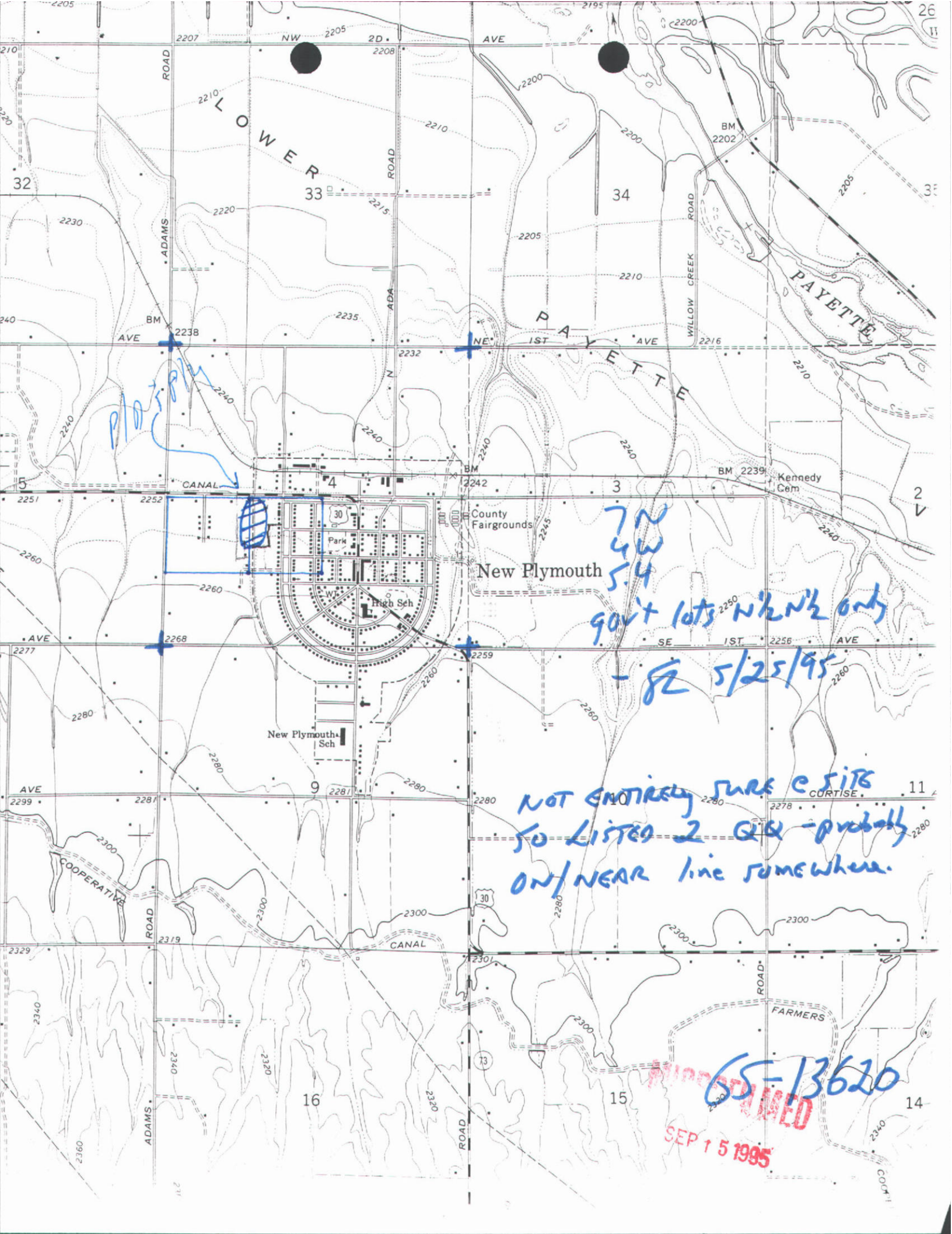




Plat 38

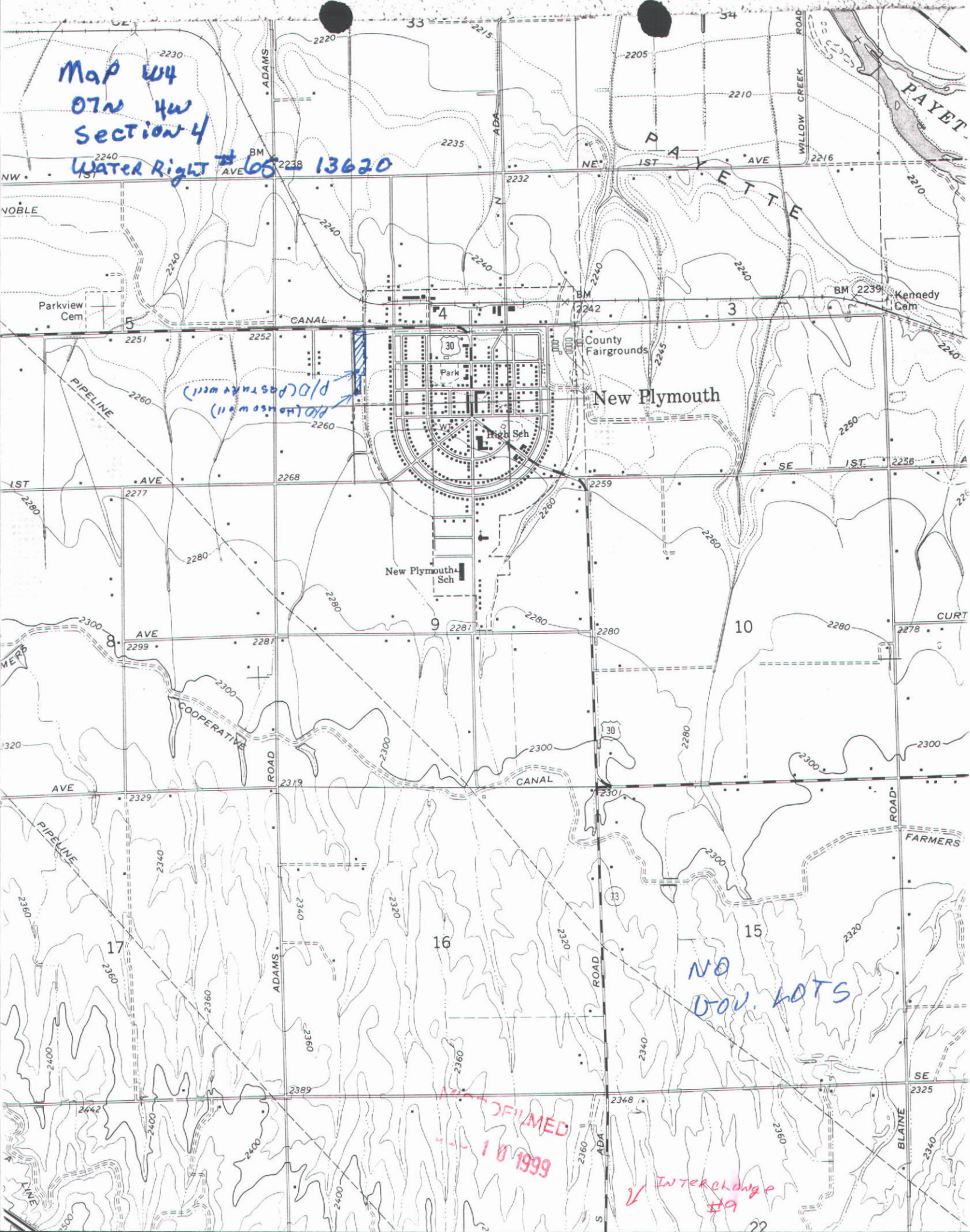
7N
4W
5.4
gov't lots N 1/2 N 1/2 only
- 8/2 5/25/95

NOT ENTIRELY SURE C SITE
SO LISTED 2 QX - probably
ON/NEAR line somewhere.

65-13620
SEP 15 1995

Map W4
07N 4W
Section 4

Water Right # 65-13620



FILMED
10 1999

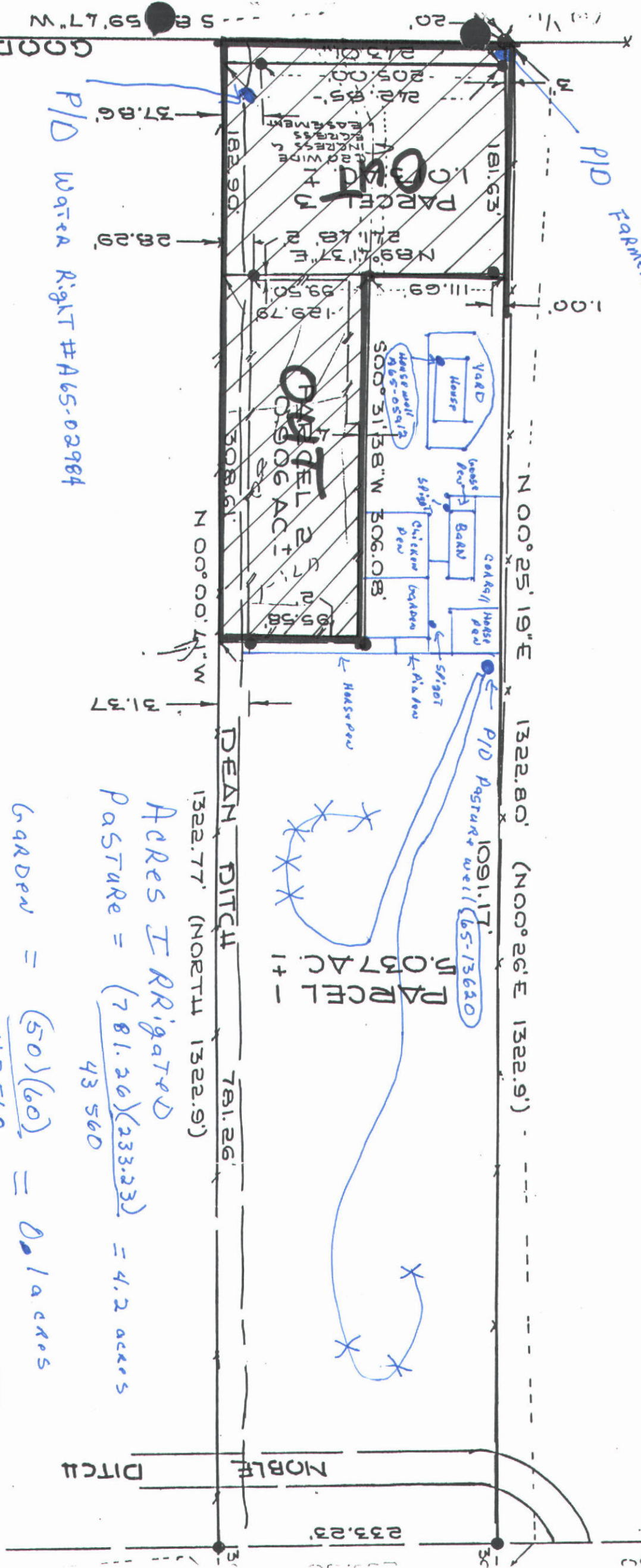
INTERCLAMP
#9

NO
DOV. LOTS

Water Right #
65-13,620

PPD Farmers Cooperative Irrigation Co.

PPD Water Right #A65-02984



PARCEL 1 -
5.037 AC.
1091.17'
PPD Pasture well (65-13620)

DEAN DITCH 781.26' (NORTH 1322.9')

Acres Irrigated

$$\text{Pasture} = \frac{(781.26)(233.23)}{43560} = 4.2 \text{ acres}$$

$$\text{Garden} = \frac{(50)(60)}{43560} = 0.1 \text{ acres}$$

4.3 Total Acres Irrigated.

SCALE:

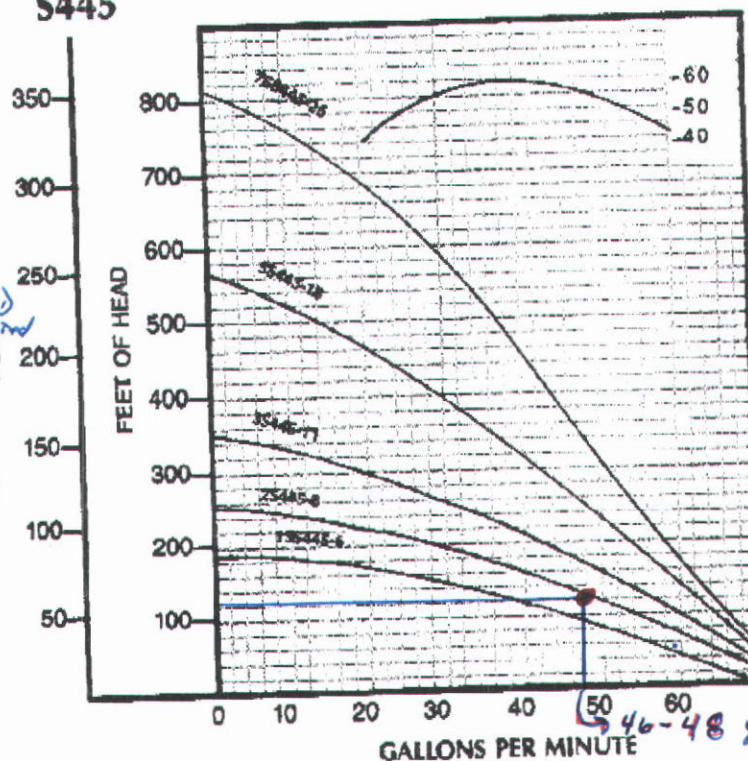


GOOD LANE 89B.6C

JACUZZI

SandHandler High Capacity 4" - 45GPM

Performance Curves

S445

Estimated Head

15.5 Static Head (well log)

+ 10.0 FT. Drawdown (Estimated)

25.5 FT

$$(25.5 \text{ FT}) + (43 \text{ PSI} \times 2.31) =$$

124.83 est. Head.

Ordering Information

45 GPM

Order No.	Model No.	HP	Phase	Volts	Amps	Weight	Price	w/ control box
9252-4437	15S4456-S2	1 1/2	1	230	11.6	46	\$976.00	\$1084.00
9252-4495	2S4458-S2	2	1	230	13.2	56	1098.00	1248.00
9252-4503	3S44511-S2	3	1	230	17.0	76	1634.00	1824.00
9252-4511	5S44518-S2	5	1	230	27.5	144	2161.00	2418.00
9252-4529	15S4456-T2	1 1/2	3	230	6.3	42	920.00	
9252-4537	2S4458-T2	2	3	230	8.1	49	1055.00	
9252-4545	3S44511-T2	3	3	230	10.9	68	1500.00	
9252-4552	5S44518-T2	5	3	230	17.8	103	2012.00	
9252-4560	15S4456-T4	1 1/2	3	460	3.1	43	920.00	
9252-4578	2S4458-T4	2	3	460	4.1	50	1055.00	
9252-4586	3S44511-T4	3	3	460	5.5	66	1479.00	
9252-4594	5S44518-T4	5	3	460	8.9	100	2017.00	

** Three phase units require a magnetic starter, see page 77 for selection.

45 GPM

Pump Ends

Order No.	Model No.	HP	Weight	Price
9252-0014	S4456	1 1/2	16	\$594.00
9252-0022	S4458	2	16	656.00
9252-0020	S44511	3	19	773.00
9252-0048	S44518	5	25	1098.00
9252-0139	S44526	7 1/2	33	1355.00

All motors are 60 cycle.

Notes: 1) Single and three phase units require a control box or magnetic starter, which must be ordered separately. See pages 77.

2) 7 1/2 HP units are available as pump ends only. Motor must be ordered separately. (See page 127.)

3) Check valve not included. See page 79 for ordering information.

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DEC 10 1999

65-13620



The picture above shows the irrigation of the pasture. You can see the two black flexible PVC pipes running into the pasture. These pipes are moved from area to area until the pasture is completely irrigated.

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02921-90
65-13620



65-13620

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DEC 10 1999

This is a picture looking south toward the house and barn area from the pasture. This shows the spigot used to water the animals and irrigate the garden.



These are pictures of the pasture well and the delivery system. The well diverts into a galvanized pipe and that "T"'s into two black PVC pipe that goes to the sprinkler system. PLEASE NOTE: The well does not have a water tight cap and does not have a sanitary seal. There is bentonite around the well casing and the casing is about 18" above ground.

MICROFILMED
JUL 10 1999

65-13620

NEIGHBORS TRAILER HOUSE



This is a picture of the house and the yard. The fence that in the picture separates parcel # 1 and parcel # 2. Please note that house well is located under the southeast corner on the house.

MICROFILMED
DEC 10 1999

65-13620



These two pictures show the east horse pen and the garden area. It also shows the pig pen.

MICROF
DEC 10 1

CHICKEN PEN

02901-57
45-12620

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

J. Viola Olsen, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
June 21, 1995, and ending with the issue
of June 28, 1995.

STATE OF IDAHO
COUNTY OF

On this 29th day of June in the year of 1995, before me,
a Notary Public, personally appeared Viola Olsen,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Maureen J. Rhinehart
Notary Public for Idaho

Residing at Franklin

My commission expires: 12-1-98

Copy of Notice
(First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13620 1st

HAINES, MARVIN G
4127 GOOD LN
NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt: NESW Sec 4 T 07N R 04W in
PAYETTE County; NWSW Sec 4 T 07N R 04W in
PAYETTE County.

Use: IRRIGATION (0.100 CFS)
STOCKWATER (0.010 CFS)
DOMESTIC (0.010 CFS)
Total Diversion: (0.120 CFS)

Date Filed: 5/25/1995

In PAYETTE County

T07N R04W S04 NESW NWSW

5.0 ACRES TOTAL

Permits will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-203A, Idaho Code. Any pro-
test against the approval of this application
must be filed with the Director, Dept. of Water
Resources, Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a protest fee of
\$25.00 on or before JULY 10, 1995. The protes-
tant must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director
June 21, 28

No. 163

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 36

Number of Insertions Two

36 Lines @ .90 . . . \$ 32.40

36 Lines @ .72 . . . \$ 25.92

TOTAL COST
WILL BE \$ 58.32

RECEIVED

JUL 10 1995

WATER RESOURCES
WESTERN REGION

MINOR MED
SEP 15 1995

No 163

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13620

Priority: May 25, 1995

Maximum Diversion Rate: 0.10 CFS

Maximum Diversion Volume: 19.9 AF

This is to certify, that MARVIN G HAINES

4127 GOOD LN

NEW PLYMOUTH ID 83655

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 25, 1995; and has submitted Proof of Beneficial Use on July 7, 1998. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.10 CFS	19.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.5 AF
	Totals	0.10 CFS	19.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 4, Township 07N, Range 04W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	04W	4	NESW	4.3		4.3

Total number of acres irrigated: 4.3

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29th day of OCTOBER, 1999.

MICROFILMED

SEP 10 1999

Acting for

KARL J. DREHER Director

RECEIVED
JUL 07 1998

Department of Water Resources

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0742753
Receipt By: JS
Date Received: 7/7/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13620 Telephone No. 208-278-5083
2. Name(s) of Permit Holder(s): Marvin G. Haines
3. Mailing Address: 4127 Good Lane, New Plymouth, Id. 83655
4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 4 / yr. 98
- a. Well Driller: Haines Water Well Drilling Drilling Permit Number: 65-96-W-0013-000
- b. **OPTIONAL:**
Pump Horsepower: 2 horse Pressure (psi): 45 Dynamic pumping level (ft): 15

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): 18 brot 4 horses - pigs

Irrigation (No. of acres): 5 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.2 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Marvin G. Haines Telephone Number: 208-278-5083

Address: 4127 Good Lane

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10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Marcia Haines Owner Date: 7-6-98
(include your title, if on behalf of company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

RECEIVED

JUL 15 1997

JUL 14 1997

WATER RESOURCES
WESTERN REGION

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 65-96-W-0013-000

Name(s) of Permit Holder: Marvin E. Haines

Mailing Address: 4127 Good Lane New Plymouth Idaho 83655

Date Proof is Due: _____ Telephone No. 208-278-5083

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well is being drilled. Driller has to keep
moving off of well. We are trying to comply but
water has not been acceptable yet.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Well has not been completed at this time.

Permit holder(s) request an extension to 12-31-97, 19 ____.

FEE: \$50.00

Marvin E. Haines
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

AUG 20 1997

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED.

IT IS FURTHER ORDERED: that proof of beneficial use be submitted to the department on or before SEPTEMBER 1, 1998.

Signed this 25th day of July, 19 97. J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13620

Proposed Priority: May 25, 1995

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **MARVIN G HAINES**

4127 GOOD LN

NEW PLYMOUTH ID 83655

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.10 CFS
STOCKWATER	01/01 to 12/31	0.01 CFS
DOMESTIC	01/01 to 12/31	0.01 CFS
	Totals	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 4, Township 07N, Range 04W

NWSW , Sec. 4, Township 07N, Range 04W

PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	04W	4	NESW 2.5	NWSW 2.5		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.

RECEIVED

SEP 15 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 65-13620

CONDITIONS OF APPROVAL AND REMARKS

7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
8. Single point of diversion located on or near line between NESW and NWSW, S04, T07N, R04W.
9. Stockwater use is for 30 range cattle/horses and 25 sheep.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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

31st day of August, 1995.

Karl J. Dreher
for Karl J. Dreher, Director

SEP 15 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MARVIN G HAINES
Address: 4127 GOOD LN
NEW PLYMOUTH ID 83655

208-278-5083

2. Source: GROUNDWATER

Trib. to:

3. Location of Point of Diversion:

NESW Sec. 4, Township 07N, Range 04W
NWSW Sec. 4, Township 07N, Range 04W
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.010		
DOMESTIC	01/01	12/31	0.010		

5. Total quantity to be appropriated is:

0.120 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP & PIPELINE FOR SPRINKLERS; REPLACES DITCH CO. WATER
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is 12 inches; proposed depth of well is 100 feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when?
Drilling Firm NOTE: CANNOT GET DITCH CO. WATER TO ACRES SO NEEDS NEW WELL
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	04W	4	NESW 02.5	NWSW 02.5		5

Total number of acres irrigated: 5

SEP 15 1995

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Single point of diversion located on or near line between NESW
and NWSW, S04, T07N, R04W.
Stockwater use is for 30 range cattle/horses and 25 sheep.
Domestic use is for 1 home.

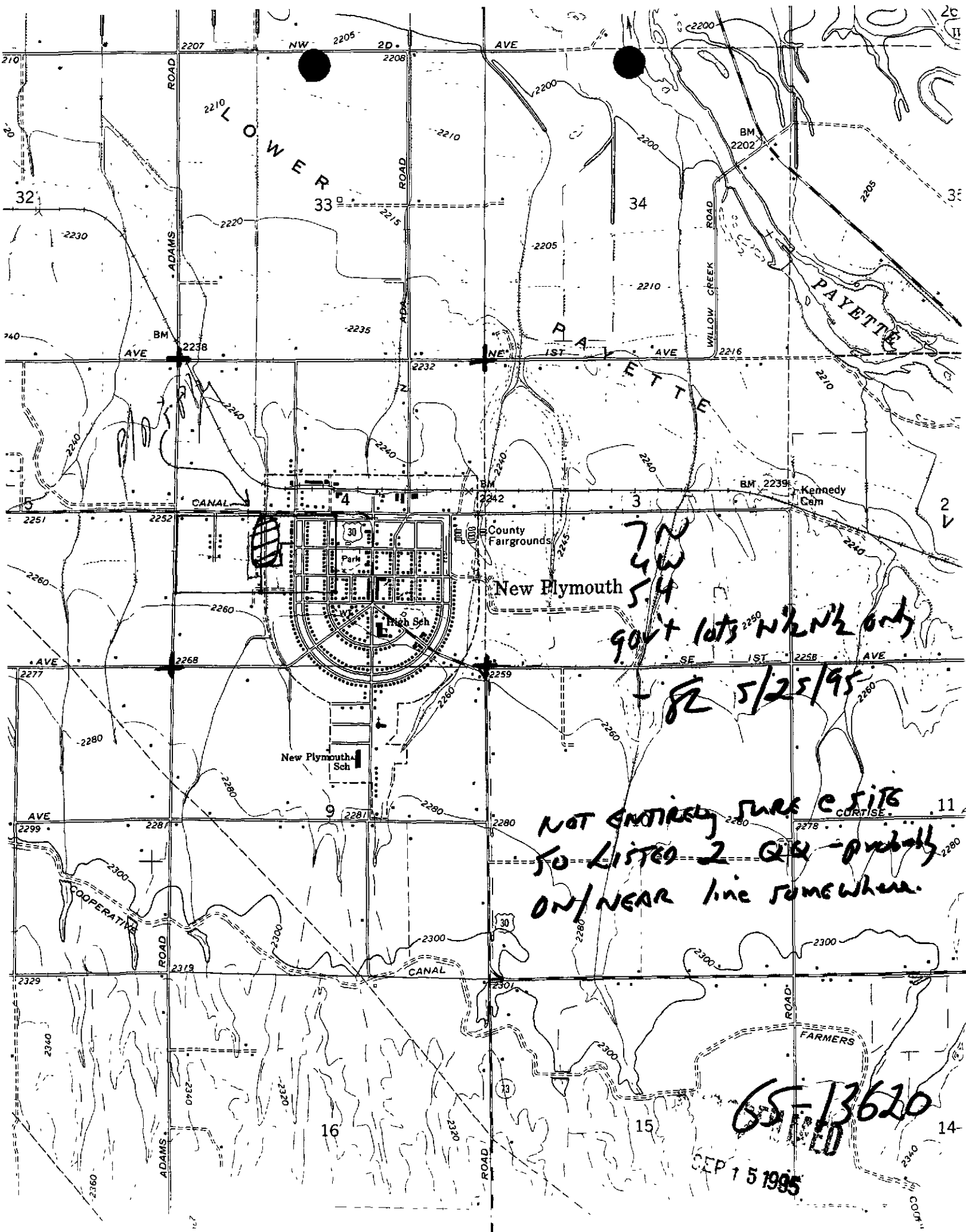
11. Map of proposed point of diversion and place of use attached? ☒

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

Maurin G. Hand
Applicant

Received by SL Date 5/25/95 Time 12:24 Preliminary check by SL
Fee \$ 50 Receipted by W019227 # SL Date 5/25/95
Publication prepared by SL Date 6-14-95 Published in Ind. Ent.
Publication approved SL Date 7-11-95

RECEIVED
SEP 15 1995



7N
4W
5.4

gov't lots W/2 N/2 only

8/2 5/25/95

NOT ENTIRELY SURE C SITE
SO LISTED 2 QUA - probably
ON/NEAR line somewhere.

65-13620

SEP 15 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN G HAINES
4127 GOOD LN
NEW PLYMOUTH ID 83655

RE: WATER RIGHT NO. 65-13620

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

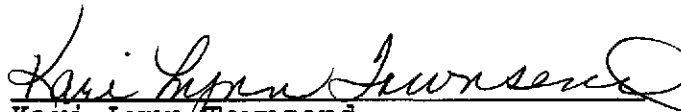
DEC 10 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of **November, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-13620

MARVIN G HAINES
4127 GOOD LN
NEW PLYMOUTH ID 83655


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 10 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED

DEC 10 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

MEMORANDUM

TO: File 65-13620

FROM: Sharla

DATE: October 26, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 65-13620 are as follows:

H. RECOMMENDATIONS

Irrigation	3/1 – 11/15	0.10 cfs	18.0 af
Stockwater	1/1 – 12/31	0.02 cfs	0.5 af
	TOTALS	0.10 cfs	18.5 af

The stanndard irrigation season for this area is 3/1 – 11/15

The permit allowed stockwater for 30 range cattle/horses and 25 sheep at a rate of diversion of 0.01 cfs. The corresponding volume would have been 0.5 af. Because there is no domestic use to license under this right, I agree with the examiner in allowing 0.02 cfs stockwater. The volume remains the same eventhough there are different figures for the cattle/horses and other "animals" (geese/chickens = 0.1 af; 2 hogs = 0.1 af; 28 cattle/horses = 0.3 af for a total of 0.5 af)

Exam Date: November 3, 1998

Examiner: Dan Nelson

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DEC 10 1999

Permit No. 65-13620 52

stock volume
season - ins

(Sign once if Firm Official & Operator)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 21 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13620

1. Owner: Marvin G. Haines Phone No. (208) 278-5083

Current Address: 4127 Good Lane, Newplymouth, Idaho 83655

2. Accompanied by: Mrs. Haines EXAM DATE: 11/3/1998

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: Permit holders wife.

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A65-05912, A65-02984, & Farmers Cooperative Irrigation Co. Shares.

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
PASTURE WELL		SE	NE	SW	04	07N	04W	PAYETTE	VISUAL INSPECTION AIDED BY USGS QUADANGLE MAPS

2. Place(s) of Use:

Indicate Method of Determination VISUAL INSPECTION
AIDED BY USGS QUADANGLE MAPS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	04W	04									4.3								4.3

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

SEE ATTACHED SHEET.

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

NO Aerial Photo Attached (required for irrigation of 10 + acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PASTURE WELL	JACUZZI	2 Hp	NOT KNOWN	Jacuzzi	2"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE	NOSHOK	N/A	N/A	N/A	0-100 PSI	N/A

2. Measurements: 2.) I performed a nozzle test on the pasture well, but was not satisfied with the results. The nozzle's were worn and the psi gage that was available does not look like its been calibrated. Therefore, I choose to use the pump curves and a theoretical annalysis for this system.

E. NARRATIVE/REMARKS/COMMENTS

1.) This place of use has 2 wells located within approximately 5 acres of land. The first well is the well that services the house. This well is located under the home in parcel 1 (see acres map for parcel numbers). This well is used for house water and to irrigate the 1/2 acre yard surrounding the home. This well is not sent to the rest of the property and is not connected to the pasture well. However, due to high nitrate levels in the house well the owners would like to connect the house to the pasture well in the future. This well has been claimed under water right A65-05912 and should not be used as a point of diversion for this permit.

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65-13620

The pasture well is located approximately 3 feet south of the west horse corral in parcel 1 (please see acres map to see pasture and west horse corral). This well is connected to the irrigation system used on the 4.2 acre pasture. This irrigation system is comprised of two seperate black flexible PVC pipes that has 9 rainbird sprinklers with 9/64" nozzles spread along the length of the pipe. There is a single galvanized pipe leaving the well that is connected to a "T". The "T" seperates the two lines and a control valve is connected to southern most line. The owner has the option of operating either the northern line or both lines if they choose. This well is also connected to 2 spigots located in the NW corner of the garden area and the SE corner of the barn. These spigots are used to water approximately 80 head of various kinds of animal (see volume calculations for livestock sheet for type and numbers of livestock) and to irrigate the .1 acre garden.

2.) The overlap for this place of use is very confusing, please see overlap review for details concerning this permit. At the present time all of the acres are covered under either adjudication claims or canal shares. However, the owner has stated that the owner of lot 3 has refused to allow him easment to the canal companies point of diversion or the waste water point of diversion (A65-02984)

RECOMENDATIONS:

I recomend that this water right be licensed for irrigation as a supplemental water right to the waste water right (A65-02984) and the Farmers Cooperative Irrigation Co. canal shares. The owners should use the surface water first if allowed to by their neighbors. This permit should not allow more than .02 cfs per acre diversion rate or 4.5 annual acre feet of volume when all canal shares and waste water rights are combined.

I also recomend that the stockwater portion of this permit be licensed for the entire .10 cfs diversion rate and an annual volume of 2.2 acre feet. Since the stock numbers and types are so varied there should be no limitation on types and number of stock as long as the annual volume amount is not exceeded

I also recomend that the domestic portion of this permit not be allowed. The owners already have the domestic portion of this permit covered under water right A65-05912. If the owners want to combine the systems in the future they can do this if they abandon the house well or file for a transfer that will combine the two uses and two wells.

Have conditions of permit approval been met? X yes

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65-13620

F. FLOW CALCULATIONS

Measured Method:

X Additional Computation Sheets Attached**PASTURE WELL:**

THEORETICAL ANNALYSIS = .10 CFS

PUMP CURVE = .10 CFS

NOZZLE TEST = .08 CFS

(The theoretical and the pump curve are almost identical diversion rates. The nozzle test was .02 cfs below both of these figures. However, the sprinklers on this system were old and showed wear. I am confident that the theoretical annalysis and pump curve are more reliable. Therefore, I am recommending the .10 cfs diversion rate be used for this well. We can allow up to .03 cfs per acre for irrigation of less than 5 acres or .129 cfs for the 4.3 acres of this permit, which is above the pump capacity of .10 cfs.)

STOCKWATER SHOULD BE LIMITED TO .02 CFS DUE TO ANIMAL NUMBERS AND USE (SEE STOCKWATER SHEET FOR DIVERSION RATE CALCULATIONS).

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.3 \text{ AC} \times 4.5 \text{ AF/A} = 19.4 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .10 \times 246 \times 1.9835 = 48.8 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 19.4 \text{ AFA}$$

B**2. Volume Calculations for Other Uses:****STOCKWATER = 0.3 AFA (SEE ATTACHED SHEET)****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use From	Rate of Diversion To	Annual Volume Q (cfs)	V (afa)
<u>IRRIGATION</u>	<u>MARCH 15</u>	<u>NOV. 15</u>	<u>.10 CFS</u>	<u>19.4 AFA</u>
<u>STOCKWATER</u>	<u>JAN. 01</u>	<u>DEC. 31</u>	<u>.02 CFS</u>	<u>0.3 AFA</u>
Totals:			<u>.10 CFS</u>	<u>19.7 AFA</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 12-11-98Reviewer _____ Date _____
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DEC 10 1999

65-13620

OVERLAP REVIEW FOR PERMIT # 65-13620

There are 3 water rights and Farmers Cooperative Irrigation Co. canal shares that are connected to this permit's place of use. The map below shows the original acreage of 7 acres that was licensed under the earliest water right (65-02984) for this property. This 7 acres has since been split into 3 parcels that are all under separate ownership. I will only deal with the water rights associated to parcel 1, which is the parcel associated with the licensing of this permit (65-13620). Each water right will be listed separately and described below.

65-13620

This is the permit that is being licensed with this report. It is for domestic use of one house hold, stockwater, and irrigation of 5.0 acres. The source of water for this water right is 2 wells. One well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the other well is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 04, township 07N, range 04W. This water right is held by Marvin G. Haines (parcel #1 on the map below). According to the owner the 2 wells listed on this water right are the house well and the pasture well.

A 65-05912

This is a decreed water right that was decreed in the Payette River Adjudication for domestic use (in house use and 1/2 acre of irrigation with 13,000 gpd limitation). The source of water for this well is the house well denoted on the map below. The owners have filed a SRBA claim for this water right on 12/07/1998. I wrote the owners a letter stating that they had this water right available to them and they decided to file the SRBA claim.

A65-02984

This water right was originally licensed on 5/11/1958 as water right number 27223 in the name of Charleton N. Hamilton. This license was for irrigation from waste water of the entire 7 acres associated with all 3 parcels. The point of diversion for this water right is denoted on the map. The water right was then renumbered to 63-03119. Showing the incorrect basin the license was renumbered again to 65-03077. This license was then renumbered again in the Payette River Basin Adjudication (PRBA) and was listed as its current water right number 65-02984. The ownership of this license also changed during the

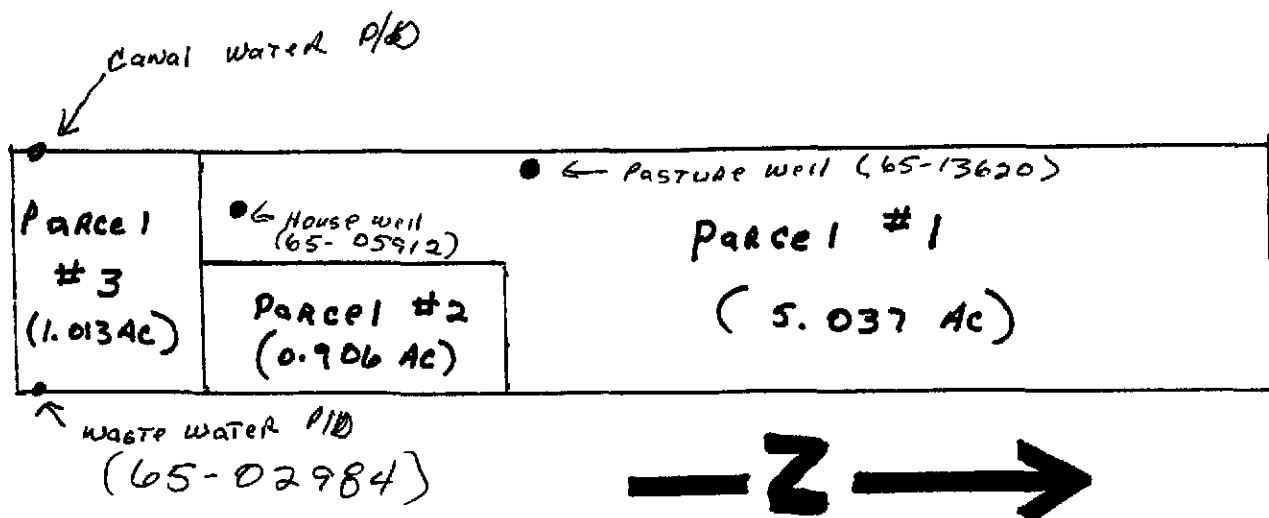
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65-13620

PRBA to Harold G. and Viola Carr. The Carrs then split the property into 3 parcels and sold all 3 parcels. There has been an Snake River Basin Adjudication Claim filed on this water right by one of the current owners, G. Joe and Glennys L. Edwards. Currently the Edwards' are the only one of the 3 owners of this water right to file on this claim. I sent Mr. Haines a change of ownership so he could claim his share of this adjudication claim. Mr. and Mrs. Haines came into the Western office of IDWR and filed a change of ownership for this water right on 12/07/1998. The portion of this water right appurtenant to his property should be split off this water right in the SRBA. However, Mr. Haines informed me that he can not use this water at the present time due to a dispute over the easement for the ditch carrying the water to his property. According to Mr. Haines the new owner of parcel 3 will not allow him to use or maintain the ditch that carries this water to his property.

FARMERS COOPERATIVE IRRIGATION CO.

There are Farmers Cooperative Irrigation Company (FCIC) shares for this property. However, the owner has informed me that he can not use the water at the present time due to a dispute over the easement for the ditch carrying the water to his property. According to Mr. Haines the new owner of parcel will not allow him to use or maintain the ditch that carries this water to his property.

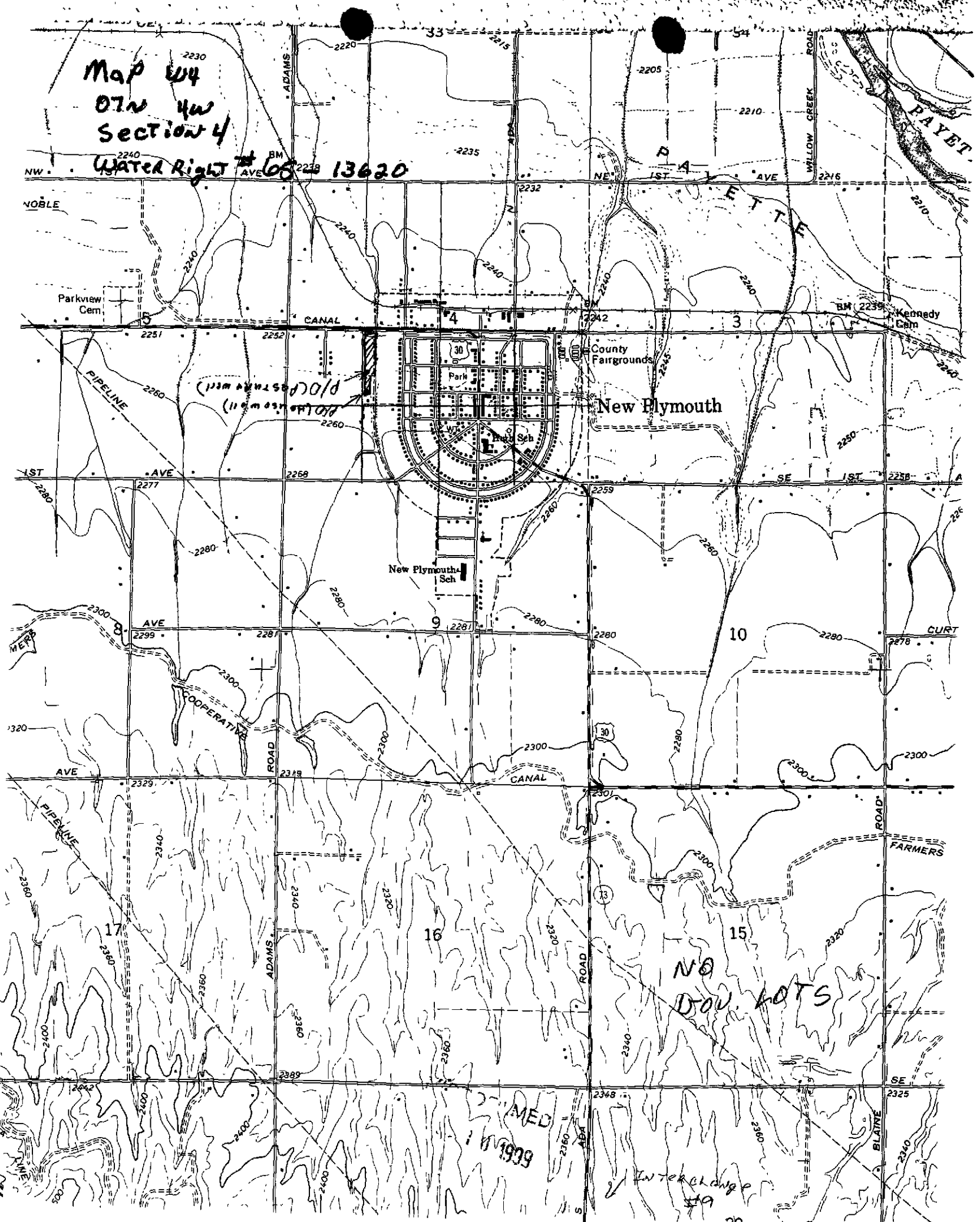


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65-13620

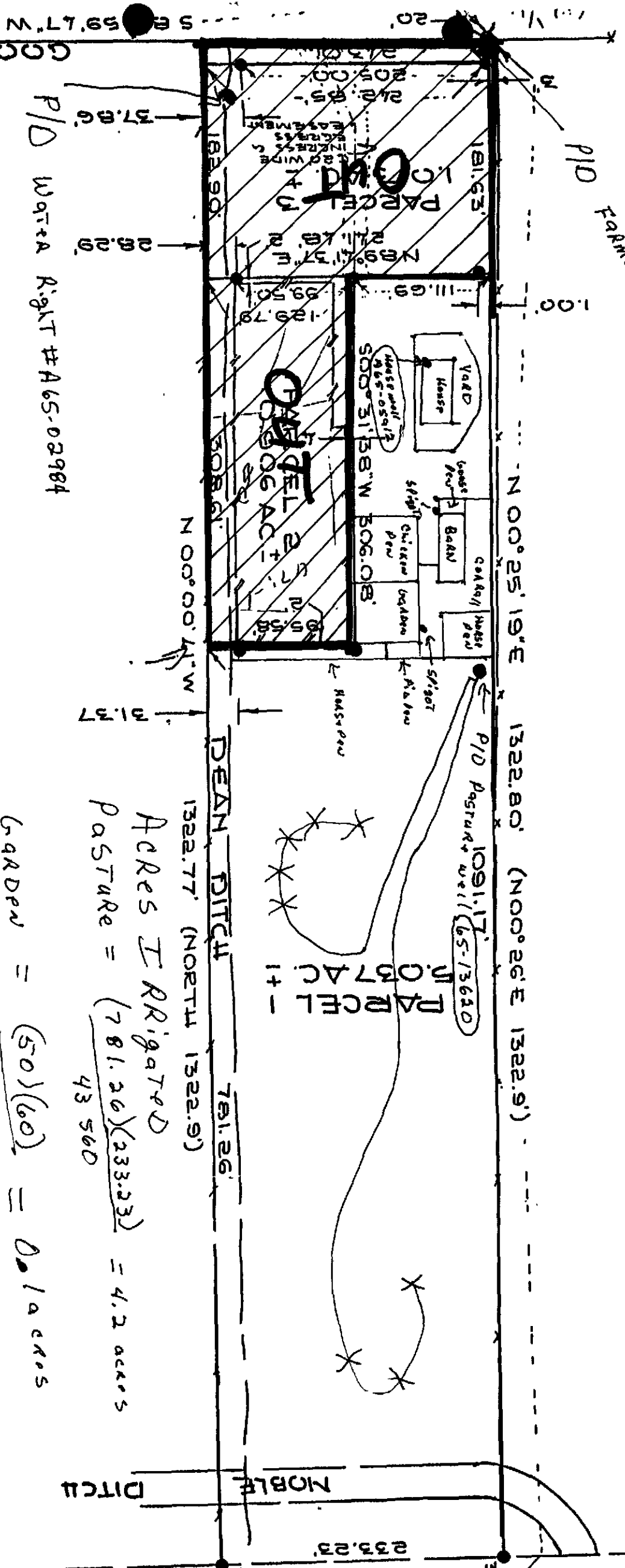
Map W4
07N 4W
Section 4

Water Right # 68-13620



Water Right #
65-13,620

FARMERS COOPERATIVE IRRIGATION CO.



Acres Irrigated

$$\text{PASTURE} = \frac{(781.26)(233.23)}{43560} = 4.2 \text{ acres}$$

$$\text{GARDEN} = \frac{(50)(60)}{43560} = 0.1 \text{ acres}$$

4.3 Total Acres Irrigated.

SCALE:



GOOD LANE

P/D Water Right #A65-02984

VOLUME CALCULATIONS FOR LIVESTOCK

Vr:

TYPE OF LIVESTOCK	NUMBER OF ANIMALS	RATED GALLONS PER DAY	ANNUAL USE
CATTLE	18	12 GPD	78840 GPY
HORSE	3	12 GPD	13140 GPY
HOGS	2	4 GPD	2920 GPY
GEESE	2	.2 GPD	146 GPY
CHICKENS	60	.1 GPD	2190 GPY
TOTAL GALLONS OF WATER PER YEAR			97236 GPY

$97236 / 325850 = 0.3$ ANNUAL ACRE FEET OF STOCKWATER

Vd:

TYPE OF LIVESTOCK	NUMBER OF ANIMALS	DIVERSION RATE
CATTLE & HORSES	28	0.02 CFS
HOGS	2	0.02 CFS
CHICKENS & GEESE	62	0.00018 CFS
TOTAL CFS OF WATER		0.04018 CFS

PLEASE NOTE: The Stockwater portion for this permit is listed as .01 cfs and the Domestic portion is listed as .01 cfs. Since the Domestic portion is already being covered by water right A65-05912, I recommend that the Domestic portion for this water right be adjusted over to the Stockwater portion to allow .02 cfs for Stockwater.

$.02 \times 365 \text{ DAYS} \times 1.9835 = 14.48 \text{ AFA}$

RECOMMENDATIONS:

I RECOMMEND A DIVERSION RATE OF .02 CFS (SEE ABOVE) AND A ANNUAL VOLUME OF 0.03 ANNUAL ACRE FEET.

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JUL 10 1993

65-13620

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 63-13620
DATE: 11-3-98
BY: DAN NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (2) \times (0.70)}{[(25.5 \text{ FT}) + (43 \times 2.31)]} = \frac{12.32}{124.83} = 0.10 \text{ CFS}$$

44.3 gpm

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
measurement ()	measurement (X)	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS 10 added + 10 FT TO STATIC WATER LEVEL FOR draw down.

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

" PASTURE well "

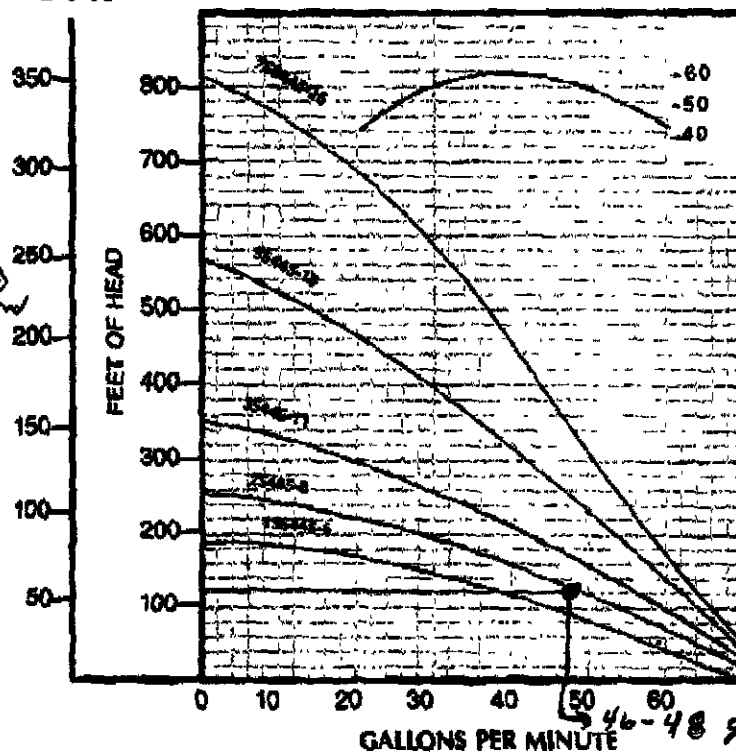
10 1993

JACUZZI

SandHandler High Capacity 4" - 45GPM

Performance Curves

S445



Estimated Head

15.5 Static Head (well hole)
 + 10.0 FT. Drawdown (Estimated)
 25.5 FT

$$(25.5 \text{ FT}) + (43 \text{ PSI} \times 2.31) =$$

124.83 est. Head.

Ordering Information

45 GPM

Order No.	Model No.	HP	Phase	Volts	Amps	Weight	Price	Notes
9252-4487	15S4458-S2	1 1/2	1	230	11.6	48	2375.00	
9252-4495	3S4458-S2	2	1	230	13.2	58	2575.00	
9252-4503	3S44511-S2	3	1	230	17.0	76	2775.00	
9252-4511	5S44518-S2	5	1	230	27.5	144	3175.00	
9252-4529	15S4458-T2	1 1/2	3	230	6.3	42	2775.00	
9252-4537	3S4458-T2	2	3	230	8.1	49	2975.00	
9252-4545	3S44511-T2	3	3	230	10.9	68	3175.00	
9252-4562	5S44518-T2	5	3	230	17.8	103	3575.00	
9252-4560	15S4458-T4	1 1/2	3	480	3.4	43	2775.00	
9252-4578	3S4458-T4	2	3	480	4.1	50	2975.00	
9252-4586	3S44511-T4	3	3	480	5.5	66	3175.00	
9252-4594	5S44518-T4	5	3	480	8.9	100	3575.00	

** Three phase units require a magnetic starter, see page 77 for selection.

45 GPM

Pump Ends

Order No.	Model No.	HP	Weight	Price
9252-0014	S4456	1 1/2	16	2524.00
9252-0022	S4458	2	18	2650.00
9252-0070	S44511	3	19	2820.00
9252-0048	S44518	6	25	3080.00
9252-0139	S44526	7 1/2	33	3250.00

All motors are 60 cycle.

Notes: 1) Single and three phase units require a control box or magnetic starter, which must be ordered separately. See pages 77.

2) 7 1/2 HP units are available as pump ends only. Motor must be ordered separately. (See page 127.)

3) Check valve not included. See page 79 for ordering information.

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65-13620

SPRINKLER TEST

ALL NOZZLES TESTED WERE 9/64 NOZZLES. HOWEVER, THERE WAS CONSIDERABLE WEAR ON ALL OF THE NOZZLES THAT COULD ACCOUNT FOR THE LOW GPM/NOZZLE RATE COMPARED TO THEORETICAL AND PUMP CURVE.

<u>NOZZLE NUMBER</u>	<u>PSI</u>	<u>RATED FLOW RAT</u>
# 1	43 PSI	3.99 GPM
# 2	43 PSI	3.99 GPM
# 3	43 PSI	3.99 GPM
# 4	41 PSI	3.74 GPM
# 5	42 PSI	3.74 GPM
# 6	42 PSI	3.74 GPM
# 7	38 PSI	3.74 GPM
# 8	38 PSI	3.74 GPM
# 9	38 PSI	3.74 GPM
TOTAL GALLONS PER MINUTE		34.41 GPM

PLEASE NOTE: THE WEAR ON THE NOZZLES COULD POSSIBLY SHOW A 5 - 10 GPM VARIANCE FROM ACTUAL FLOW RATE.

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DEC 10 1999

65-13620

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 65-96-W-0013-00 OTHER APPLICABLE NO: 63-13620

2. OWNER: MARVIN HAYNES Phone: 278 5085
Address: 4127 WOOD LN NEW PLYMOUTH

3. WELL LOCATION: Twp SEE FIELD EXAM FOR WELL LOCATION, Rge. , Sec. , 1/4 1/4
County (Provide sketch map and photo on reverse.)

4. DRILLER: UNKNOWN Lic. No. UNKNOWN
When Drilled? UNKNOWN (SEE WELL LOG)

5. WELL CONSTRUCTION:
Casing Diameter 12 inches Water tight cap? ☐ Yes ☒ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe
Depth of Casing UNKNOWN ft. Method Drilled UNKNOWN
Condition of Well Casing: ☒ Good ☒ Fair ☐ Poor Describe
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving OK
Auger to a depth of 0 ft. Evidence of Annular Seal ☒ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:
Depth to Static Water UNKNOWN ft. Water Temperature UNKNOWN °F
Flowing Artesian ☐ Yes ☒ No Pressure: UNKNOWN (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose
Water Quality Measurements/Observations (Describe)

7. WELL USE:
☒ Domestic ☒ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other:

DEC 10 1993

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: OTHER THAN THE TOP OF WELL

Casing NOT Being Sealed where POWER
LINE GOES IN, THIS WELL LOOKS
OK

Daniel A. Nelson

Signature of Dept. Representative & Title

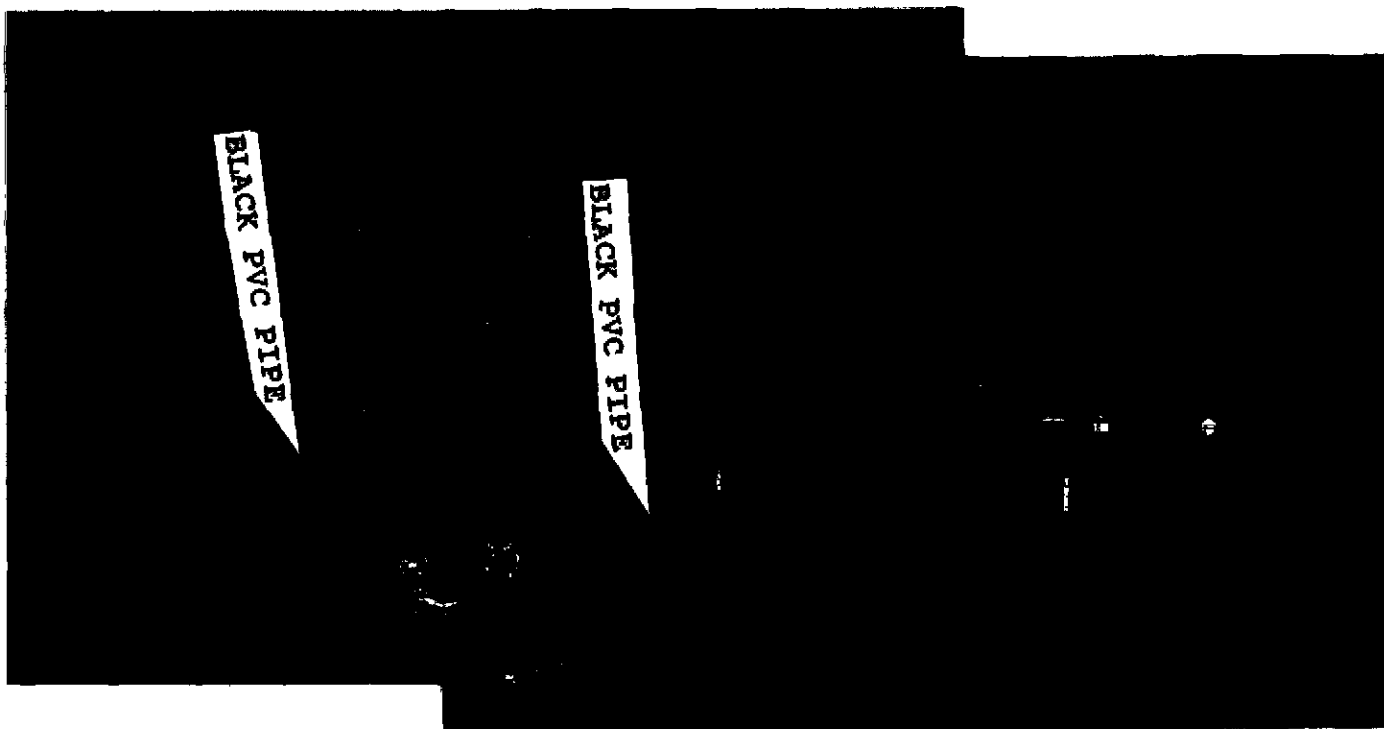
11-3-98

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

See Field Exam FOR PHOTO'S &
Placement ON MAP. This well is
Known as PASTURE well

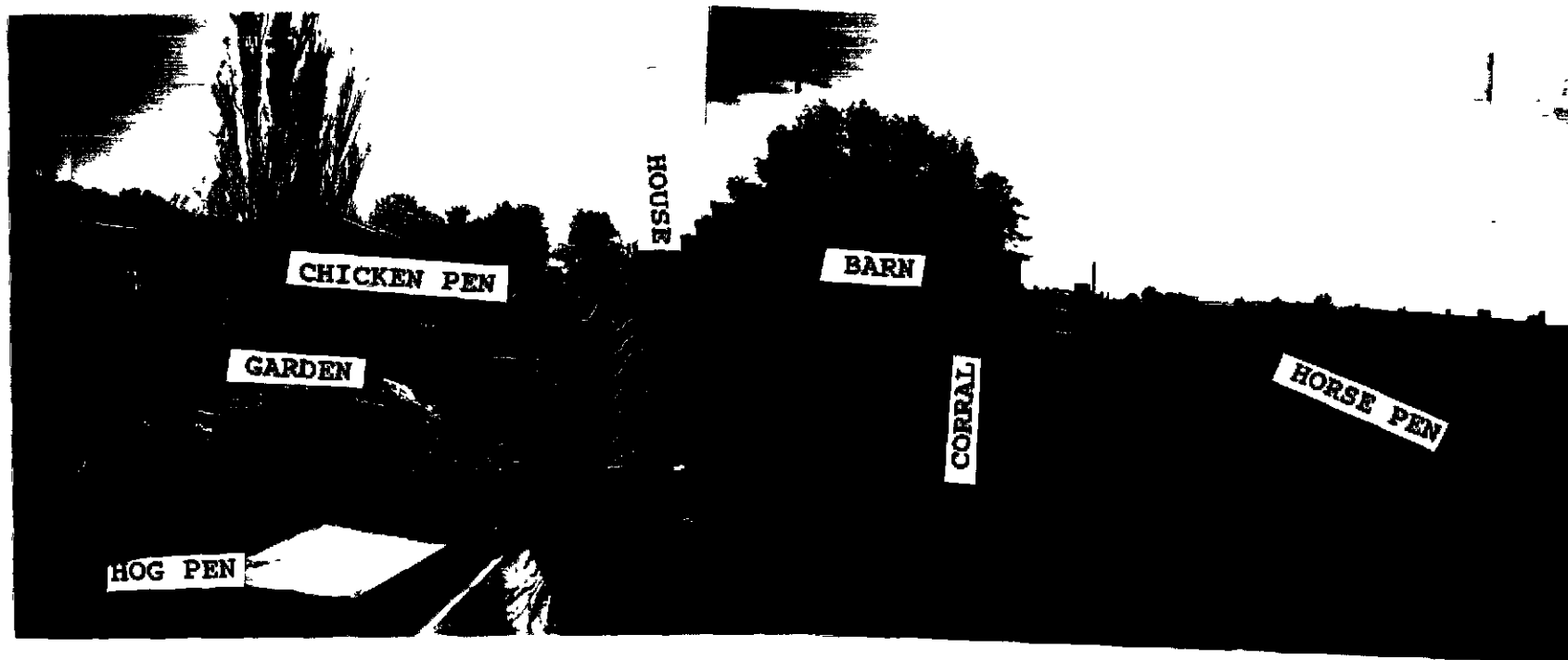
MAILED
OCT 10 1998



The picture above shows the irrigation of the pasture. You can see the two black flexible PVC pipes running into the pasture. These pipes are moved from area to area until the pasture is completely irrigated.

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JUL 10 1983

02921-907



65-13620

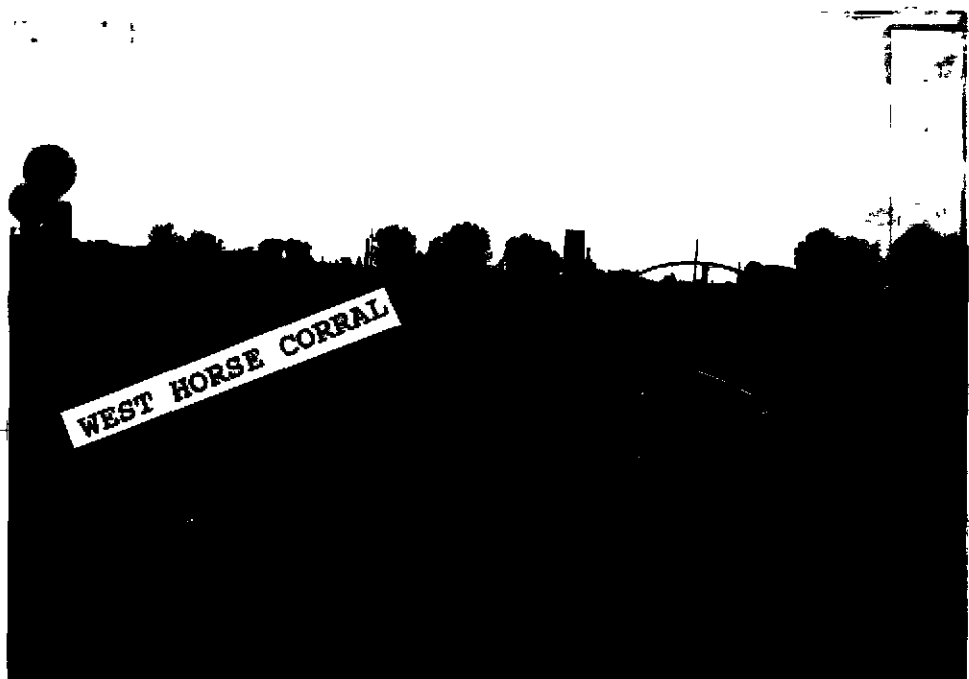
NOV 10 1949

This is a picture looking south toward the house and barn area from the pasture. This shows the spigot used to water the animals and irrigate the garden.

PASTURE WELL



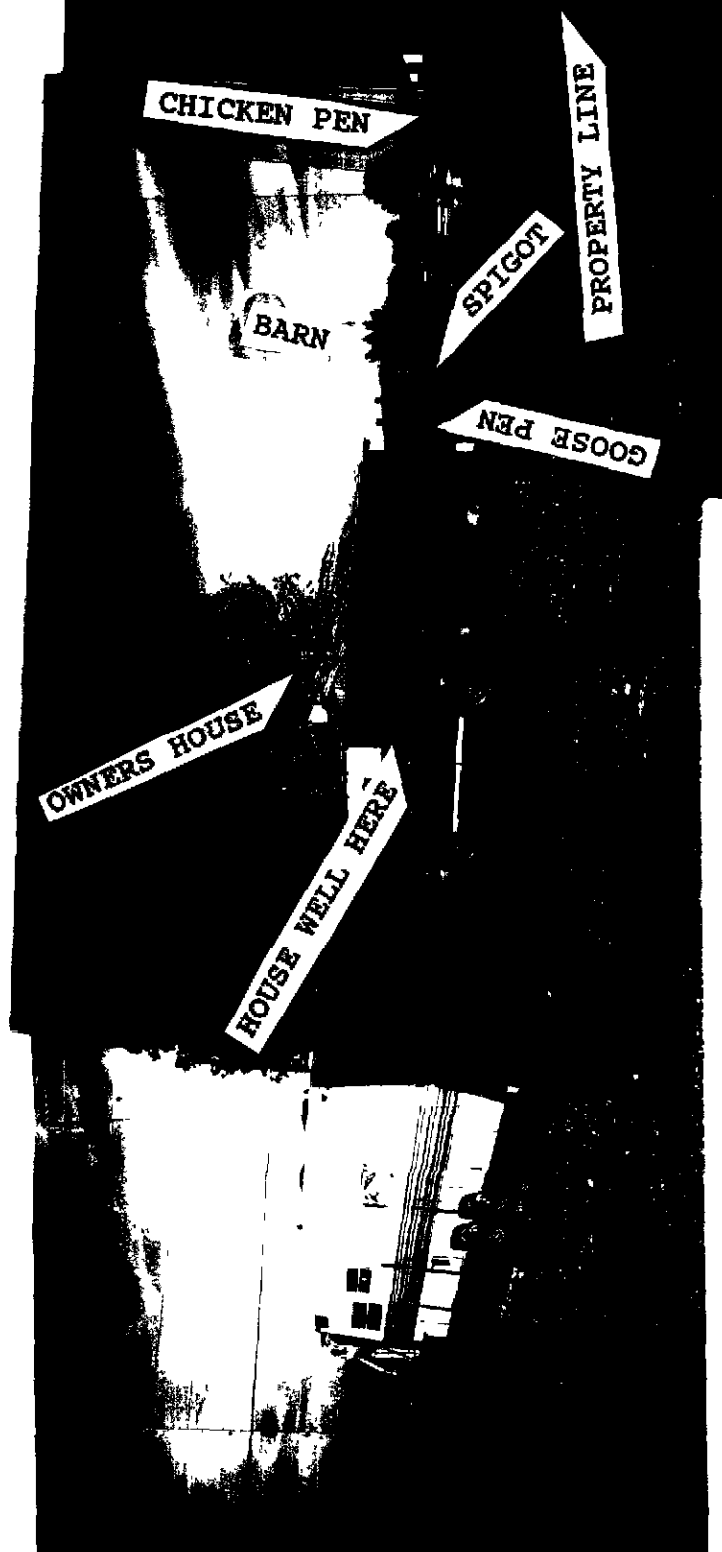
68-13620



These are pictures of the pasture well and the delivery system. The well diverts into a galvanized pipe and that "T"'s into two black PVC pipe that goes to the sprinkler system. PLEASE NOTE: The well does not have a water tight cap and does not have a sanitary seal. There is bentonite around the well casing and the casing is about 18" above ground.

307-111-
10 1993

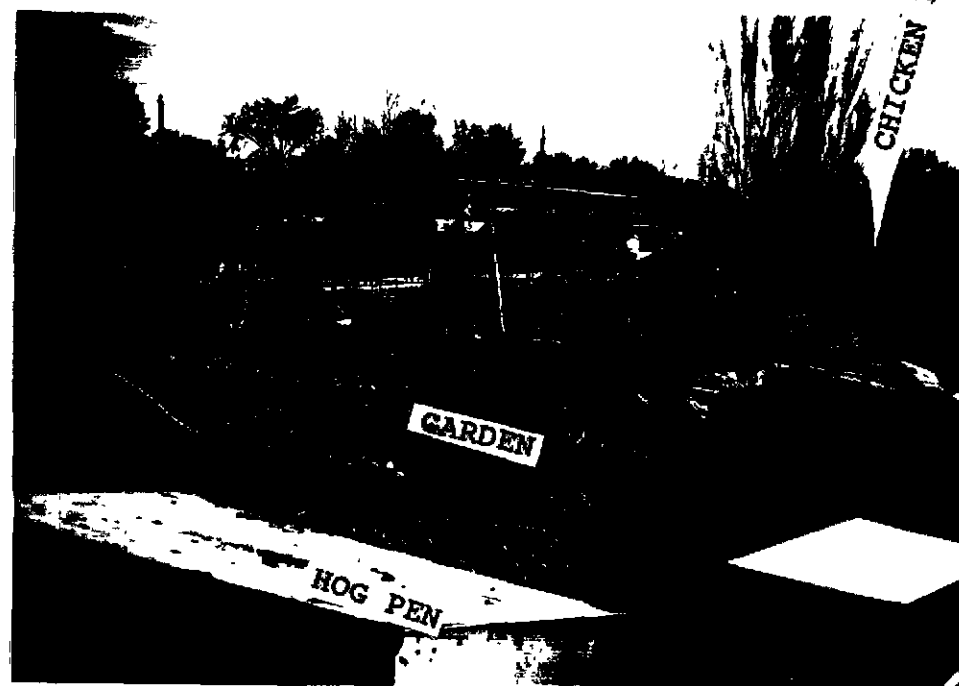
NEIGHBORS TRAILER HOUSE



This is a picture of the house and the yard. The fence that in the picture separates parcel # 1 and parcel # 2. Please note that house well is located under the southeast corner on the house.

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65-13620



These two pictures show the east horse pen and the garden area. It also shows the pig pen.

REC 100
MICRO

029-1-27

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13620 Reviewed by JJ Date 8-21-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

_____ Surface water source
☒ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 65-96-W-0013-000
200- Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?
no Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	- = +	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 7-7-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1998

Marvin Haines
4127 Good Lane
New Plymouth ID 83655

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13620

Dear Permit Holder:

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

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

If you have questions concerning the field examination, please contact the department's WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
SEP 22 1998

June 30, 1998

MARVIN G HAINES
4127 GOOD LN
NEW PLYMOUTH ID 83655

PROOF DUE NOTICE

RE: PERMIT NO. 65-13620

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

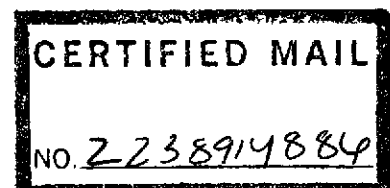
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
SEP 27 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

Marvin G. Haines
4127 Good Lane
New Plymouth, ID 83655

RE: Permit No. 65-13620

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit. The time within which to submit proof of beneficial use is extended to **September 1, 1998**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact the department if you have any questions regarding this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

C: IDWR - W. Regional Office

REC'D - IDWR
AUG 28 1997

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 65-13620 Reviewed by VLS Date 7-24-97

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
— Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? — Requested? —
— Is delay by a government agency?
Is supporting documentation needed to complete the file? — Requested? —
— Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

approval ext request. to 9-1-98,

PRIORITY CALCULATION

Date extension received	<u>—</u>	=	<u>—</u>
Proof due date	<u>—</u>	=	<u>—</u>
Number of days late	<u>—</u>	=	<u>—</u>
Priority date	<u>—</u>	=	<u>—</u>
New Priority Date	<u>—</u>	=	<u>—</u>

DATA ENTRY

New Address —
Change Proof Due Date 9-1-98
Change Priority Date —

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C039544

Date: 7/14/1997
Time: 11:36:34

Received
From: HAINES WATER WELL DRILL

	Type of Payment		Program A cct	Amount
EXTENSION	65-96-W-0013-000	56103	229 21 1155	50.00

CHECK 3283

Total \$ 50.00

Region: STATE

Signature: 

MICROFILMED
AUG 20 1997

June 30, 1997

MARVIN G HAINES
4127 GOOD LN
NEW PLYMOUTH ID 83655

PROOF DUE NOTICE

RE: PERMIT NO. 65-13620

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

NOT RECORDED
AUG 2 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 31, 1995

MARVIN G HAINES
4127 GOOD LN
NEW PLYMOUTH ID 83655

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13620

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECORDED

SEP 15 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-1362 Name: Hewes Date: 8/25/95 ^{8/30} Ad OK? ☒
Correct Fee? ☐ Receipt #: W019227 Priority: 5/25/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes ☐ Mor ☐ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, ~~065~~ (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - ~~046-46B-P23~~ (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink in WD):

Water District (~~dem~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R ↑ L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - ~~067~~ (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs - P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053 - P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

① W33 ② W02/30 R/H 0255 ③ W05/1

BENEFICIAL USE DUE:

COMMENTS:

9-1-1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6 DATE: 6/1/95 APPLICATION: 65-13620

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map: (show T, R, S, QQ &/or QQQ)
☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ 1992 moratorium:
☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion)
☐ ☒ Copy to Dam Safety staff: (for any storage)
☐ ☒ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
☐ ☒ Send power requirement letter:
☐ ☒ Send fish farm requirement letter:
☐ ☒ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION

65-13620

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 7-16-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DNR

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 2 yrs), 46

See below for additional information

Recommended Date or Priority 5/25/1995

Recommended by: DA

Date 3/21/95

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

P/D + P/M overlaps: (several domestic wells ^{see attached})

Irrigation - 165-00066 Payette R

P/M - 172984 waste water

P/D - 172016 " "

172005 GW

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

J. Viola Olsen, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
June 21, 1995, and ending with the issue
of June 28, 1995.

STATE OF IDAHO
COUNTY OF

On this 24th day of June in the year of 1995, before me,
a Notary Public, personally appeared Viola Olsen
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Marilyn J. Rhinehart
Notary Public for Idaho

Residing at Franklin

My commission expires: 12-1-98

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 36

Number of Insertions Two

36 Lines @ .90 . . . \$ 32.40

36 Lines @ .72 . . . \$ 25.92

TOTAL COST
WILL BE \$ 58.32

RECEIVED

JUL 10 1995

WATER RESOURCES
WESTERN REGION

MINIMUM MED
SEP 15 1995

No 163

65-13620

HAINES, MARVIN G
4127 GOOD LN
NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt: NESW Sec 4 T 07N R 04W in PAYETTE County.
 NWSW Sec 4 T 07N R 04W in PAYETTE County.

Use: IRRIGATION	(	0.100 CFS)
STOCKWATER	(	0.010 CFS)
DOMESTIC	(	0.010 CFS)
Total Diversion:	(	0.120 CFS)

Date Filed: 5/25/1995

In: PAYETTE County
T07N R04W S04 NESW NWSW

5.0 ACRES TOTAL

RECORDED

SEP 15 1995