaho,)
)

WHEREAS, This Department has examined that certain flowing well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. I. FOREMAN, for irrigation of the following described lands:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 8.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

- "42-237a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:
- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
 - b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

*57-22846
J. C. C.*

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. FOREMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

30006
57-22,46

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of Closing of Well	)	
in Section 34, Township 4 South,	)	
Range 1 E. B. M., Owyhee County,	)	O R D E R
State of Idaho,	)	
	)	

WHEREAS, This Department has examined that certain flowing well located in the NW~~1~~⁴NE~~1~~⁴, Section 34, Township 4 South, Range 1 E. B. M., pursuant to Permit No. 30006, issued in the name of D. I. FOREMAN, for irrigation of the following described lands:

NE~~1~~⁴NE~~1~~⁴, S~~1~~²N~~1~~²W~~1~~², SW~~1~~⁴, NW~~1~~⁴SE~~1~~⁴,
Section 26; SE~~1~~⁴SE~~1~~⁴, Sec-
tion 27; NE~~1~~⁴NE~~1~~⁴, Section 34;
N~~1~~²N~~1~~²W~~1~~², Section 35, Township 4
South, Range 1 E. B. M.,

WHEREAS, We find that up to 4.0 c.f.s. or 8.0 acre feet of water per day is being allowed to flow uncontrolled from this well and waste and remain unused during the entire non-irrigation season and also at certain times during the irrigation season in violation of Idaho Law, and

WHEREAS, The State Reclamation Engineer is vested with certain authority and responsibility with regard to such wasting wells pursuant to the following sections of Idaho Code:

- "42-237a. POWER OF THE STATE RECLAMATION ENGINEER.
In the administration and enforcement of this act and in the effectuation of the policy of this state to conserve its ground water resources, the state reclamation engineer is empowered:
- a. To require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use.
 - b. To require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of ground waters through leaky wells, casings, pipes, fittings, valves or pumps either above or below the land surface."

30006
57-2246

NOW, THEREFORE, Pursuant to said authority, I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, do hereby order D. I. FOREMAN and other owner or owners of said well to immediately submit plans to this office for approval showing the method and equipment they intend to have installed to control the wasting of water from this well. Such plans shall include the installation of a surface valve as well as casing or other method to prevent the loss of water into strata above the geologic formation in which the artesian pressure is encountered. The owners are also to indicate that these valves and other repairs will be installed by the end of the current irrigation season or no later than November 1, 1966.

Given under my hand and seal this 16th day of May, 1966.

CARL E. TAPPAN
State Reclamation Engineer

57-2246

May 11, 1966

RE: Permit No. G-30006 ✓
D. I. Foreman

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Enclosed is amendment to land list on the above
referenced permit which has been recorded in this office.

Also enclosed is departmental receipt No. G-10334
in the amount of \$1.00 covering the fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl. Amendment
Receipt

30006

Re: Permit No. G-30006

May 12, 1966

Owyhee Nuggett
Marsing, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to July 14, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, 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

30006

Re: Permit No. 6-30006
D. I. Foreman

May 12, 1966

Sharon Deroia
Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Dear Mrs. Deroia:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 6-30006 in the name of D. I. Foreman, Orem, Idaho. Final Proof is to be made before you, as Notary on the 14th day of July, 19 66, at 10:00 o'clock at 224 Idaho Bldg., Boise, Idaho.

As of this date, we have mailed the Notice to the Maggatt, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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: Applicant

30006

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 11, 1966

(P. O.) Box 2161, Boise, 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 Owyhee Nuggett of

Marsing, Idaho Published in

the county in which the works are situated. Please send statement of charges and
Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box 2161, Boise,
Idaho 83701.

D. I. FOREMAN

BY: Roland Faresman

(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

30000

Application for Amendment

LAND LIST

Permit No. G-30006

Comes now D. I. Foreman, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho, No. G 30006, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; N $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 35, T4S-R1E, B.M.

, making a total of 440 acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at Boise, Idaho this 10th day of May, 1966
D. I. Foreman

By: Roland Foreman

Date of receipt at office of Department of Reclamation May 11, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson Deputy

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-30006. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

R. Keith Higginson
Deputy, State Reclamation Engineer

Recorded: May 11, 1966.

30006

30006

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

The undersigned owner ~~XXX~~ of Permit ~~Application~~ No. ~~C 30006 & C 30620~~
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints Roland Foreman, whose address is
Oreana, Idaho, as attorney-in-fact, with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited
to the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, and the submission of proofs of completion of works and beneficial
use of water.

Dated this 9th day of May, 1966.

X [Signature] Foreman
D. I. Foreman

STATE OF IDAHO)
County Ada) ss

On this 9th day of May, 1966, personally
appeared before me the signer ~~(s)~~ of the above instrument, who duly
acknowledged to me that he ~~(she)~~ ~~(they)~~ executed the same.

[Signature]
Notary Public

My Commission expires:

9/28/68

30006

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho
May 2, 1966

Re: Permit No. G- 30006 - D. I. Foreman

Idaho Land & Appraisal Service
P. O. Box 2161
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-30006 are due not later than **July 28, 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,



State Reclamation Engineer

Enclosures Forms 36 and 11j

cc: D. I. Foreman
Oreana, Idaho

30006

Re: Permit No.

We enclose Permit No. _____ 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. _____ which was issued covering payment in the amount of \$ _____ for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

Feb. 15, 1966

Telephone no. 307-362-6311

Had a call from Mr. Bill Reynold, Halliburton oil well cementing Co. Rock Spriings, Wyoming. in answer to letter written asking for ways of repairing the Foreman well. It was Mr. Reynold's opinion that a line of pipe would have to be dropped down the well and grouted into good rock material and the area between casing filled with grout. Also the outside of the present casing should be grouted full length as the existing pressure would rupture any grout that did not have solid backing. They know of no expansion joints for use in this type of work as they feel that they are not necessary. A pipe length would only change 1" for 100° Temp. change for each 1000' of casing. ^{water} well of this temperature and pressure is very uncommon.

R.H.

54-2246
30006

February 3, 1966

C
O
P
Y
Mr. Raymond Gunn,
Halliburton Oil Well Cementing Co.,
Farmington, New Mexico.

Dear Mr. Gunn:

We have been referred to your company by Mr. M. D. Dunn of the El Paso National Gas Company in Salt Lake City, regarding information on grouting well casings.

Our problem is an artesian well used for irrigation in this area. The water from this well is 170°F at ground surface with a pressure of 105#. The owner of the well and the driller that drilled it maintain that when the well is closed off during the non-irrigation season, the temperature of the casing drops, causing a contraction that lifts the lower end of the casing from the grouted seat allowing water to raise outside the casing. The well depth is 2980' with 1030' of 12" casing and a 10" casing to the 2160' level. The only seal between the 10" and the 12" casing is a steel ring. Can this casing be grouted effectively with this pressure present? We also wonder if an expansion joint has been developed that would take care of any casing contractions.

Any help you can give us will be greatly appreciated.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

5
36

January 31, 1966

C
O
P
Y

Mr. Danny Dunn,
P. O. Box 1526,
Salt Lake City, Utah.

Dear Mr. Dunn:

We are seeking information on methods of grouting well casings to prevent leakage. The well in question is an artesian well with a water temperature of 170°F. The depth of the well is 2980' with a 12" casing to the 1030' level, and a 10" casing to the 2160' level. A pressure of 105# is present at ground surface with the well partially open. A steel collar makes up the seal between the 12" and the 10" casings. Can the lower end of the 10" casing be grouted to rock effectively with the present pressures? The driller contends that shrinkage due to temperature change when the well is closed pulls the casing loose from the lower grout.

We contacted the El Paso Natural Gas Co. here in Boise and were referred to you. Any help you can give us will be greatly appreciated.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

30006
572246



PUNCA, OKLAHOMA

Farmington, New Mexico
February 10, 1966

Mr. Robert W. Hamilton
Supervisor of Water Distribution
Department of Reclamation
107 State House
Boise, Idaho 83701

RECEIVED

Dear Mr. Hamilton:

Thank you for requesting our service to submit a recommendation for repairing the artesian water well. Your location is beyond our Farmington area of operations, so your request has been sent to Mr. Bob Graham, Division Engineer for the Halliburton Denver Division. The Denver Division has men, equipment, and material much closer to your area.

We appreciate the suggestion Mr. M. D. Dunn of Salt Lake City gave you. If we can be of further assistance, please advise.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ray Tippit'.

Ray Tippit
District Engineer

RT:fb

cc: Mr. J. A. Banister
Mr. L. G. Moffatt
Mr. R. F. Gunn
Mr. Bob Graham

57-20274
- 1 -

El Paso Natural Gas Company

El Paso, Texas

February 2, 1966

ADDRESS REPLY TO:
POST OFFICE BOX 1626
SALT LAKE CITY 10 UTAH

RECEIVED
FEB 3 1966

Department of Reclamation

Mr. Robert W. Hamilton
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. Hamilton:

In reply to your letter of January 31st about the problem with your water well, it is rather hard to determine exactly what would have to be done to alleviate this problem without knowing more about all the data on the well, pipe strengths, etc.

There are two or three methods used to correct this type problem, depending on the well data. In all probability specialty equipment will be required.

I would recommend getting an opinion from the Halliburton Oil Well Cementing Company headed by Mr. Raymond Gunn in Farmington, New Mexico, or the Dowell Company, Inc. headed by Mr. Holland, also located in Farmington. Each of these firms do this kind of work and have a good engineering staff. I believe either firm has equipment in the Rock Springs, Wyoming area or possibly closer to Boise.

I hope this will be of some value to you. If I can further assist, please advise.

Sincerely,

M. D. Dunn
M. D. Dunn
Division Safety Engineer

MDD:pl

5-1-66
3-1-66

Roland Foreman - Oreana
834-2271

ON Castle Creek

About 10 MILES West
of Grandview

Sec. 34 T4S R1E

(Will
call)

Cope - 522-8431 I.F.

Johnston - 834-2302 Oreana

INT.

Does not
Have Eq.

GAVE
NAME TO
MRS.

Will
call

Glinkie - 845-2118 - Bru

Doty-Bell - 459-9627 - Caldwell

Hozack 466-0821 - Nampa work will call at

Nielson - Bourc 834-2357 - Grandview

B & M - 459-9628 - Caldwell

Hiddison 587-4278 - Mt Home

Bill Galay 587-3584 Mt Home

Drake 343-4653 Boise will call men at work

SH 375-1765 Boise will call at home

Andrew 522-2794 I.F.

J.E. Smith 324 4601 Jan - Dick Pope

Buck Mosley 436-4685 Rep

Does not
have the eq.

Will
CALL

Will
call

GAVE INFO
TO MRS.

30006

51-2246

D.I. Foreman Well located in NW¹/4-34, -45-1E Permits No. G 30006
G 30620

8.0 C.F.S. Well 2980' deep with 12" x 8" Casing.

4' - 130' - 16" Casing
0' - 1030' - 12" Casing
1030' - 2160' - 10" Casing
Casing Thickness $\frac{3}{8}$ " - $\frac{9}{16}$ "

Grouted around outside with cement
mud pumped behind & grouted at bottom &
between 16" x 12" casing
mud seal back of pipe and steel collar
between 10" x 12".

Soil formation

- 0' - 70' yellow Clay
- 70' - 200' Blue Shale
- 200' - 205' Sand Streak
- 205' - 425' blue Shale Creviced
- 425' - 900' blue Shale, Lost Circulation
- 900' - 1490' Sticky blue Shale
- 1490' - 1630' Sticky Shale
- 1630' - 1980' hard grey Shale Thin rock Layers
- 1980' - 2090' Soft Shale, blue
- 2090' - 2120' white chalky Shale, hard
- 2120' - 2130' Hard grey rock
- 2130' - 2520' Grey Shale with rock Layers
- 2520' - 2530' red rock (cinders)
- 2530' - 2570' black rock (2 ft per hr)
- 2570' - 2630' " " (2 to 6 ft. Per hr)
- 2630' - 2670' " " (4 ft per hr.)
- 2670' - 2900' soft grey Shale
- 2900' - 2980' Grey soft rock & hard streaks

11-30-65 Est 1.0 C.F.S. flowing in ditch in front of Foreman house.
Well opened and then closed to an est. 0.4 C.F.S. as
authorized by Mr. Foreman.

12-8-65 ditch past Foreman house measured at 200 yds below pond
flow 1.84 C.F.S. Mr. Striner, well driller, cautioned against closing
well as casing would shrink pulling loose from grout causing
leakage. Accused us of closing well off. Said he had welded
pipe coupling on Gate stem previously to prevent closing
of gate. He had to repair well once before

12-27-65 Certified Letter to Mr. Foreman asking for plans for closing well.

1-3-66 Letter from Mr. Foreman's Attorney, accusing us of causing
damage to well.

1-6-66 Letter to attorney stating we did not close well.

1-13-66 measurement taken at above mentioned point. flow 1.73 C.F.S.
A circle approximately 15' in diameter & approximately 2' deep around
well casing. no water flowing from hole. Length of well
casing had been added to discharge to carry water further
away from well. Gate open $\frac{3}{8}$ " to 1". 3000 57-224

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Poison, Idaho

TO BE READ AT THE WATER USERS ANNUAL MEETING:

The U. S. Social Security Act provides that the employer must deduct a certain amount from the pay of each employee. The deducted funds, plus an equal amount paid by the employer, must be sent to the District Director of Internal Revenue. The amount is $3\frac{5}{8}\%$ to be deducted from the employee's pay for the years 1964 and 1965.

Your budget should include the above amounts plus the watermaster's wage and other costs. The watermasters will not be able to collect his full pay if they are not included.

Very truly yours,

CARL E. LAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

December 27, 1965
Via Certified Mail

Mr. D. I. Foreman,
Grandview, Idaho.

Dear Mr. Foreman:

An examination and measurement of your flowing well revealed that water is wasting at the rate of 1.84 c.f.s. Mr. H. E. Stiener, who drilled the well, told us it was necessary to allow 0.4 c.f.s to maintain a temperature which will not pull the casing from the seal at the bottom of the well.

The State Reclamation Engineer is empowered by Idaho Code 42-237A to require all flowing wells to be capped or equipped with valves so that the entire flow can be stopped when the well is not in use. Also, wells are to be so constructed and maintained as to prevent waste of ground water through leaky wells, casings, pipes, fittings, valves or pumps either above or below ground surface.

We can see no reason why this useless waste of ground water should be allowed to continue, and we want to see it stopped, preferably without resorting to court action. We feel you should be allowed to let the 0.4 c.f.s. flow for stock water and to protect your well. May we have a report on plans, not later than January 10, 1966, for closing the well to the above mentioned amount?

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

30006
54-2246

August 11, 1961

Re: Permit No. G-30006
D. I. Foreman

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. G-30006 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-6317 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. W. CAPTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: D. I. Foreman
Oreana, Idaho

30006

Permit Nos.
30620 - 006

January 6, 1966

Mr. Milo Axelsen
Attorney at Law
1407 3rd Street South
Nampa, Idaho

Dear Mr. Axelsen:

Replying to your letter of January 3, 1966, wherein you recite some complaint by Mr. D. I. Foreman.

We wish to express our appreciation of Mr. Foreman's willingness to cooperate in the investigation concerning his well and also to limit the flow of water from this well.

Our engineers reported that there was water issuing from around the casing, when they arrived. They opened the well to full flow then closed it to a point where the estimated flow was 15 to 20 inches. The well was then shut off by our engineers who stated that flow could not be completely stopped because a large nut on the gate stem prevented such closure.

Mr. Foreman will, of course, be most happy to discuss Mr. Foreman's well problem at any time.

Very truly yours,

CARL E. TAPIAN
State Reclamation Engineer

CET:ew

30000
54-2246

30066

January 6, 1966

Mr. Milo Axelsen
Attorney at Law
1407 3rd Street South
Nampa, Idaho

Dear Mr. Axelsen:

Replying to your letter of January 3, 1966, wherein you recite some complaint by Mr. D. I. Foreman.

We wish to express our appreciate of Mr. Foreman's willingness to cooperate in the investigation concerning his well and also to limit the flow of water from this well.

Our engineers reported that there was water issuing from around the casing, when they arrived. They opened the well to full flow then closed it to a point where the estimated flow was 15 to 20 inches. The well was never shut off by our engineers who stated that flow could not be completely stopped because a large nut on the gate stem prevented such closure.

We will, of course, be most happy to discuss Mr. Foreman's well problem at any time.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

30006

MIL O AXELSEN
ATTORNEY AT LAW
1407 2ND STREET SOUTH
NAMPA, IDAHO

January 3rd, 1965

Mr. Carl W. Johnson
State Reclamation Engineer
State of Idaho
Department of Reclamation
101 State House
Boise, Idaho

RECEIVED
JAN 4 1965

Idaho Department of Reclamation

On behalf of D. L. Foreman, acknowledgment is hereby made of your letter dated December 27, 1965 sent to him from your office by certified mail.

On December 7th, 1965, two representatives from your office called at the ranch of Mr. Foreman and requested his permission to examine his well, which he freely granted to them. They requested and received permission from him to open the well, with the express instructions from him to leave the same amount of flow as was flowing at the time they went to examine the well. I believe your Department is aware that in the summer of 1965, the well developed a leak and water percolated outside of the well into neighbor's fields, and Mr. Foreman had Mr. R. L. Steiner, who drilled the well, work on the well for about 30 days in order to stop the leak. After completion of the work, Mr. Steiner felt that it was possible that some additional work was necessary, but that it was very important not to shut the well completely down, not only for the reason that the pressure would pull the seal from the casing, at the bottom of the well, but also to prevent the leak breaking out and again percolating to the surface and flooding a neighbor's farm.

Mr. Foreman provided ample controls to shut off his well, which I understand met the approval of your department, and because of the leak and the consequent damage to a neighbor's farm lands, and upon the advise of Mr. Steiner, permitted approximately 50 inches to be flowing at the time your representatives were there. I understand from Mr. Foreman that the pressure with this amount of flow at the top of his well is about 95 pounds, and when it is shut down to about 20 inches, the pressure is between 105 and 110 pounds. Your representatives, on December 7, 1965, shut the well completely down, which was not known to Mr. Foreman until the following day when Mr. Steiner had gone to check the well. Prior to that time, no water was percolating to the surface to cause any damage. As a direct result of your representatives shutting the well off, the water has commenced to percolate again to the surface and is flooding the neighbor's farm land, and it was necessary that Mr. Foreman construct a ditch to prevent flooding as much as possible to his neighbor's farm land.

30006

Mr. Carl E. Tappan

-page 2-

January 3rd, 1965

It would seem that all of the work which was done on the well last summer by Mr. Steiner in repairing the leak has been completely lost by the negligence of your representatives, and we feel that your office should assume some responsibility and liability for their acts.

Mr. Foreman at all times has attempted to cooperate fully with your department and your office, and is quite disturbed about your representatives ruining his well and also apparently causing a great deal of damage to his neighbor, for which he feels responsible, and for which he also feels is a direct result of your representatives.

It will be some time before work can again be commenced on the well to repair the damage, and at such time as it is repaired, Mr. Foreman would certainly control any waste water as far as is practicable.

Mr. Foreman contemplates commencing work on the repair of damage to the well as soon as the weather permits, and it would be greatly appreciated if you would write to us with respect to your intentions in this matter.

Very truly yours,

Milo Axelsen

MILO AXELSEN

MA/1

50006

MILØ AXELSEN
ATTORNEY AT LAW
1407 3RD STREET SOUTH
NAMPA, IDAHO

January 3rd, 1965

Mr. Carl M. Foreman
State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED
JAN 4 1966

Information

Dear Mr. Foreman:

On behalf of C. M. Foreman, acknowledgment is hereby made of your letter dated December 27, 1965 sent to him from your office by certified mail.

On December 7th, 1965, two representatives from your office called at the ranch of Mr. Foreman and requested his permission to examine his well, which he freely granted to them. They requested and received permission from him to open the well, with the express instructions from him to save the amount of flow as was flowing at the time they went to examine the well. I believe your Department is aware that in the summer of 1965, the well developed a leak and water percolated outside of the well into neighbor's fields, and Mr. Foreman had Mr. J. L. Steiner, who drilled the well, work on the well for about 30 days in order to stop the leak. After completion of the work, Mr. Steiner felt that it was possible that some additional work was necessary, but that it was very important not to shut the well completely down, not only for the reason that the pressure would pull the seal from the casing, at the bottom of the well, but also to prevent the leak breaking out and again percolating to the surface and flooding a neighbor's farm.

Mr. Foreman provided ample controls to shut off his well, which I understand met the approval of your department, and because of the leak and the consequent damage to a neighbor's farm lands, and upon the advice of Mr. Steiner, permitted approximately 50 inches to be flowing at the time your representatives were there. I understand from Mr. Foreman that the pressure with this amount of flow at the top of his well is about 95 pounds, and when it is shut down to about 20 inches, the pressure is between 105 and 110 pounds. Your representatives, on December 7, 1965, shut the well completely down, which was not known to Mr. Foreman until the following day when Mr. Steiner had gone to check the well. Prior to that time, no water was percolating to the surface to cause any damage. As a direct result of your representatives shutting the well off, the water has commenced to percolate again to the surface and is flooding the neighbor's farm land, and it was necessary that Mr. Foreman construct a ditch to prevent flooding as much as possible to his neighbor's farm land.

30006
57-2246

Mr. Carl L. Tappan

Enclosure

January 3rd, 1965

It would seem that all of the work which was done on the well last summer by Mr. Steiner in repairing the leak has been completely lost by the negligence of your representatives, and we feel that your office should assume some responsibility and liability for their acts.

Mr. Foreman at this time has attempted to cooperate fully with your department and your office, and is quite disturbed about your representatives ruining his well and also apparently causing a great deal of damage to his neighbor, for which he feels responsible, and for which he also feels is a direct result of your representatives.

It will be some time before work can again be commenced on the well to repair the damage, and at such time as it is repaired, Mr. Foreman would certainly control any waste water as far as is practicable.

Mr. Foreman contemplates commencing work on the repair of damage to the well as soon as the weather permits, and it would be greatly appreciated if you could write to us with respect to your intentions in this matter.

Very truly yours,

Milo Carlson

MILO CARLSON

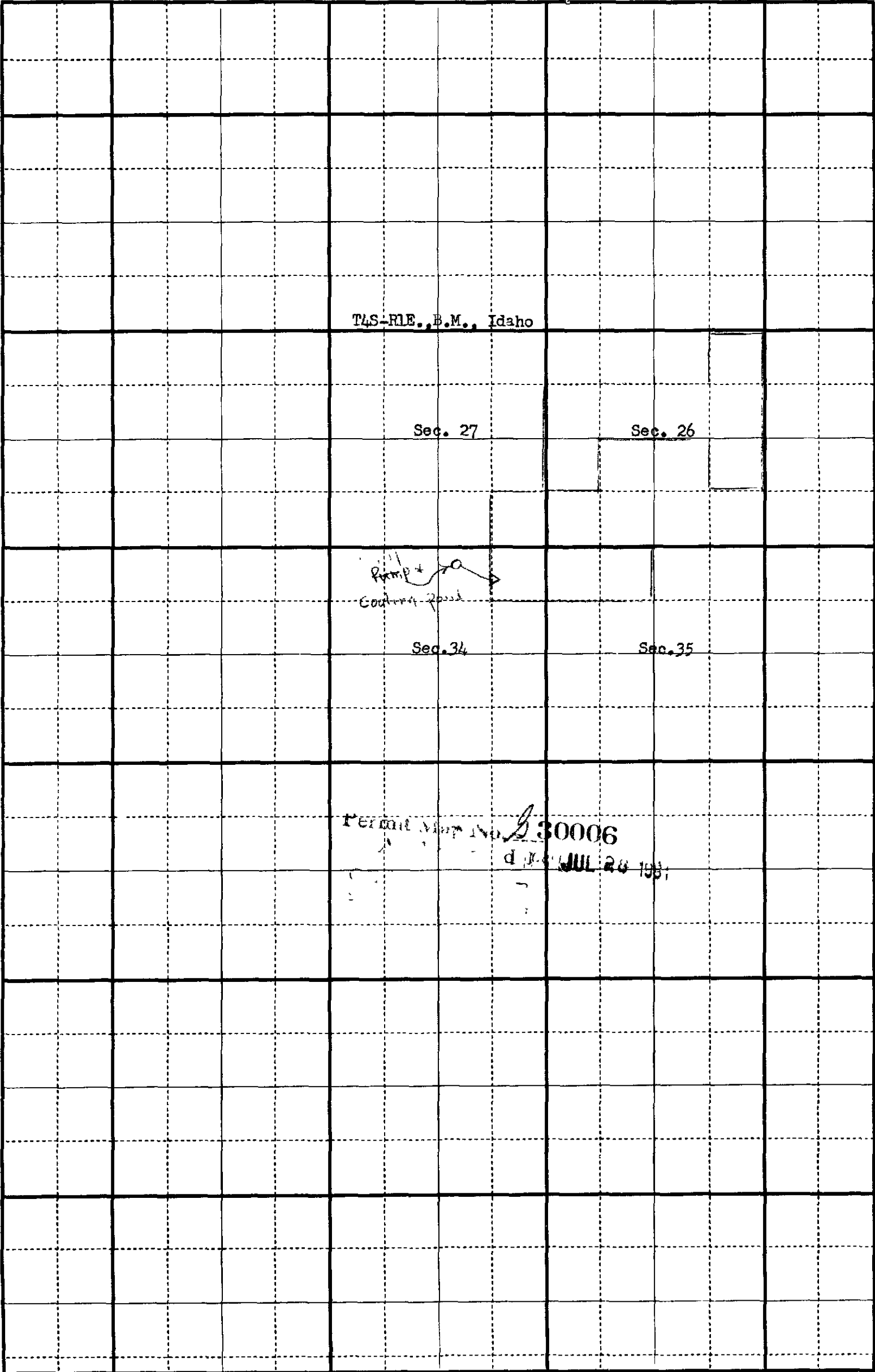
SA/1

366043
57-2246

NAME OF APPLICANT

D. I. Foreman

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30006