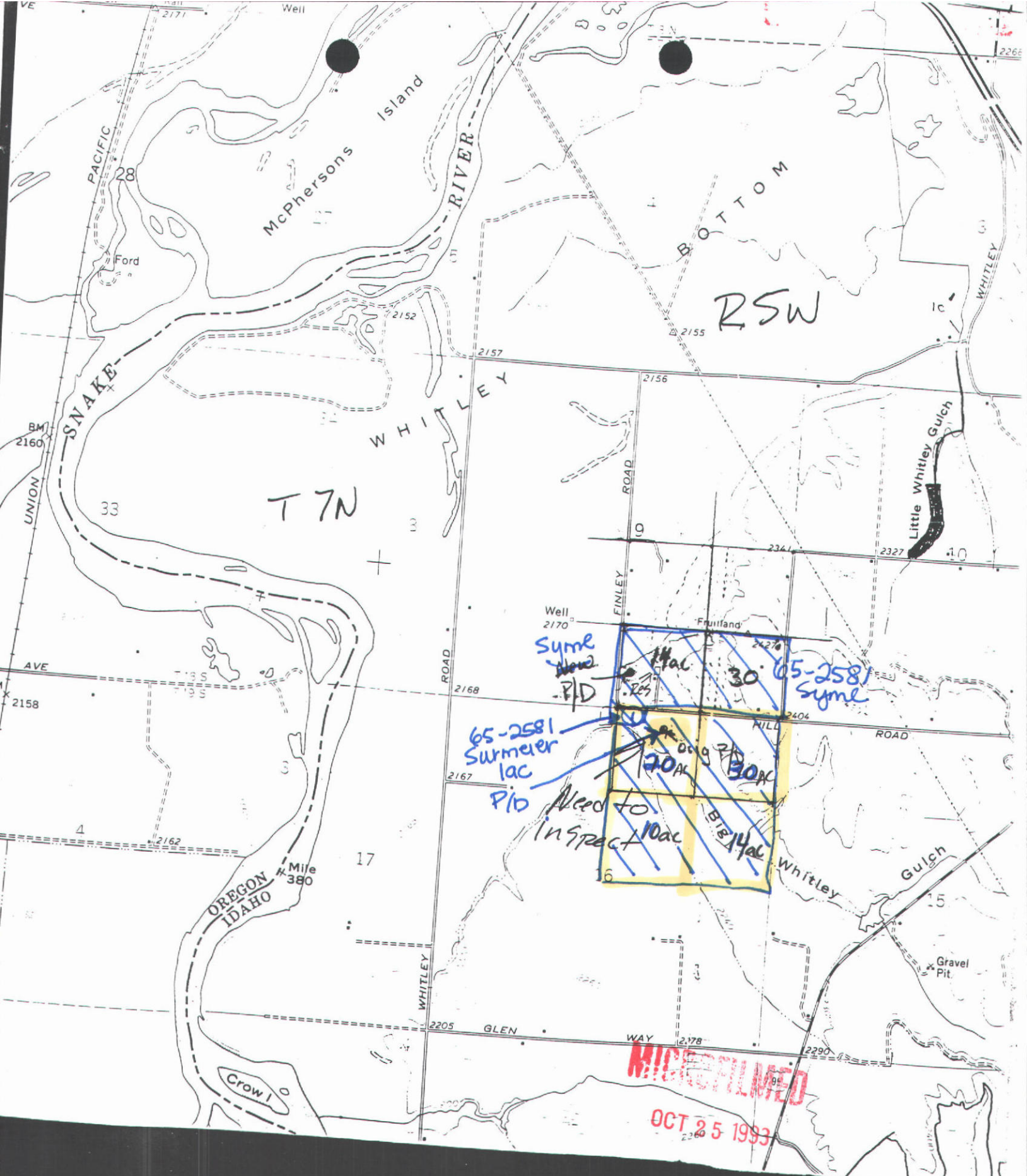




MICHIGAN
OCT 25 1993

TWP	RNG	SECT	TRACT 1 1/4	LOT ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	0	STG	PRIORITY DATE	WATER SOURCE
07N	05W	14	SW NE	9.0	01	65-05855	CRONER	C	D	04/15/1945	WASTE WATER
			SW NE	27.0	01	65-10508	HUTCHINSON	C	D	04/01/1944	WASTE WATER
			SE NE	43		65-04457	SIMON	C	D	03/01/1971	GROUNDWATER
			SE NE	15.0	01	65-05855	CRONER	C	D	04/15/1945	WASTE WATER
			SE NE	43,04		65-05856	CRONER	C	D	04/15/1945	GROUNDWATER
			NE NW	16.0	01	65-04382	CRONER	C	D	04/01/1955	WASTE WATER
			NE NW	43		65-04729	O LEARY	C	D	04/01/1948	GROUNDWATER
			SE NW	9.0	01	65-04382	O LEARY	C	D	04/01/1955	WASTE WATER
			SW SW	43,04		65-09453	BLACK	C	D	07/01/1975	GROUNDWATER
			SE SW	40.0	01	63-08216	RATCLIFF	C	L	10/12/1975	GROUNDWATER
			NE SE	37.0	01	63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			NE SE	22.0	01	63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			NE SE	7.0	01	65-10508	HUTCHINSON	C	D	04/01/1944	WASTE WATER
			SW SE	40.0	01	63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			SE SE	34.0	01	63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
15			NE NE	43		65-04553	SHAW FARMS INC.	C	D	01/01/1941	GROUNDWATER
			NE NE	3.0	01, 43	65-12705	HOLADY	C	L	06/27/1983	GROUNDWATER
			NW NE	3.0	01	65-06361	HOLADY	C	D	04/01/1970	WASTE WATER
			SW NE	43		65-08150	VANCE	C	D	04/01/1941	GROUNDWATER
			SW NW	30.0	01, 04	65-13191	HIGHWAY DISTRICT N	C	P	03/19/1990	SPRINGS
			NW SW	15.0	01, 19	65-02548	POMME TERRE INC.	C	O		WASTE WATER
			NW SW	43		65-04240	ENGLESBY	C	D	02/01/1951	UNNAMED STREAM
			SW SW	43, 04		65-04239	ENGLESBY	C	D	04/01/1940	BIG WHITLEY GULCH
			NE SE	43, 04		65-09435	ELDRED	C	D	04/01/1940	GROUNDWATER
			NW SE	43		65-03390	MOGENSEN FARMS INC	C	D	06/01/1946	GROUNDWATER
			SW SE	43		65-05765	BALL	C	D	08/15/1942	GROUNDWATER
			SW SE	43, 04		65-06168	BALL	C	D	05/21/1971	GROUNDWATER
			SE SE	43		65-06467	PACKER	C	D	08/14/1971	GROUNDWATER
			SE SE	43		65-07792	PACKER	C	D	04/01/1957	GROUNDWATER
			SE SE	43		65-07792	GREIG	C	L	10/21/1976	GROUNDWATER
			NW NE	1.0	01, 04	65-02581	GREIG	C	D	07/08/1953	GROUNDWATER
			SE NE	11.0	01, 19	65-02548	POMME TERRE INC.	C	D	02/01/1951	BIG WHITLEY GULCH
			SE NE	16.0	01	65-06013	ENGLESBY	C	D	04/01/1945	SPRINGS
			SE NE	20.0	01, 04	65-13191	RALSTON	C	P	03/19/1990	SPRINGS
			NE NW	27.0	01	65-02574X	FIRST INTERSTATE B	C	O		WASTE WATER
							POMME TERRE INC.	C	D	01/29/1953	UNNAMED STREAM
							WINEGAR	C	D		GROUNDWATER
							WINEGAR	C	D		

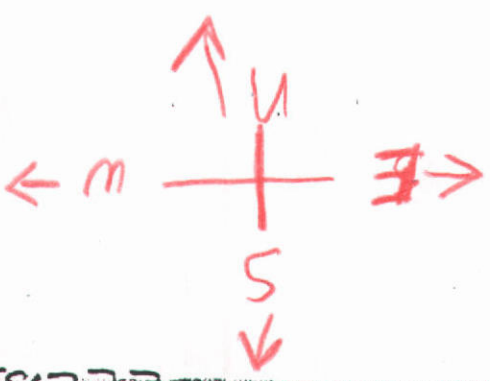
OCT 25 1993

Same owner, different acres

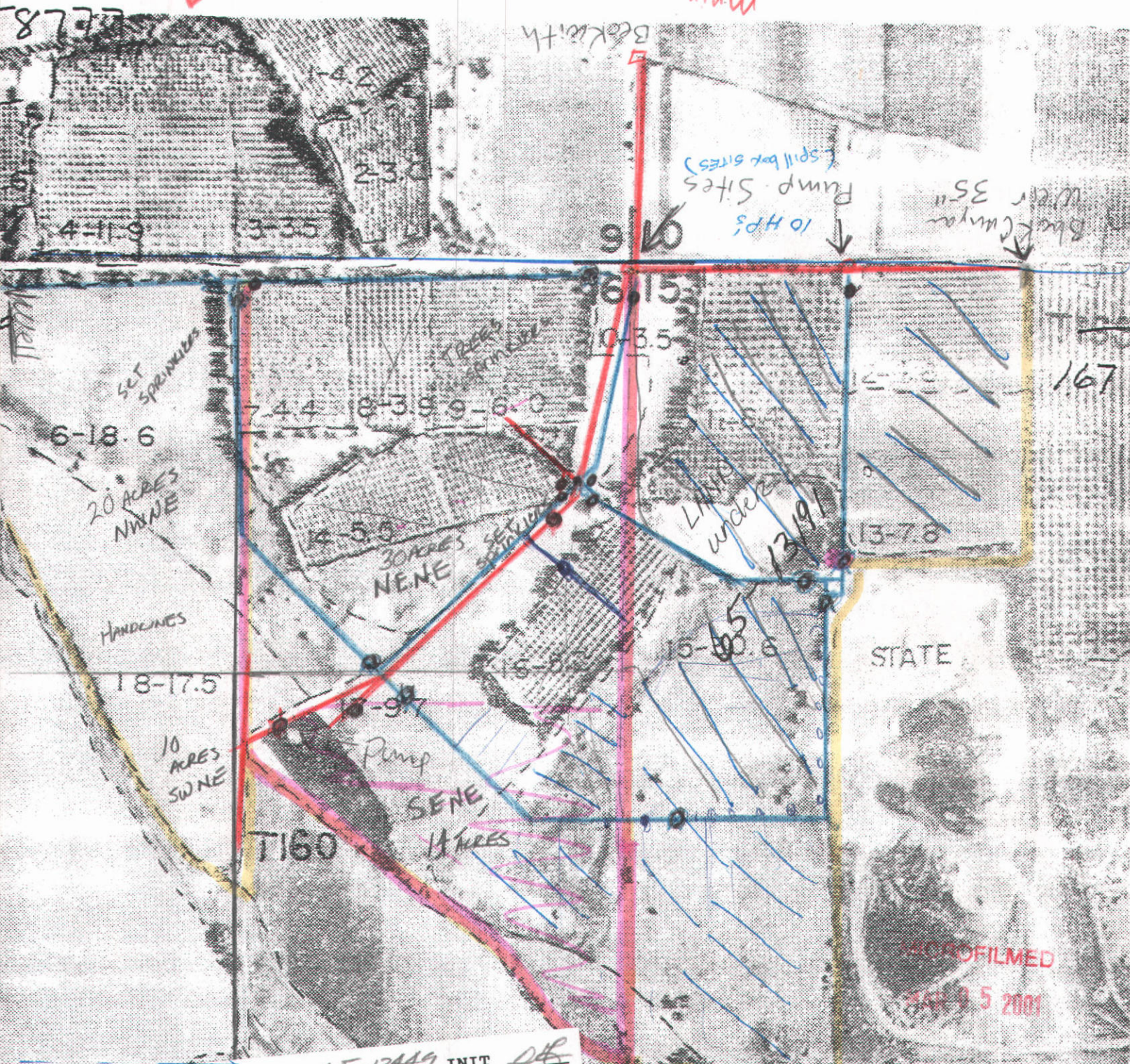
Separate acres, ownership

PERMIT 65-13449 INIT DF
T. R. S. Q/Q
P/D 7N SW 16 NWNE
SCALE _____
PHOTO ID. _____

MAR 05 2001



Area of Beneficial Use
 Property line
 Valves
 Pumped Lines
 Gravity Lines
 Main



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 MAR 9 5 2001

PERMIT 65-13449 INIT DR
 T. R. S. Q/Q
 P/D TN SW 16 NUNE
 SCALE _____
 PHOTO ID. _____



VIEW OF THE WELL.
LOCATED IN THE NW
CORNER OF THE PROPERTY.

PHOTO ONE-

>



ONE OF THE 2
TANKS THAT GRAVITY
IRRIGATE THE PROPERTY.

PHOTO TWO-
MICROFILM

MAR 05 2001



VIEW OF ONE OF
THE VALVES THAT
CONTROL THE SYSTEM.

PHOTO THREE-

A PHS IRRIGATED
BY HAND LINES.



PHOTO FOUR-

MICROFILMED
MAR 05 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13449

Priority: April 14, 1993

Maximum Diversion Rate: 1.48 CFS
Maximum Diversion Volume: 333.0 AF

It is hereby certified that DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND ID 83619 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 14, 1993; and has
submitted Proof of Beneficial Use on May 06, 1994. An examination indicates that the works have a
diversion capacity of 1.98 cfs of water from

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	1.48 CFS	333.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼ Sec. 16, Twp 07N, Rge 05W, B M., PAYETTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	16	30.0	20.0	10.0	14.0													74.0
Total Acres: 74																			

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 65-13191 and 65-13449 when combined shall not exceed a total diversion rate of 2.24 cfs, a total annual maximum diversion volume of 504 af at the field headgate, and the irrigation of 112 acres.

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

Signed and sealed this 26TH day of FEBRUARY, 2001

Acting for


KARL J. DREHER
Director

MICROFILMED

MAR 05 2001

RECEIVED

MAY 06 1994

WATER RESOURCES
WESTERN REGION

RECEIVED STATE OF IDAHO

MAY 11 1994
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1 Permit No 65-13449 Telephone No. 208 452-4294

2 Name(s) of Permit Holder(s): Dalton J. Surmeier

3 Post Office Address: 1610 SW 2nd Ave, Fruitland Id 83619

4 Source of Water: Ground water

a If ground water, well driller's name: unknown Date drilled: _____

b Pump horsepower: 30 Pressure (psi): _____ Dynamic pumping level (ft): _____

5 Extent of Use:

Domestic _____ (No. of households) Irrigation 74 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6 Total rate and/or volume for which proof is submitted 1.48 cfs _____ acre/feet

7 Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐
OR
Flow Measurement Port: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐

8 Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

9 Person to contact to accompany the Department representative during the field examination:

Dalton J. Surmeier, Jr. 208 452-4294
Name Telephone No
1610 SW 2nd Ave, Fruitland, Id. 83619
Address

10 The above information 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.

May 3 - 1994 Dalton J. Surmeier Jr
Date Signature (and title if on behalf of a company or organization)

JUL 01 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13449

Proposed Priority: April 14, 1993 Maximum Diversion Rate: 1.48 CFS

This is to certify, that **DALTON J SURMEIER**
1610 SOUTHWEST 2ND AVE
FRUITLAND ID 83619

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	1.48 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 16, Township 07N, Range 05W
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	05W	16	NENE 30	NWNE 20	SWNE 10	74
			SENE 14			

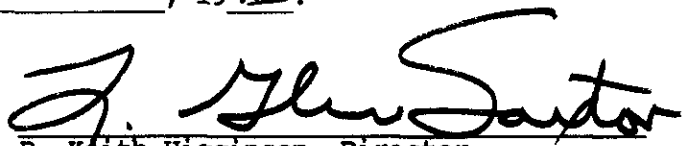
Total number of acres irrigated: 74

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1994.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Pool.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

20th day of September, 1993.


R. Keith Higginson, Director

for

MICROFILMED

OCT 25 1993

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JUN 15 1993

Ident. No. 65-13449

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DALTON J SURMEIER 208-452-4294
Address: 1610 SOUTHWEST 2ND AVE
FRUITLAND ID 83619
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWNE Sec. 16, Township 07N, Range 05W
PAYETTE County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 1.480 | | |
5. Total quantity to be appropriated is:
1.480 CFS (and/or) AF
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	05W	16	NENE 30	NWNE 20	SWNE 10	
			SENE 14			

Total number of acres irrigated: 874

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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:

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

OCT 2 1965

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Form 202
10/82

APR 14 1993

Ident. No. 65-13449

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources
Western Regional Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Dalton J Surmeier Phone 452-4294
Post office address 1610 South West 2nd Ave Fruitland 83619
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____
Sec. 16 Township 7N Range 5W B.M. Payette County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.48 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.48 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. _____

 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 12" Existing inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? yes; Drilling firm Not Known (Holloway?);
Well was drilled for (well owner) Syme
7. Time required for the completion of the works and application of the water to beneficial use is
1 years (minimum 1 year).

OCT 25 1993

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic, show number of households _____
- Other, describe fully _____

9. Description of place of use.

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	5W	16	30	20	10	14													74

Total number of acres to be irrigated 74

10. Describe any other water rights used for the same purposes as described above. RE: A65-19644

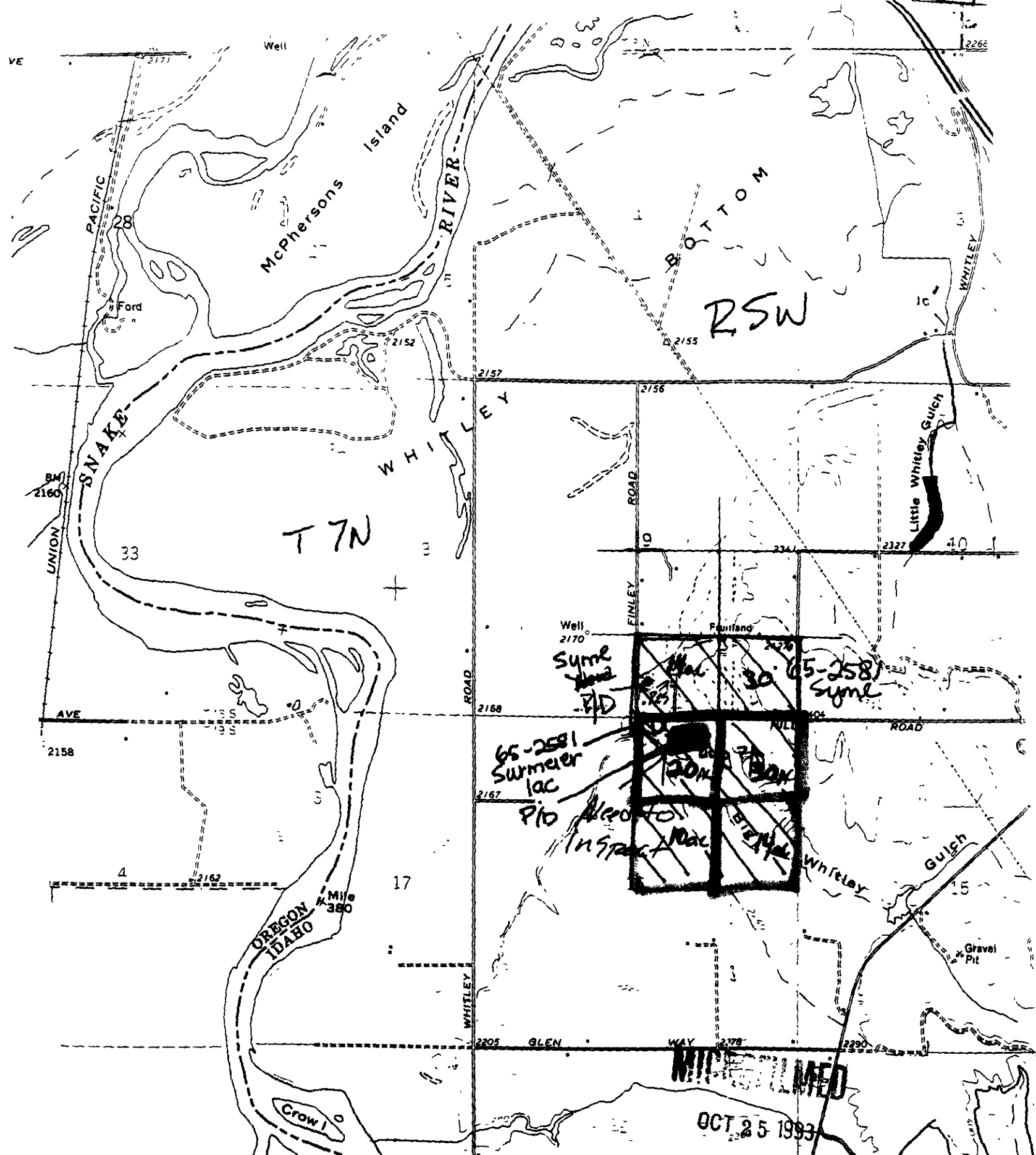
A65-02581

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

12. Remarks: This water was beneficially prior to 1987
See A65-19644 B.N. Claim

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OCT 25 1993



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A full-page sheet of white graph paper featuring a uniform grid of black lines. The grid consists of 15 columns and 15 rows, creating a total of 225 small squares. The lines are thin and evenly spaced, covering the entire area of the page.

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

OCT 25 1993

ication for permit to appropriate the public wa

Dallon James
(Applicant)

Received by RW Date 4-14-1993 Time 12:30p Preliminary check by CS
Fee \$ \$65.00 Received by JY # W016121 Date 4-14-93
Publication prepared by AT Date 5-13-93 Published in Ind. Enterprise
Publication approved AT Date 6-7-93 5-20+27, 1993

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other.

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OCT 25 1993

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
07N	05W	14	SW NE	9.0	01		65-05855	CROWER	C	D	04/15/1945	WASTE WATER
			SW NE	27.0	01		65-10508	CROWER HUTCHINSON	C	D	04/01/1944	WASTE WATER
			SE NE	43			65-04457	SIMON	C	D	03/01/1971	GROUNDWATER
			SE NE	15.0	01		65-05855	CROWER	C	D	04/15/1945	WASTE WATER
			SE NE	43,04			65-05856	CROWER	C	D	04/15/1945	GROUNDWATER
			NE NW	16.0	01		65-04382	O LEARY	C	D	04/01/1955	WASTE WATER
			NE NW	43			65-04729	LOMAS & NETTLETON	C	D	04/01/1948	GROUNDWATER
			SE NW	9.0	01		65-04382	O LEARY	C	D	04/01/1955	WASTE WATER
			SW SW	43,04			65-09453	BLACK	C	D	07/01/1975	GROUNDWATER
			SE SW	40.0	01		63-08216	RATCLIFF REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			NE SE	37.0	01		63-08216	LIMBAUGH RANCHES I REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			NE SE	22.0	01		63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			NW SE	7.0	01		65-10508	HUTCHINSON	C	D	04/01/1944	WASTE WATER
			SW SE	40.0	01		63-08216	REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
			SE SE	34.0	01		63-08216	LIMBAUGH RANCHES I REINS RANCHES INC.	C	L	10/12/1975	GROUNDWATER
06	15		NE NE	43			65-04553	LIMBAUGH RANCHES I SHAW FARMS INC.	C	D	01/01/1941	GROUNDWATER
			NE NE	3.0	01,43		65-12705	HOLADY	C	L	06/27/1983	GROUNDWATER
25			NW NE	3.0	01		65-06361	HOLADY VANCE	C	D	04/01/1970	WASTE WATER
1993			SW NE	43			65-08150	HIGHWAY DISTRICT N	C	D	04/01/1941	GROUNDWATER
			SW NW	30.0	01,04		65-13191	FIRST INTERSTATE B POMME TERRE INC.	C	P	03/19/1990	SPRINGS WASTE WATER UNNAMED STREAM
			NW SW	15.0	01,19		65-02548	ENGLESBY	C	D	02/01/1951	BIG WHITLEY GULCH
			NW SW	43			65-04240	ENGLESBY	C	D	04/01/1940	GROUNDWATER
			SW SW	43,04			65-04239	ENGLESBY	C	D	04/01/1940	GROUNDWATER
			NE SE	43,04			65-09435	ELDRED	C	D	06/01/1946	GROUNDWATER
			NW SE	43			65-03390	MOGENSEN FARMS INC	C	D	08/15/1942	GROUNDWATER
			SW SE	43			65-05765	BALL	C	D	05/21/1971	GROUNDWATER
			SW SE	43,04			65-06168	BALL PACKER	C	D	08/14/1971	GROUNDWATER
			SE SE	43			65-06467	PACKER SYME	C	D	04/01/1957	GROUNDWATER
			SE SE	43			65-07792	GREIG	C	L	10/21/1976	GROUNDWATER
			NW NE	1.0	01,04		65-02587	GREIG POMME TERRE INC.	C	D	07/08/1953	GROUNDWATER
			SE NE	11.0	01,19		65-02548	ENGLESBY	C	D	02/01/1951	BIG WHITLEY GULCH
			SE NE	16.0	01		65-06013	RALSTON	C	D	04/01/1945	SPRING
			SE NE	20.0	01,04		65-13191	FIRST INTERSTATE B POMME TERRE INC.	C	P	03/19/1990	SPRINGS WASTE WATER UNNAMED STREAM
			NE NW	27.0	01		65-02574X	WINEGAR WINEGAR	C	D	01/29/1953	GROUNDWATER

Separate acres, ownership

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#130.00

OCT - 1 1992

Department of Water Resources
Western Regional Office

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-19644
Date Received: 9/29/1992
Receipt No: 0015478
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DALTON J SURMEIER 208-452-4294
Address: 1610 SOUTH WEST 2ND AVE
FRUITLAND ID 83619

2. Date of Priority: JUL 8, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	16	NW	NE			PAYETTE

5. Description of diverting works:
WELL, PIPE AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	16	NE	NE		IRR	30.0
			NW	NE		IRR	20.0
			SW	NE		IRR	10.0
			SE	NE		IRR	20.0

RECORDED

Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A65-02581

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct. *l l l*

Signature of Claimant(s): Nelson J. Hummer Date: Sept 30-92
Date:

MICROFILMED

OCT 25 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-02581

DATE RECEIVED: 3-5-90

RECEIPT NO: X999949

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: POMME TERRE INC. *Jane Syne*
ADDRESS: ROUTE 1, BOX 163
FRUITLAND, ID 83619

RECEIVED
MAR 05 1990

2. DATE OF PRIORITY: JUL 08, 1953

3. SOURCE: GROUNDWATER

TRIB. TO: Department of Water Resources

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LCT	COUNTY
07N	05W	16	NW	NE			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.900		
STOCKWATER	01/01	12/31	0.020		0.20

7. TOTAL QUANTITY APPROPRIATED IS:
0.920 C.F.S. (AND/OR)

0.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	05W	9	SW	SE		IRR	14.0
			SE	SE		IRR	30.0

SECTION ACRES 44.0

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10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	05W	16	NW	NE		IRR	1.0
SECTION ACRES							1.0
TOTAL ACRES							45.0

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF BLACK CANYON IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

MICROFILMED

OCT 25 1993



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

February 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND ID 83619

RE. License No. 65-13449 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK.klt

Enclosure(s)

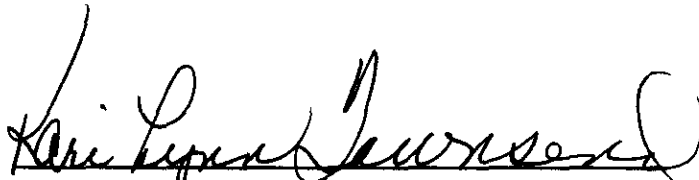
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CERTIFICATE OF MAILING

I hereby certify that on February 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-13449

**DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND ID 83619**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 05 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

TO: File 65-13449

FROM: KAY WALKER *KW*

RE: Changes for licensing recommendations

Date: 8/29/2000
.....

Upon review of the field examinations for 65-13191 and this permit, we found a place of use overlap occurring within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 7N, Rge. 5W. Since the two rights use separate sources, we have recommended the overlapping acres with a condition limiting the two rights when they are combined.

The inclusion of the overlapping acres increases the diversion rate and volume that will be licensed under this right plus covers the entire 23 acres found in this 40-acre tract creating an overlap between the two rights.

Sec. 16 NENE	37 acres
NWNE	20
SWNE	10
SENE	23
Sec. 15 W $\frac{1}{2}$ NW	<u>22</u>
TOTAL	112 ACRES

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T151

T872

DAVES

110 HP BOOSTER

10 HP BOOSTER

T872

WELL

13.1

T59
9634

6-18.6

8.9

10 ARES
→

18-17.5

10 ARES

STATE

2-41.0

3-4.5

4-22.6

1-81.1

PERMIT 65-13449 INIT DA
T. R. S. Q/Q
P/D N SW 14 NWNE
SCALE _____
PHOTO ID. _____

1-8.2

1-8.2

2-28.2

1-27.0

C 8

Not to Scale

= 65-13191 - exam by Cindy Hodges 5/97

= 65-13449 - exam by Dave Gray 8/94

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LICENSE REVIEW CHECKLIST

Permit No 65-13449 Date 8/20/2000 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion OK

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

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

Place of Use OK

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

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps Right(s) none
File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 1.48 cfs
Fee Limit 2.0 cfs
Measured cfs
Theoretical 1.98 cfs

Recommended Total Diversion Rate 1.48

Water Uses OK

Change (P46)

Season of Use per new Standards 3/1 → 11/15

Irrigation 1.26 cfs 283.5 af
Stockwater cfs af
Domestic cfs af
 cfs af
 cfs af
Total 1.26 cfs 283.5 af
1.48 333.

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp Gw (WB7/065/104)
overlap spec combined rts (W35)
>1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

$$1.48 \times 1.9835 \times 260 = 763.3$$

$$1.26 \text{ cfs} \times 1.9835 \times 260 \text{ days} = 649.8 \text{ af (vs) } 6.3 \text{ acres} \times 4.5 \text{ (FHR)} = 283.5 \text{ af}$$

Remarks 74 ac x 4.5 = 333.0

Additional Conditions NO

NO Watermaster Control
NO GW Measurement/Measuring Device
Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

GW Dist? NO
Water Mgmt. Dist? NO
Crt GWMA? NO
GWMA? NO
Government Lots? NO

Advance Priority? yes If yes, explain why below
no

SRBA Claim? NO - not req'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

may be same well under 65-02581A but don't know for sure.

theoretical msmt. = 1.98 cfs not 2.0 cfs as examiner noted

$$63 \times 0.02 = 1.26 \text{ cfs}$$

$$74 \times 0.02 = 1.48$$

R65
W35

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6513449	T07N R05W S16 GROUNDWATER																	74
		30		20		10												
6502548	BIG WHITLE :																	25
A6502548	BIG WHITLE : <i>Waddell</i>																	25
6502574X	GROUNDWATE :							27		40		33						100
A6502574X	GROUNDWATE :							27		40		33						100
6502581A	GROUNDWATE :			01														1
A6502581A	GROUNDWATE :			01														1
A650290021	LARGE CLAI :	I		I		I		I		I		I		I		I		
6503299	SPRING :									11								11
A6503299	SPRING :									11								11
~~6506813~~	SPRING <i>Newman</i>																	16
6507657	UNNAMED ST :											34						34
A6507657	UNNAMED ST :											34						34
6510992	SPRING :							33		07								40
A6510992	SPRING :							33		07								40
6512157	GROUNDWATE :							08										8
A6512157	GROUNDWATE :							08										8
~~6513191~~	SPRINGS :							20										20
L6513191	WASTE WATE :			07				20										27
~~6513449~~	GROUNDWATE :	30		20		10												74
~~6513517~~	GROUNDWATE :							20										20
~~6513538~~	GROUNDWATE :			10				20										30
~~6513644~~	GROUNDWATE :	30		20		10		20										80

Pull OK w/65-13191 in SENE, S16, 7N, 5W

OWNER
CODE

C POMME TERRE INC

Water Source: GROUNDWATER

T07N R05W S16

Figure 1

M

01

Other Rights: BLACK CANYON IRRIGATION DISTRICT.

Remarks: GEN

Dates:

Misc: Water District Number: 65

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 20 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13449

1. Owner: DALTON J. SUMMER Phone No. 452-4294

Current Address: 1610 Southwest 2nd Ave Fruitland Id 83619

2. Accompanied by: DALTON SUMMER EXAM DATE: 8-2-94

Address: SAME Phone No. SAME

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to NA-

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-02581A

2. Other water rights with the same point of diversion: 65-02548 + 6 SEE NOTES

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	16	7N	5W	PAIETTE	QUADS - FIELD EXAM

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	5W	16	30	20	10	30													63.0

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HEADS.

2. Measurements:

Sprinkler HEAD; 1/2" HEADS @ 40psi 5.54 gal/min 1/4"

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

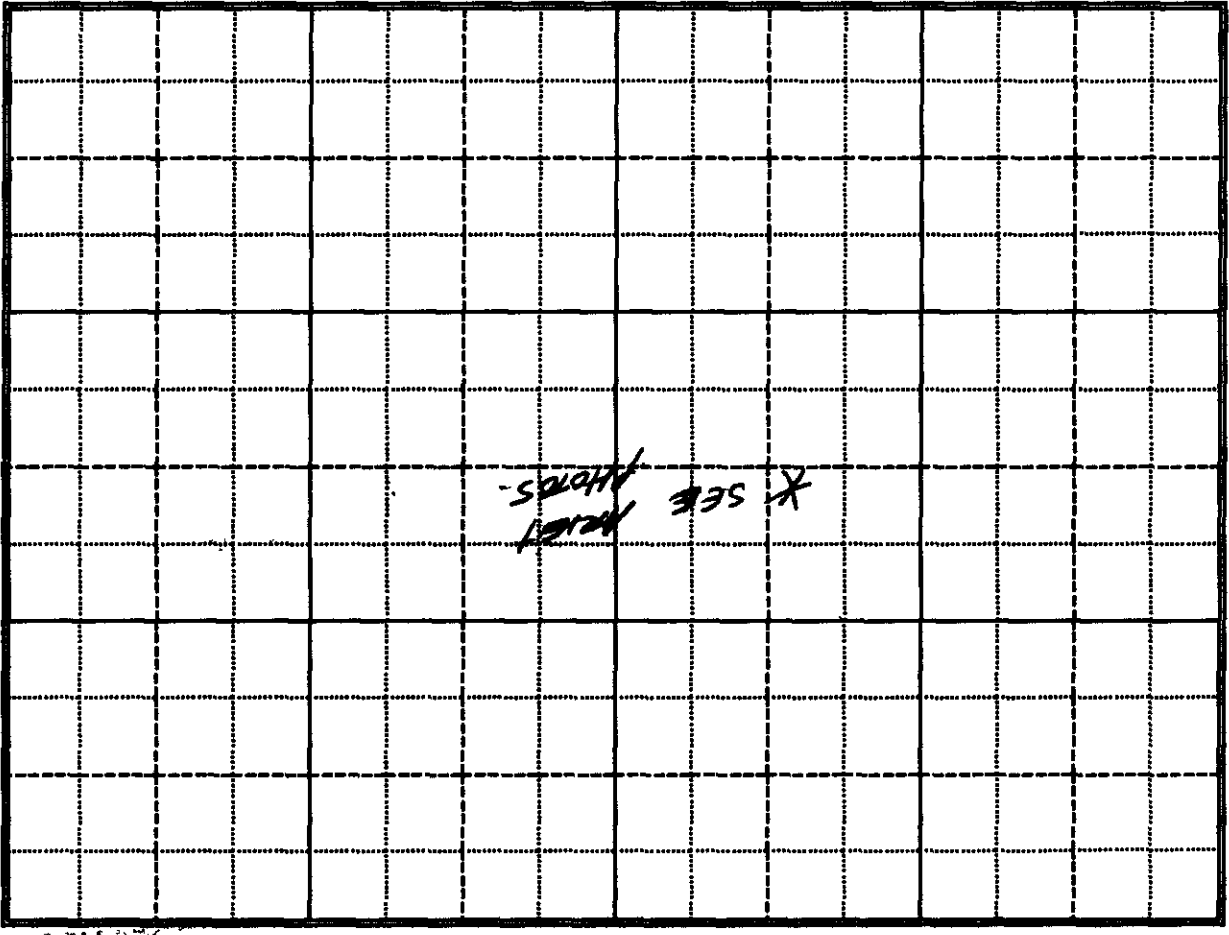
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible		36			

4.

Scale: 1" = _____
 ✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 ✓ Aerial Photo Attached (required for irrigation of 10+ acres)
 ✓ Photo of Diversion and System Attached



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

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM USES AN OLD WELL WITH A 30 HP MOTOR. THE OWNER DOES NOT KNOW THE DATE THE WELL WAS DRILLED OR BY WHOM IT WAS DRILLED. WELL LOGS WERE UNAVAILABLE. WELL LOGS INDICATED STATIC WATER LEVELS OF @ 15' IN THE AREA. THE SYSTEM EXTENDS UP A HILL TO A CONTROL VALVE. IT ALSO DESCENDS FROM THE SOURCE TO CONNECT WITH THE PRESSURIZED SYSTEM CONTROLLED BY THE BOOSTER PUMPS. THE OWNER IRRIGATES WITH SET SPRINKLER LINES, HAND LINES & BY FLOOD IRRIGATION. THE VALVES CAN BE SET WITH THE USE OF THE 30 HP WITH THE BOOSTERS OR WITHOUT. A GRAVITY SYSTEM CAN ALSO BE PUT INTO USE USING EITHER WELL WATER OR BLACK CANYON WATER THAT IS PUMPED INTO A TANK AND GRAVITY FED INTO THE SYSTEM.

* ALL WR #'S HAVE DIFFERENT PLOTS; PLOTS BUT WR # 65-13191 & 65-13517. THESE TWO WR'S COVER THE SAME AREA IN SECTIONS 15 & 16. They overlap with Permit # 65-13449. THE SENECA CO. OF IN SECTION 16 BY COVERING 20 ACRES OF THE POSSIBLE 23.0 ACRES. Therefore only 3.0 ACRES can be recommended for THIS PERMIT. ALSO NOTE THAT 65-13517 HAS BEEN PROTESTED; MAY OR MAY NOT BE PERTINENT.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

SPRINKLER HEAD; 40psi x 160 HEADS x (5.54) (EXHIBIT 9)
 $160 \times 5.54 = 886.4 \text{ gal/min} \times (.00223)$
 NEED; 63.0 acres x .02 cfs = 1.26 cfs = 2.0 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 63.0 \times 4.5 = 283.5 \text{ AFA}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.26 \times 246 \times 1.9835 = 615 \text{ AFA}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 283.5 \text{ AFA}$

2. Volume Calculations for Other Uses:

NONE

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-1	1.26 cfs	283.5 AFA
Totals:			1.26 cfs	283.5 AFA

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. AUTHENTICATION

Field Examiner's Name Dave Gray Date 8-26-94

Reviewer _____ Date _____

SEAL

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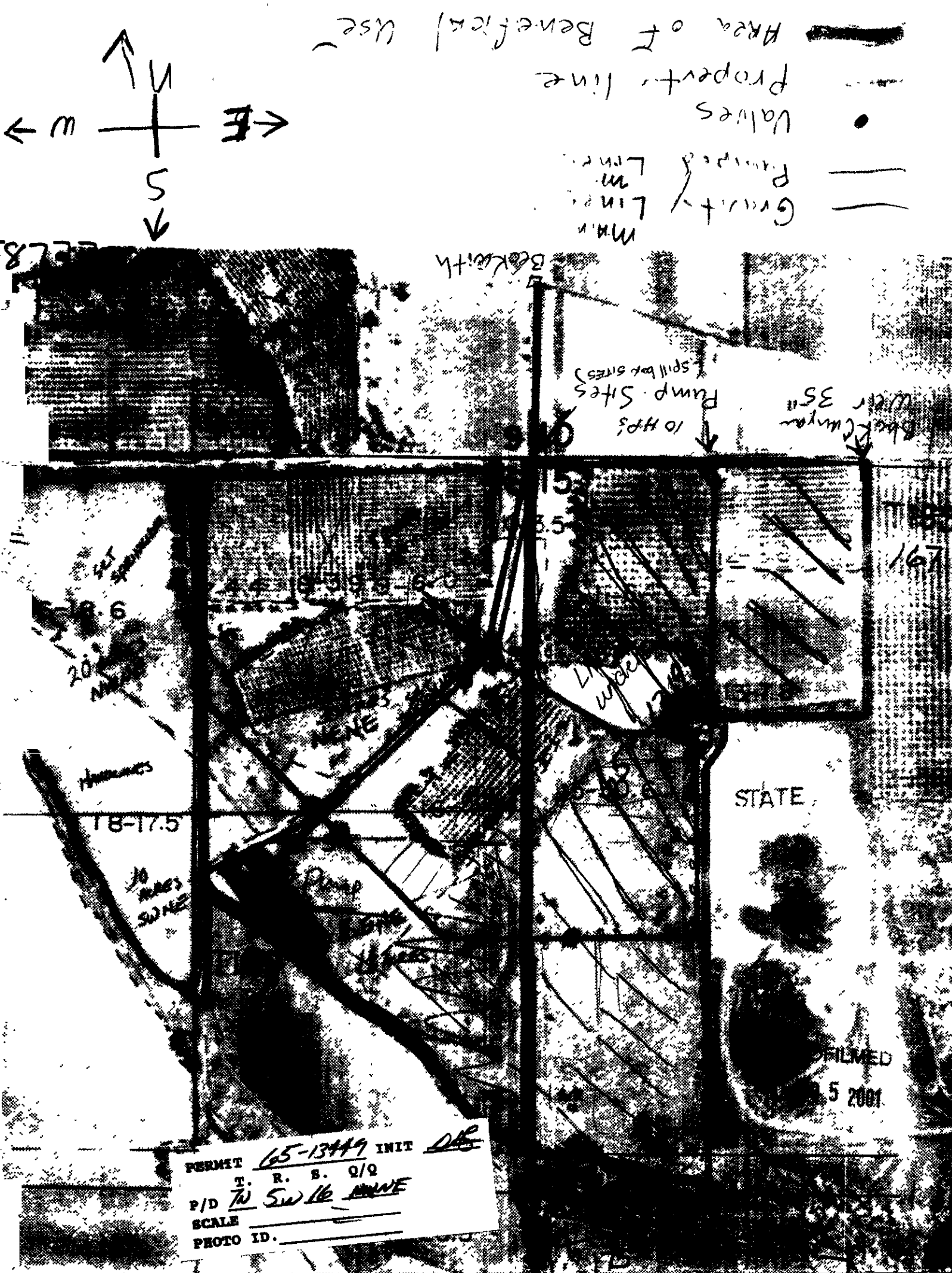
MAR 05 2001

PERMIT 65-1347 INIT *20*
T. E. S. Q/8
7u SW 16 RAYNE
FD

PERMIT 65-13449 INIT DA
T. R. S. Q/Q
P/D IN SW 1/4 NWNE
SCALE _____
PHOTO ID. _____

Not to Scale

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MAR 15 2001



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 65-13449

2. OWNER: DALTON SUMNER Phone: 452-4294
Address: 1610 SOUTHWEST 2nd Ave Fruitland ID 83619

3. WELL LOCATION: Twp 7N, Rge. 5W, Sec. 16, NW 1/4 NE 1/4
County Payette (Provide sketch map and photo on reverse.)

4. DRILLER: ? Lic. No. _____
When Drilled? UNKNOWN

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 _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving GOOD
Auger to a depth of _____ 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 NA ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial **MICROFILMED**
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____ **MAR 05 2001**

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

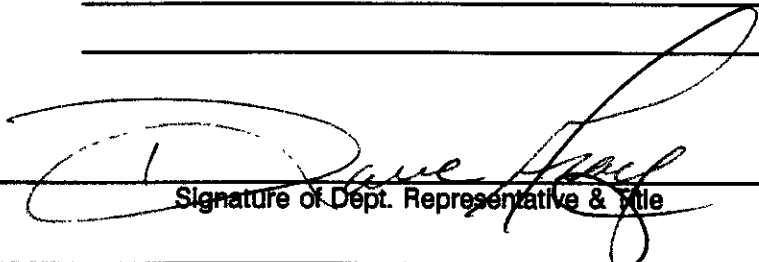
If yes, is there a check-valve present? ☐ Yes ☒ No

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:


Signature of Dept. Representative & Title

8-2-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

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VIEW OF THE WELL.
LOCATED IN THE NW
CORNER OF THE PROPERTY.

PHOTO ONE-

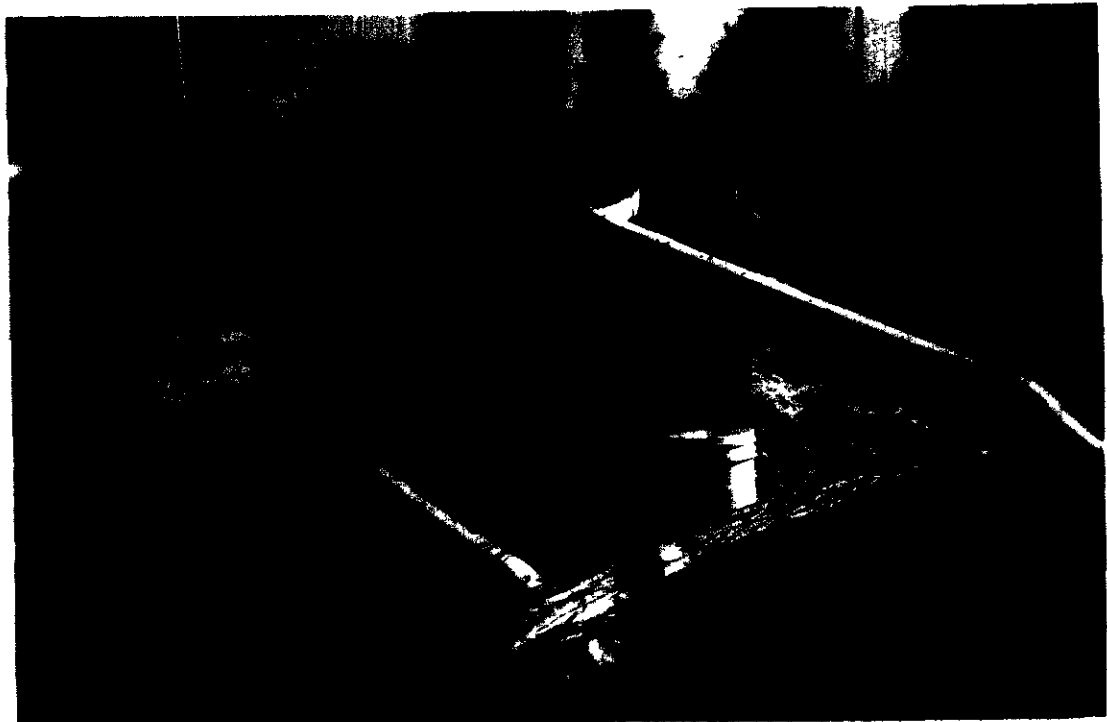


>

ONE OF THE 2
TANKS THAT GRAVITY
IRRIGATE THE PROPERTY.

PHOTO TWO-
MICROFILM

AR 05 2001





View of one of
the valves that
control the system.

PHOTO THREE-

>

A Phu; irrigated
by hand lines.

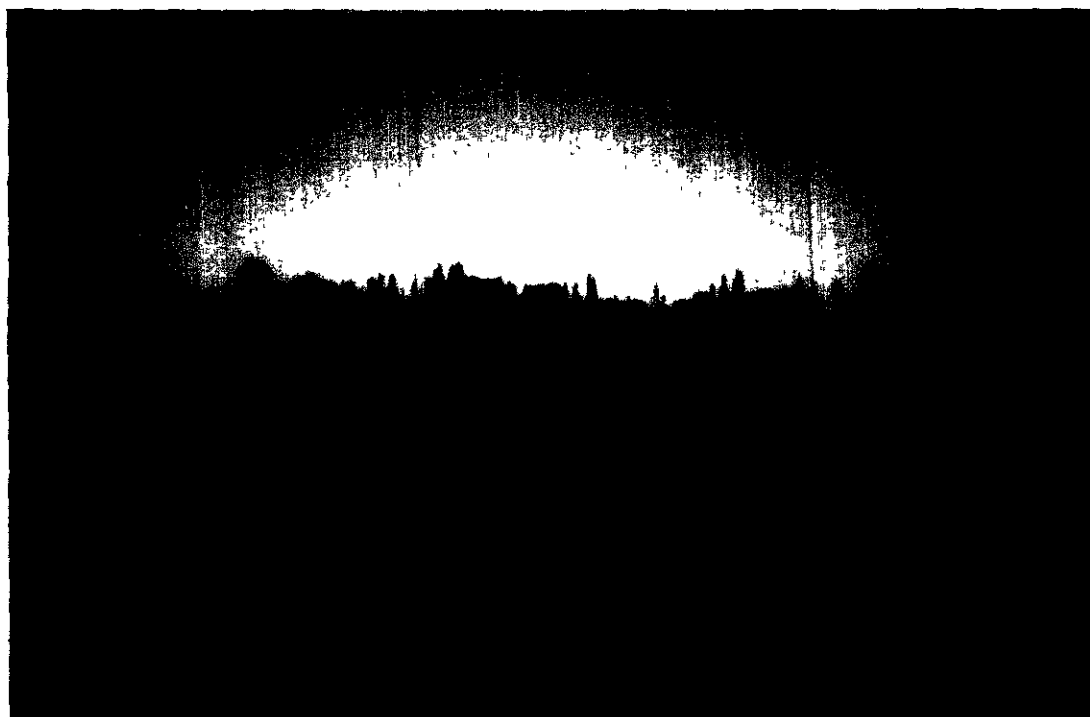


PHOTO FOUR-
MICROFILMED
MAR 05 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13449

Reviewed by [Signature]

Date 5-25-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

irr.

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

no Drilling permit required?

Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

yes Required?

125.00 Amount Submitted

 Installed?

yes Correct?

170 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Advise of flow port condition
Proof acceptable

DATA ENTRY

New Address

Proof Made 5-6-94

May 26, 1994

DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND ID 83619

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13449

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a flow measurement port. This condition must be complied with before the license exam, or you can request, in writing, a waiver of the condition.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUL 01 1994

April 30, 1994

DALTON J SURMEIER
1610 SOUTHWEST 2ND AVE
FRUITLAND ID 83619

PROOF DUE NOTICE

RE: PERMIT NO. 65-13449

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 July 1, 1994. (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.

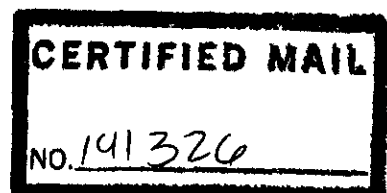
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAILED

JUL 01 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 20, 1993

DALTON J SURMEIER
1610 SOUTHWEST 2ND AVE
FRUITLAND ID 83619

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13449

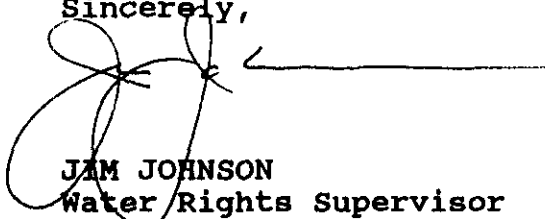
Dear Permit Holder:

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

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

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

MICROFILMED

OCT 25 1993

APPLICATION FOR PERMIT STATE OFFICE REVIEW

Application #: 65-13449 Date: 6/16/93 ^{9/10/93} Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes _____

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

GROUNDWATER:

+ 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - P99 Permit No. _____

Existing well - N/A (if drilled before 7/1/87) (1453)

No WD permit? - 046-46B-P23 (if drilled after 7/1/87)

SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>

LOCATION:

Water District - WD No. _____

Surface water - 005 or 005-01J-P08(+.2)
or 005-01H-P01(-.2 w/pump); NMR

Groundwater - P05 (if well has not been drilled)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

Swan Falls Flag - (1, Blank or Other)

Trust - 051-052-053-P74 (Consumptive Uses)

Non Trust <1> - 048-049

RIVER BASINS (Surface): Water District Control Condition (005) &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71 (except WD 65)

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E-P10 (WQ/Choose One) & 010
042 (req), 002-P06(MD), 07A(Special),
044(Policy 5G)

Power - 08A, 17K, 025, 027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G or 17M; 18B-P09

Mining - 06A, 010, or 09E-P10 & 054 (req)

Storage(✓ 3 comp.) - 18A-for multi MD in WD, 18B-P09 (+10'Size)

Rec/Wildlf/Aes - 027-if +½ A. pond (Non-Consumptive)

Domestic (surface - 021 - Boise River upstream from L Peak

restricted areas) 27A - Payette River & main tributaries

OWNERSHIP:

Non land owner - 004

PROTESTED:

Hearing agreement - 020

REMARKS:

OTHER CONDITIONS:

BENEFICIAL USE DUE:

COMMENTS:

064, 03A

9-1-1994

WR0749NP
No. 65-13449

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 09/10/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALTON J SUMMEIER 1610 SOUTHWEST 2ND AVE FRUITLAND ID 83619 (208) 452-4294	04/14/1993	IRRIGATION	03-15 11-15	1.48 CFS	
TOTAL DIVERSION:					1.48 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T07N R05W S16 NW NE

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM			
07N	05W	16	:	30		20		10		14	:										:			
TOTAL ACRES																					74.0			

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion and Source:
65-02581 65-13449

Other Water Rights Listing Overlapping Place(s) of use:
65-02548 65-02581 65-06013 65-13191 65-13449 65-13472

Conditions of Approval:

- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 064 - When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Pool.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Dates: App. Received: 04/14/1993 Priority Date: 04/14/1993
Proof Due Date: 07/01/1994 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 09/10/93 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: cyh DATE: 4/26/93 APPLICATION: 65-13449
Sumner

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:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:

P/D

P/U

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):
☐ ☐ Send dam safety information:
☐ ☐ Send power requirement letter:
☐ ☐ Send fish farm requirement letter:
☐ ☐ Power residency affidavit:
☐ ☐ Power efficiency form:
☐ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED:

☒ ☐ Additional information on reverse side:

RECEIVED
JUN 15 1993

Department of Water Resources

PROCESSING

APPLICATION NO. _____

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. 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 June 7, 1993

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

☐ ☒

See below for additional information

Recommended Date or Priority 4/14/1993Recommended by: DorDate 6/10/93

STATE OFFICE REVIEW

☐ ☒

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

1 acre Irrigation under 65-2581 comes from same well (balance of 65-2581 under separate ownership & is being transferred to new well in Section 9)

A63-19644 for same use has an unacceptable priority date for Payette Decree area. ~~FE~~ No previous right on record for this parcel in Payette decree.

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Application for Water Right
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Viola Olsen, being

duly sworn, deposes and says:

That she is the principal clerk

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

May 19, 1993, and ending with the issue of May 26, 1993.

STATE OF IDAHO

COUNTY OF

On this 27th day of May in the year of 1993, 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 Rhinehart
Notary Public for Idaho

Residing at Frutland

My commission expires: 12-1-98

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 70

Number of Insertions 2

70 Lines @ .90 ... \$ 63.00

70 Lines @ .72 ... \$ 50.40

TOTAL COST
WILL BE \$ 113.40

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:

65-13439

INDIAN CREEK RANCH
2100 KOLDEWAY DR
RENO, NV 89509

Source: INDIAN CREEK

Tributary: LITTLE WILLOW CREEK

Diversion Pt: NEWS Sec 7 T 09N R 02W in PAYETTE County

Use: IRRIGATION (3.900 CFS)

IRRIGATION STORAGE (900.00 AF)

IRRIGATION FROM STORAGE (900.00 AF)

STOCKWATER STORAGE (900.00 AF)

RECREATION STORAGE (900.00 AF)

WILDLIFE STORAGE (900.00 AF)

Total Diversion: (3.900 CFS)

Date Filed: 3/15/1993

In: PAYETTE County

T09N R02W S07 Lot 2 (SWNW) SENW NESW Lot 3 (NWSW)

NESE NWSE

S08 SWNE SENW NESW NWSW

R03W S01 NESE SESE

S12 NENE SWNE SENE NESW

NWSE

195.0 ACRES TOTAL

65-13448

CITY OF FRUITLAND
P.O. BOX 324
FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: SWNWSE Sec 22 T 08N R 05W in PAYETTE County.

Use: MUNICIPAL (.440 CFS)

Total Diversion: (.440 CFS)

Date Filed: 4/26/1993

65-13449 ✓

SURMEIER, DALTON J
1610 SOUTHWEST 2ND AVE
FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: NWNE Sec 16 T 07N R 05W in PAYETTE County.

Use: IRRIGATION (1.480 CFS)

Total Diversion (1.480 CFS)

Date Filed: 4/14/1993

In: PAYETTE County

T07N R05W S16 NENE NWNE SWNE SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JUNE 7, 1993.

R. KEITH HIGGINSON, Director

OCT 25 1993

65-13449

SURMEIER, DALTON J
1610 SOUTHWEST 2ND AVE
FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: NWNE Sec 16 T 07N R 05W in PAYETTE County.

Use: IRRIGATION (1.480 CFS)
Total Diversion: (1.480 CFS)

Date Filed: 4/14/1993

In: PAYETTE County
T07N R05W S16 NENE NWNE SWNE SENE

RECORDED
OCT 25 1993