

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first
duly sworn, deposes and says that she is the

Business Manager of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated *Sept. 5* 19*68*, and ending
with the issue dated *Sept. 12*, 19*68*.

Ruth Chambers

Subscribed and sworn to before me
this *12th* day of *September*
19*68*.

Edith Raustadt Notary Public

Cost of Publication *\$6.50*

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

SEP 13 1968

Department of Reclamation

NO. 68.161
**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 43-4008

Notice is hereby given that
Wallace C. Taylor, Almo, Idaho
has filed a claim to a water
right established by diversion and
application to beneficial use of
110 inches of water from a sub-
terranean source with point of di-
version in the NE 1/4 SE 1/4, sec. 27,
T. 15 S. R. 24 E.B.M., Cassia
County; the water is claimed to
be used from March 1 to October
31 with a priority of April 1,
1955; the place of use is in the
N 1/4 SW 1/4, N 1/4 SE 1/4, sec. 26; N 1/4 SE
1/4, sec. 27, T. 15 S. R. 24 E.B.M.
Any exception to this claim of
water right may be filed with the
Department of Reclamation.

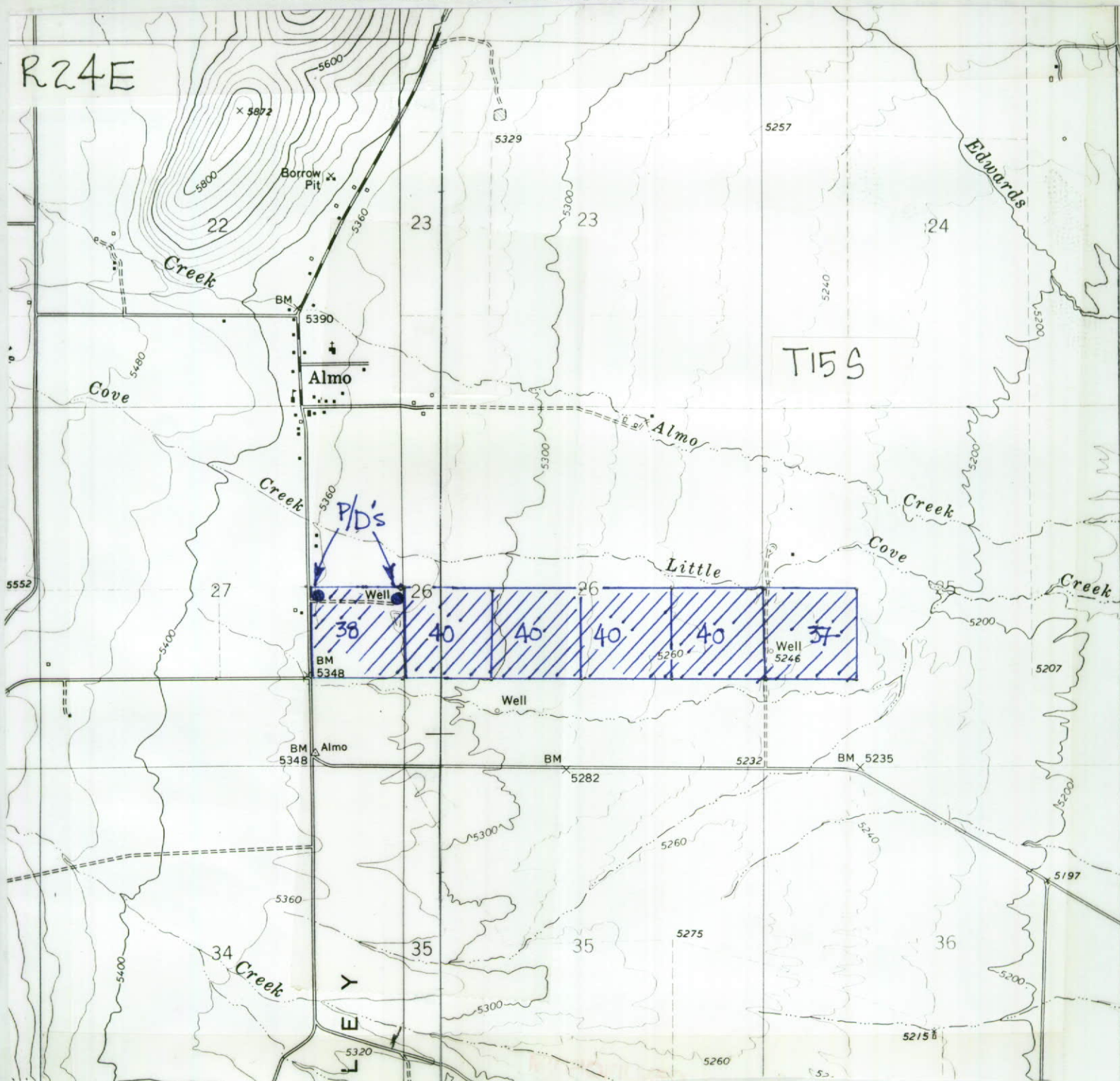
By KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press September 5, 12, 1968.

43 4008

bill sub 9-20-68

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

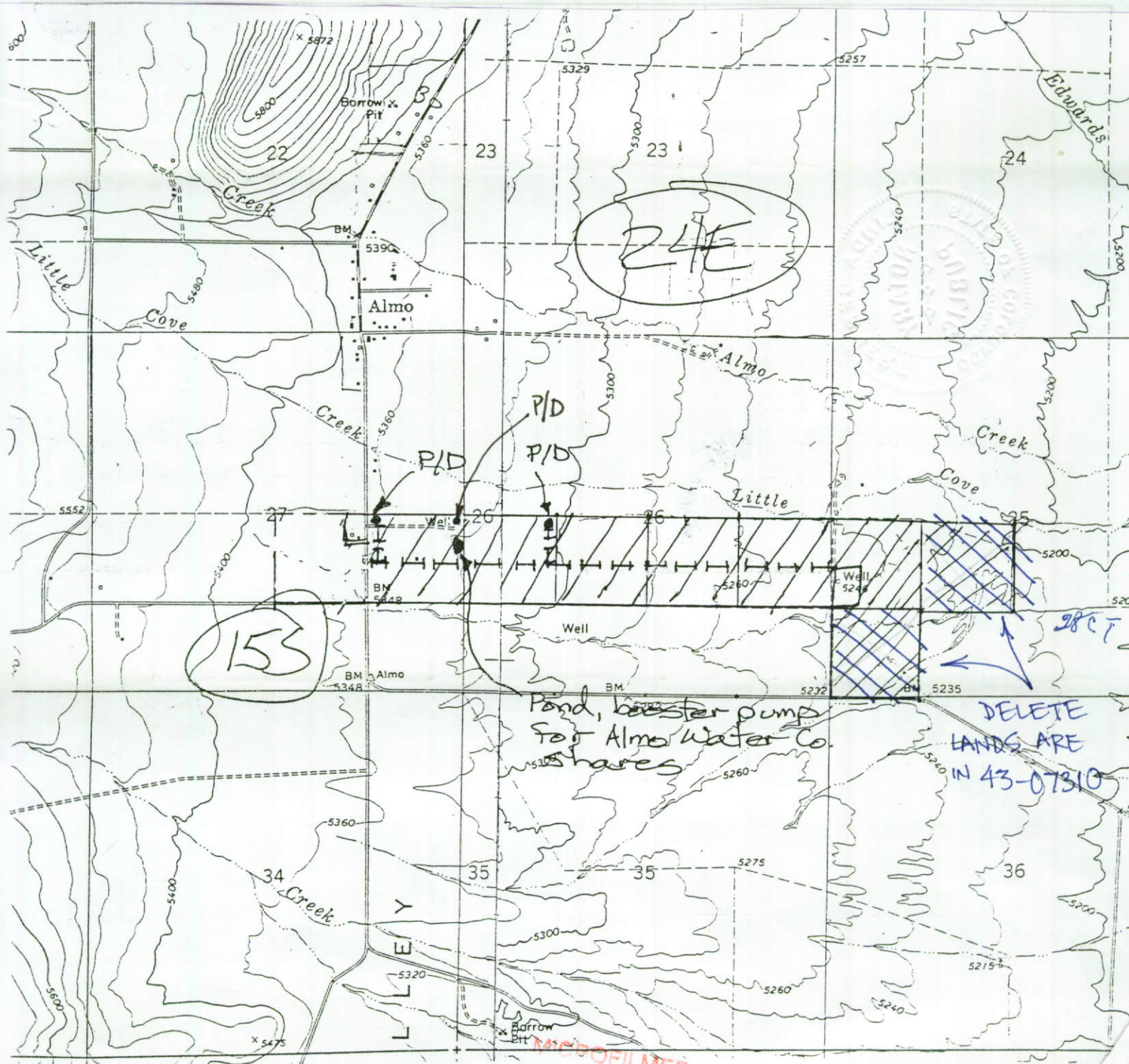


1" = 2000'

SCALE: 1 inch equals 1 mile. Draw plan in ink.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



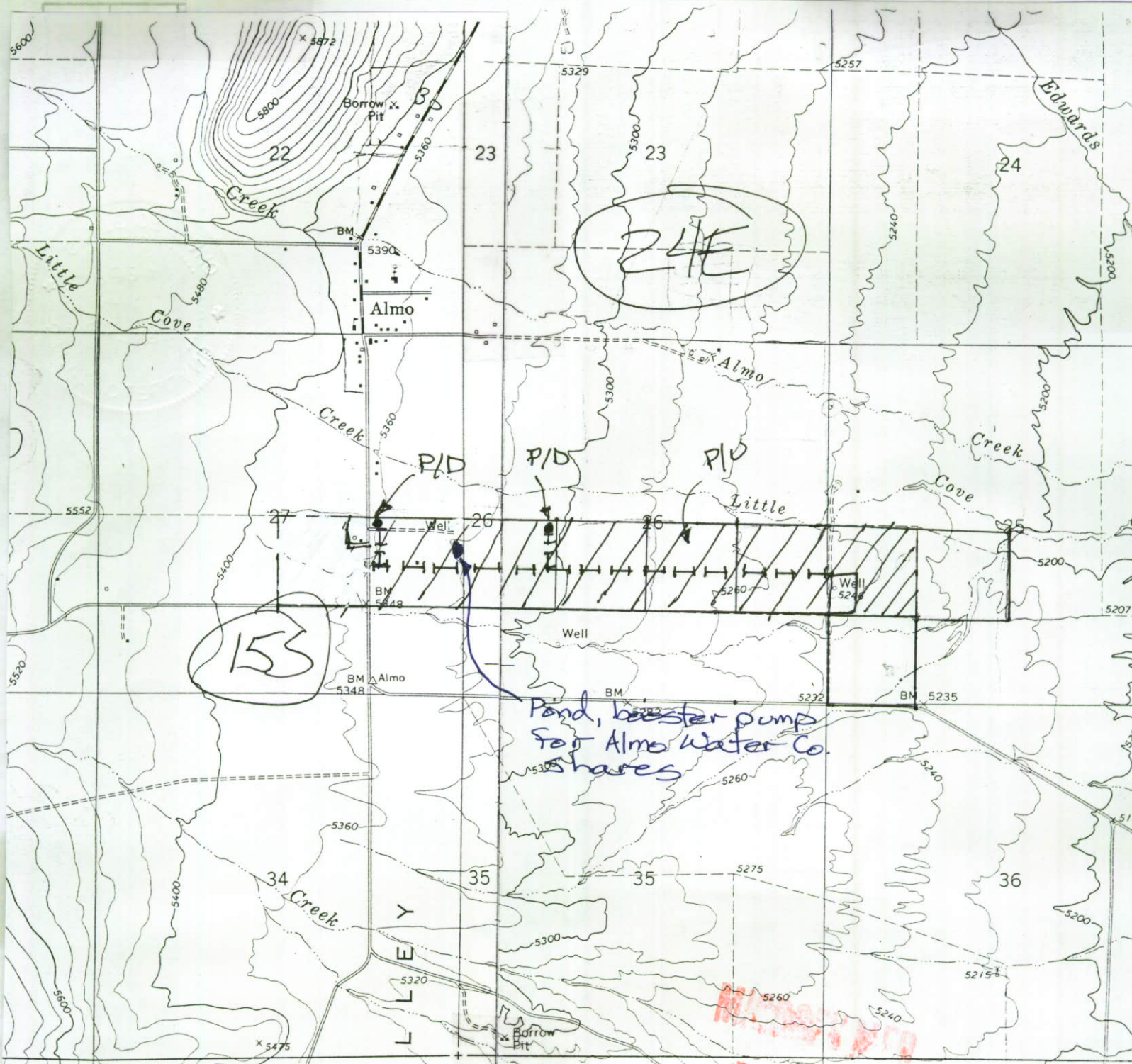
MICROFILMED
SEP 28 1999

NAPP 373-32
DD79 NE
7/14/87

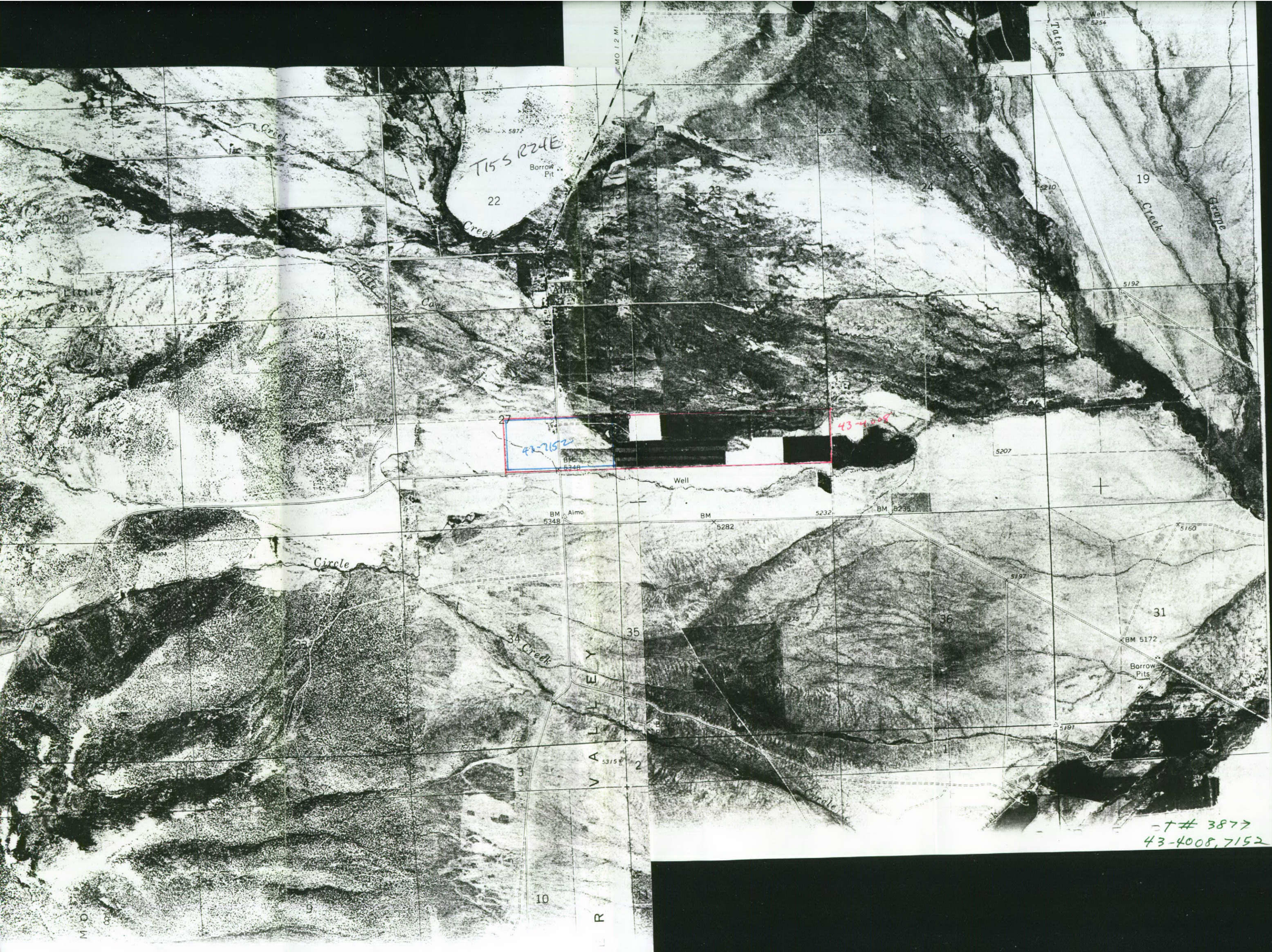
43-4008 7/52
T# 3877

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



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



T155 R24E

Borrow Pit

22

23

23

24

19

27

43-7152

BM 5348

Well

43-4008

5207

BM 5348

BM 5282

5232

BM 5235

Circle Creek

34 Creek

V A L L E Y

35

36

31

BM 5172

Borrow Pits

5191

5160

T# 3877
43-4008, 7152

M O 12 M I

Tale Creek

Well 5254

R

10

9

Little Cove

M O 12 M I

E 83

E 813

E 102

E 103

E 79

E 148

E 122

E 114

MICROFILMED

23 26

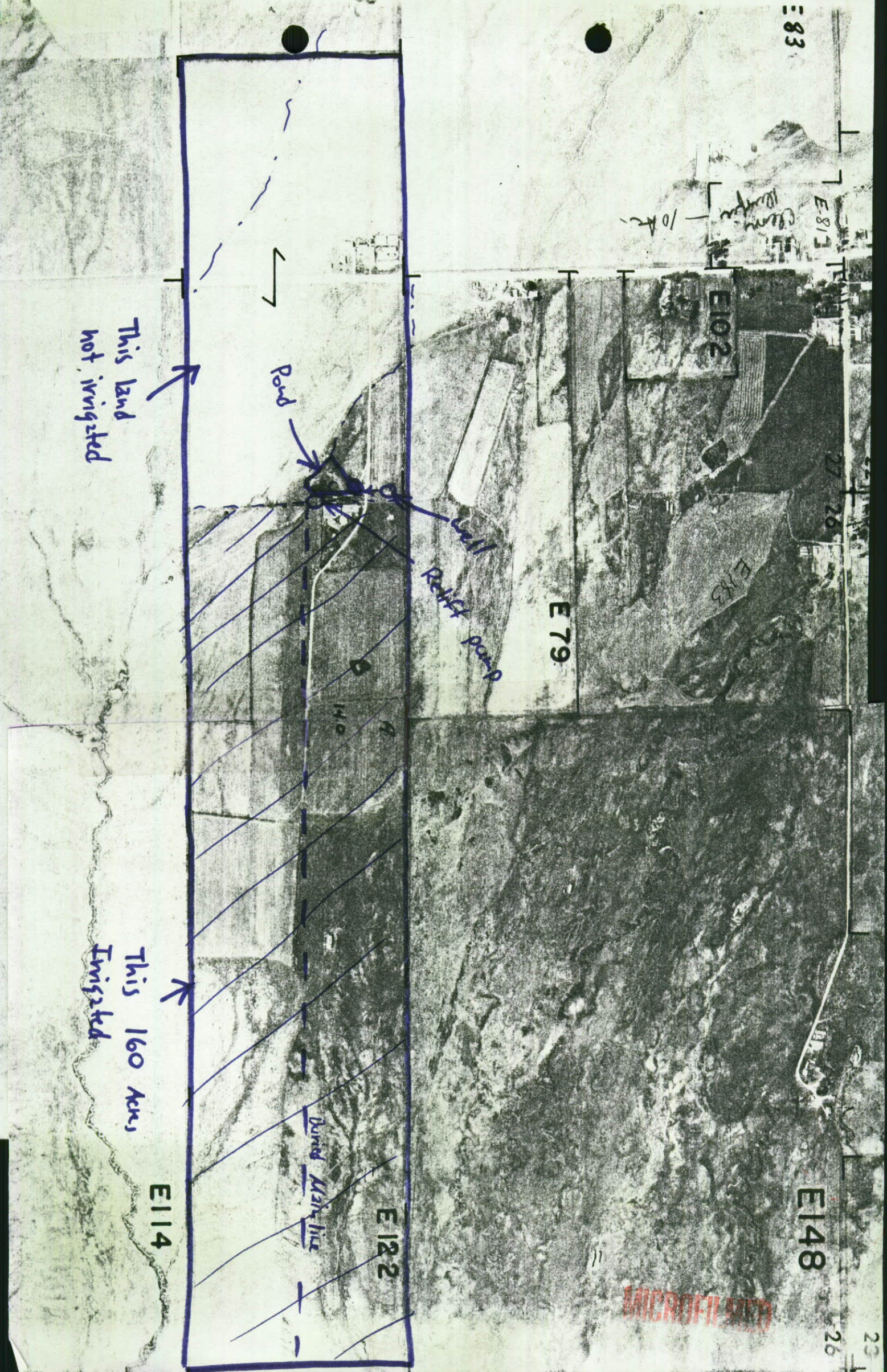
This land
not irrigated

This 160 Acs.
Irrigated

Pool

Well
Puff pump

Bund Machine



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SEP 07 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES

Department of Water Resources

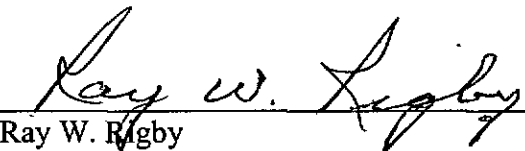
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 4953 IN THE)
NAME OF WALLACE C. TAYLOR)
AND/OR ROBERT E. TAYLOR)

**MOTION FOR DISMISSAL
WITHOUT PREJUDICE**

Comes now Ray W. Rigby, attorney for Wallace C. Taylor and Robert E. Taylor, and moves the Idaho Department of Water Resources to dismiss without prejudice the above entitled application for transfer no. 4953, on the basis of the affidavit of Ray W. Rigby attached hereto.

DATED this 30th day of August, 1999.



Ray W. Rigby

ORDER

On reading and filing the motion and affidavit of Ray W. Rigby in the above entitled matter, and good cause appearing is hereby ordered that the application for transfer no. 4953 in the name of Wallace C. Taylor and/or Robert E. Taylor be and the same is hereby **DISMISSED WITHOUT PREJUDICE**.

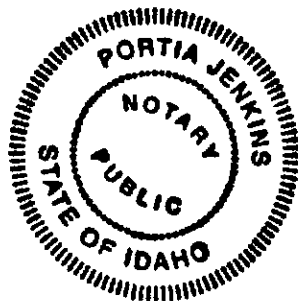
Dated this ____ day of August, 1999.

MICROFILMED

SEP 28 1999

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

SUBSCRIBED AND SWORN TO before me, a notary public in and for said state, this 30th day of August, 1999.



Portia Jenkins
Notary Public
Residing at: Ashton, Idaho
My Commission Expires: 9/4/2003

MICROFILMED

SEP 28 1999

RECEIVED
SEP 07 1999

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 4953 IN THE)
NAME OF WALLACE C. TAYLOR)
AND/OR ROBERT E. TAYLOR)

AFFIDAVIT OF
RAY W. RIGBY

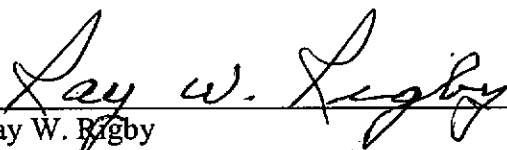
STATE OF IDAHO)

ss

County of Madison)

Ray W. Rigby, being first duly sworn, deposes and says:

1. That he is the attorney for Wallace C. Taylor and Robert E. Taylor, in the above entitled matter.
2. Robert E. Taylor died in the fall of 1998 of cancer.
3. Wallace C. Taylor died of incidence due to old age in June of 1999.
4. Etta V. Taylor, wife of Wallace C. Taylor is alive, but resides in a Nursing Home, incapable of taking care of any business for herself or her husband's estate.
5. Carole T. Taylor, wife of Robert E. Taylor resides in the State of Colorado, she and her children are quite unaware of the matters of business of the estate of Wallace C. Taylor, and particularly of the water rights on the Wallace C. Taylor Farm and Ranch, and particularly those water rights referred to in the above caption.
6. Wallace C. Taylor's only child was Robert E. Taylor.
7. Delays in responding in the above entitled matter relate to the matters contained in this affidavit.
8. This affidavit is given in connection with a motion that the application for transfer no. 4953, be dismissed without prejudice, so that the matter may be reviewed with the errors and legates of the said Wallace C. Taylor and Robert E. Taylor before any final determination is made by those who will be distributed the real property to which this water right is an appurtenance.


Ray W. Rigby

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SEP 28 1999

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

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 4953 IN THE)	
NAME OF WALLACE C. TAYLOR)	PRELIMINARY ORDER
AND/OR ROBERT E. TAYLOR)	DENYING APPLICATION
_____)	

This matter having come before the Idaho Department of Water Resources ("Department"), as a result of the filing of a protest against an application for transfer, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 19, 1996, Wallace C. Taylor and Robert E. Taylor (applicants) filed Application for Transfer No. 4953 involving water rights nos. 43-04008 and 43-07152. On February 20, 1997, the applicants amended the application which seeks to change the place of use of 37 acres in Section 27, T15S, R24E, B.M. to 37 acres in Section 35, T15S, R24E, B.M.

2. The amended application was protested by Curtis and Mary Lou Durfee (Durfee), Edna M. Cahoon and the Idaho Department of Parks & Recreation - City of Rocks Natural Reserve.

3. On October 20, 1997, the Department conducted a pre-hearing conference with the applicants and protestants. The applicants were represented by Ray Rigby. The Durfees were represented by William Parsons. The Idaho Department of Parks and Recreation was represented by Peter Ampe. Protestant Cahoon was not present and was reported to have moved from the area. The conference did not resolve the protests, but the parties agreed that before a hearing was scheduled, basic information needed to be gathered regarding the use of the well constructed in 1955 (1955 well).

4. On November 24, 1997, the Department issued a Pre-hearing Order requiring the applicants to develop a proposal for the use of water from the 1955 well before the Department would schedule a hearing in the matter. The proposal was to include provisions for the reporting of the date, time, pressure, rate of flow, totalized volume, static water level, frequency and duration of measurement.

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SEP 28 1999

5. On March 3, 1999, the department corresponded with the applicants and requested the information required in the November 24, 1997 Prehearing Order of the Department.

6. On April 2, 1999, a consultant for the applicants contacted the Department and asked for more time assuring the Department that the applicants were "immediately moving ahead" with the matter and would provide information of substance within the next 30 days. The Department extended the time for the submittal of requested information to May 15, 1999, as requested.

7. Neither the applicants nor the applicant's consultant has submitted any information to the Department as promised.

CONCLUSIONS OF LAW

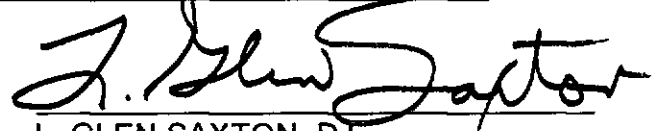
1. Failure of the applicants to timely respond to the Department and to provide requested information is reason for the Department to deny the application for transfer.

2. The department should issue a preliminary order denying the application for transfer for failure to diligently pursue the application.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 4953 in the name of Wallace C. Taylor and Robert E. Taylor is **DENIED** and will not be further considered by the Department.

Dated this 12th day of August, 1999.



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

CERTIFICATE OF MAILING

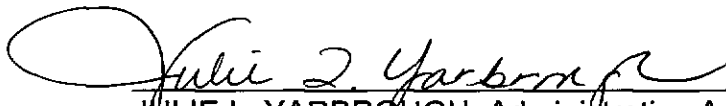
I DO HEREBY CERTIFY that on the 13th day of August, 1999, the above and foregoing document was served upon the following, via certified mail, by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Ray Rigby
RIGBY THATCHER ANDERSON
RIGBY KAM AND MOELLER
PO Box 250
Rexburg ID 83440

William A Parsons
PARSONS SMITH AND STONE
137 W 13th St
PO Box 910
Burley ID 83318

Edna M Calhoon
PO Box 157
Almo ID 83312

Ned R Jackson
City of Rocks National Reserve
PO Box 169
Almo ID 83312


JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

ORDER - Pg 3

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SEP 28 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 4953 IN THE NAME OF)
WALLACE C. TAYLOR AND ROBERT E.)
TAYLOR)
_____)

PREHEARING ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of a protested application for transfer, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 19, 1996, Wallace C. Taylor and Robert E. Taylor (applicants or Taylors) filed with the department application for transfer No. 4953 (application) involving water right Nos. 43-04008 and 43-07152. On February 20, 1997, the applicants amended the application. The amended application seeks to change the place of use of 37 acres in Section 27, T15S, R24E, B.M. to 37 acres in Section 25, T15S, R24E, B.M.

2. The amended application was protested by Curtis and Mary Lou Durfee (Durfee), Edna M. Cahoon and the Idaho Department of Parks & Recreation - City of Rocks National Reserve.

3. On October 20, 1997, the department conducted a conference in the matter at Burley, Idaho. Issues identified at the conference by the protestants were a) that part of the water rights sought for transfer have been forfeited through non-use and b) that the rate of flow associated with claim No. 43-04008 exceeds the rate actually diverted in the past resulting in enlargement if the rate of flow for claim No. 43-04008 is increased.

4. Water right claim No. 43-04008 is recorded with the department as follows:

Claimant:	Wallace C. Taylor
Source:	Groundwater
Priority:	April 1, 1955
Rate of div:	2.2 cfs
Point of div:	NESE Section 27, T15S, R24E, B.M. NWSW Section 26, T15S, R24E, B.M.
Use:	Irrigation
Place of use:	238 acres in Sections 26 and 27, T15S, R24E, B.M.
Remarks:	Transfer No. 2358 approved in April 1980 authorizes the present use of the claimed right.

5. License No. 43-07152 is recorded with the department as follows:

Licensee: Wallace C. Taylor
Source: Groundwater
Priority: May 13, 1980
Rate of div: 1.5 cfs
Point of div: NESE Section 27, T15S, R24E, B.M. (2 pts)
Use: Irrigation
Place of use: 75 acres in Section 27, T15S, R24E, B.M.

6. Permit No. 43-07310 is recorded with the department as follows:

Permittee: Robert C and/or Robert E. Taylor
Source: Groundwater
Priority: May 28, 1991
Rate of div: 1.6 cfs
Point of div: NENSW Section 26, T15S, R24E, B.M.
NWNESE Section 27, T15S, R24E, B.M.
Use: Irrigation
Place of use: 80 acres in Section 25, T15S, R24E, B.M.

7. License No. 43-07109 is recorded with the department as follows:

Licensee: Curtis and Mary Lou Durfee
Source: Groundwater
Priority: October 17, 1977
Rate of div: 1.48 cfs
Point of div: SWSW Section 26, T15S, R24E, B.M.
Use: Irrigation
Place of use: 113 acres in Section 26, T15S, R24E, B.M.

8. Controversy over the use of groundwater diverted from irrigation wells by the Taylors and by Durfee has been ongoing for some time and involves groundwater interference among wells in a localized area south of Almo, Idaho. Taylors have three (3) irrigation wells, one drilled in 1955, one in 1980 and one in 1992. Durfee has one (1) irrigation well drilled in about 1977.

9. In 1994, the Taylors and Durfee hired Dr. Charles Brockway to conduct a well interference study. The study showed that the 1991 Taylor well and the Durfee well are in the same layer of the aquifer system which has a high hydraulic conductivity. The 1955 and 1980 Taylor wells were found to be somewhat insensitive to drawdowns in the 1991 Taylor well and the Durfee well.

10. The rate of discharge from the 1955 Taylor Well is unknown.

CONCLUSIONS OF LAW

1. The rate of discharge from the 1955 Taylor well located in the NESE Section 27, T15S, R24E, B.M. needs to be known in order for the department to be able to evaluate the pending application for transfer.

2. The department should require the applicants to measure and report certain information in connection with use of the 1955 Taylor well.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the applicants shall submit a proposal to the department for review and approval in connection with water use from the 1955 Taylor well. The proposal should include provisions for reporting of the date, time, pressure, rate of flow, totalized volume, static water level, frequency and duration of measurement.

IT IS FURTHER ORDERED that the department will not schedule a hearing in the matter until the applicants provide a proposal for review and approval by the department and gather and provide the information in the approved proposal.

Dated this 24th day of November, 1997.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that on the 25th day of November, 1997, the above and foregoing document was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Wallace C Taylor
PO Box 144
Almo ID 83312

Edna M Cahoon
PO Box 157
Almo ID 83312

Robert E Taylor
2714 Wakonda Dr
Fort Collins CO 80521

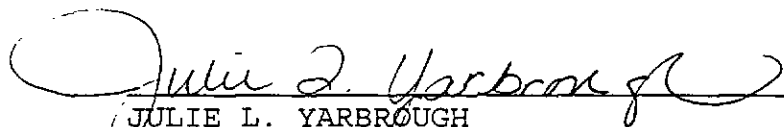
Ned R Jackson
Park Manager City of Rocks
National Reserve
PO Box 169
Almo ID 83312

Ray Rigby Esq
PO Box 250
Rexburg ID 83440

Peter J Ampe
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

Curtis L Durfee
Mary Lou Durfee
PO Box 185
Almo ID 83312

William A Parsons
PARSONS SMITH STONE
AND FLETCHER LLP
PO Box 910
Burley ID 83318


JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TRANSFER OF WATER RIGHT****APPROVED**
Department of Water Resources
Water Right Office

To Change the Point of Diversion and/or the Place of Use

Name of applicant Wallace C. Taylor Phone 824-5572Post office address Almo, Idaho, 83312

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. 43-4008 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Applicant is original claimant.3. Source of water groundwater tributary to _____4. Date of priority April 1, 1955

5. Water is used for the following purposes:

amount 2.20 cfs for Irrigation purposes from Mar. 1 to Oct. 31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.20 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27Township 15S. Range 24 E., B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15S.	24E	26									X	X			X	X			160
		27													X	X			78

Total number of acres to be irrigated 238

9. Describe any other water rights used for the same purposes as described above

Shares in Almo Water Company.**MICROFILMED**

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second

&/or

b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 2.20 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion NE ¼ SE ¼, Section 27 Township 15S.
Range 24 E., B.M., Cassia County _____
Additional points NW¼ SW¼ of Sec 26, T.15S., R.24E., B.M
 - c. Description of diverting works Two wells delivering to sprinkler system.
 - d. Describe the reasons for applying for a change in the point(s) of diversion At present the existing well has reduced flow to about 65" of water.

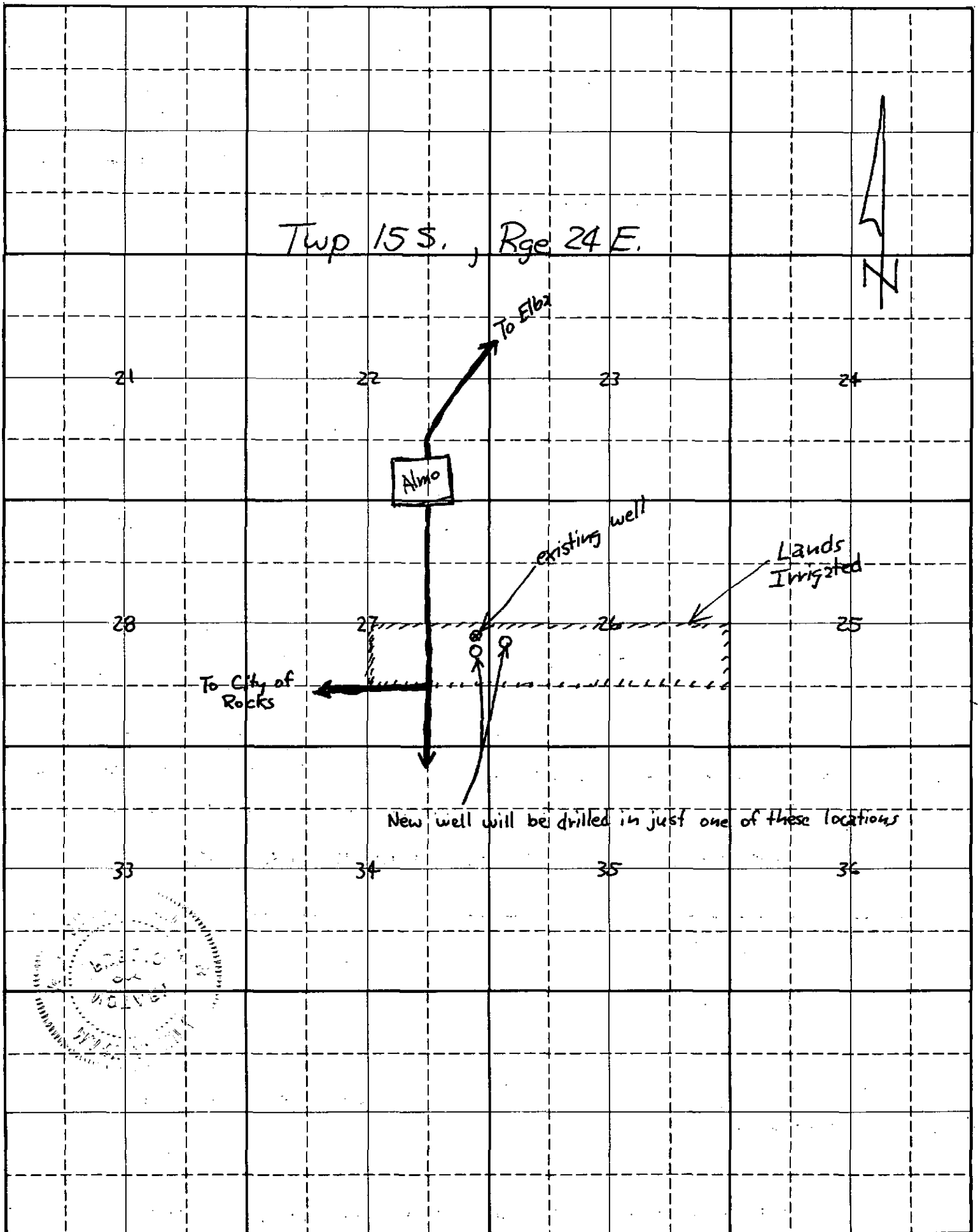
2. Change in place of use No Change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

4. Remarks New well will be drilled in either NE 1/4 SE 1/4 of Sec. 27 or NW 1/4 SW 1/4 of Sec. 26 T. 15 S., R. 24 E., B. M.

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

Shirley Taylor
(Signature of applicant)

Subscribed and sworn to before me this 3d day of October, 19

maurya fair
(Notary public)

My commission expires *1/1/81*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4008

and said application is hereby approved, subject to the following limitations and conditions:

- (1) Approval of this Transfer does not validate items set forth in the claim.
- (2) No more than 160 acres located within the N 1/2 SW 1/4, N 1/2 SE 1/4, Sec. 26, Twp. 15S, Rge. 24E, shall be irrigated under this right.

Witness my hand this 10th day of April, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by *ADM* Date *10/3/79* Fee *#3500*
Prelim. check by *JP*
Received by *maurya* Date *10/3/79 #13352*
Published in *South Dakota News*
Pub. dates *10/30 & 11/6/79*
Watermaster recommendation requested on _____
rec'd. _____
by *Jim*
Recommended for _____
approval _____
denial _____
Hearing held by _____
Date _____
Copies of protest forwarded by _____
Protest filed by _____

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna Fitzhugh, being first

duly sworn, deposes and says that she is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two

consecutive weeks, commencing with the issue

dated Oct. 30 1979, and ending

with the issue dated Nov. 6, 1979

Donna Fitzhugh

Subscribed and sworn to before me

this 6th day of Nov.

1979

Norma M. Peterson Notary Public

Cost of Publication 12.71

Notary Fee

Total Cost 12.71

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

79-348

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-4008**

Notice is hereby given that Wallace C. Taylor of Alma, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the water of groundwater source. The right sought to be changed is evidenced by Claim No. 43-4008, and is recorded as follows:

Amount: 2.20 cfs, Priority: April 1, 1955, Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T.15S, R.24E, B.M. in Cassia County.

The water is used for irrigation purposes of 238 acres, from March 1 to October 31, within the N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27, T.15S, R.24E.

TO BE CHANGED AS FOLLOWS:

Amount: 2.20 cfs, Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T.15S, R.24E., B.M. Cassia County.

No Change in place of use.

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before November 16, 1979.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on October 30, November 6, 1979.

RECEIVED

NOV 8 1979

Department of Water Resources
Southern District

11/8/79
RECEIVED

Wallace C. Taylor

Identification No. 43-4008
Claim No. 42767
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Wallace C. Taylor
post office address Almo, Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27 Township 15 S
Range 24 E., B.M. located on well
(name of source)
tributary to _____ in Cassia County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
April 1, 1955 amount: 110 In. xx or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use irrigation period of use from Mar. 1 to Oct. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped _____ ; depth of well, is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

_____; if so, give dates and explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 238

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch _____ . The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered no

7. Where water is used for domestic or municipal purposes give number of families served no name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities none

The claimant owns shares of stock in the Almo Water Company but there is not sufficient water from these shares to irrigate the property described in paragraph 5 above, that since 1955, as above stated, the claimant has irrigated steadily during the irrigation season.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

Aug 14, 1968
(Date)

Wallace C. Taylor
(Signature of Claimant)

State of Idaho

County of Adams ss.

On this 14th day of August 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he-(she) (they) executed the same.

W. H. Nelson
Notary Public residing at Burley, Idaho

My commission expires Feb 20, 1970

For Department Use Only

Received by <u>ej</u> Date <u>8-19-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>DWC</u> Date <u>8-20-68</u>	_____	_____	_____
Fee received by <u>ej</u> Date <u>8-20-68</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>ej</u> Date <u>8-30-68</u>	_____	_____	_____
Published in <u>Idaho Statesman</u> Dates <u>9-5-68</u>	_____	_____	_____

43 4008

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

~~use irrigation period of use from April 1 to October 31 (both dates inclusive):~~ If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AUG 19 1968

Department of Reclamation

AFFIDAVIT

STATE OF IDAHO)
 : ss.
County of Cassia)

HAROLD WARD, being first duly sworn, deposes and says:

That for more than 50 years he has been a resident of Cassia County, Idaho, but most of that time he has resided at Almo, Cassia County, Idaho, where he now resides.

That he is well acquainted with Wallace C. Taylor that he lives within one mile of a well drilled and operated by the said Wallace C. Taylor located in the Northeast Quarter of the Southeast Quarter of Section 27, Township 15 South, Range 24, East of the Boise Meridian.

That this affiant has aided in the distribution of the water from said well on the Taylor Ranch, that he has read the claim to a water right signed by Wallace C. Taylor and knows that the facts therein stated are true, that he has seen the well in operation every year since 1955.

DATED This 14th day of August, 1968.

Donald Ward

SUBSCRIBED and SWORN before me on this 14th day of August 1968.

A. W. Nelson

Notary Public for Idaho
Residing at Burley, Idaho

My Commission Expires:
February 20, 1970.

43 4008

NIELSON, NIELSON & NIELSON
ATTORNEYS AT LAW
P. O. Box 367
BURLEY, IDAHO 83318

AUG 19 1968

Department of Reclamations
IT

AFFIDAVIT

JACK ERICKSON, being first duly sworn, deposes and says:

That for more than 40 years he has been a resident of Cassia County, Idaho, and for most of that time he has resided in Almo, Cassia County, Idaho, where he now resides.

That he is well acquainted with Wallace C. Taylor, that he lives within five miles of the well drilled and operated by the said Wallace C. Taylor located in the Northeast Quarter of the Southeast Quarter of Section 27, Township 15 South, Range 24, East of the Boise Meridian.

That this affiant has aided in the distribution of the water from the said well on the Taylor land, that he has read the claim to a water right signed by Wallace C. Taylor and knows that the facts therein stated are true, that he has seen the well in operation every year since 1955.

DATED this 14th day of August, 1968.

Jack Erickson

SUBSCRIBED and SWORN to before me this 14th day of August, 1968.


Notary Public for Idaho
Residing at Burley, Idaho

My Commission Expires:
February 20, 1970

43 4008

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers being first

duly sworn, deposes and says that she is the

Baskin of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated *Sept 5* 19*68*, and ending

with the issue dated *Sept 12*, 19*68*

Ruth Chambers

Subscribed and sworn to before me

this *12th* day of *September*

19*68*...

Edith Raustadt Notary Public

Cost of Publication *\$6.50*

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

SEP 13 1968

Department of Reclamation

NO. 68.161
NOTICE OF CLAIM TO A
WATER RIGHT
No. 43-4008
Notice is hereby given that
Wallace C. Taylor, Almo, Idaho
has filed a claim to a water
right established by diversion and
application to beneficial use of
110 inches of water from a sub-
terranean source with point of di-
version in the NE 1/4 SE 1/4, sec. 27,
T. 15 S. R. 24 E.B.M., Cassia
County; the water is claimed to
be used from March 1 to October
31 with a priority of April 1,
1955; the place of use is in the
N 1/2 SW 1/4, N 1/2 SE 1/4, sec. 26; N 1/2 SE
1/4, sec. 27, T. 15 S. R. 24 E.B.M.
Any exception to this claim of
water right may be filed with the
Department of Reclamation.
By KEITH HIGGINS
State Reclamation Engineer
Published in the South Idaho
Press September 3, 12, 1968.

43 4008

bill sub 9-20-68



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

September 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Ray W. Rigby
RIGBY, THATCHER, et. al.
P.O. Box 250
25 N. 2nd E.
Rexburg, ID 83440

RE: APPLICATION FOR TRANSFER NO. 4953 IN THE NAME OF WALLACE C.
TAYLOR AND/OR ROBERT E. TAYLOR

Dear Mr. Rigby:

I have reviewed the FAX transmission you sent on August 30, 1999, in connection with the above referenced application. The FAX includes a draft Motion for Dismissal Without Prejudice for my signature. I assume the motion was for the purpose of retaining the right to refile an identical application at some time in the future.

My review of department files shows that on August 13, 1999, the department served you a Preliminary Order Denying Application for Transfer No. 4953 and advised you that you could file a Petition for Reconsideration within fourteen (14) days of the service of the order, i.e. until August 27, 1999.

Since your FAX transmission was not submitted within the authorized 14 day period, I plan to file it in the water right file without department action. There is nothing, however, that I know of which would prevent heirs of the Taylors to file a new application in the future. The applicants should be aware, however, that a similar application likely would be protested and that the department would again require the applicant to develop a proposal for the use of the water from the 1955 well before the department would schedule a hearing in the matter.

If you have questions, please feel free to contact me or the department. My e-mail address is gsaxton@idwr.state.id.us.

Sincerely,


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

c: Allen Merritt
IDWR - S. Region

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SEP 28 1999

*Law Offices***RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

*Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam
Gregory W. Moeller*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: rexlaw@srv.net*

FAX Transmission Sheet

Date: August 30, 1999
To: L. Glen Saxton, P.E.
Fax No: 327-7866
From: Ray W. Rigby
Sent By: sj
Subject: Application for Transfer no. 4953 (Wallace C. Taylor and Robert E. Taylor)
You should receive 4 page(s) including this cover sheet.

COMMENTS:

Hard copy will follow, and hard copies are being served upon William A. Parsons, Edna M. Calhoon and Ned R. Jackson.

If transmission was incomplete or not legible, please call the sender at 208-356-3633.

CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.

MICROFILMED
SEP 28 1999

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 4953 IN THE)
NAME OF WALLACE C. TAYLOR) **AFFIDAVIT OF**
AND/OR ROBERT E. TAYLOR) **RAY W. RIGBY**
_____)

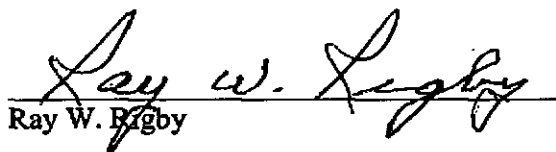
STATE OF IDAHO)

ss

County of Madison)

Ray W. Rigby, being first duly sworn, deposes and says:

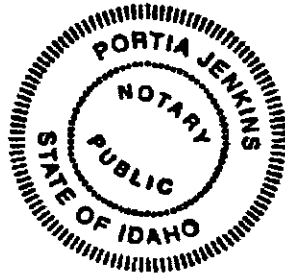
1. That he is the attorney for Wallace C. Taylor and Robert E. Taylor, in the above entitled matter.
2. Robert E. Taylor died in the fall of 1998 of cancer.
3. Wallace C. Taylor died of incidence due to old age in June of 1999.
4. Etta V. Taylor, wife of Wallace C. Taylor is alive, but resides in a Nursing Home, incapable of taking care of any business for herself or her husband's estate.
5. Carole T. Taylor, wife of Robert E. Taylor resides in the State of Colorado, she and her children are quite unaware of the matters of business of the estate of Wallace C. Taylor, and particularly of the water rights on the Wallace C. Taylor Farm and Ranch, and particularly those water rights referred to in the above caption.
6. Wallace C. Taylor's only child was Robert E. Taylor.
7. Delays in responding in the above entitled matter relate to the matters contained in this affidavit.
8. This affidavit is given in connection with a motion that the application for transfer no. 4953, be dismissed without prejudice, so that the matter may be reviewed with the errors and legatees of the said Wallace C. Taylor and Robert E. Taylor before any final determination is made by those who will be distributed the real property to which this water right is an appurtenance. heirs?


Ray W. Rigby

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SEP 28 1999

SUBSCRIBED AND SWORN TO before me, a notary public in and for said state, this 30th day of August, 1999.



Portia Jenkins
 Notary Public
 Residing at: Ashton, Idaho
 My Commission Expires: 9/4/2003

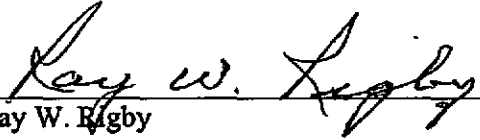
REC'D FILMED
 SEP 28 1999

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

IN THE MATTER OF APPLICATION) FOR TRANSFER NO. 4953 IN THE) NAME OF WALLACE C. TAYLOR) AND/OR ROBERT E. TAYLOR)	)	MOTION FOR DISMISSAL WITHOUT PREJUDICE
--	---	---

Comes now Ray W. Rigby, attorney for Wallace C. Taylor and Robert E. Taylor, and moves the Idaho Department of Water Resources to dismiss without prejudice the above entitled application for transfer no. 4953, on the basis of the affidavit of Ray W. Rigby attached hereto.

DATED this 30th day of August, 1999.



Ray W. Rigby

ORDER

On reading and filing the motion and affidavit of Ray W. Rigby in the above entitled matter, and good cause appearing is hereby ordered that the application for transfer no. 4953 in the name of Wallace C. Taylor and/or Robert E. Taylor be and the same is hereby **DISMISSED WITHOUT PREJUDICE.**

Dated this ____ day of August, 1999.

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

MICRO FILMED

SEP 28 1999

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

Indicate type of mail:
☐ Registered
☐ Insured
☒ COD
☐ Certified

Check appropriate block for
☐ Return Receipt for Merchandise
☐ Int'l Recorded Del.
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☐ Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as
 certificate of mailing or for
 additional copies of this bill.

Postmark and Date of Receipt

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender if COD	R. R. Fee	S. D. Fee	S. H. Fee	Post Del. Fee	Remarks
1	433942450	RAY RIGBY PO BOX 250 REXBURG ID 83340											T-4953
2	433942451	WILLIAM A PARSONS 137 W 13TH ST BURLEY ID 83318											
3	433942452	EDNA M CALHOON PO BOX 157 ALMO ID 83312											
4	433942453	NED R JACKSON CITY OF ROCKS NAT RESERVE PO BOX 169 ALMO ID 83312											
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RECEIVED
AUG 16 1999
Department of Water Resources

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 SEP 28 1999

Total Number of Pieces Listed by Sender: 4

Total Number of Pieces Received at Post Office: 4

Postmaster, Per (Name of Receiving Employee): ICR

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 13, 1999

RE: In the matter of Application for Transfer No. 4953 in the name of Wallace C. Taylor and/or Robert E. Taylor

Dear Interested Parties:

The accompanying order 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 within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have 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 Director. The director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary

order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is written in a cursive, flowing style.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR Southern - Allen Merritt

AMENDED TRANSFER

Page 1 of 7

STATE OF IDAHO

Transfer No. 4953

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

PART 1 Department of Water Resources
Southern Region

AMENDED

Name of applicant Wallace C. Taylor &/or Robert E. Taylor Phone (208)824-5572 or (970)484-3626
 Post Office address PO Box 144, Almo, ID. 83312 or 2714 Wakonda Dr., Ft. Collins, CO. 80521

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Correct irrigation season
2. Describe the reason for the proposed changes Water to be concentrated on the more productive land, especially during drought. Water to be co-mingled. Land in Section 25 is less rocky than the land in Section 27.

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------|--------------------|---------------|---------------|
| 43-04008 | 04/01/1955 | 2.20 | Irrigation | 4/1 to 10/31 |
| 43-07152 | 05/13/1980 | 1.50 | " " | " to " |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 3.7 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	15S	24E	Cassia	Well (1955)
	NW	NE	SE	27	15S	24E	Cassia	Well (1980)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	27													38				38
15S	24E	26									40	40			40	40			160
15S	24E	25										37							37

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SEP 28 1999

Total acres 235

PART 1

6. General Information:

- a. Description of diversion system 2(Two) wells, pumps are all linked into a common mainline; handlines are used.

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

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Allows water to be concentrated on the more productive land; forage production should increase, especially during drought years.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED
SEP 28 1999

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-04008

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	2.20 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1955

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 26, Township 15S, Range 24E
NESE , Sec. 27, Township 15S, Range 24E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	24E	26	NESW	NWSW	NESE	
			NWSE			
		27	NESE	NWSE		

CONDITIONS/REMARKS:

1. AC. IRR.=238.
2. TRANS. 2358 PROTESTED.

MICROFILMED
SEP 28 1999

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-07152

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.50 CFS	262.5 AF

SOURCE

GROUNDWATER

Priority: 05/13/1980

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 27, Township 15S, Range 24E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	24E	27	NESE 38	NWSE 37		75
Total number of acres irrigated:						75

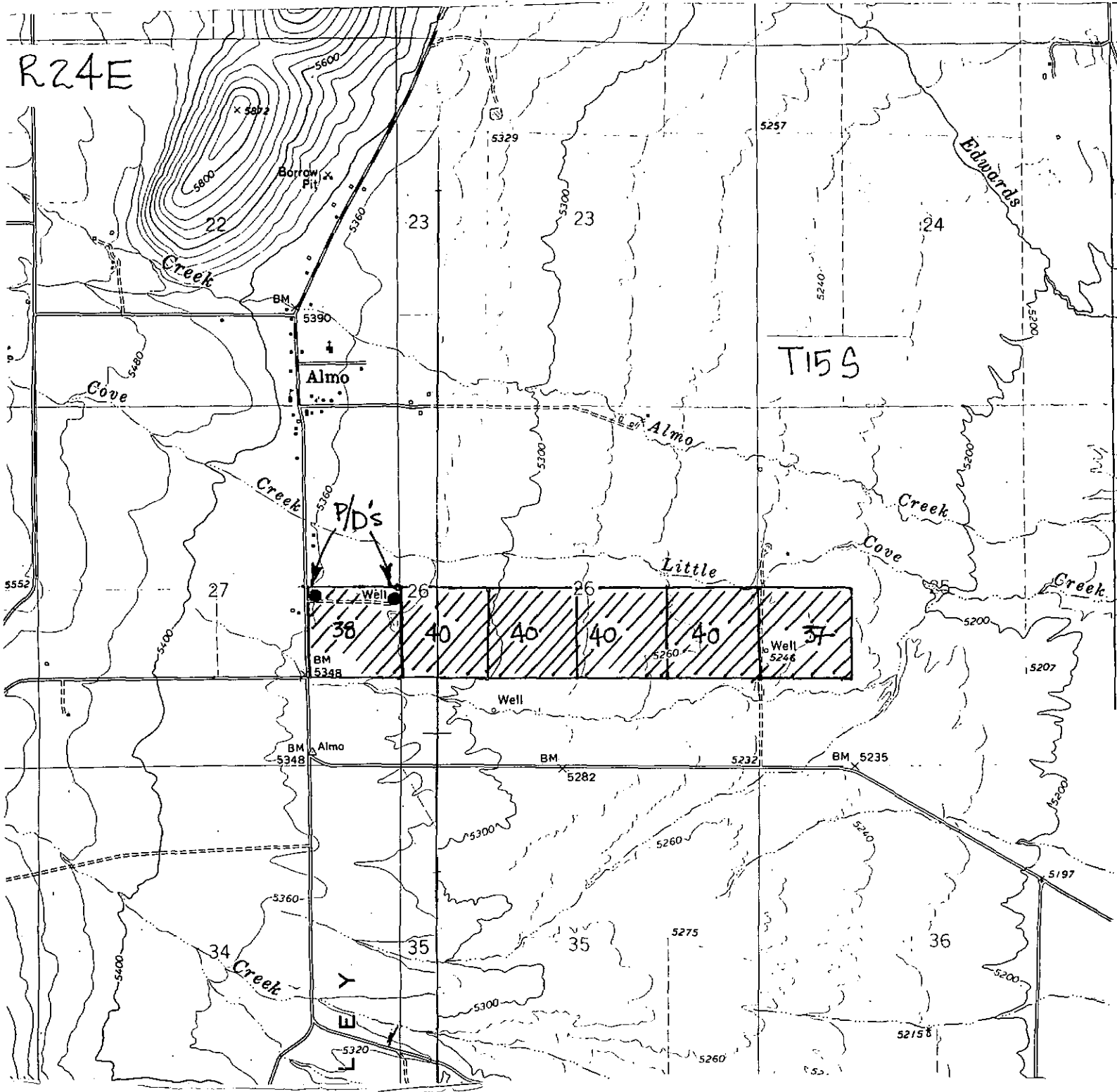
CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. 2 P/D IN NESE, S27, T15S, R24E.

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SEP 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



1" = 2000'

SCALE: ~~1" = 2000'~~ Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

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

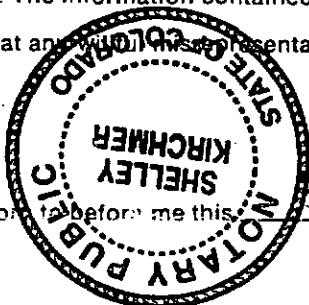
2. Quantity and quality of return flows and location of discharge:

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

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

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

Subscribed and sworn to before me this



Robert E. Taylor
(Signature of Applicant)

5th day of February, 19 97.

Shelley Kirchner
(Notary Public)

My commission expires

9-5-99**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 0 attachmentsReceived by GLS Date 2/20/97

Protest filed by _____

Prelim. check by GLS Fee 50.00 (5019866)Receipted by GS Date 2/20/97Published in So. CO Press

Copies of protest forwarded by _____

Pub. dates 4/21 & 4/28/97

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

_____ rec'd.

by _____

Copy of transfer sent to lien holder _____

MICROFILMED
SEP 28 1999

PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

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

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

Subscribed and sworn to before me this 14th day of February, 19 97.

Wallace C Taylor
(Signature of Applicant)

My commission expires 4-9-99

Sue Ellen Keller
(Notary Public) Albin, Idaho

FOR DEPARTMENT USE ONLYTransfer contains 7 pages and 0 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by RE-ADVERTISE Fee \$50.00Received by GLS(5019866) Date 20 FEB 97Published in S. ID. Press Copies of protest forwarded by _____Pub. dates 4/21 + 4/28/97 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 28 1999

1 of 8
RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4953

AUG 19 1997 APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resources
Southern Region

PART 1

Name of applicant Wallace C. Taylor and/or Robert E. Taylor Phone (208) 824-5572 or
Post Office address P.O. Box 144 Almo, IDAHO 83312 (970) 484-3626
or 2714 WAKONDA Dr., Ft Collins, CO 80521

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes WATER TO BE CONCENTRATED ON THE MORE
PRODUCTIVE LAND, especially During Drought. WATER TO BE COMINGLED.
LAND IN S25 IS LESS ROCKY THAN THE S27 LAND

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-4008</u>	<u>4/1/1955</u>	<u>2.20</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-7152</u>	<u>5/13/1980</u>	<u>1.50</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-07310</u>	<u>1/1/92</u>	<u>1.60</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred 5.3 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground water 3.7 tributary to _____

4. Point(s) of Diversion: WET

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	15S	24E	Cassia	55 Well
	NW	NE	SE	27	15S	24E	Cassia	80 Well
	NE	NW	SW	26	15S	24E	Cassia	92 Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	27													37	*			37
15S	24E	26									40	40			40	40			160
15S	24E	25									40	36	40						116 36

* NW 1/4 SE 1/4 previously transferred to NW 1/4 SW 1/4
 (S27) (S25)

Total acres 313

WET 233

PART 1

6. General Information:

a. Description of diversion system 3 wells, Pumps (125 hp, 100 hp, and 60 hp))
are linked into common MAIN line; handlines are used.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Allows water to be concentrated on the more productive
land; forage production should increase, especially in
Drought years.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

SEP 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 43-4008 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUND WATER tributary to _____

4. Date or priority 4/1/1955

5. Water is used for the following purpose:

amount 2.20 for Irrigation purposes from 3/15 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	15S	24E	CASSIA	55 WELL

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals.
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	26									X	X			X	X			160
15S	24E	27													X	X			78

Total acres 238

9. Describe any other water rights used for the same purpose as described above _____

43-7152, Almo Creek Rights

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-04008

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	2.20 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1955

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 15S, Range 24E
NESE , Sec. 27, Township 15S, Range 24E
CASSIA 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>
15S	24E	26	NESW	NWSW	NESE	
			NWSE			
		27	NESE	NWSE		

CONDITIONS/REMARKS:

1. AC. IRR.=238.
2. TRANS. 2358 PROTESTED.

MICROFILMED
SEP 28 1999

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-07152

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.50 CFS	262.5 AF

SOURCE

GROUNDWATER

Priority: 05/13/1980

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 27, Township 15S, Range 24E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	24E	27	NESE 38	NWSE 37		75
Total number of acres irrigated:						75

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. 2 P/D IN NESE, S27, T15S, R24E.

MICROFILMED
SEP 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 43-~~7~~ 7152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5/13/1980

5. Water is used for the following purpose:

amount 1.50 for Irrigation purposes from 3/15 to 4/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~1~~	~~1~~	~~1~~	~~1~~					
	NW	NE	SE	27	15S	24E	Cassia	80 WELL

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	27													X	X			75

Total acres 75

9. Describe any other water rights used for the same purpose as described above _____

43-4008, Almo Creek Rights

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

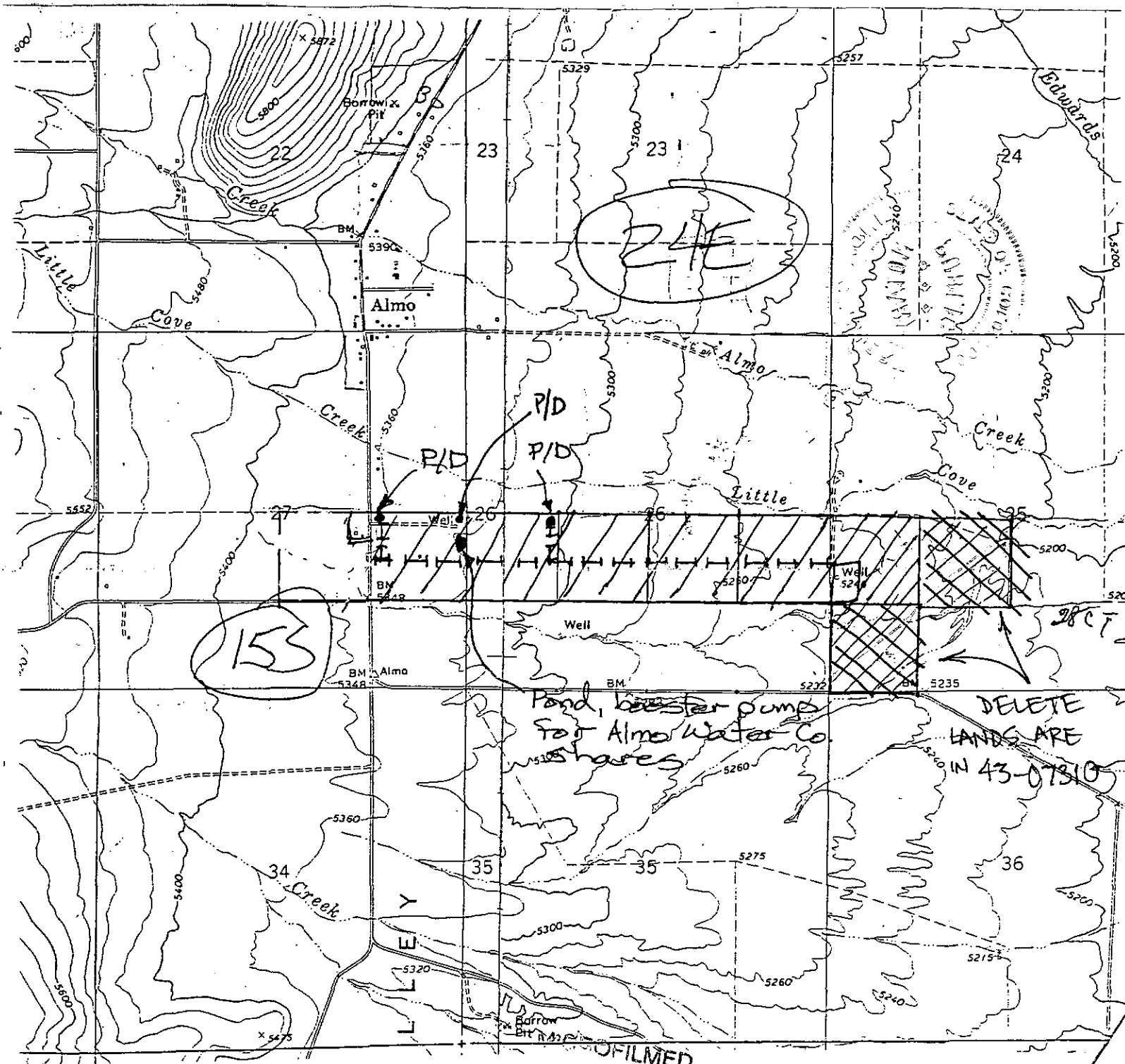
3. Lands irrigated or place of use:

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

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



FILMED
 SEP 28 1999

PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

43-07310 WELL WILL BE PUMPED NOT TO INTERFERE
WITH DURFEE (A43-07109) WELL.

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

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

Subscribed and sworn to before me this 14th day of August, 1996

Robert E. Kelson
 (Signature of Applicant)

Leida Lerner
 (Notary Public)

My Commission Expires

12-30-98

My commission expires

2000 S. College Ave.Fort Collins, CO 80525**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 1 attachmentsReceived by GLS Date 8-19-96 Protest filed by _____Prelim. check by GLS 17 SEPT 96 Fee \$100, 5019441Receipted by GLS Date 8-19-96Published in Sp. Op. Press Copies of protest forwarded by _____Pub. dates 11/11 & 11/18/96 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

MICROFILMED

AUG 19 1996

SEP 28 1996 Department of Water Resources
Southern Region

FROM: Allen Merritt

DATE: June 21, 1999

TO: Glen Saxton

SUBJECT: Transfer 4953

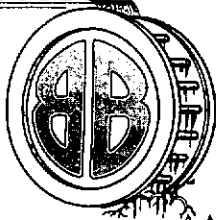
As you may recall this transfer has been around for several years; it is protested by several parties and was the subject of a pre-hearing conference in 1997. After the conference the department issued a pre-hearing order requiring that a plan for use and measurement of the 1955 well be submitted before any further hearing.

Since the order both applicant's have died. No plan was ever submitted but they did hire Jack Barnett to look into the matter. Barnett's 6/17/99 letter outlining the current status.

I recommend that the transfer be voided.

Any tests or measurements taken on the 1955 well should be included in the SRBA claim files for the respective water rights. If the eventual estate representatives wish to pursue a transfer then they should file a new application.

MICROFILMED
SEP 28 1999



BARNETT INTERMOUNTAIN WATER CONSULTING

June 17, 1999

106 West 500 South, Suite 101
Bountiful, Utah 84010-6232
(801) 292-4662
FAX (801) 524-6320

RECEIVED

JUN 21 1999

Department of Water Resources
Southern Region

Allen D. Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Transfer No. 4953

Dear Allen:

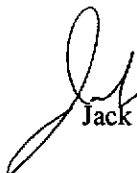
As I indicated in my phone conversation with you, Wallace Taylor recently passed away. I have been advised by his attorney, Ray Rigby, that his will designated that either his wife or his only son was to be the personal representative of his estate in the event of his passing. His son preceded him in death and his wife is in a care facility and is not capable of administering the estate. The last time I talked with Mr. Taylor, he was not certain as to the accomplishments that might be facilitated by the approval of the transfer application (No. 4953). I had concluded that I needed to talk with Mr. Taylor with a map in hand as it became apparent to me that the then deceased son had been the strategist for the use of the water on the property, and the son had determined that the transfer was needed.

As you know, Mr. Taylor was in his nineties, but I felt that he was quite competent. He participated in the measurements that the State of Idaho directed and I will be attempting to obtain those measurements from others who participated in the test.

At this moment in time, there is no one responsible for his estate that you could write to concerning the next step, and there is no one responsible for the estate that I can give technical advice to with respect to the transfer application and the use of the ground water that is the subject of the mother water right on the property. Ray Rigby is the attorney for the estate and he is also the attorney of record with respect to the hearing and other events associated with the transfer application. By writing this letter, I am asking that we have at least 90 more days to address the issues associated with the transfer application.

Should you have any questions concerning this request or the transfer application, I suggest that you write to Ray Rigby and provide me with a copy of that letter. Ray and I are in concurrence with this request.

Sincerely,


Jack A. Barnett

cc: Ray Rigby

MICROFILMED

SEP 28 1999

Don A. Barnett, P. E.

Jack A. Barnett, P. E.

MAGIC VALLEY/IDAHO

OBITUARIES

For obituary rates and information, call 733-0531, Ext. 378, between 2 p.m. and 5 p.m. Monday through Saturday. Deadline is 4:30 p.m. for next-day publication. Death notices are a free service and can be placed until 5 p.m. every day.

TWIN FALLS



Cornelia Viessers

Cornelia Viessers, 89, of Twin Falls, died Monday, June 7, 1999, at his home.

Cornells was born March 1, 1910, to Peter Cornelia Viessers and Helldij Wilhelmina VanTricht in Amsterdam, Holland. He attended two years of agricultural college before immigrating to the United States through Ellis Island, New York. While attending Oregon State University during 1933-34, he worked for Monarch Feed and Seed. In 1935, he moved to New York and graduated from Cornell University. Cornells began his professional career with Asgrow Seed Co. In 1938, he worked for the company in the United States until 1948, when he transferred to Italy, as managing director to set up a new seed production operation and processing facility. His initial organization made it possible for this to become one of the best seed production divisions in the company. In 1952, Asgrow transferred Cornells to Twin Falls as Production Research Specialist for their company research facility. He stayed through several promotions until 1973, when he took mandatory retirement at age 66. He continued with the company for the next ten years as a Special Assignment Consultant to the President. Between 1973 and 1975, he was sent to special assignments to South Africa, Mexico, France, Tanzania and Hungary. After heart-bypass surgery, Cornells became very involved in physical fitness. He participated in many running competitions. In 1989, at age 79, he entered the Portland Marathon and won first place in his age group. Mr. Viessers was a past member of the Masonic Lodge, Elks Lodge and Toastmasters, and was involved with scouting at the Twin Falls First United Presbyterian Church.

Cornells is survived by a son, Thomas P. Viessers, Kealakakua, Hawaii, and a brother, Chris Viessers, Elizabeth, Colorado. He was preceded in death by his son, James Viessers, a sister, Bartha, and a brother, Piel.

Cremation is under the direction of White Mortuary and Crematory. Memorial funeral services will be held at a later time.

BURLEY



ter, Colleen Jones of Gooding; two brothers, Don Peterson of Denver, Colorado, and Byron Peterson of Snowflake, Arizona; four sisters, Luona Carlson of Burley, Zaida Torrey of Snowflake, Arizona, Luella Morgan of Parker, Arizona, and Eva Banner of Burley; eleven grandchildren; and four great-grandchildren. She was preceded in death by her parents; two sons, Gary Haycock and Jimmy Haycock; three sisters; and five brothers.

Funeral services will be held at 2 p.m. Monday, June 14, 1999, at the Unity LDS Ward Chapel, 275 S. 250 E. of Burley, with Bishop Curtis Stoker officiating. Burial will be in the Gam Memorial Gardens. Friends may call at the Payne Mortuary, 221 West Main Street in Burley, on Sunday from 8 to 8 p.m. and at the church from 1 to 1:45 p.m. prior to the funeral on Monday.

BUHL

Edith C. Ensunsa

Edith Colleen Ensunsa, 84, of Buhl, Idaho, died Tuesday, June 8, 1999, at the Twin Falls Care Center from complications following a stroke.

Edie was born on July 2, 1934, in Castleford, Idaho, the daughter of George and Lena Achabai Ensunsa. She grew up and attended schools in Castleford and Buhl. Edie worked at the Buhl Animal Clinic. She was a Licensed Practical Nurse and was employed by the Twin Falls Clinic and Hospital and later worked for Home Health. Edie was a member of the Immaculate Conception Catholic Church in Buhl.

Edie loved to be with people, always interested in their lives and what they had to say. She always had a witty comeback and made people feel at ease.

Edie is survived by her mother, Lena Ensunsa of Buhl; one brother, John (Diane) Ensunsa of Castleford; a cousin, Bill Bohannon of Buhl; a nephew, David (Luan and Amya) of Boise; and a niece, Gina Ensunsa of Portland, Oregon.

A prayer vigil service will be held on Sunday evening, June 13, 1999, at 7 p.m. at the Immaculate Conception Catholic Church in Buhl, Idaho. The funeral Mass will be held at 11 a.m. on Monday, June 14, 1999, at the Immaculate Conception Catholic Church in Buhl, with Father John Wooster as celebrant.

Private burial will take place at West End Cemetery in Buhl. Services are under the direction of Reynolds Funeral Chapel in Twin Falls.

Alice L. Haycock

Alice Lila Peterson Haycock, 73-year-old Burley resident, died Thursday, June 10, 1999, at the Cassia Regional Medical Center in Burley.

She was born July 27, 1925, in Burley, the daughter of Charles Otto and Olive Avery Peterson. She graduated from Burley High School in 1944. She married Arthur D. Haycock on June 14, 1944, in the Salt Lake LDS Temple. Alice owned and operated the Dairy Queen in Burley from 1970 to 1988, when she retired. Following her retirement, she and her husband enjoyed traveling to St. George, Utah for the winter. She was a member of the LDS Church, where she served in the Junior Sunday School, as the Beehive teacher, in the Stake MIA and as Relief Society President in St. George, Utah, and as a visiting teacher. She had worked at a Pink Lady at the Cassia Memorial Hospital. She had also worked in the concession stands at the Burley High School and at the Cassia County Fair for fifty years. Alice loved to cook and especially loved to bake pies. She loved to spend time with her grandchildren. She will be greatly missed.

Survivors include her husband, Art of Burley; two sons, Dee (Helen) Haycock of Jerome, and Con (Vicki) Haycock of Burley; a daughter,

Shoshone city and departments wa

By Emily Buckway
Times-News correspondent

SHOSHONE - Volunteer firefighters in Shoshone and the adjacent rural county fire district want to work for one district instead of two.

The Shoshone Volunteer Fire Department and the Wood River Rural Fire District, another volunteer unit, are examining the feasibility of joining forces, said Shoshone Volunteer Fire Department Chief Steve Stock. He said the two departments are "trying to upgrade for the year 2000" and would like input from the public.

The city has a mutual aid agreement with the Wood River district and many of the volunteers who work on the city department also volunteer for the rural department. The city also responds to emergencies in Dietrich and Richfield when needed.

Mayor Ken Haught said since the two fire units work together, it would be more feasible to combine them. The Wood River district is a special taxing district that levies taxes for fire

control. But Haught said the city to the taxing should not raise taxes. Residents now pay for services would simply pay more.

Stock said one reason joining departments is better use of equipment the city fire trucks are more than 30 years old eventually need to be replaced. He said purchasing the apparatus and the refill oxygen bottles for the units are also issues has been struggling with.

Stock said a joint fire unit would make it easier to upgrade equipment and make more efficient taxpayer dollars.

He said both departments have ongoing training programs and training fire together would also be cost-effective. Stock said the program would improve and allow time for education programs as well as equipment for all parties. River equipment is stored at city fire station and the for both departments is

Buhl Fire Department

By Mary Lou Potts
Times-News correspondent

BUHL - Buhl Fire Department Fire Chief Mark Grimes outlined next year's \$327,175 fire department budget Wednesday for the Joint Fire Protection Board which consists of representatives from city and rural fire departments.

The budget includes funding for fire protection, emergency medical services, rescue extrication, hazardous materials response, technical rescue and prevention, education and planning. Adding \$32,717 for capital improvements, the city's share is \$183,534. The rural district's share is \$193,593 which is \$17,635 in administrative capital improvement administration fees but funding for both fire departments for the year 2000 is \$377,527.

Having completed 90 percent of last year's goals, Grimes said next year's goals include completing phase two of the room, providing quality for career personnel, additional officer to provide station coverage, computers and detailed specifications for engine.

He said the Buhl Department will continue

4953

43-4008

Murtaugh schools plan new

By Kelly J. Settle
Times-News correspondent

MURTAUGH - Physical education students should have a little more elbow room next year when classes meet in the new multipurpose room.

Murtaugh School Board mem-

bers met Wednesday evening to discuss plans for the new purpose room addition north side of gymnasium for the addition will cost supplemental \$290,000 year levy.

"All of the funds will be for the multipurpose room

Shoshone committee research

By Emily Buckway
Times-News correspondent

SHOSHONE - The city is still looking for a suitable site for a proposed skate park for skateboarders and roller bladers.

Mayor Ken Haught said that the project is "at the committee level" with a group of citizens studying possible locations and funding sources.

The committee was formed following a public hearing last month in which the City Council heard from citizens concerned about the proposed site located west of the Lincoln County swimming pool.

Fourteen people attended the hearing and presented a petition listing potential problems with the site such as loud music and possible liability to the city. City Clerk Mary Kay Bennett said

Haught said that many are in agreement with the skate park but are concerned about the location. He said the swimming pool closes at dusk and there usually isn't noise. Some residents said the skate park would likely be at later hours and are concerned about loud music and noise.

Other residents, like Weber, support the site as a pool.

The hearing was in response to petitions from skateboarders requesting an appropriate place to skate. Ebron Zech, a spokesman group, said in his petition skaters are seeking a place to the contention by some members of the city and the skateboarders. If skateboarders understand

SERVICES

Wallace Charles "Wally" Taylor of Almo, 11 a.m. Friday at the Almo LDS Ward Chapel; friends may call 10-10:45 a.m. before the service today at the church (Payne Mortuary, Burley).

Boyd LeVan Hebe of Jerome, 1 p.m. today at the 3rd Ward LDS Chapel, 825 E. Ave. B in Jerome; friends may call 11-12:45 p.m. today at the church (White Mortuary).

Mary J. McClosky of Boise and formerly of Twin Falls, funeral Mass at 2:30 p.m. today at St. Edward's Catholic Church in Twin Falls (Reynolds Funeral Chapel, Twin Falls).

Forest E. Gerrard of Denver, Colo., and formerly of Oakley, graveside service at noon today at the Oakley Cemetery, with military rites (Hansen Mortuary).

Lela Ruth Rogers of Twin Falls, 2 p.m. Saturday at White Mortuary in Twin Falls.

Delpha Rupp Latimore of Reno, Nev., and formerly of Twin Falls, memorial service 3 p.m. Saturday at the First Congregational Church, 627 Sunnyside Dr., Reno (O'Brien Rogers and Crosby Funeral Home).

Bill Groat of Wendell, memorial

at ceremony hosted by the Serr family 3 p.m. Saturday in Wendell's McGinnis Park; the ceremony will include planting of a tree and dedication of a plaque (Karl Serr, 536-6206).

Mae Frances Plumer Brashears of Halley, 4 p.m. Saturday at St. Charles Catholic Church in Halley; friends and family may call one hour before service time Saturday at the church (Wood River Chapel, Halley).

No formal services will be held. Arrangements are under the direction of Farmer Funeral Chapel of Buhl.

Jon T. Kraft

DEATH NOTICES

Martha E. Hall

TWIN FALLS - Martha Elizabeth Hall, 105, of Tampa, Fla., and formerly of Twin Falls, died Thursday, June 10, 1999, in Tampa, Fla.

Arrangements are pending and

MICROFILMED

SEP 28 1999

From: DWR60::MBALDWIN 18-MAY-1999 00:00:05.19
To: MBALDWIN
CC:
Subj: PULL TAYLOR TR4953 (43-04008) FOR INFO SUBMITTED ON WELL TESTS

Reminder!! Reminder!! Reminder!!

TICKLER
File



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 5, 1999

Jack A. Barnett
106 West 500 South, Suite 101
Bountiful, UT 84010-6232

RE: Transfer No. 4953

Dear Mr. Barnett:

Thank you for your letter dated April 2, 1999. I understand that Mr. Taylor has hired you to perform pump tests on his well to supply information to the department as requested in my March 3rd, 1999 letter to Mr. Taylor. Please consider this letter an extension of time to allow you to conduct the pump test and submit information to the department about Taylor's 1955 well. Please submit the requested information by May 15th, 1999.

If you have questions please feel free to contact my office.
Sincerely,

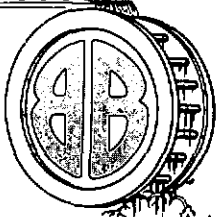
A handwritten signature in dark ink, appearing to read 'Allen Merritt', written over the word 'Sincerely,'.

Allen Merritt, PE
Southern Region Manager

CC: Wallace Taylor
Ray Rigby
Curtis Durfee
William Parsons
Peter Ampe
Glen Saxton

MICROFILMED

SEP 28 1999



BARNETT INTERMOUNTAIN WATER CONSULTING

RECEIVED

APR 05 1999

Department of Water Resources
Southern Region

106 West 500 South, Suite 101
Bountiful, Utah 84010-6232
(801) 292-4662
FAX (801) 524-6320

Sent Via Facsimile

April 2, 1999

Allen D. Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

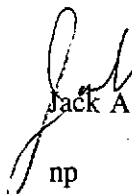
Re: Transfer No. 4953

Dear Allen:

Following our phone conversation of today, I have had an opportunity to discuss with Wally Taylor the promised pump test for the well in question and we are moving ahead with some plans to test that well. As you know, Ray Rigby is out of the country and my involvement in this water right issue has been over the last short period of time. We need some additional time to get back to you and respond to your letter and to present you with plans and/or data that will be responsive to your request. Therefore, with an assurance that we are immediately moving ahead, that we will proceed to confer with Ray Rigby upon his return and that we will bring you something of substance within the next 30 days. I request that you extend the deadline stated in the Saxton letter of May 15, 1998 for another 30 days, up until April 30.

Mr. Taylor has expressed to me his desire to have these issues resolved. However, I think you can realize that the issues are somewhat complex, they have a long history, Mr. Taylor is now nearly 95 years of age and his son and only child, who had been carrying some of the load for him, has recently passed away. I hope that you will find that you can grant this request. It would be appreciated if you might respond to Mr. Taylor, giving myself and Ray Rigby copies of your response.

Sincerely,


Jack A. Barnett, P.E.

np

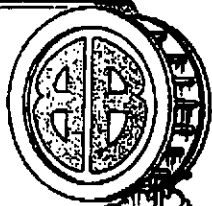
cc: Ray Rigby
Wallace Taylor

MICROFILMED

SEP 28 1999

Don A. Barnett, P. E.

Jack A. Barnett, P. E.

**BARNETT INTERMOUNTAIN WATER CONSULTING**

106 West 500 South, Suite 101
Bountiful, Utah 84010-6232
(801) 292-4662
FAX (801) 524-6320
Sent Via Facsimile

April 2, 1999

Allen D. Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Transfer No. 4953

Dear Allen:

Following our phone conversation of today, I have had an opportunity to discuss with Wally Taylor the promised pump test for the well in question and we are moving ahead with some plans to test that well. As you know, Ray Rigby is out of the country and my involvement in this water right issue has been over the last short period of time. We need some additional time to get back to you and respond to your letter and to present you with plans and/or data that will be responsive to your request. Therefore, with an assurance that we are immediately moving ahead, that we will proceed to confer with Ray Rigby upon his return and that we will bring you something of substance within the next 30 days. I request that you extend the deadline stated in the Saxton letter of May 15, 1998 for another 30 days, up until April 30.

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Sincerely,


Jack A. Barnett, P.E.

np

cc: Ray Rigby
Wallace Taylor

MICROFILMED

SEP 28 1999

Don A. Barnett, P. E.

Jack A. Barnett, P. E.

BARNETT INTERMOUNTAIN WATER CONSULTING

106 West 500 South, Suite 101
Bountiful, Utah 84010-6232

Telephone: (801) 292-4662
Facsimile: (801) 524-6320

FACSIMILE COVER SHEET

To: **Allen Merritt** Date: **April 2, 1999**
Firm: **Idaho Dept. of Water Res.** Time:
Client: **448** From: **Jack A. Barnett**
Facsimile #: **208-736-3037** Firm: **BIWC**
Re: **Urgent!**

Message: **Please see attached letter**

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SEP 28 1999

Total number of pages (including cover sheet): 2

Hard copy will X, will not follow.

CONFIDENTIAL

The information transmitted herewith may be privileged and confidential and intended only for use by the individual named above. If you are not the intended recipient, or the agent or person responsible to deliver this to the intended recipient, please contact us immediately by telephone and return all original information via mail to the above address. Any copying, distribution, or dissemination of this information by unauthorized persons is strictly prohibited. Thank you.

For <u>Allen</u>	Urgent ☐						
Date <u>3/22</u>	Time <u>9:07</u>						
While You Were Out							
M <u>Ray Rigby</u>							
Of _____							
Phone <u>806</u>							
AREA CODE	NUMBER						
EXTENSION							
<table border="0" style="width: 100%;"> <tr> <td>Telephoned ☒</td> <td>Please Call ☐</td> </tr> <tr> <td>Came To See You ☐</td> <td>Will Call Again ☒</td> </tr> <tr> <td>Returned Your Call ☐</td> <td>Wants To See You ☐</td> </tr> </table>		Telephoned ☒	Please Call ☐	Came To See You ☐	Will Call Again ☒	Returned Your Call ☐	Wants To See You ☐
Telephoned ☒	Please Call ☐						
Came To See You ☐	Will Call Again ☒						
Returned Your Call ☐	Wants To See You ☐						
Message <u>Re: T4953 - Wallace Taylor</u> <u>Wallace died last fall but his</u> <u>son (Bob) would like to complete</u> <u>this transfer. Need an additional</u> <u>extension in order to complete his</u> <u>plan. Ray will be out of office most of</u> <u>today. Will call you when he returns.</u>							
Signed <u>[Signature]</u>							



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

March 3, 1999

KARL J. DREHER
DIRECTOR

Wallace Taylor
PO Box 144
Almo, ID 83312

RE: Transfer No. 4953

Dear Mr. Taylor:

As you may recall on October 20, 1997, the department conducted a pre-hearing conference with you and the protestants regarding your transfer application. The conference did not resolve the protests but there was general agreement that before a hearing was to be held basic information needed to be gathered regarding the use of your 1955 well.

On November 24, 1997, the department issued a Pre-hearing Order requiring you to develop a proposal to measure and report the use of the 1955 well. To date you have not submitted a proposal for collection of and reporting of the use of the 1955 well. It appears that you have had sufficient time to develop such a plan or make the measurements. Please provide to the department what measurements may have been taken and a written proposal to measure and report the use of the well during the 1999 season. Please provide this information within 30 days. Failure to supply the requested information will cause the department to take action to void your transfer application.

Problems continue to surface regarding the use of your wells and the Durfee well. A complaint by Durfee last spring regarding interference with their water right precipitated investigation by the department and a letter of response by Glen Saxton to William Parsons dated May 15, 1998. The root of that complaint involved the use of your 1992 well permitted by 43-07310. It is the department's understanding based on the 1995 Brockway Report that your 1992 well and the Durfee 1977 well are hydraulically related. It is understood that both wells cannot be operated at the same time without interference with each other. Based on this relationship the department understands that you and Durfee have a verbal agreement that your 1992 well is not to be operated when Durfee operates his well. If this arrangement does not prove satisfactory then the procedure outlined in Saxton's May 15th, 1998 letter seems appropriate.

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SEP 28 1999

If you have questions regarding this matter please feel free to contact this office.

Sincerely,


Allen Merritt, PE
Southern Region Manager

CC: Ray Rigby
Curtis Durfee
William Parsons
Peter Ampe
Glen Saxton

MICROFILMED

SEP 28 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

D R A F T

3/2/99
Duff
sent to
Glen

IN THE MATTER OF APPLICATION FOR)	SHOW CAUSE ORDER
TRANSFER NO. 4953 IN THE NAME OF)	WHY APPLICATION SHOULD
WALLACE C. TAYLOR)	NOT BE VOIDED

FINDINGS OF FACT

On August 19, 1996 Wallace C. Taylor and Robert E. Taylor (deceased) (Applicant) filed application for transfer numbered 4953 involving right Nos. 43-04008 and 43-07152. This application was protested by Curtis and Mary Lou Durfee.

On February 20, 1997, the applicant amended the transfer application which was protested by Edna M. Cahoon and the Idaho Department of Parks and Recreation with continued protest by Mary Lou and Curtis Durfee.

On October 20, 1997, the department conducted a pre-hearing conference with the applicant and the protestants. The applicant was represented by Ray Rigby. The Durfees were represented by William Parsons. The Idaho Department of Parks and Recreation was represented by Peter Ampe. Protestant Cahoon was not present and was reported to have moved from the area. The conference did not resolve the protests but there was general agreement that before a hearing was to be held basic information needed to be gathered regarding the use of the 1955 well.

On November 24, 1997, the department issued a Pre-hearing Order requiring the applicant to develop a proposal to measure and report the use of the 1955 well.

Problems continue to surface regarding the use of the Taylor wells and the Durfee well. Complaint by Durfees in the spring of 1998 regarding interference with their water right precipitated investigation by the department and a letter of response to William Parsons dated May 15, 1998. The root of the complaint involves the use of Taylor's 1992 well permitted by 43-07310. It is the department's understanding based on the 1995 Brookway Report that the Taylor 1992 well and the Durfee 1977 well are directly hydraulically related. It is understood that both wells cannot be operated at the same time without interference with each other. Based on this relationship the department understands that Taylor and Durfee have a verbal agreement that Taylor's 1992 well is not to be operated when Durfee operates his well.

To date the applicant has not submitted a proposal for collection of and reporting of the use of the 1955 well.

CONCLUSIONS OF LAW

not sent

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SEP 28 1999

To properly manage the state's water resources, the Department must know more facts about the availability of water, and how much water is being diverted by water users.

To provide proper consideration to the transfer application the department must have sufficient information regarding the use of the 1955 well. The applicant should provide this information.

The applicant has had sufficient time to develop a proposal for measuring and reporting the use of the 1955 well.

ORDER

IT IS HEREBY ORDERED that Wallace Taylor submit to the department a written monitoring plan for approval of the department for measuring and reporting the use of the 1955 well during the 1999 irrigation season within 30 days or SHOW CAUSE why the application for transfer 4953 should not be VOIDED.

DATED this ____ day of March, 1999.

MICROFILMED
SEP 28 1999



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

May 15, 1998

RECEIVED

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 19 1998

William P. Parsons
137 W. 13th St
P.O. Box 910
Burley, ID 83318

Department of Water Resources
Southern Region

RE: TRANSFER NO. 4953 IN THE NAME OF WALLACE C. TAYLOR AND
ROBERT E. TAYLOR

Dear Mr. Parsons:

The department has reviewed the affidavit of Curtis Durfee (Durfee) which you submitted to the department on May 15, 1998 in connection with the above referenced matter. The affidavit asks the department to issue an appropriate administrative order to Wallace C. Taylor (Taylor) requiring cessation of diversion of water from a well located in the NENWSW Section 26, T15S, R24E, B.M. which was constructed approximately in 1991 under permit No. 43-07310.

I contacted our regional office in Twin Falls who advised me that they investigated this matter approximately on May 7, 1998 based on a phone call from Durfee. The regional office determined that Taylor was using water on land authorized by his permit and also determined that Durfee had not yet started diverting water under his water right.

The alleged injury problem is related to but separate from the protested application for transfer referenced above. As you know, on November 24, 1997, the department issued a prehearing order in connection with protested application for transfer No. 4953. The order required the applicant (Taylor) to prepare and submit to the department a proposal to measure and monitor certain characteristics of the 1955 Taylor well before the department would schedule a hearing in the protested matter. Taylor has not submitted such a proposal to the department.

It appears that the Conjunctive Management Rules (rules) promulgated by the department on October 7, 1994 as IDAPA 37.03.11030 (Rule 30) may be appropriate for your client to follow

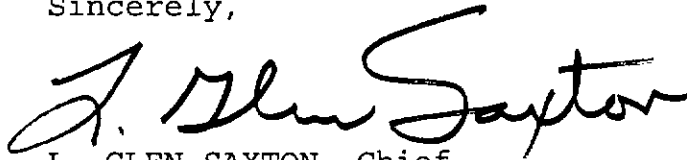
MICROFILMED

SEP 28 1999

to seek relief to the alleged injury. The rules provide a procedure for the holder of a senior priority water right to place a "delivery call" against the holder of a junior priority ground water right. Among other matters, the rules describe the sequence of actions associated with a delivery call.

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

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton". The signature is written in dark ink and is positioned above the printed name and title.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Ray Rigby
IDWR - Allen Merritt

MICROFILMED
SEP 28 1999

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

WILLIAM A. PARSONS

RICHARD K. SMITH

RANDOLPH C. STONE
rcstone@cyberhighway.net

TELEPHONE
(208) 678-8382

FAX NO.
(208) 678-0146

May 13, 1998

Department of Water Resources
1301 North Orchard Street
P. O. Box 83720
Boise, Idaho 83720

RECEIVED

MAY 15 1998

Department of Water Resources

RE: Transfer No. 4953

Gentlemen:

Enclosed is the original signed Affidavit of Curtis L. Durfee with Brockway report enclosed for the above matter.

Thank you.

Very truly yours,

PARSONS, SMITH AND STONE, LLP



William A. Parsons

WAP:rt

cc: Curtis L. Durfee

cc: Ray Rigby
Rigby, Thatcher, Anderson
Rigby, Kam and Moeller
Box 250
Rexburg, Idaho 83440

MICROFILMED

SEP 28 1999

MAY 15 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES Department of Water Resources

OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION FOR) AFFIDAVIT OF CURTIS
)
 TRANSFER NO. 4953.) L. DURFEE

 STATE OF IDAHO)
) ss
 County of Cassia)

CURTIS L. DURFEE, being first duly sworn on oath, deposes
 and says:

1. I am over the age of 21 years and am competent to
 testify as to the matters stated in this affidavit. The
 statements are made of my own knowledge.

2. On or about May 1, 1998 Wallace C. Taylor turned
 on a pump at a well located in the Northeast Quarter Northwest
 Quarter Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 26, Township
 15 South, Range 24 East, Boise Meridian, for the delivery of
 water to the Northwest Quarter Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
 Section 25, Township 15 South, Range 24 East, Boise Meridian.

3. The water stopped being diverted on or about May
 9, 1998, after a field visit on or about May 7, 1998, from the
 Department of Water Resources.

4. The irrigation as heretofore stated was also
 witnessed by Juanita Jones and Sarah Wolcheski who are
 residents in the vicinity of the lands and water involved in
 this affidavit.

MICROFILMED
 SEP 28 1999

6. That during the time of the pumping in May of 1998, the water rights of your Affiant, namely, A45-07109, were adversely affected in the same manner as they have been adversely affected by previous pumping by Wallace C. Taylor or those working or related to him. Previous complaints have been registered with the Department of Water Resources.

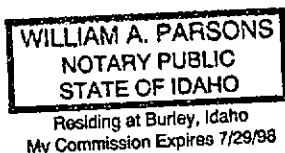
7. The report of C. E. Brockway dated April 13, 1995, is attached to this affidavit and forms part of this affidavit by incorporation by reference. The report conclusively demonstrates the interference of the Durfee well when the Taylor well is operational.

8. This affidavit is made for the purpose of requesting the Department of Water Resources issue appropriate administrative order directed to Wallace E. Taylor, his agents, employees, family, or others connected therewith to cease and desist from pumping the well.

DATED this 13 day of May, 1998.

y of May, 1998.
Curtis L. Durfee
Curtis L. Durfee

SUBSCRIBED AND SWORN to before me, this 13 day of May, 1998.



before me, this 13 day of August, 2018

William P. Passer
Notary Public for Idaho

MICROFILMED
SEP 28 1999

CERTIFICATE OF MAILING

I hereby certify that on the 13 day of May, 1998,
I served a copy of the foregoing Affidavit of Curtis L. Durfee
upon the following:

Ray Rigby
Rigby, Thatcher, Anderson,
Rigby, Kam and Moeller
Box 250
Rexburg, Idaho 83440

by depositing a copy thereof in the United States mail, postage
prepaid, in an envelope addressed to the above named persons at
the above addresses, their last known address.

PARSONS, SMITH & STONE, LLP


William A. Parsons
Attorneys for Curtis L. Durfee
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

MAY 15 1998

Department of Water Resources

Well Interference Study
William Durfee and Wallace Taylor Wells
Almo, Idaho
C.E. Brockway P.E. PhD
M.A. Kahlown PhD
April 13, 1995

Background: There are four irrigation and two stock wells in Township 15S, Range 24 E, Sections 26 and 27 which belong to Mr. Wallace Taylor and Mr. Curtis Durfee. The discharge of these wells varies from 1.5 to 2.5 cfs. Mr. Taylor's earliest well, labeled T55 on Figure 1, was drilled in 1955 and is located in the NE SE of Section 27. The Taylor 1980 well(T80) is located in NE SE sec 27 near the Almo road and the Taylor 1991 well(T91) is located in NW SE Sec 26 approximately 3/8 mile east of the Almo road. Mr. Durfee's irrigation well(D77) was drilled in 1977 and is located in the SE SW Sec 26 approximately 1900 feet south of the Taylor 1991 well. It has been reported that when the Taylor 1991 well is pumped with a discharge of approximately 2.2 cfs that the Durfee well experiences significant drawdown which prevents diversion of the licensed discharge. Mr. Durfee contacted Mr. Parsons, Attorney for advise on a course of action to remedy the problem. Mr. Parsons suggested that a study be conducted to verify the hydrologic relationships between the wells to be conducted by an engineer or hydrologist mutually agreeable to each party. Dr. C.E. Brockway was contacted to render an opinion regarding the hydraulic connection between the wells.

Dr. Brockway undertook a field visit on May 10, 1994. and made an initial set of water level measurements in the presence of Mr. Taylor and Mr. Durfee. Since changes in measured static water levels can be attributed to regional changes in aquifer water levels caused by drought or above average recharge conditions and by the influence of the adjacent pumping wells, a pumping test was suggested to obtain a reliable set of static water and pumping water level measurements. Because of the demand for irrigation water in summer of 1994 and inconvenience of shutting off the irrigation wells, the date for the pump out test was agreed upon in fall of 1994. This report presents the findings of this pump out test and results of ground water model simulations, conducted to evaluate the interference effect for longer pumping periods with varying discharge rates.

Methodology: Data on well logs and geology of the area was obtained from the regional office of Idaho Department of Water Resources. Well driller's logs were obtained for all wells including a hand written log for the Durfee 1977 well. A pump out test was designed based on the hydro-geologic information of the well field. Since a strong hydraulic connection was suspected, either the Durfee 1977 or the Taylor 1991 well could be pumped and water level responses measured in

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the other wells. The Durfee 1977 well was run for 25 hours and static water level (water level before pumping) and pumping water level measurements were conducted. The water pumped from the Durfee well during the pump out test was diverted to the east through the existing sprinkler main line to a nearby open channel. A 45 degree V-notch flume was installed in the open channel and remained there for the duration of the pumping test. Electronic well sounders were used to measure the static and pumping water levels in all the six wells. The pump test was started on January 26, 1995 at 12:15 o'clock in the morning and completed at 1:00 p.m. in the afternoon of the next day. Mr. Durfee and Mr. Taylor were present during the entire pump test and the associated measurements..

In order to determine long term interference effects and to evaluate the effect of varying discharge rates on water levels in the Durfee 1977 and Taylor 1991 wells, a two dimensional ground water flow model was constructed. The aquifer system of section 26 was divided in to a grid of 40 rows and 40 columns and the Durfee 1977 and Taylor 1991 wells were superimposed on it, at their actual locations. Based on the geology as indicated by the well logs and earlier pump out tests conducted on several wells, good estimates of aquifer parameters such as storage coefficient and transmissivity were made. A storage coefficient of 0.000001 and transmissivity of 5300 ft²/day was used in the model simulations. These aquifer parameters are representative of a confined, permeable aquifer.

The ground water model was calibrated with data obtained from the pump out test of January 26, 1995 and model aquifer parameters were adjusted to match the drawdown obtained on the Durfee 1977 and Taylor 1991 irrigation wells during the pump out test. The calibrated model was then used to evaluate the effect of long time pumping and various discharge rates on drawdown at both the Taylor 1991 and Durfee 1977 wells. For these model simulations, the Taylor 1991 well was run with a discharge of 2.20 cfs. Model runs were made for 0.5, 1, 5, 10, 20, 40, 60, 90, and 120 days of continuous pumping. Since the Durfee 1977 and Taylor 1991 wells pump different amounts of water, their interference effect would be different, depending on which well is pumping. The measured discharge of the Durfee 1977 well is 1.64 cfs and reported discharge of the Taylor 1991 well is about 2.40 cfs. To quantify the magnitude of interference due to varying discharge rates, the ground water model was run with 0.5, 1.0, 1.5, 2.0, 2.5, 3, 3.5, and 4 cfs for a pumping time of one day.

Results: The water level measurements obtained during the pump out test show that a water level drop of 19 feet occurred in the Taylor 1991 well when the Durfee Irrigation well was pumped at a discharge of 1.64 cfs for 25 hours of pumping. The distance between the Durfee 1977 and Taylor 1991 irrigation wells is about 1320 feet. The water level drop in the Taylor 1955 and 1980 wells was 0.75 and 0.20 feet respectively. Water level drop in the Durfee old and new stock wells was zero and 5.70 feet respectively. The details of these

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measurements are summarized in Table 1. The static water levels in the Durfee 1977 and Taylor 1991 wells were 128.83 and 133.16 feet respectively, whereas the static water levels in the Taylor 1955 and 1980 wells were 180 and 210 feet respectively. The static water levels in the Durfee old and new stock wells were 77.60 and 104.79 feet respectively.

Ground water model simulations made to evaluate the impact of long term pumping on water levels show a simulated maximum drawdown of 70.5 feet will occur in the Taylor 1991 pumping well after 24 hours of continuous pumping at 2.2 cfs. The Durfee non pumping well will experience a drawdown due to pumping the Taylor 1991 well for 24 hours at 2.2 cfs of 23.22 feet. After 24 hours of pumping, the simulated drawdown in the Taylor 1991 well is approximately 82% of the maximum drawdown after 120 days of pumping. Similarly, the Durfee 1977 well drawdown after 12 hours is 60% of the drawdown after 120 days of pumping. However, the drawdown becomes fairly stable after 40 days of pumping (Figure 2).

The result of the pump test show a direct relationship between the drawdown in the Taylor 1991 well and the Durfee 1977 well. Discharge simulations show a direct relationship between the pumped discharge and the drawdown (Figure 3). The drawdown changes are more sensitive to flow rate changes than the pumping time. Flow rates of 0.5 and 2.5 cfs resulted in draw downs of 16.47 and 82.36 feet in the Taylor 1991 well after one day of pumping. A drawdown of 5.72 and 28.63 feet was simulated in the non pumping Durfee well, with the same flow rates and pumping time.

Conclusions: The results of the pump out test and ground water model simulations show that the aquifer system in the vicinity of the Taylor and Durfee wells is a multilayerd system with different hydraulic characteristics at different depths. The Durfee 1977 and Taylor 1991 wells are in the same layer of the aquifer system which has a relatively high hydraulic conductivity. The other wells in the aquifer do not exhibit the same relationships to the Taylor 91 and Durfee 77 wells and are in fact somewhat insensitive to draw downs in the Durfee 77 and Taylor 91 wells. The static water levels and pumping water level measurements show that both Durfee 1977 and Taylor 1991 wells are supported by the same aquifer system. A difference of about 4 feet in static water levels of these wells is mostly due to differences in land surface elevations. The Taylor 1955 and 1980 irrigation wells and the Durfee old and new stock wells are open to different layers of the aquifer system

The magnitude of interference between the Taylor 91 and Durfee 77 wells will depend on discharge rates and pumping time. All wells in the aquifer are subject to regional hydrologic variability caused by drought and variations in regional recharge which will affect water levels.

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Ground water model simulations also show that the drawdown on these wells is more sensitive to pumping rates than the pumping time.

It is unlikely that either of the two interfering wells, Durfee 1977 or Taylor 1991, will be run continuously. In order to evaluate the effect of intermittent pumping of either or both wells, a ground water model could be constructed to simulate the impact of transient pumping patterns on drawdown. Transient or intermittent pumping patterns will produce comparatively smaller draw downs than the continuous pumping.

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Table 1. Summary of Reported Pump Test Data: Durfee-Taylor Pump Test

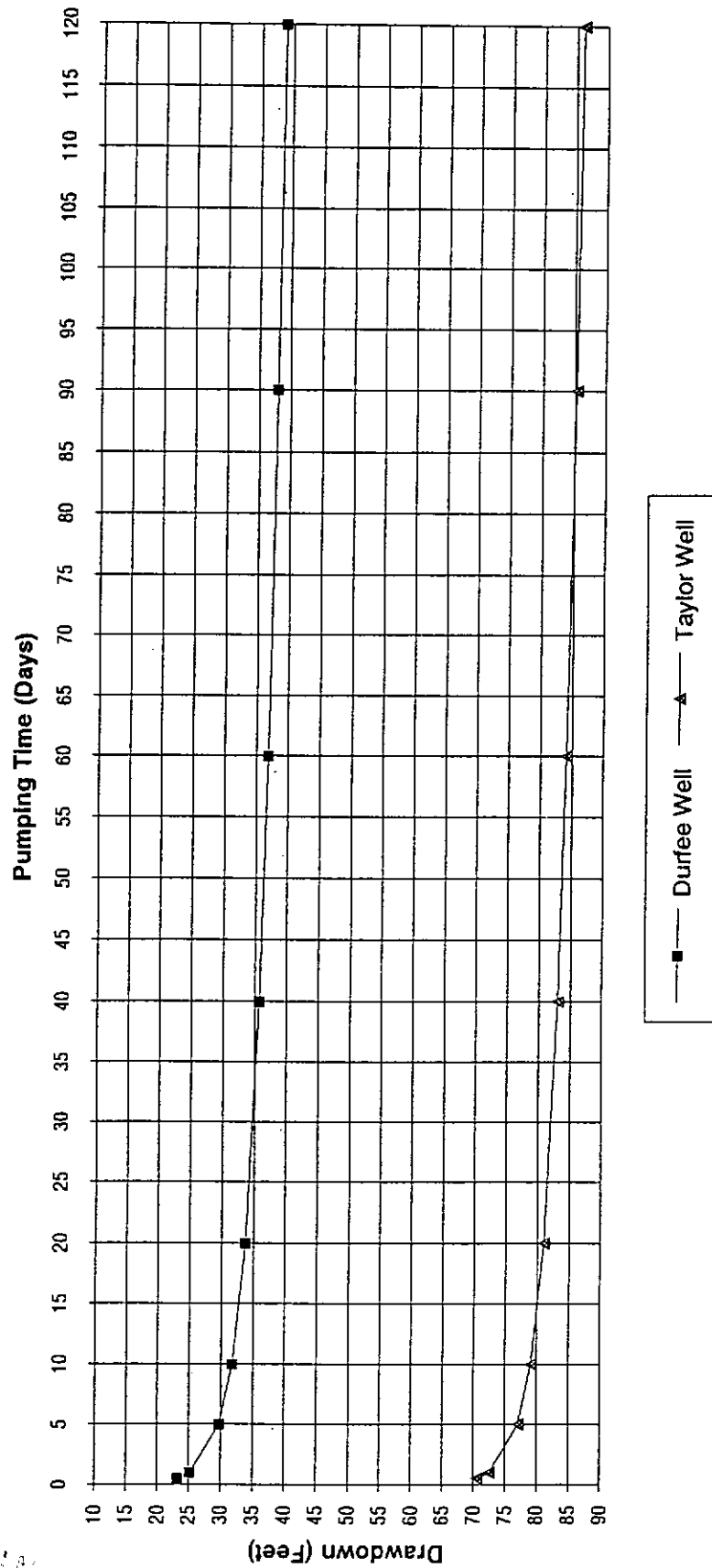
Well	Use	Reported or Measured discharge cfs	Static WL ft	Pumping WL** ft	Drawdown** ft
D-1977	Irrigation	1.64	128.83	186.50	57.73
D-Old Stock Well	Stock	NA	77.60	77.60	0.00
D-New Stock Well	Stock	NA	104.79	110.50	5.70
T-1991	Irrigation	2.20	133.16	152.20	19.04
T-1980	Irrigation	1.80	210.00	210.20	0.20
T-1955	Irrigation	0.70	180.00	180.75	0.75

** Drawdown measured after 24 hours with the Durfee well pumping 1.64 cfs

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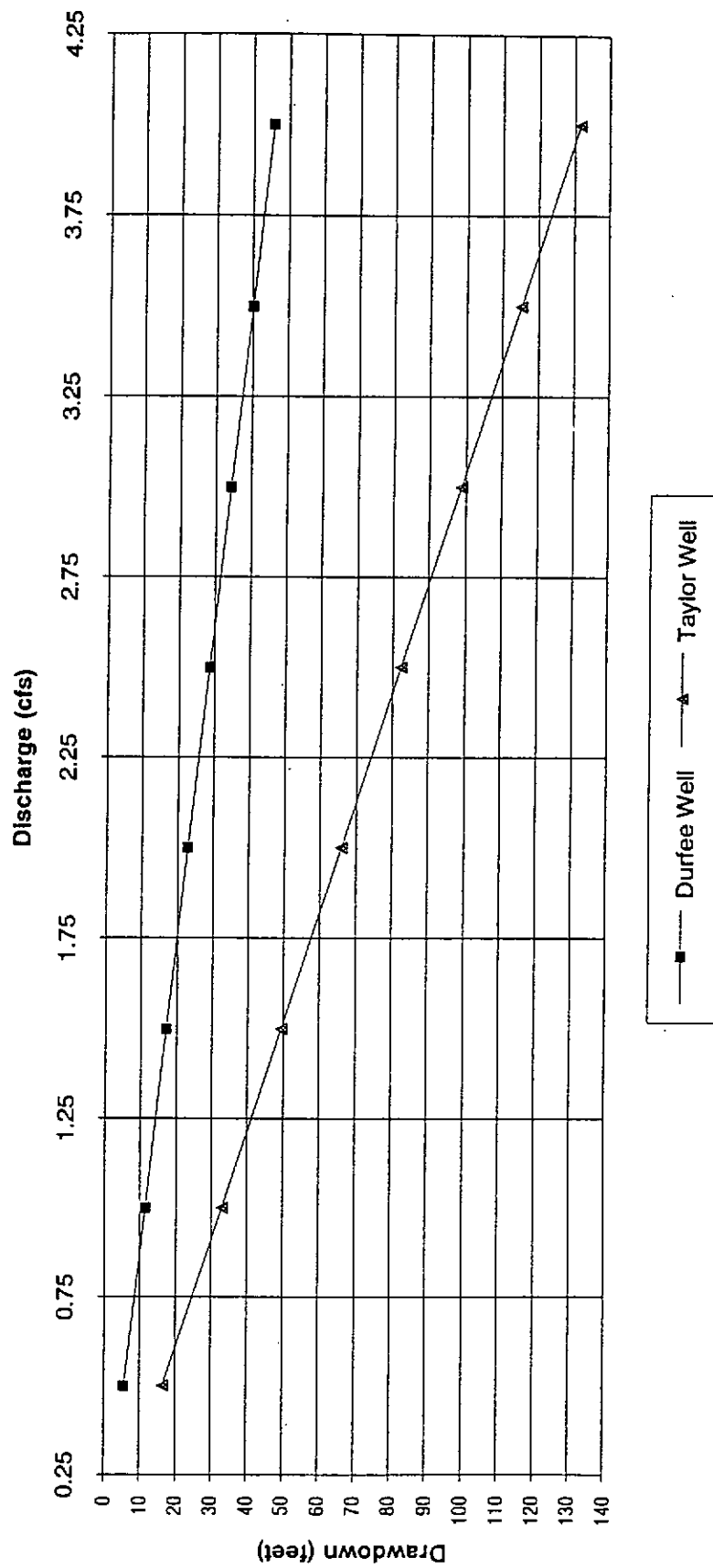
SEP 28 1999

Figure 2. Relationship Between Pumping Time and Drawdown (Taylor 1991 Well Pumping at 2.2 cfs)



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Figure 3. Relationship Between Discharge and Drawdown after 24 hours (Taylor Well Pumping)



6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
May 8, 1998 8:33am

CUSTOMER
Durfee/Taylor

SUBJECT: Basin 43 Stuff again
phone call (x) walk-in (.)

06 May 1998 @ 1700 hrs.- Durfee called ADM said Taylor has the 1992 well running and Durfee's well was affected.

07 May 1998 @ 1430 hrs.- I met Robert Briggs near the 1955 well and told him why I was there. He said the 1992 well was on and that Durfee was not using his well yet. He said that they agreed, "... when Durfee did not have his well on that Taylor could use the 1992 well..." (strictly for the 80 acres associated with 43-07310). I reminded him of the conclusions from the Fall 1997 hearing re: measuring the 1955 well. He asked, "Did they need to get a private party to measure the well?"

07 May 1998 @ 1700 hrs.-

Robert Briggs called the office, ADM and myself were present. The use of the 1992 well was discussed, in addition to cinching up some agreement between Durfee and Taylor regarding who uses what well when. More on that later.

08 May 1998 - Per Robert Briggs request, sent Wallace Taylor (Briggs said Wallace lost his copy) a copy of the Prehearing Hearing Order.

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SEP 28 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

RECEIVED

NOV 28 1997

Department of Water Resources
Southern Region

November 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: In the Matter of Application for Transfer No. 4953
in the name of Wallace C. Taylor and Robert E.
Taylor

Dear Interested Parties:

I have enclosed a copy of the Prehearing Hearing
Order, issued in connection with the above referenced
water right transfer.

If you have any questions concerning the enclosure,
please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH, Senior Secretary
Water Allocation Bureau

Enclosure

c: IDWR - Southern Region

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SEP 28 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

NOV 28 1997

Department of Water Resources
Southern Region

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 4953 IN THE NAME OF)
WALLACE C. TAYLOR AND ROBERT E.)
TAYLOR)

PREHEARING ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of a protested application for transfer, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 19, 1996, Wallace C. Taylor and Robert E. Taylor (applicants or Taylors) filed with the department application for transfer No. 4953 (application) involving water right Nos. 43-04008 and 43-07152. On February 20, 1997, the applicants amended the application. The amended application seeks to change the place of use of 37 acres in Section 27, T15S, R24E, B.M. to 37 acres in Section 25, T15S, R24E, B.M.

2. The amended application was protested by Curtis and Mary Lou Durfee (Durfee), Edna M. Cahoon and the Idaho Department of Parks & Recreation - City of Rocks National Reserve.

3. On October 20, 1997, the department conducted a conference in the matter at Burley, Idaho. Issues identified at the conference by the protestants were a) that part of the water rights sought for transfer have been forfeited through non-use and b) that the rate of flow associated with claim No. 43-04008 exceeds the rate actually diverted in the past resulting in enlargement if the rate of flow for claim No. 43-04008 is increased.

4. Water right claim No. 43-04008 is recorded with the department as follows:

Claimant:	Wallace C. Taylor
Source:	Groundwater
Priority:	April 1, 1955
Rate of div:	2.2 cfs
Point of div:	NESE Section 27, T15S, R24E, B.M. NWSW Section 26, T15S, R24E, B.M.
Use:	Irrigation
Place of use:	238 acres in Sections 26 and 27, T15S, R24E, B.M.
Remarks:	Transfer No. 2358 approved in April 1980 authorizes the present use of the claimed right.

5. License No. 43-07152 is recorded with the department as follows:

Licensee: Wallace C. Taylor
Source: Groundwater
Priority: May 13, 1980
Rate of div: 1.5 cfs
Point of div: NESE Section 27, T15S, R24E, B.M. (2 pts)
Use: Irrigation
Place of use: 75 acres in Section 27, T15S, R24E, B.M.

6. Permit No. 43-07310 is recorded with the department as follows:

Permittee: Robert C and/or Robert E. Taylor
Source: Groundwater
Priority: May 28, 1991
Rate of div: 1.6 cfs
Point of div: NENWSW Section 26, T15S, R24E, B.M.
NWNESE Section 27, T15S, R24E, B.M.
Use: Irrigation
Place of use: 80 acres in Section 25, T15S, R24E, B.M.

7. License No. 43-07109 is recorded with the department as follows:

Licensee: Curtis and Mary Lou Durfee
Source: Groundwater
Priority: October 17, 1977
Rate of div: 1.48 cfs
Point of div: SWSW Section 26, T15S, R24E, B.M.
Use: Irrigation
Place of use: 113 acres in Section 26, T15S, R24E, B.M.

8. Controversy over the use of groundwater diverted from irrigation wells by the Taylors and by Durfee has been ongoing for some time and involves groundwater interference among wells in a localized area south of Almo, Idaho. Taylors have three (3) irrigation wells, one drilled in 1955, one in 1980 and one in 1992. Durfee has one (1) irrigation well drilled in about 1977.

9. In 1994, the Taylors and Durfee hired Dr. Charles Brockway to conduct a well interference study. The study showed that the 1991 Taylor well and the Durfee well are in the same layer of the aquifer system which has a high hydraulic conductivity. The 1955 and 1980 Taylor wells were found to be somewhat insensitive to drawdowns in the 1991 Taylor well and the Durfee well.

10. The rate of discharge from the 1955 Taylor Well is unknown.

CONCLUSIONS OF LAW

1. The rate of discharge from the 1955 Taylor well located in the NESE Section 27, T15S, R24E, B.M. needs to be known in order for the department to be able to evaluate the pending application for transfer.

2. The department should require the applicants to measure and report certain information in connection with use of the 1955 Taylor well.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the applicants shall submit a proposal to the department for review and approval in connection with water use from the 1955 Taylor well. The proposal should include provisions for reporting of the date, time, pressure, rate of flow, totalized volume, static water level, frequency and duration of measurement.

IT IS FURTHER ORDERED that the department will not schedule a hearing in the matter until the applicants provide a proposal for review and approval by the department and gather and provide the information in the approved proposal.

Dated this 24th day of November, 1997.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that on the 25th day of November, 1997, the above and foregoing document was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Wallace C Taylor
PO Box 144
Almo ID 83312

Edna M Cahoon
PO Box 157
Almo ID 83312

Robert E Taylor
2714 Wakonda Dr
Fort Collins CO 80521

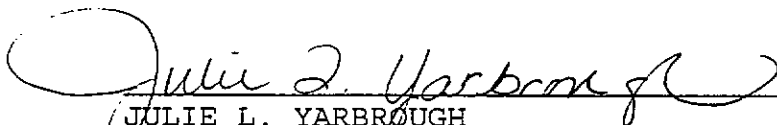
Ned R Jackson
Park Manager City of Rocks
National Reserve
PO Box 169
Almo ID 83312

Ray Rigby Esq
PO Box 250
Rexburg ID 83440

Peter J Ampe
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

Curtis L Durfee
Mary Lou Durfee
PO Box 185
Almo ID 83312

William A Parsons
PARSONS SMITH STONE
AND FLETCHER LLP
PO Box 910
Burley ID 83318


JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

MAGIC VALLEY/IDAHO

THIS WEEK AT C

The following is a schedule of meetings and events that will take place this week at the College of Southern Idaho.

TODAY

Student Senate will meet at 3:15 p.m. in Taylor 256.
The Standards concert will be held at 7 p.m. in the Fine Arts Center auditorium.

TUESDAY

Shrine Circus will be held at 4:30 p.m. and 7:30 p.m. in the Expo Center.
Stop Smoking Support Group will meet at 8 p.m. in Shields 112.

WEDNESDAY

Monthly superintendents' association meeting will be held

at 10 a.m. in Taylor 277.

Shrine Circus will be held at 4:30 p.m. and 7:30 p.m. in the Expo Center.

Military testing will be held at 5:30 p.m. in Shields 208

THURSDAY

AA will meet at noon at the Center for New Directions 118.

FRIDAY

Magic Valley Early Iron Car Show will be held at 9 a.m. in the Expo Center.

CSI Native American dance exhibition will be held at 7 p.m. in the gymnasium.

Narcotics Anonymous will meet at 7 p.m. in Desert 112.

SERVICES

Robert E. "Bob" Taylor of Fort Collins, Colo., and formerly of Almo, 11 a.m. today at the Almo LDS Ward Chapel; friends may call from 9:30 to 10:45 a.m. today at the church (Payne Mortuary in Burley).

Christine F. Scarrow of Wendell, 11 a.m. today at the First Assembly of God Church on North Locust Street in Twin Falls (Hove-Robertson Funeral Chapel in Jerome).

Hal Wilson Walker of Mountain Home, 11 a.m. today at the Mountain Home LDS Church, 1150 N. Eighth E.; visitation will be from 9:30 to 10:45 a.m. today at the church (Summers Funeral Homes, McMurtrey Chapel).

Henry Walter Keiper of Buhl, 1 p.m. today at the Filer 1st Ward LDS Church; burial at 11 a.m. Wednesday at the Benton City Cemetery in Benton City, Wash. Friends may call from noon to 12:45 p.m. today at the church (White Mortuary in Twin Falls).

Ana "Annie" Lara of Twin Falls, prayer vigil with rosary at 7 p.m. today at Reynolds Funeral

Calif., and formerly of Filer, 11 a.m. Tuesday at the Clover Lutheran Church; friends may call from 4 to 8 p.m. today at White Mortuary in Twin Falls.

Gladye Hanks Wilcox of Heyburn, 11 a.m. Tuesday at the Heyburn LDS 1st and 2nd Ward building; family and friends may call from 6 to 8 p.m. today at Hansen Mortuary Rupert Chapel and one hour before the service at the church.

Ted L. Whiting of Burley, 2 p.m. Tuesday at the LDS Star Ward Chapel, 100 S. 200 W. in Burley; friends may call from 6 to 8 p.m. today at Hansen Mortuary Burley Chapel and one hour before the funeral at the church.

Ronald W. Kevan of Twin Falls,

11 a.m. Wednesday at the Peace Lutheran Church in Filer; family and friends may call 3 to 7 p.m. Tuesday at Parke's Magic Valley Funeral Home in Twin Falls.

Ola N. McGregor of Twin Falls, 11 a.m. Wednesday at Reynolds Funeral Chapel in Twin Falls; friends may call from 3 to 8 p.m. Tuesday at the funeral chapel.

Robert Hackett of Twin Falls, memorial service at 1 p.m. Saturday at Reynolds Funeral Chapel in Twin Falls.

Sue Witherspoon of Heyburn, memorial service 11 a.m. Saturday at Payne Memorial Chapel in Burley; graveside memorial service at 1 p.m. Sunday at Sunset Memorial Park in Twin Falls.

— DEATH NOTICES —

Melvin McGhee

GOODING — Melvin McGhee, 76, of Gooding, died Saturday, April 11, 1998, at the Gooding County Memorial Hospital.

Funeral arrangements are

Boise from injury suffered in an accident.

A funeral service is pending and will be announced by the Hansen Mortuary Burley Chapel.

07 MAY 98
Wallace's Helper
Robt. Briggs
824-5739

? about cont.

- Expansion
- Injury to other interviewers

- Defec ? Further
Abandon
events.

- Allow temp further without
prejudice.

Send copy of attendance record

OFFICE OF
ATTORNEY GENERAL



ALAN G. LANCE
ATTORNEY GENERAL

PETER J. AMPE
DEPUTY ATTORNEY GENERAL
NATURAL RESOURCES DIVISION

700 W. JEFFERSON STREET, ROOM 210, 83702
P.O. Box 83720, BOISE, IDAHO 83720-0010
(208) 334-4125, FAX (208) 334-2690
e-mail pampe@ag.state.id.us

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SEP 28 1999

PLACE: Univ. of Id. Conference Rm., Cassia County Courthouse-
Burley, ID

CONFERENCE OFFICER: Allen D. Merritt

ROSTER OF ATTENDANCE

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SEP 28 1999

MAILING LIST
T# 4953, (43-04008, 43-07152)

APPLICANTS:

WALLACE C TAYLOR &/OR

~~ROBERT E TAYLOR~~ *deceased*

PO BOX 144

ALMO ID 83312

ROBERT E TAYLOR

2714 WAKONDA DR

FORT COLLINS CO 80521

Post-it® Fax Note	7671	Date	# of pages ▶ 1
To	Glen Sexton	From	Allen Mervitt
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Taylor Mailing List

ATTORNEY FOR APPLICANTS:

RAY W RIGBY ESQ

PO BOX 250

REXBURG ID 834440

PROTESTANTS:

CURTIS L DURFEE &/OR

MARY LOU DURFEE

PO BOX 185

ALMO ID 83312

824-5574

ATTORNEY FOR THE DURFEES:

WILLIAM A PARSONS ESQ

PARSONS SMITH STONE & FLETCHER LLP

PO BOX 910

BURLEY ID 83318

678-8382

EDNA M CAHOON

PO BOX 157

ALMO ID 83312

? Moved to M212

NED R JACKSON PARK MGR

CITY OF ROCKS NAT RESERVE

PO BOX 169

ALMO ID 83312

824-5519

Peter J. Ampe

Deputy Attorney General

P.O. Box 83720

Boise ID 83720-0010

334-4125

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SEP 28 1999

FROM: Allen Merritt

DATE: October 21, 1997

TO: Glen Saxton
Transfer #4953 File in the name of Taylor
Water Rights: 43-04008 & 43-07152

SUBJECT: Pre-hearing Conference and Request for Opinion

On October 20th I conducted a pre-hearing conference into the matter of protest of Transfer #4953 in the name of Wallace & Robert Taylor. The transfer proposes to reconfigure the PU of the above rights (Essentially 37 acres is being dried up in Sec 27 and moved to Sec 25; the other irrigated acres remain the same.)

The transfer was protested by Curtis Durfee, The City of Rocks Nature Reserve (Idaho Dept of Parks & Recreation) and Edna M. Cahoon. The conference was attended by Robert & Carole and Wallace Taylor and they were represented by Ray W. Rigby. Curtis & Mary Lou Durfee were present and they were represented by William Parsons. The Idaho Dept of Parks & Recreation was represented by Peter J. Ampe, Deputy Attorney General. Edna Cahoon was not present.

At the conference it was related that Mrs. Cahoon has sold out to the Idaho Dept of Parks & Recreation and has moved to Malta.

HISTORY

The dispute in this matter has been going on for sometime and involves groundwater interference between wells in the localized area just south of Almo. Taylors have three irrigation wells; one drilled in 1955, one in 1980 and one in 1992. Durfee has one irrigation well drilled around 1977. Taylor's 1955 and 1980 wells are currently authorized for use for the rights being transferred. The 1992 well is only authorized under permit 43-07310 (See my letter 5/23/1995 describing rights; note permit proof was withdrawn and now proof due 12/97) Due to the interference problem the parties hired Charles Brockway to conduct a study (See his report dated 4/13/95).

(Please find attached earlier letters, etc which frame issues)

PROTEST ISSUES

The issues identified at the conference involve two:

-Partial Forfeiture of the water right. The protestants indicate that the lands to be dried up have not been irrigated for sometime and any right associated with these lands has been lost. The applicant asserts that the lands have been watered. They assert that the infrequency of irrigation is due to drought and continued interference problems. (I told them that my review of the

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file indicated that presently the Department does not have clear and convincing evidence that forfeiture has occurred.)

-Amount of flow rate for 43-04008. The protestants indicate that the claimed amount of 2.20 cfs for 43-04008 which is associated with the 1955 well is not correct. They indicate that the rate is much less. The applicant indicates that the rate reflects what the well originally pumped and if the well does not now pump that amount it is due to drought or interference and they should be allowed to develop that rate. (Note that the well to my knowledge has never been measured by the department.)

REQUEST FOR OPINION

After discussing the issues the parties agreed that these matters would probably be issues that would be addressed in the SRBA. They realized that the interference problem may need more study. The parties seemed to want to formulate an agreement that would allow for a temporary transfer but would be conditioned that the protestants reserved their protests so that it could be brought up and litigated in the SRBA (They did not want to litigate these matters twice). I told them that although the Department does place conditions on transfers that allow for further determinations in the SRBA that the Department normally tries to make a final determination in the administrative process as best we can since the Department is mindful of the rule of res judicata which may prevent the Department from significantly making an SRBA recommendation different than an administrative process determination. I told them that I was not comfortable with the temporary transfer idea since the department would have to look at all issues in even approving a temporary transfer. I told them that irrespective of the protests the department would look at the forfeiture issue and rate issue. The parties were comfortable with a temporary transfer and requested that I ask the question to our legal/administrative staff if the department would consider such a thing. They requested that the conference be continued until this question was answered. I told them I would discuss this matter with the state office and write them a letter. It was my understanding that based on the outcome the applicant would then decide if they wanted to proceed to hearing or want to hold off and study the well interference issue more.

RECOMMENDATION

I recommend that the administration &/or legal staff look at this issue. My opinion is that the Department not issue a temporary transfer. I recommend that Taylor and Durfee be ordered to install measuring devices and report use during the upcoming irrigation season. The purpose of the order would be to gather information to support a rate recommendation for 43-04008 for both the transfer review &/or SRBA recommendation as well as gather data for review purposes of the interference problem. Please find a draft order

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for consideration (This may need to be reviewed by the groundwater section to be sure that the data gathered would be useful in studying the interference problem.).

Please advise, if this is the tact to take.

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SEP 28 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

D R A F T

IN THE MATTER OF THE MEASUREMENT)	PRELIMINARY ORDER
OF TAYLOR AND DURFEE IRRIGATION)	REQUIRING INSTALLATION
WELLS NEAR ALMO IDAHO)	OF MEASURING DEVICES AND
_____)	REPORTING OF USE

FINDINGS OF FACT

Conflicts among ground water users in the area south of Almo identify the area as needing information gathering and water measurement.

To properly manage the state's water resources, the Department must know more facts about the availability of water, and how much water is being diverted by water users.

The 1994 legislature enacted Senate Bills 1561 and 1562, which increased the Director's authority to require measurement of water diversions.

Robert and Wallace Taylor own and operate three irrigation wells. Two wells are located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27 and one well within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, all in Twp.15S, Rge.24E, B.M.

Curtis Durfee owns and operates an irrigation well located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Twp.15S, Rge.24E, B.M.

CONCLUSIONS OF LAW

Idaho Code S 42-701 states in part:

... Each such appropriator shall construct and maintain, when required by the director of the department of water resources, a rating flume or other measuring device at such point as is most practical in such canal, ditch, wellhead or pipeline for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said canal, ditch, wellhead or pipeline from the stream, well or other source of public water. Plans for such headgates, rating flumes or other measuring devices shall be approved by the department of water resources. ...

Idaho Code S 42-701 further states:

... All appropriators of the public waters of the state of Idaho who are given thirty (30) days' written notice by the director prior to the beginning of the irrigation season but no later than March 15 of any year, shall measure their water diversions and report said diversions annually thereafter on a form approved by the director of the department of water resources. Such report shall include: a legal description of the point of diversion, the

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SEP 28 1999

number assigned to each water right diverting from the public waters of the state, the maximum authorized rate of diversion, the maximum rate at which diversions have been made during the reporting period, the total volume diverted during the reporting period, and a description of the physical changes to the diversion works that have been made during the reporting period. The appropriator shall furnish each year the depth to water during the pumping period, and the pressure in the pipe distribution system during diversion if the well is not free flowing. Failure to comply with such measurement and reporting requirements or the willful submittal of false or inaccurate data is a violation of the law controlling use of water under the right and is subject to the enforcement and penalty provisions of sections 42-311, 42-350 and 42-351, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Robert &/or Wallace Taylor install and maintain adequate measuring devices and pressure gauges on each of their three irrigation wells described above and report the following information at the end of the 1998 irrigation season and each subsequent irrigation season unless the reporting requirement is waived by the director.

IT IS HEREBY ORDERED that Curtis Durfee install and maintain an adequate measuring device(s) and pressure gauge(s) on his irrigation well described above and report the following information at the end of the 1998 irrigation season and each subsequent irrigation season unless the reporting requirement is waived by the director.

IT IS HEREBY ORDERED that Robert &/or Wallace Taylor and Curtis Durfee report, for their respective wells, the following information unless specifically waived by the director:

-Date, time, pressure, rate of flow, totalized volume and other information to describe the condition of the wellhead and use of the water each time the wellhead pump is turned on. (The pressure and flow rate should be measured once these rates have stabilized)

-Date, time, pressure, rate of flow and other information to describe the condition of the wellhead and use of the water each time the wellhead pump is turned off. (The pressure and flow rate should be noted prior to shutoff.)

-On the first day and the fifteenth day of each month from April until November the static water level (pump off) in each well shall be measured and reported.

OR

IT IS HEREBY ORDERED that the Taylors and/or Durfee submit to

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SEP 28 1999

the department by January 15th, 1998, a study plan for the 1998 irrigation season, to quantify (measure) the diversion capacities of all subject wells and describe in sufficient detail the inter-relationships of these wells and report same. If the director finds the study plan adequate he may waive the above described measuring device and reporting requirements.

DATED this ____ day of October, 1997.

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 6, 1997

ROBERT E TAYLOR
2714 WAKONDA DR
FORT COLLINS CO 80521

Re: Amended Transfer No. 4953

Dear Mr. Taylor:

Per your request, please find enclosed a copy of the Amended Transfer Application and legal notice as published in the South Idaho Press.

For your information, a copy of the Hearing Notice was sent to Mr. Rigby on October 1, 1997.

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

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

Enclosures

MICROFILMED
SEP 28 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 4953

WALLACE C. TAYLOR &/OR
ROBERT E. TAYLOR, Applicants

CURTIS L. &/OR MARY LOU DURFEE,
EDNA M. CAHOON, IDAHO DEPT OF
PARKS & RECREATION, Protestants

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: Groundwater

COUNTY: Cassia

On August 19, 1996 Wallace C. Taylor &/or Robert E. Taylor, applicants, filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. The Department received a protest against the approval of said application from Curtis &/or Mary Lou Durfee on November 18, 1996. Transfer No. 4953 was AMENDED on 2/20/1997 and re-advertised in the South Idaho Press. The Department was advised on March 5, 1997 that the Durfees' desired to continue their Protest and additional protests were received from Edna M. Cahoon and the Idaho Dept. of Parks & Recreation - City of Rocks National Reserve.

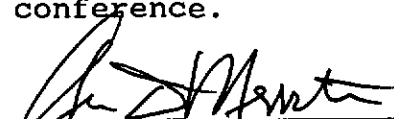
The Department has set the matter of protest for conference on **Monday-October 20, 1997 at 2:00 p.m.** in the University of Idaho Extension Office Conference Room, Cassia County Courthouse, 1451 Overland; Burley, ID.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

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

Dated this 1st day of October, 1997.


Allen D. Merritt, P.E.
Regional Manager

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SEP 28 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of October, 1997 a true and correct copy of the foregoing Notice of Pre-hearing Conference was forwarded with all required charges prepared, by regular U.S. Mail, to the parties listed:

Mary Baldwin
Secretary

WALLACE C TAYLOR &/OR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

WILLIAM A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER
PO BOX 910
BURLEY ID 83318

ROBERT E TAYLOR
2714 WAKONDA DR
FORT COLLINS CO 80521

EDNA M CAHOON
PO BOX 157
ALMO ID 83312

CURTIS L DURFEE &/OR
MARY LOU DURFEE
PO BOX 185
ALMO ID 83312

NED R JACKSON PARK MGR
CITY OF ROCKS NAT RESERVE
PO BOX 169
ALMO ID 83312

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SEP 28 1999

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?
2. Will the proposed transfer constitute an enlargement in the use of the original right?
3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
4. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

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

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SEP 28 1999



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 19, 1997

RAY W RIGBY
~~25 N 200 E~~ P.O. Box 250
REXBURG ID 83440

9-15-97 Records
NOT modified.
-P

RECEIVED

AUG 28 1997

Re: Snake River Basin Adjudication (SRBA)
Change of Address

Dear Mr. Rigby:

Department of Water Resources

IDWR has been notified by the U.S. Post Office the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights and those of your clients can be sent only to the address on your water rights or as otherwise changed by you.

I have enclosed a Selection File Contents sheet which lists not only water rights under your name as Claimant, but also those of your clients.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the properties connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

Enclosure

The address is correct as shown above or as otherwise changed.

Claimant/Attorney For Claimant Signature

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 1, 1997

ATTN LINDA
UNIV OF ID EXTENSION OFFICE
1451 OVERLAND
BURLEY ID 83318

Dear Linda:

This is a follow-up to our telephone conversation of this date to confirm the reservation of Conference Room 2 for a meeting to be held by this office on **Monday-October 20, 1997** from 2:00 - 5:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin
Senior Secretary

MICROFILMED

SEP 28 1999

MAY 27 1997

May 17, 1997

Department of Water
Southern RegionCurtis and Mary Lou Durfee
P.O. Box
Almo, ID 83312Edna Cahoon
P.O. Box
Almo, ID 83312Ned R. Jackson
Box 169
Almo, ID 83312

Each of you have filed a protest of Amended Transfer 4953. Allen Merritt, Department of Water Resources, sent a letter (dated May 9, 1997) to Dad and I. A sentence in this letter states, "The Department suggests you contact the protestants directly to determine the exact nature of the protests and, if possible, to resolve the matter without action by the Department". This is the purpose of this letter.

Hopefully each of you have carefully studied the Application For Transfer No. 4953, which was briefly advertised in two April issues of the South Idaho Press. In case you haven't evaluated the amended transfer that is currently on file at the Department of Water Resources, I am enclosing a copy for your reference.

As noted, the purpose of the transfer is to make minor adjustment to the irrigation season and primarily to change the place of use (the land to which the water can be applied). The intent of Transfer 4953 is to change the place of use from the 35 acres west of the road (section 27) to 37 acres in section 25 (NW 1/4 SW 1/4). The primary reason is that the land in Section 25 is better soil than the land in Section 27, thus the water is put to more productive use.

The major concern in your protests refers to our 1992 well (Right No. 43-07310). This well is not involved in Transfer 4953. If you need to verify this with the Department of Water Resources, please do so. Water from 43-07310 can only be used on 80 acres (NE 1/4 SW 1/4 and SW 1/4 SW 1/4 in Section 25). Water from 43-07310 is not approved to be used on the lands identified in the transfer.

Some of you are concerned that we cannot pump 3.7 cfs from 43-04008 and 43-07152 wells. Even though the water rights for the two wells authorize this amount, these wells like most other wells in the area do not pump the amount of water they are authorized to pump. This is because of drought, possible interference with other wells, and difference between test pumping the well for 24 hours vs the reduction of water that is usually experienced when pumping for the entire season.

You have expressed concern about the wells in the area interfering with one another. This is not an issue in transfer No. 4953, but will likely have to be addressed in the future. C. E. Brockway, a professional water engineer, was utilized by Taylor and Durfee to evaluate interference between their wells. He indicated that there were different aquifers supplying water to the wells. Some wells showed a significant influence on one another when pumped for 24 hours. Other wells were influenced to

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SEP 28 1999

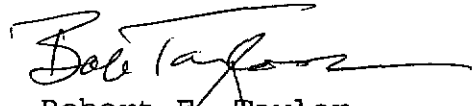
a lesser extent and he indicated it would take an entire pumping season or two to determine the extent of the interference. His report also stated, "All wells in the aquifer are subject to regional hydrologic variability caused by drought and variation in regional recharge which will affect water levels".

It appears that if interference is evaluated between all the wells in the area, that measurements and observations will need to be made over one or more pumping seasons. We are willing and eager to develop a cooperative plan to determine the extent of interference between the wells. However, to make this work we will all need to cooperate and possibly use a third party to verify the measurements and observations.

Please evaluate the content of Transfer 4953. Verify that it does not involve the 43-07310 well nor does the transfer of 35 acres in Section 27 for 37 acres in Section 25 create the need to evaluate interference between the wells. If you find these points to be valid, please consider withdrawing your protest, otherwise, we will all experience additional expense - both in time and money. I am requesting Allen Merritt to clarify any inconsistencies in the content of this letter with the Department of Water Resources records. If I am in error, he can inform all of us or inform me and I will send copies to each of you.

Hopefully we can resolve our differences with this transfer and in the future have an open discussion on how to evaluate the interference between the several wells in the area.

Sincerely yours,


Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

RET/ct

cc: Allen Merritt
William Parsons
Ray Rigby
Wallace Taylor

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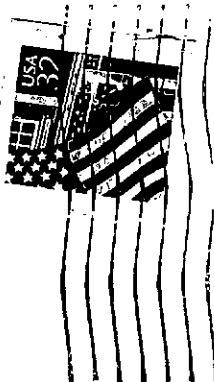
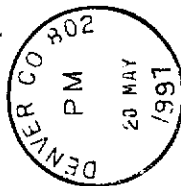
SEP 28 1999

Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521

RECEIVED

MAY 27 1997

Department of Water Resources
Southern Region Office



Mr. Allen Merritt
DEPARTMENT OF WATER RESOURCES
222 Shoshone Street, East
Twin

WATER222 833012007 1C96 05/24/97
NOTIFY SENDER OF NEW ADDRESS
:STATE OF IDAHO DEPT OF WATERS 05
1341 FILLMORE ST #200
TWIN FALLS ID 83301-3380



*Sent chg. of address
info 5/30/97
MB*

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WALLACE C TAYLOR &/OR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

RE: APPLICATION FOR AMENDED TRANSFER NO. 4953 (43-04008, 43-07152)

Dear Applicants:

Enclosed are copies of protests filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

cc: ROBERT E TAYLOR
2714 WAKONDA DR
FORT COLLINS CO 80521

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EDNA M CAHOON
PO BOX 157
ALMO ID 83312

RE: APPLICATION FOR AMENDED TRANSFER NO. 4953 (Wallace &/or Robert Taylor), WR Nos. 43-04008, 43-07152

Dear Protestant:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NED R JACKSON PARK MGR
CITY OF ROCKS NAT RESERVE
PO BOX 169
ALMO ID 83312

RE: APPLICATION FOR AMENDED TRANSFER NO. 4953 (Wallace &/or Robert Taylor), WR Nos. 43-04008, 43-07152

Dear Protestant(s):

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER LLP
PO BOX 910
BURLEY ID 83318

RE: APPLICATION FOR AMENDED TRANSFER NO. 4953 (Wallace &/or Robert Taylor), WR Nos. 43-04008, 43-07152

Dear Mr. Parsons:

This office acknowledges that your clients, Curtis and Mary Lou Durfee, wish to continue their protest against the approval of the above referenced application. The applicant has been instructed to contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

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SEP 28 1999

May 6, 1997

Edna M. Cahoon
P.O. Box 157
Almo, Idaho 83312

RECEIVED

MAY 08 1997

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

Dear Department of Water Resources:

I, Edna M. Cahoon, do hereby give notice of protest of the application for transfer by Wallace C. Taylor and Robert E. Taylor, No. 4953, as published in the South Idaho Press, April 28, 1997. I protest for the following reasons:

1. The heavy pumping of the Taylor wells during irrigation use causes my house well located in NW1/4 SE1/4 NE1/4 S27 T15S R24E BM to pump sand. One to two weeks is needed for my house well to cease pumping sand after the Taylor irrigation wells have been shut off for the season.
2. I believe that the present wells located on the Taylor property do not produce the amount of water claimed and applied for in the application of transfer No. 4953.

Please find enclosed a protest fee of \$25. A copy of this protest has been sent to Wallace C. Taylor and Robert E. Taylor.

Sincerely yours,

Edna M. Cahoon

Edna M. Cahoon

cc: Wallace C. Taylor
Robert E. Taylor

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SEP 28 1999

Receipt # SD 20090
5/8/97
MB

RECEIVED

MAY 08 1997

Department of Water Resources
Southern Region

97-145

**NOTICE OF AMENDED
APPLICATION FOR TRANSFER OF
WATER RIGHT**

Notice is hereby given that Application for Transfer No. 4953, filed by WALLACE C. TAYLOR, PO BOX 144; ALMO ID 83312 &/or ROBERT E. TAYLOR, 2714 WAKONDA DRIVE, FT. COLLINS, CO 80521 has been AMENDED.

PRESENTLY, Statutory Claim No. 43-04008 (2.2 cfs) with a priority date of 4/1/1955 is authorized for diversions from groundwater within NW1/4SW1/4, S26 and NE1/4SE1/4, S27, both T15S, R24E to irrigate 238 acres; Cassia County. **PRESENTLY**, Licensed Water Right No. 43-07152 is authorized to divert 1.5 cfs from groundwater within NE1/4SE1/4, S27, T15S, R24E to irrigate 75 acres within part of S27, T15S, R24E; Cassia County.

PROPOSED CHANGES:

The applicant wishes to divert a total of 3.7 cfs from two (2) existing wells within NE1/4SE1/4, S27, T15S, R24E; Cassia County to irrigate 235 acres within parts of Sections 25, 26, & 27, T15S, R24E; Cassia County.

Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 8, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press April 21, and 28, 1997.

97-145

MICROFILMED
SEP 28 1999

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: A43-10061

Date Received: 3/22/1989

Receipt No: _____

Received By: _____

REC-11
This Copy For Your Records
DO NOT RETURN

MAY 08 1987

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: Southern REGIONAL CAHOON

208-824-5564

Address:

ALMO, ID

83312

2. Date of Priority: APR 01, 1968

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	24E	27	NW	SE	NE		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 BEEF D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	24E	27	SE	NE		STOCK	
			SE	NE		DOMEST	

A43-10061

Page

1

Date: 03/22/89

MICROFILMED

SEP 28 1999

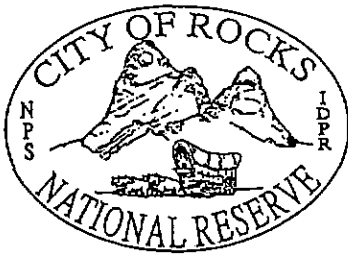
5/7/97 Robert T2, 10- (970-484-3626)
Has talked with Duffee.
Will continue talks

I told him I would accommodate
conf. call at conf.

To Houston 5/20 → 6 mo.

MICROFILMED

SEP 28 1993



City of Rocks National Reserve

Box 169 • Almo, ID 83312 • Telephone 208-824-5519
TDD Capability

May 7, 1997

Idaho Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301

RECEIVED

MAY 07 1997

Department of Water Resources
Southern Region

Gentlemen:

Idaho Department of Parks and Recreation by this letter is protesting the application for transfer of water rights by Wallace Taylor and Robert E Taylor, No. 4953, published in the South Idaho Press, April 28, 1997.

We are in the process of buying a parcel of land with residence from Edna Cahoot located in the SE ¼ NE¼ Section 27 T15SR24EBM. This property has a well on it for stock water and domestic use with a priority date of April 1, 1968.

We were advised by Mrs. Cahoot that during the irrigation season heavy pumping of the Taylor wells in Section 27 decreases availability of water and causes her pump to pump sand on the well we are purchasing.

We were also advised that when the deep well that was drilled by Mr. Taylor in the last few years was pumped that it really caused problems with her well.

It appears that the Statutory claim No. 43 04008 (2.2 CFS) with a priority date of April 1, 1955 directed from the original well on which it was filed would be acceptable and the Cahoot well would still be usable.

Diverting water from different wells are the cause of our protest as we do not know what effect this will have on the Cahoot well and we do not want to have to try and drill another well for our household needs.

Enclosed is a money order for \$25.00 for the protest fee.

Sincerely,

Ned R. Jackson
Park Manager

cc: Wallace C. Taylor P.O. Box 144 Almo, ID 83312
Robert E. Taylor 2714 Wakonda Drive FT. Collins, CO 80521

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SEP 28 1999

Receipt #5020083
5/7/97
MB

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Amy Cantrell, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for two consecutive week(s), commencing with the issue dated April 21 1997, and ending with the issue dated April 28 1997.

Amy Cantrell

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

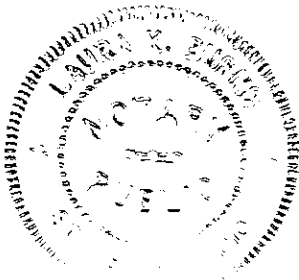
On this 28th day of April in the year of 1997 before me, a Notary Public, personally appeared Amy Cantrell, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Laural Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000



Cost of Publication 50.16
Affidavit Fee 5.00
Total Cost \$55.16

OK
mb
5/6/97

RECEIVED

MAY 05 1997

Department of Water Resources
Southern Region

MICROFILMED

SEP 28 1999

97-143

**NOTICE OF AMENDED
APPLICATION FOR TRANSFER OF
WATER RIGHT**

Notice is hereby given that Application for Transfer No. 4953, filed by WALLACE C. TAYLOR, PO BOX 144; ALMO ID 83312 &/or ROBERT E. TAYLOR, 2714 WAKONDA DRIVE; FT. COLLINS, CO 80521 has been AMENDED.

PRESENTLY, Statutory Claim No. 43-04008 (2.2 cfs) with a priority date of 4/1/1955 is authorized for diversions from groundwater within NW1/4SW1/4, S26 and NE1/4SE1/4, S27, both T15S, R24E to irrigate 238 acres; Cassia County. **PRESENTLY**, Licensed Water Right No. 43-07152 is authorized to divert 1.5 cfs from groundwater within NE1/4SE1/4, S27, T15S, R24E to irrigate 75 acres within part of S27, T15S, R24E; Cassia County.

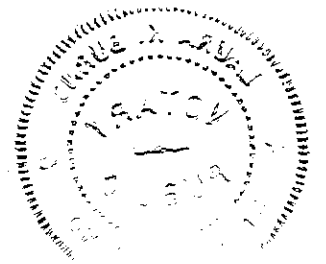
PROPOSED CHANGES:

The applicant wishes to divert a total of 3.7 cfs from two (2) existing wells within NE1/4SE1/4, S27, T15S, R24E; Cassia County to irrigate 235 acres within parts of Sections 25, 26, & 27, T15S, R24E; Cassia County.

Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 8, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press April 21 and 28, 1997.



RECEIVED

APR 29 1997

Department of Water Resources
Southern Region

PARSONS, SMITH, STONE & FLETCHER, LLP
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318
Telephone: (208) 678-8382
Fax: (208) 678-0146
Attorneys for Protestants,
Curtis Durfee and Mary Lou Durfee

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

In the Matter of the)
Application for Transfer No. 4953) NOTICE OF CONTINUING
) PROTEST
WALLACE C. TAYLOR and)
ROBERT E. TAYLOR.)

CURTIS DURFEE and MARY LOU DURFEE do hereby give
notice of the continuing protest of the above transfer for the
following reasons:

1. There is still located in the well in the
Northwest Quarter Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 26,
Township 15 South, Range 24 E.B.M., which will have to be used
in order to pump 3.7 cfs on the proposed transfer.
2. The wells in Section 27, Township 15 South, Range
24 E.B.M. that are stated in the Amended Application for
Transfer will not divert the amount of water claimed or

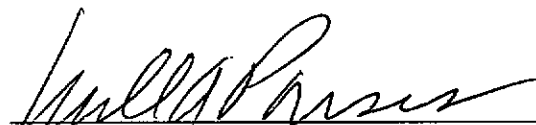
MICROFILMED

proposed to be claimed.

Previously Curtis Durfee and Mary Lou Durfee have paid a protest fee and no fee is tendered with this as representatives of the department have advised counsel for the Durfees that no additional fee is required. If such information is in error the Protestants will pay an additional fee upon advice from the Idaho Department of Water Resources.

DATED this 28 day of April, 1997.

PARSONS, SMITH, STONE & FLETCHER, LLP



William A. Parsons
Attorneys for Protestants,
Curtis and Mary Lou Durfee
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1997 I served a copy of the foregoing Notice of Continuing Protest, upon the following:

Idaho Department of Water Administration
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Wallace C. Taylor and
P. O. Box 144
Almo, Idaho 83312

Robert Taylor
2714 Wakonda Drive
Fort Collins, Colorado 80521

by depositing a copy thereof in the United States mail, postage

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SEP 28 1999

1 prepaid, in an envelope addressed to the above named persons at
2 the above addresses, their last known address.

3 PARSONS, SMITH, STONE & FLETCHER, LLP

4 

5 William A. Parsons
6 Attorneys for Protestants,
7 Curtis and Mary Lou Durfee
8 137 West 13th Street
9 P. O. Box 910
10 Burley, Idaho 83318

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SEP 28 1999

**NOTICE OF AMENDED
APPLICATION FOR TRANSFER OF
WATER RIGHT**

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PROPOSED CHANGES:

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Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 8, 1997. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the South Idaho Press on
4/21 & 4/28/97.

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILM

SEP 28 1999

NOTICE OF AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

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Karl J. Dreher, Director

Published in the South Idaho Press on 4/21 & 4/28/97.

MICROFILMED

SEP 28 1999

OK
AD~



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT E TAYLOR
2714 WAKONDA DRIVE
FORT COLLINS CO 80521

WALLACE C TAYLOR
PO BOX 144
ALMO ID 83312

Re: AMENDED Application for Transfer No. 4953

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 4/21 and 4/28/97.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If any additional protests against the Amended application are received, you will be sent a copy of the protest. This office has been notified that the previous protestants, Mr. & Mrs. Curtis Durfee, remain opposed to your Amended Application. The matter of the protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 20, 1997

Parsons, Smith, Stone & Fletcher, LLP
William A. Parsons
PO Box 910
Burley, ID. 83318

RE: Amended Transfer #4953

Dear Mr. Parsons:

Per your letter of request received by our office 18 February 1997, please find the enclosed copy of the amended transfer for Wallace C. and/or Robert E. Taylor. The amended application will be re-advertised in the legal notices of the pertinent newspaper(s).

Please feel free to call our office with any other questions and concerns.

Cordially,

A handwritten signature in cursive script that reads "Georgia Satterlee".

Georgia Satterlee
Water Resource Agent

cc:: Mr. Robert Taylor
Mr. Wallace Taylor

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SEP 28 1999

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

February 14, 1997

Georgia Satterlee
Department of Water Resources
1341 Fillmore Street - Suite 200
Twin Falls, Idaho 83301-3380

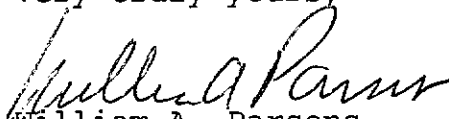
FEB 18 1997
Department of Water Resources
Southern Region

RE: Robert Taylor - Transfer

Dear Ms. Satterlee:

I received a letter from Robert Taylor concerning an amended transfer and as the same relates to Curtis and Mary Lou Durfee's protest. I don't have a number to reference you but I would like to have a copy of the Taylor amended transfer which apparently omits the use of a well.

Very truly yours,


William A. Parsons

WAP:rt

cc: Curtis and Mary Lou
Durfee

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SEP 28 1999

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-6382
FAX NO.
(208) 678-0146

March 3, 1997

RECEIVED

MAR 05 1997

Department of Water Resources
Southern Region

Georgia Satterlee
Idaho Department of
Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83303-3380

RE: Amended Transfer 4953

Dear Georgia:

Thank you for sending me the information I requested on the Amended Application.

It is still the position of Durfee that there is still electricity and equipment hooked up to the well in the Northwest Quarter Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 26, Township 15 South, Range 24. By using that equipment is the only way that Permit number 43-00408 can produce 2.20 cfs. If the equipment is removed from the well and the well is not used and the application for transfer is reduced from 2.20 cfs to 1 cfs that it is capable of producing then perhaps this matter can be resolved.

It is my understanding that the protest continues and that we do not have to pay an additional fee for the continued protest on the amended application. If this is a misunderstanding of the I.D.W.R. rules then please advise me and a check will be immediately tendered for the requisite amount.

In summary the protest will continue because the wells sought to be used will not produce the requisite amount of water without the use of the well for which has had interference with Durfee.

Very truly yours,



William A. Parsons

WAP:rt

cc: Robert Taylor

Curtis Durfee

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SEP 28 1999

February 8 1997

RECEIVED

FEB 18 1997

Department of Water Resource
Southern Region

Georgia Satterlee
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Dear Ms. Satterlee:

Enclosed is the Amended Transfer that has been signed by myself and my father. A check for \$50 to cover the advertisement is also enclosed.

With this letter, I am requesting that the Durfees and William Parsons review the Amended Transfer and the advertisement. It is recommended that they withdraw this protest as the Amended Transfer has no reference to the use of the well (Permit No. 43-07310) that they have questioned.

Please let me know if there is anything else that needs to be done to facilitate this transfer.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

RET/ct
Enc. 2 (\$50; Amended Transfer)
cc: Curtis and Mary Lou Durfee
Mr. William Parsons

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SEP 28 1999

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
January 28, 1997 10:57am

CUSTOMER
Taylor, Robert

SUBJECT: T#4953

phone call (.) walk-in (.)

ADM reviewed the Amended Transfer and the accompanying letter and OK'd both items. In addition to the Taylor's, I made copy of letter and sent to Parson's, attorney for Durfee's. All went out in the a.m. mail.

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SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 27, 1997

Mr. Robert Taylor
2714 Wakonda Drive
Fort Collins, CO. 80521

RE: Amendment of Transfer #4953 (43-04008, -07152)

Dear Mr. Taylor:

Per your phone call today with Allen Merritt and myself, you will find the enclosed **Amended Transfer**. As discussed, the amended transfer shows only the two wells (both in Section 27), and the acreage that will be irrigated by the two wells. The amended transfer will be re-advertised and this fee is \$50.00, fifty dollars.

As a reminder, the original protest from Mr. and Mrs. Curtis Durfee and his attorney, Mr. William A. Parsons, is still active. There needs to be an agreement between you and the Durfees' that they accept the amended transfer.

Please review the application, and if it is acceptable to you and your father, Wallace Taylor, both sign the amended application and have the document notarized.

We will look forward to concluding this process as quickly as possible.

Cordially,

A handwritten signature in cursive script that reads "Georgia Satterlee".

Georgia Satterlee
Water Resource Agent

cc: Curtis and Mary Lou Durfee
Mr. William Parsons

MICROFILMED

SEP 28 1999

DATE: 01/27/97
PAGE: 1

Stage: STATUTORY CLAIM

CASSIA County

SEE

Audit: 05/23/89 MERRITT 03/30/95 POST-STD

DATE: 01/27/97
PAGE: 1

WRS5809NP
No. 43-04008

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/27/97
PAGE: 1

OWNER NAME & ADDRESS
C WALLACE C. TAYLOR
ALMO ID 83312

PRIORITY DATE
04/01/1955

WATER USE
IRRIGATION

USE PERIOD FROM TO
03/01 10/31

DIVERSION RATE
2.200 CFS

TOTAL DIVERSION: 2.200 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T155 R24E S26
S27

NWSW
NESE

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac
155 24E 26	:	:	:	:	:
155 24E 27	:	:	:	:	:

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:
43-07152

Other Water Rights Listing Overlapping Place(s) of use:
43-02232A 43-04228A 43-07152 T43-04008 T43-07152

Remarks: AC. IRR.=238.
TRANS. 2358 PROTESTED.

Dates: App. Received: 04/01/1955
Proof Due Date: 04/01/1955
Exam Made Date: 04/01/1955
Licensed Date: 04/01/1955

Misc: Water District Number: 06/18/85 05/28/88 CONVERT
Audit: 06/18/85 05/28/88 CONVERT

DATE: 01/27/97
PAGE: 1

Stage: LICENSE

SE

75.0

WR5809NP
No. 43-07152

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/27/97
PAGE: 1

OWNER NAME & ADDRESS
C WALLACE C. TAYLOR
ALMO ID 83312

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
05/13/1980	IRRIGATION	03/15 11/15	1.500 CFS	262.50 AFA
TOTAL DIVERSION:			1.500 CFS	262.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.880 CFS

Point(s) of Diversion: T15S R24E S27 NESE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
NAME NAME SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWESE SWESE : : SUM				
T R S : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : : 75.0				
15S 24E 27 : : : : : 38 37 : : : : : 75.0				
TOTAL ACRES				75.0

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:
43-04008

Other Water Rights Listing Overlapping Place(s) of use:
43-02232A 43-04008 43-04228A T43-04008 T43-07152

Conditions of Approval:
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Remarks: 2 P/D IN NESE, S27, T15S, R24E.

Dates: App. Received: 05/13/1980
Proof Due Date: 09/01/1985
Exam Made Date: 01/01/1990
Exam Made Date: 11/01/1985
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:
Audit: 02/19/86 05/28/88 CONVERT

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

January 27, 1997 11:50am

CUSTOMER

Taylor, Robert

SUBJECT: T#4953

phone call (x) walk-in (.)

On this date at 1100 hrs., Robert Taylor called and wanted a conference call with ADM and myself to clarify his misunderstanding of the transfer. After some discussion, it was decided to amend the pending transfer, in other words, delete the 1992 well (located in Section 26, T15s, R24E; NE/NW/SW), send the Taylors' the amended transfer, if agreed upon, both will sign and have the signatures notarized. I will begin on the amended transfer plus the accompanying letter after lunch today.

MICROFILMED

SEP 28 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 1997

Parsons, Smith, Stone & Fletcher
Attorneys At Law
Attention: Mr. William A. Parsons
137 West 13th Street
Burley, Idaho 83318

RE: Transfer #4953 (43-04008/43-07152)

Dear Mr. Parsons:

Enclosed you will find the letter from the department, addressed to Mr. Robert E. Taylor, dated 02 January 1997. Our letter was in response to his letter dated 11 December 1996, in hopes to clarify some of the misunderstandings of the above transfer.

Perhaps the latest correspondence will clear up the confusion the Taylors' may be experiencing.

Please contact our office if you have any questions.

Cordially,

A handwritten signature in cursive script that reads "Georgia Satterlee".

Georgia Satterlee
Water Resource Agent

MICROFILMED

SEP 28 1999

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

January 10, 1997

RECEIVED

JAN 13 1997

Department of Water Resources
Boise Region

Allen D. Merritt
Idaho Department of Water Resources
1341 Fillmore- Suite 200
Twin Falls, Idaho 83301-3380

RE: Application for Transfer 4953

Dear Allen:

I had an opportunity to review the letter of Robert E. Taylor dated December 11, 1996 that was received by me on December 24, 1996 with Curtis Durfee.

Curtis and I are not totally certain whether we understand the letter or not but in an effort to continue to resolve the issue if the meaning of the letter is that the Taylors are going to cease using 43-7310 if the Taylors will reduce the amount of water pumping out of the remaining wells to what they are capable of delivering without the use of the well at 43-7310 then the matter may very well be resolved.

Perhaps you could have the Taylors clarify the letter of December 11.

Very truly yours,


William A. Parsons

WAP:rt

cc: Robert E. Taylor
2714 Wakonda Drive
Fort Collins, Colorado 80521

MICROFILMED

SEP 28 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 02, 1997

Mr. Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO. 80521

RE: Transfer #4953 (43-04008/43-07152)

Dear Mr. Taylor:

You requested that the Idaho Department of Water Resource review and respond to your letter dated 11 December 1996. We would like to comment on several points.

First, we are in agreement that the Permit Number 43-07310 was eliminated from the application for transfer.

Secondly, contrary to your letter, the purpose of the Transfer #4953 is to combine the rights 43-04008 and 43-07152, which would allow the use of these rights out of any of the three wells. Also, if the transfer is approved, the land allowed to be irrigated would be in a permissible place of use located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 26; and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25.

Finally, the above points were clarified in a meeting at our office on 03 October 1996, which was attended by Mr. Wallace Taylor and Mr. Robert Briggs, Jr. If the intent of the transfer has changed, you will need to amend the application.

Please contact our office if you wish to schedule a pre-hearing conference with the protestant.

If you have any questions, please feel free to contact our office.

Cordially,

A handwritten signature in cursive script that reads 'Georgia Satterlee'.

Georgia Satterlee
Water Resource Agent

cc: Wallace Taylor
Curtis and Mary Lou Durfee

MICROFILMED

SEP 28 1999

December 11, 1996

DEC 23 1996

TO: Curtis and Mary Lou Durfee
William A. Parsons

Department of Water Resources
Southern Region

FROM: Wallace C. Taylor
Robert E. Taylor
Ray Rigby

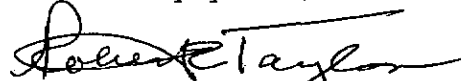
Enclosed is a copy of a December 2, 1996 letter received from Allen D. Merritt, Idaho Department of Water Resources. We accept his suggestion to resolve this protest without action by the Department.

We recommend resolution as noted in the following points:

1. Based on an October 3, 1996 meeting with Idaho Department of Water Resources personnel in Twin Falls, the well (Permit No. 43-07310) was eliminated from the application. Wallace initialed these changes on the application.
2. The advertising of the transfer in the South Idaho Press (November 11 and November 18 is confusing and needs clarification.
 - (a) Statement should read "...will be diverted from two (2) existing, interconnected wells..." Therefore two wells, not three are involved in the transfer.
 - (b) The two wells involved in the transfer are located in section 27 - the advertisement notes one well located in section 26, which is incorrect.
3. Because of the removal of permit No. 43-07310 from the application, then the statement in the application "43-07310 well will be pumped not to interfere with Durfee (A43-07109) well" is also eliminated.
4. The Application for Transfer 4953 (43-04008, 43-07152) involved only the two wells noted. All reference to 43-07310 is totally eliminated.

We recommend that the Idaho Department of Water Resources communicate to both parties that the above points of clarification reflect the content of Transfer 4953. If this information is valid, we recommend the protest be withdrawn.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

RET/ct

cc: Allen D. Merritt ✓

MICROFILMED

SEP 28 1999

December 9, 1996

RECEIVED

DEC 30 1996

Department of Water Resources
Southern Region

Georgia Satterlee
IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. E
Twin Falls, ID 83301

Dear Ms. Satterlee:

In your letter of November 4, 1996, you request ownership records to support the Application for Transfer 4953 (43-04008), 43-07152). Enclosed is a computer report from the Cassia County Assessor's office giving a legal description of all the land and two tax bills (receipts) giving a legal description and ownership of the two parcels of land in question.

Hopefully this fulfills your request. If not, please let me know.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521

RET/ct

cc: Wallace C. Taylor

MICROFILMED

SEP 28 1999

MAKE CHECK PAYABLE TO:

CASSIA COUNTY TAX COLLECTOR

GAYLE EREKSON

1459 OVERLAND PH 878-7202

BURLEY, ID 83318

TAX BILL/RECEIPT

CODE AREA

70-00

TAX YEAR 1995

BILL NO

13109

L

PARCEL NUMBER

PP15524E277900A

81092

1ST TAX
HALF PEN
INT
COST
TOT

47.77

2ND
HALF

TAX
PEN
INT
COST
TOT

47.77

FULL TAX
PEN
INT
COST
TOT

95.54

TOT MV

81092

WAC
TOT ACS
1.950
76.000

TAYLOR WALLACE
P O BOX 144
ALMO

ID 83312

TAXING DISTRICT

COUNTY

RATE

AMOUNT

SCH DIST 151

.003922917

31.74

ELBA-ALMO HWY

.006068053

49.10

ALMO REC

.001425947

11.54

FLUDD DIST 15

.000390675

3.16

AMOUNT DUE

.000000000

95.54

T 8751 T 8771 T 8781 NWSE
S 27 T 15 R 24

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE

APPLIED TO THE OLDEST DELINQUENT YEAR

TO AVOID LATE CHARGES PAYMENTS MUST BE

RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP THIS PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT

SUBJECT TO BANK CLEARANCE.

MICROFILMED

SEP 28 1999

MAKE CHECK PAYABLE TO:
 CASSIA COUNTY TAX COLLECTOR
 GAYLE EREKSON
 1459 OVERLAND PH 678-7202
 BURLEY, ID 83318

TAX BILL/RECEIPT

CODE AREA 70-00
 TAX YEAR 1995 BILL NO 13085

PARCEL NUMBER
 RP15324F254901/
 3,690

1ST TAX 21.72
 HALF PEN 21.72
 INT
 COST
 TOT

2ND TAX
 HALF PEN
 INT
 COST
 TOT

21.72

FULL TAX

43.44

TOT MV

3,690

PEN
 INT
 COST
 TOT

WAC
 TOT ACS

1.000
 115.000

TAYLOR WALLACE C
 E TAYLOR ETTA V H/W
 P O BOX 114
 ALMO ID 83312

TAXING DISTRICT
 COUNTY
 SCH DIST 151
 ELBA-ALMO HWY
 ALMO REC
 FLOOD DIST 15
 AMOUNT DUE

RATE
 003922917
 006068053
 001426947
 000390675
 000000000

AMOUNT
 14.44
 22.33
 5.21
 1.44
 43.44

NI/250
 S 25 T 15 R 24

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENCY YEAR
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

MICROFILMED

SEP 28 1999

1/22/96
15:26:25

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS

Cassia County Assessor's Office

PARCEL KEY **
TYPE PARCEL NO STATUS
CODE OLD PARCEL NO
MAP NUMBER
NAME/ADDRESS
LEGAL DESCRIPTION
CAT QUANTITY UNIT MARKET REVIEW
YEAR

RP 00006001002A A TAYLOR, WALLACE
070-00 RP00006001002AA P D BOX 144
ALMO ID 83312
DURFEES
PT OF LOT 2 BLK 1
LOTS 1,2 BLK 2
LOT 4 BLK 3
LOTS 1,3,4 BLK 4
22-15-24
2 15.940 AC 5,021 1994
10 1,000 AC 2,915 1994
19 .500 AC 1994
31 43,126 1994
32 4,626 1994
58 19,274 1995
72 17,440 ** 75,022 *** #HDS

COMMENTS:
INSP YR: 1994
PROPERTY ADDRESS:

RP 15523E210000 A TAYLOR, WALLACE C NE1/4 N1/2SE
034-00 RP15523E210000A P D BOX 144 S 21 T 15 R 23
ALMO ID 83312
240.000 AC 7,680 1993
240.000 ** 7,680 ***

COMMENTS:
INSP YR: 1993
PROPERTY ADDRESS:

RP 15523E212400 A TAYLOR, WALLACE C T 310 S 21 T 15 R 23
034-00 RP15523E212400A P D BOX 144 ID 83312
ALMO
24.000 AC 768 1993
24.000 ** 768 ***

COMMENTS:
INSP YR: 1993
PROPERTY ADDRESS:

RP 15523E220600 A TAYLOR, WALLACE C NWNE E1/2NW SWNW
034-00 RP15523E220600A P D BOX 144 SEC 22 T 15 R 23
ALMO ID 83312
160.000 AC 5,120 1993
160.000 ** 5,120 ***

COMMENTS:
INSP YR: 1993
PROPERTY ADDRESS:

RP 15523E223000 A TAYLOR, WALLACE C E1/2NE, SWNE, NWSE, N1/2SW
034-00 RP15523E223000A P D BOX 144 NWNW S 22 T 15 R 23
ALMO ID 83312
280.000 AC 8,960 1993
280.000 ** 8,960 ***

COMMENTS:
INSP YR: 1993
PROPERTY ADDRESS:

1/22/95
15:26:25

U N I F O R M A S S E S S M E N T D E V E L O P M E N T
S O F T W A R E S Y S T E M S

PAGE 2

NUMERIC ROLL
PM2001
BY SPECIFIC NAME

PARCEL KEY	STATUS	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW YEAR
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RP 15523E236600 A		TAYLOR, WALLACE	SESW S1/2SE	S	120.000	AC	3,840	1993
032-00 RP15523E236600A		P O BOX 144	S 23 T 15 R 23					
ALMO		ID 83312						

COMMENTS: NCS188		PROPERTY ADDRESS:						
INSP YR: 1993								

RP 15523E260000 A		TAYLOR, WALLACE	NENE, W1/2NE, NENW, NWSE	S	200.000	AC	6,400	1993
032-00 RP15523E260000A		P O BOX 144	S 26 T 15 R 23					
ALMO		ID 83312						

COMMENTS: NCS188		PROPERTY ADDRESS:						
INSP YR: 1993								

RP 15524E150005 A		TAYLOR, WALLACE C	T 858-S1/2NE-SESW	2	115.000	AC	36,225	1994
070-00		C TAYLOR, ETIA V	S 15 T 15 R 24	5	41.000	AC	1,312	1994
ALMO		P O BOX 144						
		ID 83312						

COMMENTS: NCS188		PROPERTY ADDRESS:						
INSP YR: 1994								

RP 15524E150600 A		TAYLOR, WALLACE C	NWNE-NENW	2	79.000	AC	24,185	1994
070-00		C TAYLOR, ETIA V	S 15 T 15 R 24	19	1.000	AC		1994
ALMO		P O BOX 144						
		ID 83312						

COMMENTS: C689		PROPERTY ADDRESS:						
INSP YR: 1994								

RP 15524E254801 A		TAYLOR, WALLACE C	N1/2SW LESS T 5324, SWSW	S	115.000	AC	3,680	1994
070-00 RP15524E254801A		C TAYLOR, ETIA V	S 25 T 15 R 24	19	1.000	AC		1994
ALMO		P O BOX 144						
		ID 83312						

COMMENTS: S489		PROPERTY ADDRESS:						
INSP YR: 1994								

MICROFILMED
SEP 28 1999

1/22/96
15:26:25

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS

PAGE 3

NUMERIC ROLL
PM9001
BY SPECIFIC NAME

** PARCEL KEY **	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW
TYPE - PARCEL NO - STATUS							YEAR
CODE OLD PARCEL NO							

MAP NUMBER

RP 15524E264800 A	TAYLOR, WALLACE	N1/2SW N1/2SE	1	33.000	AC	10,395	1994
070-00 RP15524E264800A	P O BOX 144	S 26 T 15 R 24	2	127.000	AC	40,005	1994
	ALMO	ID 83312	32			3,216	1994

PROPERTY ADDRESS:

160.000 **

53,516 ***

COMMENTS: NCS388
INSP-YR-1994

RP 15524E277900 A	TAYLOR, WALLACE	T 87S, T 87T, T 87R, N4SE	1	20.000	AC	6,300	1989
070-00	P O BOX 144	S 27 T 15 R 24	5	56.000	AC	1,792	1989
	ALMO	ID 83312	19	1.950	AC		1989

PROPERTY ADDRESS:

77.960 **

8,092 ***

COMMENTS: NCS388
INSP-YR-1989

SM 15524E277800 A	TAYLOR, WALLACE	1984-CANYON-CREST-14/70	46			9,885	1992
070-00 SM15524E264800A	P O BOX 144						
	ALMO	ID 83312					

PROPERTY ADDRESS:

**

9,885 ***

COMMENTS:
INSP-YR-1992

NUMBER OF PARCELS	13	TOTAL QUANTITY	1,631.400	TOTAL MARKET **	245,485
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REQUESTED NAMES
TAYLOR, WALLACE

****PROMPT RESPONSES****

LOCATION CODES INCLUDED -ALL-

PARCEL TYPES INCLUDED -ALL-

LIMITS FROM TO
A ZZ999999999999A

SEP 28 1996

8/22/96
10:59:20

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS

PAGE 1

NUMERIC ROLL
BY SPECIFIC NAME

PARCEL KEY	STATUS	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW
TYPE	OLD	NEW						YEAR

RP	15523E154800.A	TAYLOR, HEREFORDS	SM1/4 SEC 15 T 15 R 23	5	160.000	AC	5.120	1993
034-00	RP15523E154800A	P.O. BOX 144						

ALMO	ID 83312	Back Pasture			160.000	**	5.120	***
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COMMENTS: INSUR YR: 1993

RP	15523E219000.A	TAYLOR, HEREFORDS	SESE	5	40.000	AC	1.280	1993
034-00	RP15523E219000A	P.O. BOX 144	S. 21 T. 15 R. 23					

ALMO	ID 83312	CATTLE			40.000	**	1.280	***
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COMMENTS: NCS188 INSUR YR: 1993

RP	15523E226000.A	TAYLOR, HEREFORDS	SMSM	5	40.000	AC	1.280	1993
034-00	RP15523E226000A	P.O. BOX 144	S. 22 T. 15 R. 23					

ALMO	ID 83312	CATTLE			40.000	**	1.280	***
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COMMENTS: NCS188 INSUR YR: 1993

RP	15523E276600.A	TAYLOR, HEREFORDS	S1/2S1/2 LYING NORTH OF EMERY	5	45.000	AC	1.440	1993
034-00	RP15523E276600A	P.O. BOX 144	CANYON ROAD					

ALMO	ID 83312	S. 27 T. 15 R. 23			45.000	**	1.440	***
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COMMENTS: S490 INSUR YR: 1993

RP	15523E280000.A	TAYLOR, HEREFORDS	E1/2NE	5	80.000	AC	2.560	1993
034-00	RP15523E280000A	P.O. BOX 144	S. 28 T. 15 R. 23					

ALMO	ID 83312	CATTLE			80.000	**	2.560	***
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COMMENTS: NCS188 INSUR YR: 1993

NUMBER OF PARCELS	5	TOTAL QUANTITY	365.000	TOTAL MARKET **	11.680
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REQUESTED NAMES
TAYLOR, HEREFORDS*

876.

Beginning 2 rods East and 11 Rods South of the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 27, Township 15, Range 24, running thence South 9 rods, thence East 18 rods, thence South 9 rods, thence East 18 rods, thence North 18 rods, thence West 36 rods to point of beginning, containing 3 Acres more or less.

No. 18 27-15-24.

877.

Beginning 2 rods East and 11 Rods South of the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 27, Township 15, Range 24, running thence South 9 rods, thence East 18 rods, thence North 9 rods, thence West 18 rods, to point of beginning.

No. 1 27-15-24.

(1) NOTE. According to the descriptions contained in Deed on Record the property described under Tax No. 877 interlaps with the property described with Tax No. 876. Tax 876 was originally Deeded from William D. Oehoon to A. B. C. Jensen and later was Dedded by Oehoon to White and there is no Deed on Record conveying the property under Tax 877 from Jensen to White, therefor both Deed cover the same property.

MICROFILMED
APR 28 1969
27-15-24.

CORRECT
T 878
P 2617
9/184

Beginning at the East 1/4 corner of Section 27, Township 15 South, Range 24 East of the Boise Meridian; thence South 1320 feet; thence West 1320 feet; thence North 60 rods; thence East 20 rods; thence South 9 rods; thence East 18 rods; thence North 18 rods; thence West 36 rods, thence North 1 rod; thence East 16 rods; thence North 10 rods to the 1/4 section line; thence East 64 rods to the Point of Beginning.

No. 1 9-9-25.

880.

All of the Southeast Quarter of the Southeast Quarter of Section 9, Township 9, Range 25, E. B. M., except Tax No. 879. (38)

No. 2 9-9-25.

881.
CALCEL
05/28/92
Now PART OF
T 5776

Beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 17, Township 9, Range 25, running thence East 38 rods, 3 feet, thence South 80 rods, thence West 38 rods 3 feet, thence North to the point of beginning. (20)

No. 3 17-9-25.

CORRECT
T 882

Being the East 690 feet of the NW 1/4 of Section 17, Township 9 South, Range 25 East of the Boise Meridian.

No. 4 17-9-25.

9/184
P 2751
CALCEL 05/28/92. Now PART OF T 5768 AND T 5769.

Being all of the Southeast Quarter of the Southeast Quarter of Section 18, Township 9, Range 25, except one square acre out of the Southeast corner thereof for church purposes. (39)

No. 1 18-9-25.

FILED

CORRECT

T 870

P 2652

9/84

871.

Beginning at a point on the centerline of the County road, which is 1320 feet North and 1402.5 feet West of the Southeast corner of Section 22, Township 15 South, Range 24 East, Boise Meridian; thence West 150 feet; thence N 23° E 289 feet; thence S 70° E 193 feet to the centerline of the County road; thence S 25° W 229 feet to the Point of Beginning.

Land

Beginning at the Southwest corner of the Southeast Quarter of Section 22, Township 15, Range 24, running thence East 540 feet, thence North 32 rods, thence in a Northwesterly direction to the intersection of the half Section line of Section 22, thence South to the point of beginning.

No. 6 22-15-24.

1882

8/85

No. D 22-15-24.

872.

Beginning at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 27, Township 15, Range 24, running thence South 366 feet, thence West 200 feet, thence North 366 feet, thence East 200 feet to the point of beginning. (1.2)

No. 1 27-15-24.

Corrected Tax # 873

Beginning at the Northwest Corner of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 27, Township 15 S. Range 24 EBM; thence South 200 feet; thence East 100 feet; thence North 200 feet; thence West 113 feet to the Point of Beginning.

No. 3 27-15-24.

874.

Beginning at the Northeast corner of Section 27, Township 15, Range 24, running thence South 80 rods, thence West 40 rods, thence North 40 rods, thence West 470 feet, thence North 380 feet, thence West 30 feet, thence North 280 feet, thence East to the point of beginning. (28)

No. 5 27-15-24.

875.

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 27, Township 15, Range 24, running thence South 10 rods, thence East 16 rods, thence North 10 rods, thence West 16 rods to point of beginning. (1)

No. 6 27-15-

857.

Beginning at the Northeast corner of Section 15, Township 15, Range 24, running thence South 425 feet, thence East 410 feet to the place of beginning. (4)

858.

Being the Northeast Quarter of the Northeast Quarter of Section 15, Township 15, Range 24, minus T&E No. 857. (36)

859.

Beginning at the Northeast corner of the Southeast Quarter of Section 22, Township 15, Range 24, running thence South 210 feet, thence West 900 feet, thence Northeasterly to a point 800 feet West of said Northeast corner, thence East 800 feet to place of beginning. (4.15)

Beginning at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 22, Township 15, Range 24, running thence South 710 feet, thence Northeasterly to a point 20 feet South of the Northwest corner of said Southeast Quarter, thence North 20 feet, thence East 1520 feet to point of beginning. (12)

Tax 861A

Corrects
Tax 861.

Beginning 120 feet West of the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 22, Township 15, Range 24, running thence South 24 rods, thence West 40 rods, thence North 24 rods, thence East 40 rods to point of beginning.

EXCEPTING THEREFROM the following:

Commencing at a point 56 rods North and 86 rods West of the Southeast corner of Section 22 Township 15 South, Range 24 East, Boise Meridian to the True Point of Beginning.

- Thence North 208.5 feet;
- Thence West 208.5 feet;
- Thence South 208.5 feet;
- Thence East 208.5 feet to the True Point of Beginning.

Compiled for assessment purposes only. Reference Instrument Number 187439 and WD208938. tdm 12/21/94.

5.00 A

West quarter (NW1/4) of Section Twenty-three (23), Township Fifteen (15) South, Range Twenty-four (24) East, Boise Meridian.

MICROFILM
SEP 28 1993

TAX 5324

Beginning at the west quarter section corner of Section 25, Township 15 South, Range 24 East, Boise Meridian, said corner marked by a U.S. Government pipe with brass cap; Thence South $0^{\circ}01'00''$ East along section line for 511.70 feet to a $\frac{1}{2}$ " rebar which shall be the Point of Beginning; Thence North $89^{\circ}59'00''$ East for 417.42 feet to a $\frac{1}{2}$ " rebar; Thence South $0^{\circ}01'00''$ East for 417.42 feet to a $\frac{1}{2}$ " rebar; Thence South $89^{\circ}59'00''$ West for 417.42 feet to a $\frac{1}{2}$ " rebar on section line; Thence North $0^{\circ}01'00''$ West along section line for 417.42 feet to the Point of Beginning. Inst. #196321

4.00±

Tax 3110

Beginning at the Quarter corner between Sections 16 and 21, Township 15 South, Range 23 East of the Boise Meridian; Thence due South 1772 feet; Thence North $49^{\circ}49'30''$ West 1335 feet; Thence North $20^{\circ}59'$ East 1015 feet; Thence due East 665 feet to the Point of Beginning, containing approximately 24 acres.

24.0 A

RECORDED
28 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

03 December 1996

Mr. Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO. 80521

Dear Mr. Taylor:

Enclosed you will find information regarding protests
and the procedures for a hearing and/or conference.

Feel free to contact our office if you have any questions
or concerns. Also enclosed is our new office address as of
15 December 1996.

Cordially,

Georgia Satterlee
Water Resource Agent

MICROFILMED

SEP 28 1999

November 25, 1996

Georgia Satterlee
IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. E
Twin Falls, ID 83301

DEC 02 1996
Department of Water Resources
Southern Region

Dear Ms. Satterlee:

My Father (Wallace Taylor) and I have received a copy of the Protest of Transfer No. 4953 from Curtis L. Durfee and Mary Lou Durfee through their attorney, William A. Parsons.

We recommend you communicate with them, and based on the following points, request they withdraw their protest:

(1) Based on your communication with my father during his October 3, 1996 visit at your office, the 1992 well (Permit No. 43-07310) was eliminated from the application. Wallace initiated these changes.

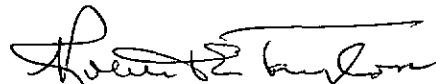
(2) The advertising of the transfer in the South Idaho Press (November 11 and November 18), however, is confusing and implies that 3 wells, not 2 wells are involved - "...will be diverted from three (3) existing, interconnected wells..."

(3) The two wells are located in Section 27, whereas the advertisement notes one well located in section 26 - this could be confused by Durfee/Parsons to be the use of Permit 43-07310 to which they are opposed.

(4) Because of the removal of permit No. 43-07310 from the application, then the statement in the application "43-07310 well will be pumped not to interfere with Durfee (A43-07109) well" should also be removed. This would eliminate another concern expressed in the Durfee/Parsons protest.

Hopefully their protest can be resolved through this recommended process.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

DEC 02 1996

Department of Water Resources
Southern Region

RET/ct

cc: Wallace Taylor

Ray Rigby (Enclosed is copy of advertisement of the transfer)

MICROFILMED

SEP 28 1999



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

December 2, 1996

WALLACE C TAYLOR &/OR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

RE: APPLICATION FOR TRANSFER NO. 4953 (43-04008, 43-07152)

Dear Applicant:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILMED

SEP 28 1999



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

December 2, 1996

ROBERT E TAYLOR
2714 WAKONDA DR
FORT COLLINS CO 80521

RE: APPLICATION FOR TRANSFER NO. 4953 (43-04008, 43-07152)

Dear Applicant:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILMED
SEP 28 1999



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

December 2, 1996

WILLIAM A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER LLP
PO BOX 910
BURLEY ID 83318

RE: APPLICATION FOR TRANSFER NO. 4953 (43-04008, 43-07152-Taylor)

Dear Mr. Parsons:

The protest against the approval of the above referenced application filed on behalf of Curtis &/or Mary Lou Durfee has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

cc: Curtis &/or Mary Lou Durfee, PO Box 185, Almo ID 83312

MICROFILMED

SEP 28 1999

1 year 1996 and in 1995, notwithstanding the letter from the
2 Department.

3 3. The Application in part seems to purport to use
4 three (3) wells and to the extent that the well located in the
5 Northeast Quarter Northwest Quarter Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$)
6 of Section 26, Township 15 South, Range 24 East, Boise Meridian
7 is to be utilized, it will and does adversely affect the Durfee
8 well and should not be allowed.

9 4. The amount of water claimed under 43-4008 and 43-
10 7152 are an attempted expansion of those rights and 43-4008 does
11 not pump 2.20 Cfs. 43-7152 is accurate at 1.50 Cfs. To allow
12 the permit would be to expand the water right because in order to
13 use all that water it is necessary to use out of the well that
14 was formerly under Permit 43-07310.

15 5. The Department should require the removal of a pump
16 and motor from the well under former Permit 43-07310.

17 6. The Protestants have no objection to the entry of
18 an Order whereby 43-4008 would be licensed for 1.00 Cfs and 43-
19 7152 would be licensed for 1.50 to be used on whatever lands the
20 Applicants desire but with the limitations of quantity of water.

21 7. The application states in part: "43-07310 Well
22 will be pumped not to interfere with Durfee (A45-07109) well."
23 This is impossible to enforce because every time it pumps it
24 interferes with Durfee, and Durfee has no plain speedy adequate
25 remedy to cause the pumping to stop and that is particularly
26 evident by the fact that in 1995 and in 1996 contrary to

departmental letter the well was pumped.

8. The proposed transfer is an expansion of water rights to the detriment of other water right holders contrary to law.

WHEREFORE, Protestants pray that the Application be denied and that the Protestants have such other relief as is deemed appropriate.

DATED this 14 day of November, 1996.

PARSONS, SMITH, STONE & FLETCHER, LLP



William A. Parsons
Attorneys for Protestants
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

CERTIFICATE OF MAILING

I hereby certify that on the 14 day of November, 1996 I served a copy of the foregoing Protest of Curtis Durfee and Mary Lou Durfee upon the following:

Wallace C. Taylor
Robert E. Taylor
Box 144
Almo, Idaho 83312

Wallace C. Taylor
Robert E. Taylor
2714 Wakonda Drive
Fort Collins, Colorado 80521

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

RECORDED

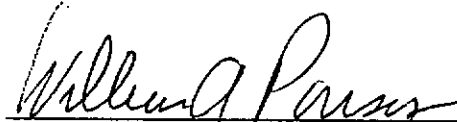
SEP 28 1996

1 Department of Water Resources
2 1301 North Orchard
3 Statehouse Mail
4 Boise, Idaho 83720-9000

5 Ray W. Rigby
6 Rigby, Thatcher, Andrus, Rigby,
7 Kam and Moeller
8 Box 250
9 Rexburg, Idaho 83440

10 by depositing a copy thereof in the United States mail, postage
11 prepaid, in an envelope addressed to the above named persons at
12 the above addresses, their last known address.

13 PARSONS, SMITH, STONE & FLETCHER, LLP

14 

15 William A. Parsons
16 Attorneys for Protestants
17 137 West 13th Street
18 P. O. Box 910
19 Burley, Idaho 83318

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

November 14, 1996

RECEIVED

NOV 18 1996

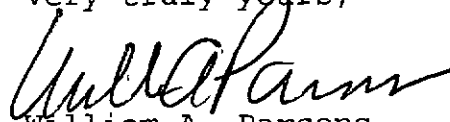
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources

Gentlemen:

Enclosed please find a protest of 4953 together with the
check for \$25.00.

Very truly yours,


William A. Parsons

WAP:rt
Enc.

RECEIVED

NOV 20 1996

Department of Water Resources
Southern Region

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SEP 28 1999

RECEIVED

NOV 18 1996

Department of Water Resources

RECEIVED

NOV 20 1996

Department of Water Resources
Southern Region

PARSONS, SMITH, STONE & FLETCHER, LLP
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318
Telephone: (208) 678-8382
Fax: (208) 678-0146
Attorneys for Protestant

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WALLACE and/or ROBERT TAYLOR,	)	Transfer No. 4953
	)	<u>PROTEST OF CURTIS</u>
Applicants.	)	<u>L. DURFEE AND MARY</u>
	)	<u>LOU DURFEE.</u>

COME NOW, Curtis L. Durfee and Mary Lou Durfee and protest the Application for Transfer No. 4953 and allege:

1. They have a water right identified as A43-07109 in Cassia County, Idaho, with a Point of Diversion in Section 22, Township 15 South, Range 24 East, Boise Meridian.

2. The Applicants had a Permit No. 43-07310 which impacts the Durfee water and the Applicants were requested to cease using the water under that Permit by the Department on May 12, 1995. The Applicants continued to pump that permit in the

SEP 28 1999

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 year 1996 and in 1995, notwithstanding the letter from the
2 Department.

3 3. The Application in part seems to purport to use
4 three (3) wells and to the extent that the well located in the
5 Northeast Quarter Northwest Quarter Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$)
6 of Section 26, Township 15 South, Range 24 East, Boise Meridian
7 is to be utilized, it will and does adversely affect the Durfee
8 well and should not be allowed.

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10 7152 are an attempted expansion of those rights and 43-4008 does
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25 remedy to cause the pumping to stop and that is particularly
26 evident by the fact that in 1995 and in 1996 contrary to

SEP 28 1999

departmental letter the well was pumped.

8. The proposed transfer is an expansion of water rights to the detriment of other water right holders contrary to law.

WHEREFORE, Protestants pray that the Application be denied and that the Protestants have such other relief as is deemed appropriate.

DATED this 14 day of November, 1996.

PARSONS, SMITH, STONE & FLETCHER, LLP



William A. Parsons
Attorneys for Protestants
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

CERTIFICATE OF MAILING

I hereby certify that on the 14 day of November, 1996 I served a copy of the foregoing Protest of Curtis Durfee and Mary Lou Durfee upon the following:

Wallace C. Taylor
Robert E. Taylor
Box 144
Almo, Idaho 83312

Wallace C. Taylor
Robert E. Taylor
2714 Wakonda Drive
Fort Collins, Colorado 80521

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

MICROFILM

SEP 28 1999

1 Department of Water Resources
2 1301 North Orchard
3 Statehouse Mail
4 Boise, Idaho 83720-9000

5 Ray W. Rigby
6 Rigby, Thatcher, Andrus, Rigby,
7 Kam and Moeller
8 Box 250
9 Rexburg, Idaho 83440

10 by depositing a copy thereof in the United States mail, postage
11 prepaid, in an envelope addressed to the above named persons at
12 the above addresses, their last known address.

13 PARSONS, SMITH, STONE & FLETCHER, LLP

14 

15 William A. Parsons
16 Attorneys for Protestants
17 137 West 13th Street
18 P. O. Box 910
19 Burley, Idaho 83318

20
21
22
23
24
25
26
MICROFILMED

FILE PROGRESS SUMMARY

43-04008

43-07152

43-07310

APPLICANT: Taylor

WATER RIGHT NO.

INIT.	DATE	COMMENT
ack	8/19/96	Stopped to Satterlee
	17 Sept 96	Research confer w/ ADM because of its ^{thick} history
	18 Sept 96	" " , compose letters, turn package to Mary
	03 Dec 96	See memo
MB	"/4/96	Adv. Sch; So. ID. Press - "11 & "18; "29/96
CS	"/7/96	William Parsons called, representing Curtis Durfee, and requested a copy of transfer application #4953. I sent Mr. Parsons a copy of the application he requested. (copy of 11/7/96 cover letter enclosed in file).
MB	"/5/96	Adv. Scheduled: So. ID. Press - "11 & "18; "29/96
GS	03 Dec 96	Sent info to Robt. Taylor RE: Protests
"	09 Dec 96	Rcvd. PROPERTY OWNERSHIP from Taylors
"	11 Dec 96	Rcvd. from Robt. Taylor RE: Protests
"	02 Jan 97	Sent letter to " " " " " "
	14 "	Correspondence
	27 "	Memo
	27 "	Sent Amended Transfer to Taylor, Robt Wallace
	20 Feb	" Copy " " " " to Parsons
	±	Rcvd. Amended Transfer signed by
	"	Re-advertise; Give to Mary. per

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SEP 22 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

EXAM TO SO
7/95

43-07310

STILL PERMIT
INITIAL REVIEW BY:

SATTERLEE

18 SEPT 96

43-04008

43-07152

Applicant

TAYLOR WALLACE

f/or ROBT.

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☒ Other CONSOLIDATE ALL CLAIMS UNDER
ONE PERIOD OF USE

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

* THIS TRANSFER IS PROPOSING THE SAME REASON
AS #3877 WHICH WAS WITHDRAWN

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments

AFFIDAVIT SUBMITTED:
03 OCTOBER 1996
PROOF OF OWNERSHIP
REQUEST IN LETTER
18 SEPT 96

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

ALMO WATER CO. SHARES

Right number(s)

j. ☐ Is use within a Watermaster District? ☐ Yes ☐ No

If yes, what district?

N/A Groundwater

FINAL PROCESSING REVIEW BY:

1. Watermaster recommendation requested on Received on

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions*

DENIED BY ORDER DATED 08-12-99

4. By Date

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

NOV 27 1996

County of Cassia)
) ss
STATE OF IDAHO)

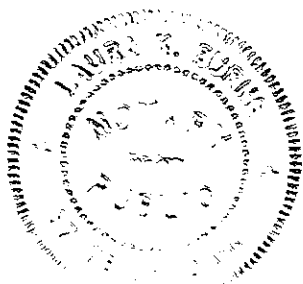
Department of Water Resources
Southern Region

Amy Cantrell, being first duly sworn, deposes and says that she is the Legals clerk at the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated November 11 1996 and ending with the issue dated November 18 1996

Amy Cantrell

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 21st day of November in the year of 1996 before me, a Notary Public, personally appeared Amy Cantrell, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Lamar Bunn
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 38.88
Notary Fee 50
Total Cost 39.38

OK
MB
11/27/96

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SEP 28 1999

96-545

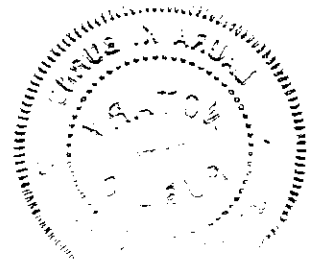
**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that WALLACE C. TAYLOR &/OR ROBERT E. TAYLOR, PO BOX 144; ALMO ID 83312 have filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4953 is to change place of use and standardize irrigation season for two water rights. Water Right No. 43-04008 (2.2 cfs) with a priority date of 4/1/1955 and Water Right No. 43-07152 (1.50 cfs) with a priority date of 5/13/1980 will be diverted from three (3) existing, inter-connected wells within SW1/4, S26, T15S, R24E and SE1/4, S27, T15S, R24E; for irrigation from 3/15 to 11/15 of 233 acres within parts of Sections 25, 26 and 27, T15S, R24E; Cassia County. A total of 3.7 cfs of water is being transferred. Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region. 222

Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before November 29, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on November 11 and 18, 1996.



November 2, 1996

REGRETT

NOV 08 1996

Department of Water Resources
Southern Division

Georgia Satterlee
Department Of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

Dear Ms Satterlee:

I have received a copy of your September 18, 1996 letter to my father (Wallace Taylor). Shortly after receiving this letter he and Robert Briggs visited with you and Allen Merritt to fulfill the request in your letter.

My understanding is that our Application for Transfer of Water Right, received in your office August 19, 1996 was amended by dropping well 43-07310 because it is still a permit and yet needs to have Proof of Beneficial Use. Also Robert Briggs signed an affidavit validating the land was irrigated between 1991-1996.

I'm assuming the actions noted in this letter satisfy the requests in your letter of September 18, 1996, so the Application for Transfer of Water Right can proceed through the approved process. Please notify myself and my father if this assumption is correct or if there are other things to be done.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

RET/ct
cc: Wallace Taylor

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SEP 28 1999



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

ILLI E BALL
GOVERNOR

KARL J DREHER
DIRECTOR

November 7, 1996

William Parsons
Box 910
Burley, ID 83318

Dear Mr. Parsons:

Pursuant to your request, I have enclosed a copy of transfer application #4953, recently filed by Wallace C. Taylor &/or Robert E. Taylor. If you have any questions, feel free to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Corey Skinner'.

Corey Skinner, EIT
Dam Safety Section

Enclosures

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SEP 28 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

November 5, 1996

Mr. Curtis Durfee
PO Box 185
Almo, ID. 83312

RE: Transfer #4953

Dear Mr. Durfee:

Enclosed is the advertisement which will be published soon regarding the transfer by Mr. Wallace and Mr. Robert Taylor. Because of your attention in the past proposals, Allen Merritt thought you would be interested in the recent proposed transfer.

If we can be of any more assistance, feel free to call our office.

Cordially,

A handwritten signature in cursive script that reads 'Georgia Satterlee'.

Georgia Satterlee
Water Resource Agent

MICROFILMED
SEP 28 1999

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the South Idaho Press on
11/11 & 11/18/96.

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SEP 28 1999



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 S. SHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 5, 1996

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

SEP 28 1999

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that WALLACE C. TAYLOR &/OR ROBERT E. TAYLOR, PO BOX 144; ALMO ID 83312 have filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4953 is to change place of use and standardize irrigation season for two water rights.

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Karl J. Dreher, Director

Published in the South Idaho Press on 11/11 & 11/18/96.

MICROFILMED

SEP 28 1999

OK
AD



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 4, 1996

WALLACE C TAYLOR
PO BOX 144
ALMO ID 83312

ROBERT E TAYLOR
2714 WAKONDA DRIVE
FORT COLLINS CO 80521

Re: Application for Transfer No. 4953 (43-04008, 43-07152)

Gentlemen:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 11/11 and 11/18/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and a notarized statement from any lien holder on the property agreeing to the proposed change.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb

MICROFILMED

SEP 28 1999

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

October 4, 1996 11:13am

CUSTOMER

Taylor, Wallace

SUBJECT: Transfer 47-04008, 43-07152, P43-07310
phone call (.) walk-in (.)

MARY

Once advertisement is prepared, can I have a copy to send to Mr. Durfee?

Thank You

MICROFILMED

SEP 28 1999

T #4953

IN THE MATTER OF:
TRANSFER
WALLACE &/OR ROBT. TAYLOR

AFFIDAVIT

State of Idaho

County of _____

Robert V. Bruggers

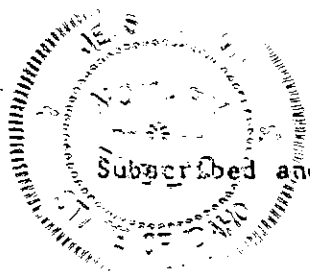
being first duly sworn,

deposes and says:

NW 1/4, SE 1/4 Sec 27 T15S R24E

~~Father~~ I've worked for Wallace & Robert Taylor since Oct. of 84 and have been asked to state the use of water on the above stated piece of ground. Because of the drought the water has not been used on a year to year basis, but there was water put on the ground in the fall or late summer of 94 for the growth of pasture it was also used in the late ~~late~~ 80s for the same purpose. I can't say for sure what year.

Robert V. Bruggers
(signature)



Subscribed and sworn to before me this 3rd day of October 19 96.

RECORDED

OCT 26 1996

J. F. Shurtan
(notary public)

Residing at

Twin Falls, ID

My commission expires

10-25-2000

T#495

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

October 3, 1996 1430 hrs

CUSTOMER

Taylor, Wallace

SUBJECT: Transfer per 43-04008, 43-07152, P43-07310
phone call (.) walk-in (x)

Mr. Wallace Taylor and Robert Briggs (hired hand) came in to get clarity on the letter I sent 18 September 1996. Mr. Wallace Taylor is the father and Robert E. Taylor is the son (who lives in Colorado and has done some aspects of the correspondence). Robert Taylor had submitted the recent transfer per 43-04008 and 43-07152, however, Wallace thought this transfer was already accomplished. ADM went over the history of events with Wallace Taylor and Robert Briggs (see memos dated 08, 11, 12, & 23 all in May 1995). The Taylor History lesson was beneficial for all in attendance.

The status of 43-07310: 4/95 Exam Completed 7/95 Preliminary Order to Void Permit, 8/95 Petition for Reconsideration 9/95 Extension Granted to Proof Beneficial Use by 12/01/97. Because of the above, 43-07310 was deleted from the proposed transfer. Mr. Taylor initialed these changes on the application for transfer.

Mr. Wallace Taylor will come back (15 Oct) with his son to go over basically the same thing that went on today.

The transfer will be advertised (affidavit signed by Robert Briggs Jr. regarding the acres to be transferred from Section 27 to Section 25).

When advertisement is prepared, I will send a copy of it to Mr. Durfee (per ADM), with a letter stating the obvious.

MICROFILMED

SEP 28 1999

T# 4953

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

September 18, 1996 11:51am

CUSTOMER

Taylor, Wallace

SUBJECT: Transfer 43-04008, 43-07152, 43-7310 (still permit)
phone call (.) walk-in (.) other (X)

MARY - Per ADM, when the advertisement for this transfer is ready I will notify Durfee with a seperate letter. Could you let me know prior to advertisement so I can send Durfee a letter?
Thank You.

MICROFILM

SEP 28 1999

T # 4953



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 18, 1996

Wallace C. Taylor
PO Box 144
Almo, ID. 83312

RE: Proposed Transfer 43-04008, 43-07152, 43-07310 (still a permit)

Dear Mr. Taylor:

I am reviewing your application for transfer which proposes to move 36 acres from NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T15S, R24E to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 25, T15S, R24E.

In order to continue processing the proposed transfer, it is required that the applicant provide proof, from the last five years, of beneficial use related to the place of use, i.e. the 36 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T15S, R24E.

Proof can be accomplished a number of ways. One option is by obtaining maps from the ASCS office showing irrigation of the crop during the seasons from 1991 to 1996. A second way could be a record of what was grown. Thirdly, an affidavit from neighbor(s) validating the land was irrigated between 1991-1996.

In addition to proving beneficial use, proof of ownership is also necessary. Recent tax records for the parcel can be submitted.

Please submit the above requests to our department within the next two weeks. Your cooperation is appreciated.

Cordially,

Georgia Satterlee

RECORDED

SEP 28 1996

RECEIVED

AUG 19 1996

Department of Water Resources
Southern Region

August 10, 1996

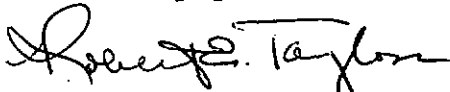
Allen Merritt
DEPARTMENT OF WATER RESOURCES
222 Shoshone Street East
Twin Falls, ID 83301

Dear Allen,

Enclosed in an Application for Transfer of Water Right and the \$100 application fee. Our intent is to co-mingle the water from all three wells (43-4008, 43-7152, and 43-07310) so this co-mingled water can be used to irrigate land allocated to any one or all three wells.

Please let me know if the application is not filled out correctly to meet the above intent. We have appreciated your advice as to how we can most effectively utilize the three wells.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
970/484-3626

cc: Wallace Taylor
Ray Rigby

MICROFILMED

SEP 28 1999

T#4953

TO: Allen Merritt

DATE: April 18, 1995

FROM: Jim Stanton

SUBJECT: Wallace Taylor Property, Almo

Per your request, I visited this property yesterday accompanied by Mr. Taylor. We visited the 3 wells, and I observed the irrigation system. The wells are located in the NW/NE/SE Sec. 27, (the 1980 well), the NE/NE/SE Sec. 27 (the 1955 well), and the NE/NW/SW Sec. 26 (the 1992 well). The 1980 well was off, the 1955 well was out of service for repair, and the 1992 well was pumping open discharge into a concrete ditch. According to Mr. Taylor, all 3 wells are connected via buried mainline to a primary mainline running east and west thru the center of the property. I observed that the mainline runs all the way to the east side of the property. The 1980 and 1992 wells can also open discharge into ditches for gravity irrigation in conjunction with water from Almo Creek. With the 1955 motor and pump pulled for repair, its discharge mechanism could not be seen, but I assume it operates in the same manner. The surface water can be run into a pond and then pumped into the mainline, although this has not been done for 8 or 9 years due to a shortage of surface water according to Mr. Taylor.

Of the 240 acres owned by Mr. Taylor in Sec. 26 & 27, the present sprinkler system can irrigate 171 acres. Mr. Taylor said that the mainline was installed the full length of the farm in 1956, and was just replaced with a plastic line after the original steel line rusted out. I did observe several small ditches running thru the fields near the wells, and there is an earth/concrete ditch running for some distance along the north side of the property. Since my visit was concerned with groundwater, I did not try to determine exactly what ground could be covered by gravity irrigation. The land is fairly flat, although the general slope falls from west to east. The NE corner of the place is a low spot; while this area appears to be rough ground on the aerial photo, it appears to be irrigated with sprinklers now. This corner was probably a bit swampy under gravity irrigation, or was too far east to properly irrigate with the chronically-low surface supplies in this drainage. Mr. Taylor filled in some of this low ground in the past, and extended the concrete ditch about 300' east of the 1992 well.

The NW/SE Sec. 27, which is licensed under 43-07152 and claimed under A43-04008, is no longer irrigated according to Mr. Taylor. While the mainline still goes under the highway to reach this ground, the land is too rocky to be worth irrigating. The licensing exam was done in 1982, but the owner said that the 40 has not been irrigated in a long time.

No new land was developed under Permit 43-07310, although the 1992 well was drilled under this permit. So a maximum of 171 acres are irrigated on Mr. Taylor's land in Sec. 25, 26, and 27.

In order to resolve the problem of well interference between the Taylor wells and the Durfee well to the south, Dr. Charles Brockway measured all these wells about 3 weeks ago. Mr. Taylor just received Dr. Brockway's report, and I asked Chuck to send me a copy also. I will hold onto the licensing exam for 7310 until the problem is settled between Taylor and Durfee. Although no additional land was developed under the permit, additional water may have been developed; I will know more when I get Chuck's report. I did not talk to Mr. Durfee during my visit, since I was not asked to.

~~5886 on meter box~~

~~IRCO~~

~~0695450~~

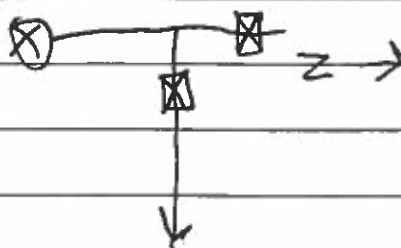
~~76-640-367~~

~~meter installed May 1986~~

1980 well along hwy.

GE 100 hp #DTJ408369

Layne & Bowler pump T80357



1950 well 1/4 mile in

US Motors 60 hp 4056113

Layne & Bowler pump D16806

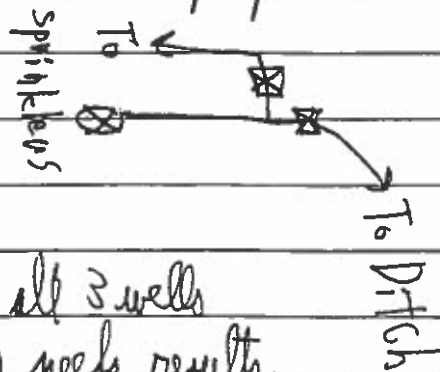
pump & casing pulled for repair

1990 well 1/2 mile in

US Motors 100 hp R-9985-00-800

R2096854

Layne & Bowler pump 38172320



Chuck Brockway measured all 3 wells

3 weeks ago - Taylor needs results,

as do I



27 29

27 26

66
TIFI
NW

57
TIFI
NWEL/W

122

NHEL/W

249

27 26

24 3

43-4008

22 23
27 26

12.2 NHCL/W

24.8

27 26

34 35

43-4008



Taylor 1980 Well



Taylor 1950 Well

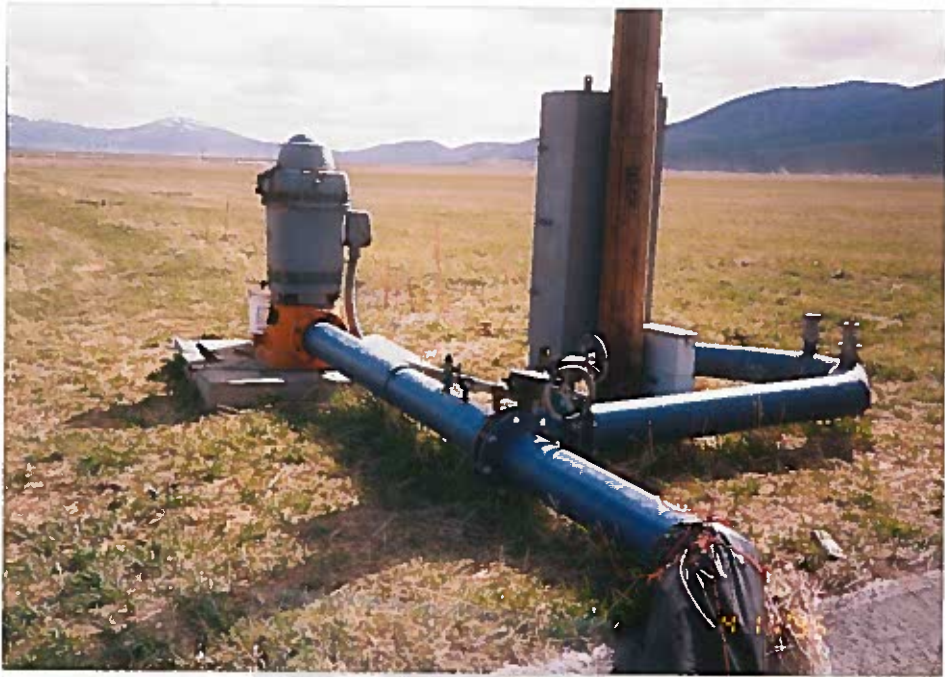
Looking
ENE



43-4008

Taylor
1990 Well





43-4008



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

November 3, 1994

Robert E. & Wallace C. Taylor
2714 Wakonda Dr.
Fort Collins, CO 80521

RE: Application for Transfer No. 3877
On Water Right Nos. 43-04008 & 43-07152

Dear Water Right Holder:

The Department acknowledges the withdrawal of the above referenced Transfer.

If you have any questions regarding this matter, please contact me directly at 327-7943.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

RECEIVED

DEC 19 1994

MTL 11-1-94.

October 25, 1994

Mel Schulte
Dept. of Water Resources
222 Shoshone St. EAST
Twin Falls, ID 83301

LEGELV

OCT 31 1994

Department of Water Resources
Southern Region Office

Dear Mr. Schulte:

Enclosed is The signed and notarized form that
withdraws the Transfer of Water Right No. 43-04008
and 43-07152 (Transfer # 3877).

Sincerely yours,
Robert E. Keffer

RECEIVED
DEC 19 1994

TO: IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. E.
Twin Falls, ID 83301

LEGISLATIVE

OCT 31 1994

Department of Water Resources
Southern Region Office

Gentlemen:

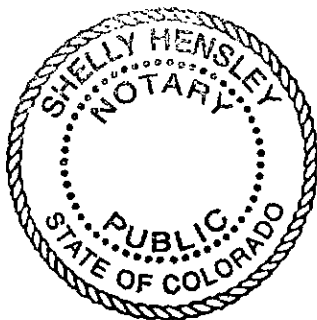
I/we wish to withdraw Application for Transfer of Water Right
No. 43-04008 & 43-07152 filed in the name of Wallace C. & or Robert E. Taylor
Transfer #3877.

Dated this 21 day of October, 1994.

Robert E. Taylor
(Name)
Applicant
(Title)

Subscribed and sworn (or affirmed) before me this 21 day of
October 19 94

SEAL



Notary Public

Shelly Hensley

Residing at

2000 S. College

My Commission Expires

6-1-98

My Commission Expires
6-1-98
2000 S. College Ave.
Fort Collins, CO 80525

1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

TRANSFER #3877

INITIAL REVIEW BY: J. P. Stanton Date 11-11-94

1. Right number 43-4008
43-7152 Applicant Taylor, Wallace C/or Robert E.
2. Type of right: ☐ Decree ☒ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments no expansion - small acreage reduction
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 43-2563 (licensed but not claimed in SRBA)
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No not for groundwater
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

RECEIVED

NOV 12 1994

Department of Water Resources

* All uses within Watermaster Districts require special conditions.

Database Updated 11-03-94 Q8

PART 1

6. General Information:

a. Description of diversion system

3 pumps
2 wells (125 hp & 600 hp) linked into
common main line, handlines

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

c. Describe the affect on the ' and now irrigated if the place of use is changed pursuant to this transfer:

land will be spring pasture only. Fewer
acres irrigated

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

NOTED

Witness my hand this _____ day of _____ 19____

DEC 19 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. 43-4008 on file with the Idaho Department of Water Resources.

d. Transfer No. 2358 which produced this right

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

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/1/1955

5. Water is used for the following purpose:

amount 2.20 for Irrigation purposes from 3/1 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: 2 wells (Second well was drilled in Sec. 27 instead of Sec. 26 per T. 2958)

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	27	15S	24E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15S	24E	26									X	X			X	X			160
		27													X	X			28

Total acres 238

9. Describe any other water rights used for the same purpose as described above 43-7152, Almo

Co rights

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

It yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

- | | | | | |
|----|-------------|-----|---------------|----|
| 1. | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

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

- | 1. | amount | for | purposes from | to |
|----|--------|-----|---------------|----|
| | amount | for | purposes from | to |
| | amount | for | purposes from | to |
| | amount | for | purposes from | to |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-7152 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5/13/1980

5. Water is used for the following purpose:

amount 1.50 for IRR purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.50 cubic feet per second and/or 262.5 acre-feet per annum.

7. Point(s) of Diversion: 2 wells

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>NE</u>	<u>SE</u>	<u>27</u>	<u>15S</u>	<u>24E</u>	<u>Cassia</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>15S</u>	<u>24E</u>	<u>27</u>													<u>38</u>	<u>37</u>			<u>75</u>

Total acres 75

9. Describe any other water rights used for the same purpose as described above 43-4008, Almo Cr

rights

It yes, describe

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

2. Point(s) of Diversion:

3. Lands irrigated or place of use:

Total acres

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

2. Point(s) of Diversion:

3. Lands irrigated or place of use:

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-04008 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/1/1955

5. Water is used for the following purpose:

amount 2.20 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	15S	24E	Cassia	
	NW	NE	SE	27	15S	24E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	26									40	40			40	40			160
		27													38	37			75

Total acres 235

9. Describe any other water rights used for the same purpose as described above A43-752, Almo

Water Co. shares

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. A43-7152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5/13/1980

5. Water is used for the following purpose:

amount 1.50 for Imm. purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.50 cubic feet per second and/or 262.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	153	24E	Cassia	
	NW	NE	SE	27	153	24E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
153	24E	27													38	37			75

Total acres 25

9. Describe any other water rights used for the same purpose as described above A43-4008 4

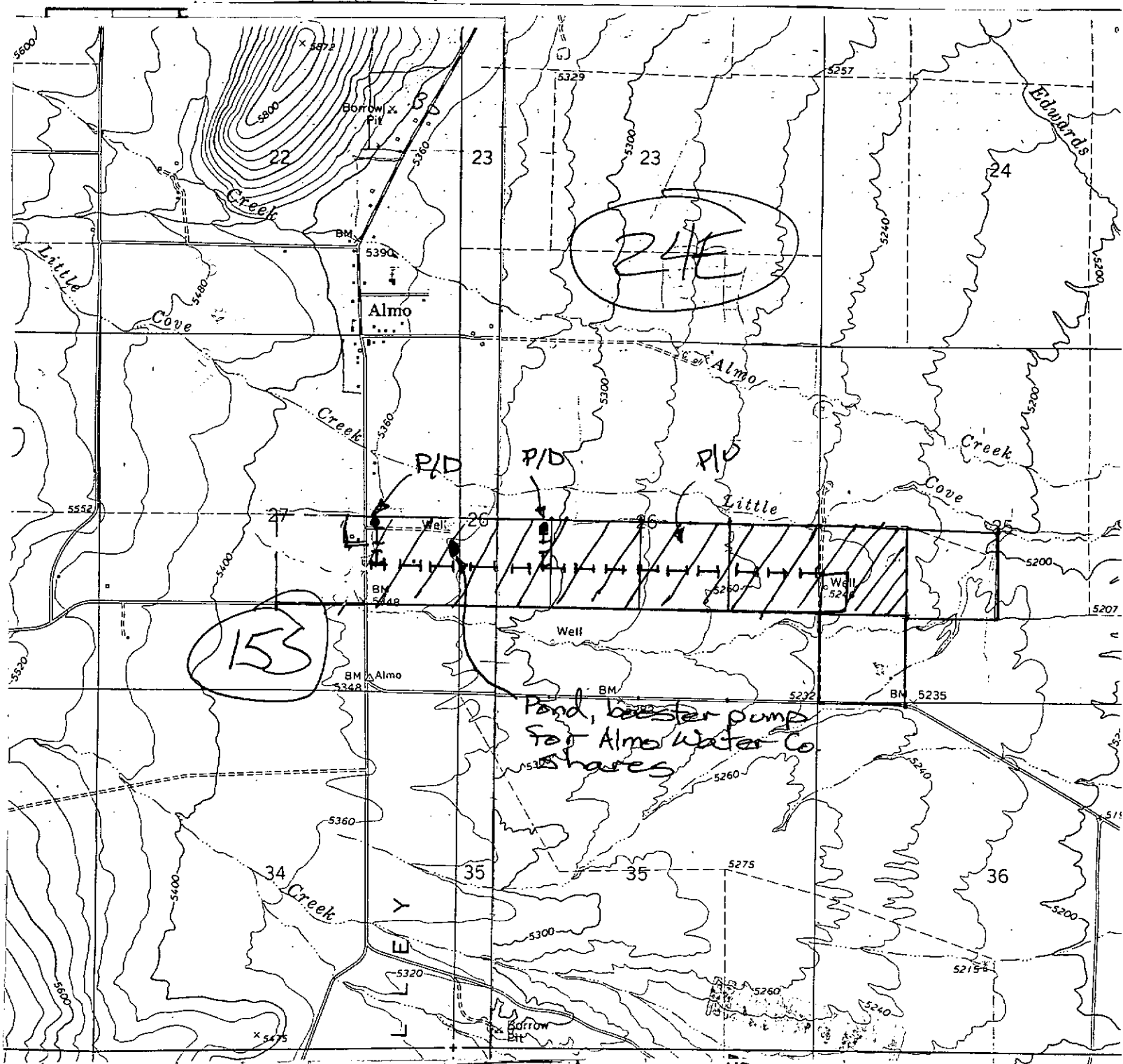
Shares in Almo Water Co.

NAPP 373-32
DD79 NE
7/14/87

43-4008 7/52
T# 3877

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



DEC 19 1994

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

B. CHANGES IN NATURE OF USE

PART 3

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

				to
				to

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

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

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

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

Subscribed and sworn to before me this 28th day of May 1991

(Signature of Applicant)

(Notary Public)

My commission expires June 7, 1994

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 1 attachment

Received by Date 5/28/91 Fee \$50.50 5013382

Prelim. check by Date 5/28/91

Received by Date 5/28/91

Published in 5.00 Price 6/20/94 5017023

Pub. dates 12/13 + 12/20/91; 8/22 + 9/19/94

Watermaster recommendation requested on 12/14

Recommended for ☐ approval ☐ denial

Hearing held by Date

Copies of protest forwarded by

Copy of transfer sent to lien holder

amendment for 20, 6-20-94 5017023

DEC 19 1994

* T A X R E M I N D E R *

CASSIA COUNTY TAX COLLECTOR
GAYLE EREKSON
BURLEY, ID 83318

PARCEL NO: RP 15S24E264800 A

TAX YEAR BILL NO TAX PENALTY INTEREST

90 2ND 11918 372.10

TOTAL CODE AREA: 70-00
DATE: 5/14/91
AMOUNT VALID THROUGH 6/20/91

TOTAL DUE:

372.10

N1/2SW N1/2SE
S 26 T 15 R 24

TAYLOR, WALLACE
P O BOX 144
ALMO, ID 83312

PLEASE ENCLOSE NOTICE WITH PAYMENT.

* T A X R E M I N D E R *

CASSIA COUNTY TAX COLLECTOR
GAYLE EREKSON
BURLEY, ID 83318

PARCEL NO: RP 15S24E277800 A

TAX YEAR BILL NO TAX PENALTY INTEREST

90 2ND 11934 57.95

TOTAL CODE AREA: 70-00
DATE: 5/14/91
AMOUNT VALID THROUGH 6/20/91

TOTAL DUE:

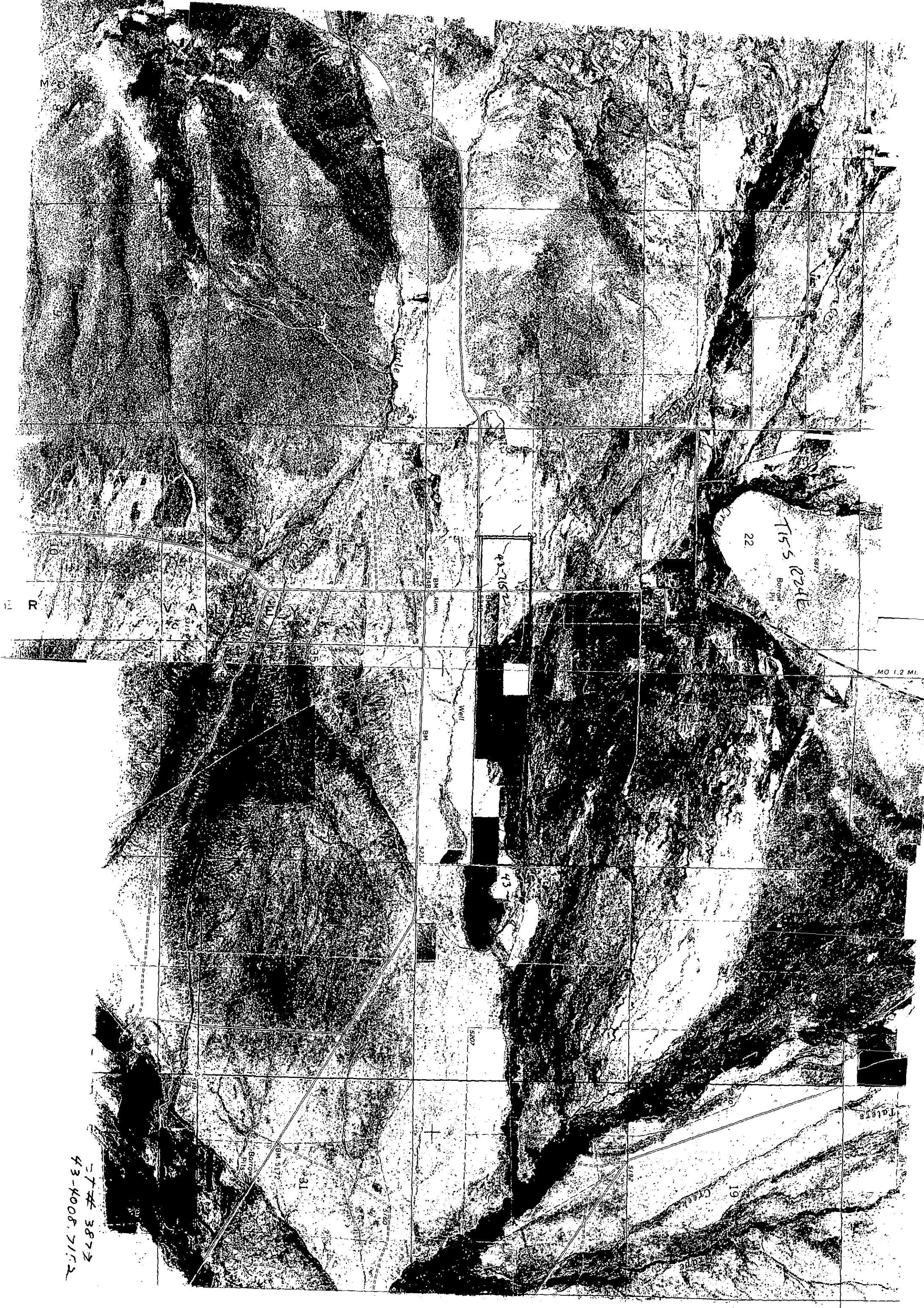
57.95

T 875, T 877, T 879, NWSE
S 27 T 15 R 24

TAYLOR, WALLACE
P O BOX 144
ALMO, ID 83312

PLEASE ENCLOSE NOTICE WITH PAYMENT.

DEC 19 1994



T# 3872
43-4008.7152



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 17, 1994

Mr. Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521

Dear Mr. Taylor:

In your letter dated October 11, 1994 you indicated your desire to cancel your pending Transfer Application. Enclosed for your signature is a form that will officially withdraw your application. Please note that the form requires affirmation of your signature by a Notary Public. Please return the form to my attention.

Your Application for Drilling Permit submitted with your October 11 letter will be processed by our well specialist, Gary Funderburg. You should receive the approved permit or communication from Mr. Funderburg in the near future.

Call me at 208-736-3033 if you have questions.

Cordially,

A handwritten signature in cursive script that reads 'Mel Schulte'.

Mel Schulte
Sr. Water Rights Agent

RECEIVED
DEC 19 1994

DEC 19 1994

October 11, 1994

1 5 15 11 1

OCT 17 1994

Department of Water Resources
Southern Region Office

Mr. Mel Schulte
DEPARTMENT OF WATER RESOURCES
222 Shoshone Street, East
Twin Falls, ID 83301

Dear Mr. Schulte:

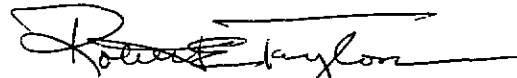
Thank you for your letter of September 29, containing the instructions for completing a drilling permit application.

Enclosed is the Application for Drilling Permit to replace an irrigation well (Water Right No. 43-04008; priority date April 1, 1955). The \$200 drilling permit fee is also enclosed.

My father, Wallace C. Taylor, and I request that the Pending Transfer Application you mentioned in your letter be cancelled.

If there are questions, please call me at (303)484-3626, or my father at (208)824-5572.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521

RET/ct
Enc. Check #2730 for \$200
Application for Drilling Permit

cc: Wallace C. Taylor

RECEIVED
DEC 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 29, 1994

Mr. Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521

Dear Mr. Taylor:

As you requested in your letter dated September 20, 1994, enclosed is an Application for Drilling Permit.

After reading your letter and reviewing the past sequence of events, your intentions are not clear. Your transfer application proposing to add another well to your system is still pending final approval. At the request of your father on 8-15-94 public advertisement was cancelled for 90 days. If it is your intention to add another well we cannot approve a drilling application until the transfer application has cleared advertising and been approved.

If it is your intention to replace one of the existing wells, we can approve a drilling application on the condition that the replacement well be located within the same legally described 40 acre parcel as the old well. Also, the old well must be abandoned under State approved procedures. The priority of the replacement well would be the same as the old well.

You indicate in your letter the well of concern was deepened and a liner installed several years ago. Our well drilling records indicate a domestic well was deepened in 1993 but I find nothing to show that a drilling permit was obtained to deepen an irrigation well. A drilling permit is required to deepen any type of well.

If you have any questions or discussion concerning this matter please call me at 208-736-3033. Please return the drilling permit application and fee to my attention for processing.

Cordially,

Mel Schulte
Sr. Water Rights Agent

DEC 19 1994

7/90

Drilling Permit No. 3-91-5-007Water Right Permit No. 43-4008

Injection Permit No. _____

RECEIVED

State of Idaho
Department of Water Resources

NOV 27 1991

APPLICATION FOR DRILLING PERMIT

Department of Water Resources
Southern Region Office

1. Applicant (please print) Wallace Taylor & Robert E Taylor
 2. Mailing Address Box 144 Almo-Id. 83312
 Telephone 824-5572

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location NW 1/4 SW 1/4, or Gov't Lot No. _____

Sec. 26, Twp. 15S, Rge. 24E, County CASSIA

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

- () Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____

5. Well construction information:

A. () New well () Deepen ☒ Replace - See Condition 9

B. Proposed Surface Diameter 18" Proposed Maximum Depth 550'

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212° or more (Geothermal well)

6. Construction Start Date December 10, 1991

7. Anticipated Well Driller Lloyd Drilling

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Wallace Taylor Date 11/26/91

Title Owner (Owner, Firm Representative, Other)

DEC 19 1991

4341-5-007

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 11/27/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, Injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry S. Halpern
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5013951 Received by jd Fee \$200. Date 11-27-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date DEC 19 1991

This extension is good for 60 days beyond the above extension approval date.

SD-0641-2 Last Name: TAYLOR

S Basin Number: 43 Year: 91

E Name Permit 1 1 1 W S O Approval
L Last, First Number Twp Rng Sc /4 /4 /4 Lt U T G Date

TAYLOR
WALLACE 43-91-S-0007-000 15S 24E 26 NW SW I P L 08/18/1992

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

DEC 19 1994

September 20, 1994

RECEIVED

SEP 26 1994

Department of Water Resources
Southern Region Office

Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

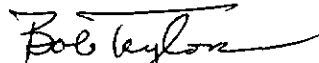
Attention: Loren Holmes

My father (Wallace Taylor, Almo, Idaho) and I request an application for a drilling permit to change the point of diversion on one of our wells. This well has the water right number of 43-04008 with a priority date of April 1, 1955 and a total diversion of 2.20 cfs. The intent is to drill this near the old well because the current well (43-04008) has a reduced water output compared to it's earlier test and output. The reduced flow is due primarily to the presence of a 6 inch liner which was added when the well was deepened several years ago, drought and no doubt blockage of the perforations that occur with time. Also the other wells (43-07152 and 43-07310) are unable to pump the 2.20 cfs approved for the 43-04008 well.

Please inform us as to how close the new well must be placed to the old well to retain the 1955 priority date. Send the drilling permit application to me for completion.

Thank you for your assistance.

Sincerely yours,



Robert E. Taylor
2714 Wakonda Drive
Fort Collins, CO 80521
303/484-3626

RET/ct
cc: Wallace Taylor, Almo, ID 83312

DEC 13 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Aug-1994

R. KEITH HIGGINSON
Director

WILLIAM A PARSONS ESQUIRE
PO BOX 910
BURLEY ID 83318

RE: AMENDED Application for Transfer No. 3877, 43-04008,
43-07152 (Wallace Taylor)

Dear Mr. Parsons:

This Department wishes to inform you and your client, Curtis Durfee, that the applicant, Wallace Taylor, has requested a delay of 90 days in the processing of his Amended Application for Transfer No. 3877.

Therefore, the advertising scheduled for 8/22 & 8/29/94 in the South Idaho Press has been cancelled.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

DEC 19 1994

8/15/94

01 12 13 14 15 16 17 18 19 20

AUG 15 1994

Department of Water Resources
thern Region Office

IDW/R
222 Shoshone St E
Twin Falls, ID 83301

RE: Advertisement of transfer

Dear Sirs,

Please delay advertising of transfer # 3877 (on rights 43-4008 and 43-7152) for 90 days. This will allow me to consult with an attorney and my son who is out of town & getting medical treatment.

Sincerely,
Wallace Taylor
Wallace Taylor
WCT:DRJ

RECEIVED
AUG 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Aug-1994

R. KEITH HIGGINSON
Director

WALLACE C TAYLOR &/OR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

Re: AMENDED Application for Transfer No. 3877 (43-04008, 43-07152)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your AMENDED Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 8/22 and 8/29/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

cc: Curtis Durfee, c/o William A. Parsons, Esquire

DEC 19 1994

NOTICE OF AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
NOS. 43-04008 & 43-07152
TRANSFER #3877

Notice is hereby given that Wallace C. &/or Robert E. Taylor of Almo, ID have amended an application for transfer originally advertised in December of 1991. The amended application is described as follows pursuant to Section 42-222 of IDAHO CODE.

WATER RIGHTS AS RECORDED:

Statutory Claim No. 43-04008
Source: Groundwater
Priority: 4/1/1955
Amount: 2.20 cfs
Use: Irrigation
Point of Div: NWSW, S26; NESE, S27; T15S, R24E, Cassia County
Place of Use: 238 acres N1/2SW, N1/2SE, S26; N1/2SE, S27; T15S, R24E

License No. 43-07152
Source: Groundwater
Priority: 5/13/1980
Amount: 1.50 cfs
Use: Irrigation
Point of Div: (2 pts) NESE, S27; T15S, R24E, Cassia County
Place of Use: 75 acres in N1/2SE, S27; T15S, R24E

Claims have been filed in the Snake River Basin Adjudication.

WATER RIGHTS TO BE CHANGED AS FOLLOWS:

Point of Div: NWNESE, S27; NENWSW, S26 (2 pts); T15S, R24E, Cassia County
Place of Use: 233 acres in N1/2SW, N1/2SE, S26; NESE, S27; NWSW, S25; T15S, R24E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 9, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in South Idaho Press on 8/22 and 8/29/94.

*Cancelled per T/C, 8/15/94
per applicant's request.
see letter dated 8/15/94
MB*

RECEIVED
DEC 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1994

South Idaho Press
PO Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosures

RECEIVED
AUG 12 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 8017023

Date: 6/20/1994
Time: 09:48:56

Received
From: TAYLOR HEREFORDS

Type of Payment	Program A cct	Amount
AMENDED TRANSFER #3877	64106	20.00

Total

\$20.00

CHECK 3154

Region: SOUTHERN

Signature: J. F. Stanton

RECEIVED
DEC 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

14-Jun-1994

R. KEITH HIGGINSON
Director

WALLACE C TAYLOR &/OR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

Re: Transfer No. 3877 (43-4008, 43-7152)

Gentlemen:

On May 28, 1991 you filed an Application for Transfer before the Department seeking to change the two referenced water rights.

Notice of the application was published December 13 and December 20, 1991. Subsequent to that publication, the application was amended. State law requires that a legal notice correctly describing an application be published before the application is further processed. The amendment of the application required such a legal notice.

You were advised by letter on December 30, 1993 that a re-advertising fee of \$20.00 was due before the application could be re-published. No such fee has ever been received by this office.

Please be advised that the necessary filing fee must be received in this office by July 1, 1994 or procedures will be started to void or cancel the application before the Department and make it of no further effect.

Subsequent to that action, you will have to file a new application in order to pursue this water right change proposal. Also, be advised that as of July 1, 1994 state law changes raise the re-advertising fee from \$20.00 to \$50.00.

If you wish to pursue the application, please contact this office, pay the necessary filing fee and we will proceed with action on the transfer.

Sincerely,

Loren O. Holmes, P.E.
Southern Region Manager

cc: Bill Parsons

RECEIVED
JUN 15 1994

DEC 19 1994

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

May 5, 1994

Department of Water Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

RECEIVED

MAY 06 1994

Department of Water Resources
Southern Region Office

RE: Wallace Taylor 43-04008 and
43-07152

Gentlemen:

Curtis Durfee and Wallace Taylor are neighbors. There is some potential interaction with the wells between the two for which Chuck Brockway is going to make some evaluation.

Currently Taylor seems to be watering in Section 25, Township 15 South, Range 24 East Boise Meridian. Durfee questions whether or not there are facilities or rights to water the ground in Section 25 with the current state of the Taylor license.

Curtis wanted me to drop you a note to that effect.

Very truly yours,


William A. Parsons

WAP:rt
cc: Curtis Durfee

DEC 19 1994

INTER-DEPARTMENT MEMO

TO: File T3877 - Loren HolmesSUBJECT: ProtestFROM: Allen MerrittDATE: 4/27/94

Curtis Durfee was in regarding interference with Taylor Well in Sec 26 2nd his own well to the south. He wanted to protest this pending transfer but in my phone conv. with Glen Sixton Glen indicated we could not accept it until transfer was advertised. I suggest that when transfer is re-advertised that Mr. Durfee be notified.

DEC 19 1994

☐ For your information☐ Response required
signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Wallace Taylor
P.O. Box 144
Almo, ID 83312

12/30/93

RE: Amended transfer

Dear Mr. Taylor,

I am following up on our phone conversation in which I informed you that a readvertisement fee of \$20 was needed to add the third well to the water right. The regional manager feels that it is important to advertise the proposed change, given the circumstances. If you would forward the fee at your earliest convenience then we will send a receipt with a letter confirming the dates of the pending advertisement. If you have any questions please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Douglas Jones', written over a horizontal line.

Douglas Jones
Engineering Specialist

COPY

DEC 19 1994

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

RECEIVED

JAN 02 1992

Department of Water Resources
Southern Region Office

Monique Jones being first
duly sworn, deposes and says that She
is the clerk of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated Dec. 13 19 91, and
ending with the issue dated Dec. 20,
19 91. Monique Jones

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 27 day of December in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones
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.

Kelly Solomon
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: May 23, 1997

Cost of Publication: 70.20
Notary Fee: .50
Total Cost: 70.70

OK
MB
1-2-92

DEC 19 1994

91-516

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

**NOB. 43-04008, A43-04008, 43-07152,
A43-07152**

Notice is hereby given that WALLACE C. TAYLOR & OR ROBERT E. TAYLOR, of Almo, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right no. 43-04008

Basis of right: Statutory Claim, Transfer #2358

Source: groundwater

Priority Date: 4/1/1955

Amount of water: 2.20 cfs

Use: irrigation

Point(s) of diversion: Two points within NE1/4SE1/4, S27, T15S, R24E; Cassia County.

Place of use: 238 acres within N1/2SW1/4, N1/2SE1/4, S26, T15S, R24E; N1/2SE1/4, S27, T15S, R24E; Cassia County.

WATER RIGHT AS RECORDED

Water right no. 43-07152

Basis of right: License

Source: groundwater

Priority Date: 5/13/1980

Amount of water: 1.50 cfs

Use: irrigation

Point(s) of diversion: Two points within NE1/4SE1/4, S27, T15S, R24E; Cassia County.

Place of use: 75 acres within N1/2SE1/4, S27, T15S, R24E; Cassia County.

WATER RIGHT NO. 43-04008 & ADJUDICATION CLAIM NO. A43-04008 TO BE CHANGED AS FOLLOWS:

Water right No.: 43-04008

Period of Use: 3/15 to 11/15

Priority Date: 4/1/1955

Water Use: irrigation

Amount: 2.20 cfs

WATER RIGHT NO. 43-07152 & ADJUDICATION CLAIM NO. A43-07152 TO BE CHANGED AS FOLLOWS:

Water right No.: 43-07152

Period of Use: 3/15 to 11/15

Priority Date: 5/13/1980

Water Use: irrigation

Amount: 1.50 cfs

Total amount being transferred: 3.70 cfs

Source: groundwater

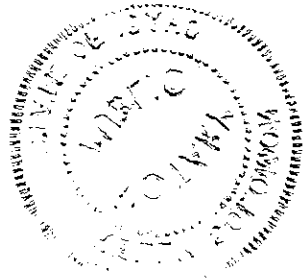
Point of diversion: NE1/4NW1/4SW1/4, S26, T15S, R24E; NW1/4NE1/4SE1/4, S27, T15S, R24E; Cassia County.

Place of use: 233 acres within NW1/4SW1/4, S25, T15S, R24E; N1/2SW1/4, N1/2SE1/4, S26, T15S, R24E; NE1/4SE1/4, S27, T15S, R24E; Cassia County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 30, 1991.

/s/ R. Keith Higginson, Director

Published in the South Idaho Press December 13 and 20, 1991.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

29-Nov-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

DEC 19 1991

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 43-04008, A43-04008, 43-07152, A43-07152

Notice is hereby given that WALLACE C. TAYLOR &/OR ROBERT E. TAYLOR, of Almo, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right no. 43-04008
Basis of right: Statutory Claim, Transfer #2358
Source: groundwater
Priority Date: 4/1/1955
Amount of water: 2.20 cfs Use: irrigation
Point(s) of diversion: Two points within NE1/4SE1/4, S27, T15S, R24E; Cassia County.
Place of use: 238 acres within N1/2SW1/4, N1/2SE1/4, S26, T15S, R24E; N1/2SE1/4, S27, T15S, R24E; Cassia County.

WATER RIGHT AS RECORDED

Water right no. 43-07152
Basis of right: License
Source: groundwater
Priority Date: 5/13/1980
Amount of water: 1.50 cfs Use: irrigation
Point(s) of diversion: Two points within NE1/4SE1/4, S27, T15S, R24E; Cassia County.
Place of use: 75 acres within N1/2SE1/4, S27, T15S, R24E; Cassia County.

WATER RIGHT NO. 43-04008 & ADJUDICATION CLAIM NO. A43-04008 TO BE CHANGED AS FOLLOWS:

Water right No.: 43-04008	Period of Use: 3/15 to 11/15
Priority Date: 4/1/1955	
Water Use: irrigation	Amount: 2.20 cfs

WATER RIGHT NO. 43-07152 & ADJUDICATION CLAIM NO. A43-07152 TO BE CHANGED AS FOLLOWS:

Water right No.: 43-07152	Period of Use: 3/15 to 11/15
Priority Date: 5/13/1980	
Water Use: irrigation	Amount: 1.50 cfs

Total amount being transferred: 3.70 cfs

TAYLOR 1

DEC 19 1994

Source: groundwater

Point of diversion: NE1/4NW1/4SW1/4, S26, T15S,
R24E;NW1/4NE1/4SE1/4, S27, T15S, R24E; Cassia County.

Place of use: 233 acres within NW1/4SW1/4, S25, T15S, R24E;
N1/2SW1/4, N1/2SE1/4, S26, T15S, R24E; NE1/4SE1/4, S27, T15S,
R24E; Cassia County.

Any protest against approval of the application for transfer must
be filed with the Department of Water Resources, 222 Shoshone
Street East, Twin Falls, ID 83301 on or before December 30, 1991.

R. Keith Higginson, Director

Published in South Idaho Press on 12/13 & 12/20/91.

TAYLOR 2 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

29-Nov-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

WALLACE C TAYLOR
ROBERT E TAYLOR
PO BOX 144
ALMO ID 83312

Re: Application for Transfer Nos. 43-04008, 43-07152

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the South Idaho Press on 12/13 & 12/20/91. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

NOV 29 1991

DEC 19 1994

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Wallace Taylor
Address Almo, ID
Drilling Permit No. 43-91-5-007
Water Right Permit No. 43-4008

7. WATER LEVEL

Static water level 180 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 60 °F. Quality Good
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☐
- New well
- ☐
- Deepened
- ☒
- Replacement
-
- ☐
- Well diameter increase
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>1664</u>	<u>235</u>	<u>3</u>

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Test
- ☐
- Municipal
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

4. METHOD DRILLED

- ☐
- Rotary
- ☐
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☒
- Cable
- ☐
- Dug
- ☐
- Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>0.250</u> inches	<u>18</u> inches	<u>1</u> feet	<u>290</u> feet
<u>0.250</u> inches	<u>14</u> inches	<u>270</u> feet	<u>600</u> feet
<u>0.250</u> inches	<u>20</u> inches	<u>1</u> feet	<u>20</u> feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☐ Knife ☒ Torch ☐ GunSize of perforation 3/16-1/4 inches by 8 inches

Number	From	To
<u>200</u> perforations	<u>20</u> feet	<u>290</u> feet
<u>200</u> perforations	<u>280</u> feet	<u>600</u> feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 19 Material used in seal: ☐ Cement grout☒ Bentonite ☒ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld☐ Cemented between strataDescribe access port 1 1/2" pipe @ 30' to casing

9. LITHOLOGIC LOG

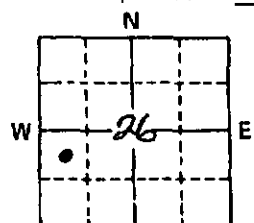
Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	5	Dark brown sandy soil		✓
20"	5	20	Cobbles and clay		
18"	20	40	Cobbles and clay		
18"	40	115	Coarse sand		
18"	115	161	Sand and clay		
18"	161	167	Coarse grey sand & clay	✓	
18"	167	174	Quartzite cobbles, sand, clay		
18"	174	198	Partially consolidated conglom.		
18"	198	215	Sandy clay		
18"	215	246	Tan - reddish brown sandy clay & cobbles	✓	
18"	246	259	Conglomerate (brown cuttings)		
18"	259	290	Varying colors of hard, consolidated cobbly conglomerate		
16"	290	370	Gravel & cobbles (quartzite)	✓	
16"	370	422	Gonglomerate		
16"	422	463	Tan hard sandy clay		
16"	463	574	Varying colors of conglomerate		
16"	574	580	Rd-tan sticky clay & gravel	✓	
16"	580	596	Dark grey sandy siltstone		
16"	596	600	Blue clay rounded quartzite gravel	✓	

RECEIVED

AUG 10 1992

Department of Water Resources
Southern Region Office

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____

Lot No. _____ Block No. _____

County CassiaNW 1/4 SW 1/4 Sec. 26, T. 15, R. 24, W. 1

10.

Work started 1/15/92 finished 7/12/92

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Lloyd Drilling Firm No. 294Address Elba, ID Date 8/6/92Signed by (Firm Official) F. Stanley Lloydand (Operator) Alan Lloyd

April 11, 1980

Wallace C. Taylor
Almo,
Idaho 83312

Dear Mr. Taylor,

RE: Transfer of Water Right No. 43-4008

Enclosed is a copy of your approved Application for Transfer of the above referenced water Right (Transfer No. 2358). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mr

Enclosure

MICROFILMED



IN REPLY
REFER TO: PN 240
510.2

Glen
please draft
USFS
United States Department of the Interior

WATER AND POWER RESOURCES SERVICE
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

Two copies going to
John Bead of
Standing Operating
Procedures - Cascade
Dam

APR 9 1980

RECEIVED

APR 10 1980

Department of Water Resources

Mr. C. Stephen Allred, Director
Attention: Dam Safety Supervisor
Idaho Water Resources Department
Statehouse
Boise, Idaho 83720

Dear Mr. Allred:

In accordance with the Memorandum of Understanding between our agencies for the coordination of the safety-related aspects of storage dam and reservoir activities, we are forwarding two controlled copies of the Standing Operating Procedures (SOP's) for Cascade Dam and Reservoir.

Under the Water and Power Resources Service's Safety of Dams Program, these procedures have been prepared to establish in one document the complete, accurate, and current structure-oriented operating instructions for the dam and reservoir. The purpose is to insure adherence to the approved operating procedures over long periods of time and during changes in personnel. Inasmuch as revisions are issued for this SOP to keep it current, we urge you to maintain a record of each copy's specific location.

This SOP has been prepared primarily for the use of the Reservoir Superintendent at Cascade Dam who is assigned the responsibility for the physical operation and maintenance of the dam. It should contain all information and instructions necessary for him to correctly perform operating duties.

Would you please review these operating procedures for adequacy in identifying any pertinent State of Idaho responsibilities and return all comments or additions to this office for inclusion in revisions to the SOP. If you should have any questions, feel free to contact us at (208) 334-1191 or write to Attention: Code 240 at the letterhead address.

Sincerely yours,

James L. Felix

Acting Regional Engineer

Enclosures (Nos. 14 and 15)

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

1. Right number 43-4008 Applicant TAYLOR, Wallace C.
2. Type of right: ☐ Decree ☐ License ☒ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. N/A ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. N/A ☒ Check for expansion in use of right. Comments _____
 - i. N/A ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: LH

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Approval of Added point of diversion only. Does not constitute confirmation of the claimed water right.

4. By Loren O. Halmer Date 3-20-80

* All uses within Watermaster Districts require special conditions.

MICROFILMED

DEPT. OF WATER RESOURCES



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 20, 1980

Wallace C. Taylor -
Almo,
Idaho 83312

Dear Mr. Taylor:

Prior to approving your transfer for adding a point of diversion on your claimed water right No. 43-4008; the Department conducted a field survey to determine if the use of the water was as recorded in your claim. Our survey found that only the lands within the $N\frac{1}{2}SW\frac{1}{4}$ and $N\frac{1}{2}SE\frac{1}{4}$ of Sec. 26, T.15S, R.24E., B.M. are being irrigated from the well in the $NE\frac{1}{4}SE\frac{1}{4}$ of Sec. 27, T.15S, R.24E., B.M.

Our recommendation will be that your transfer be approved subject to the condition that only the above described 160 acres be recognized as the lands being irrigated.

If you intend to develop the lands within the $N\frac{1}{2}SE\frac{1}{4}$ of Sec. 27, T.15S, R.24E., B.M. which were originally included in your claim; you must first make application for a permit to appropriate the public waters of the State of Idaho. Please find enclosed the proper application forms and instructions.

If you have any questions please feel free to contact this office.

Sincerely,

ALLEN D. MERRITT
Senior Water Resource Analyst

ADM:marya

Encl:

MICROFILMED

FROM Allen Merritt

DATE 3/20/80

TO File 43-4008 Trans.

SUBJECT Field Review of land

On 3/19/80 Terry Blau and I reviewed the lands described on claim 43-4008. We found that the P/D is as described however only the lands in Sec 26, T.15S., R.24E., D.M. are irrigated from the existing well. At the time of our visit a new well was being drilled in the NW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, T.15S., R.24E.

SIGNATURE

Allen.

E83

E811

Clearing
10 ft

E79

E148

26

E1122

Land Marking

E114

This 160 Acs,
Irrigated

This land
not irrigated

Pod



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-4008

Notice is hereby given that Wallace C. Taylor of Almo, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the water of groundwater source. The right sought to be changed is evidenced by Claim No. 43-4008, and is recorded as follows:

Amount: 2.20 cfs

priority: April 1, 1955

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T.15S, R.24E, B.M. in Cassia County

The water is used for irrigation purposes of 238 acres, from March 1 to October 31, within the N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27, T.15S, R.24E.

TO BE CHANGED AS FOLLOWS:

Amount: 2.20 cfs

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T.15S, R.24E., B.M.

Cassia County

No Change in place of use.

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before November 16, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on October 30 and November 6, 1979.

MICROFILMED

79-348

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-4008**

Notice is hereby given that Wallace C. Taylor of
Almo, Idaho, has applied to the Department of
Water Resources for a change of the point of
diversion of the water of groundwater source. The
right sought to be changed is evidenced by Claim
No. 43-4008, and is recorded as follows:

Amount: 2.20 cfs, Priority: April 1, 1955, Point
of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T.15S, R.24E,
B.M. in Cassia County.

The water is used for irrigation purposes of 238
acres, from March 1 to October 31, within the
N $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26; N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27,
T.15S, R.24E.

TO BE CHANGED AS FOLLOWS:

Amount: 2.20 cfs, Point of diversion:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T.15S,
R.24E., B.M. Cassia County.

No Change in place of use.

Any protest against the approval of the above
proposed change of water right must be filed with
the Idaho Department of Water Resources, 1041
Blue Lakes Blvd. North, Twin Falls, Idaho, 83301,
on or before November 16, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on October
30, November 6, 1979.

*ok
macy
10/6/79*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 11, 1979

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 43-4008 - Wallace C. Taylor

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

Encl:

MICROFILMED

3/79

IDENT. NO. 434008

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

06/02/80

WATER RIGHTS EDIT REPORT

WATER RIGHT NUMBER 43-4008

ACT

ION

C

C

TRFR/AMEND - T

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

Old No. _____

New No. _____

1 43-4008

Record

1. Original Owner: _____

Wallace C. Taylor

Present Owner: _____

2. Address: _____

3. City: AlmoState: NDZip: 833124. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 4-1-1955D. County: 31E. Total Diversion Rate: 2.2

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
<u>NE SE</u>	<u>27</u>	<u>15</u>	<u>24E</u>		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from	<u>3-1</u>	to	<u>10-31</u>	for	<u>A</u>	purposes.	Amount	<u>2.2</u>
							(cfs or AC-FT/yr)	
from	_____	to	_____	for	_____	purposes.	Amount	_____
from	_____	to	_____	for	_____	purposes.	Amount	_____
from	_____	to	_____	for	_____	purposes.	Amount	_____
from	_____	to	_____	for	_____	purposes.	Amount	_____
from	_____	to	_____	for	_____	purposes.	Amount	_____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Ac. irr. = 238
B. Trans. 2358 protested.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

PL 12579

October 4, 1968

Re: Claim No. 43-4008

Wallace C. Taylor
Almo,
Idaho

Dear Mr. TAYLOR

The Department of Reclamation has received and processed your Claim to a Water Right. The information in your claim is filed under Claim No. 43-4008.

Enclosed is Receipt No. W-464 in the amount of \$10.00 for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Receipt No. W-464

43 4008

NO. 68.161
NOTICE OF CLAIM TO A
WATER RIGHT

No. 43-4008

Notice is hereby given that Wallace C. Taylor, Almo, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 110 inches of water from a subterranean source with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 27, T. 15 S., R. 24 E.B.M., Cassia County; the water is claimed to be used from March 1 to October 31 with a priority of April 1, 1955; the place of use is in the N $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 26; N $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 27, T. 15 S., R. 24 E.B.M. Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the South Idaho
Press September 5, 12, 1968.

43 4008

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

August 30, 1968

Re: Claim No. 43-4007 - Meinrad Werner
Claim No. 45-4016 - Ross T. Nielson & W. B. Whiteley dba, the NW Farms
Claim No. 45-4017 - "
Claim No. 43-4008 - Wallace C. Taylor

South Idaho Press
230 Main Street, Box 750
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/ks
enclosure; legal notice

43-4008

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4008

Notice is hereby given that Wallace C. Taylor, Almo, Idaho
_____ has filed a claim to a water right
established by diversion and application to beneficial use of 110 inches
~~/cubic feet per second/acre feet~~ of water from a subterranean source
_____ with point of diversion in the NE 1/4, sec. 27, T. 15 S., R. 24 E., B.M., Cassia County; the water is
claimed to be used from April 1, 1955 March 1 to October
31 with a priority of April 1, 1955
_____ ; the place of use is in the NE 1/4, N 1/2 SW 1/4, sec. 26; N 1/2 SE 1/4, sec. 27, T. 15 S., R. 24 E., B.M.
822774611

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho
on September 5 and September 12.

43 4008