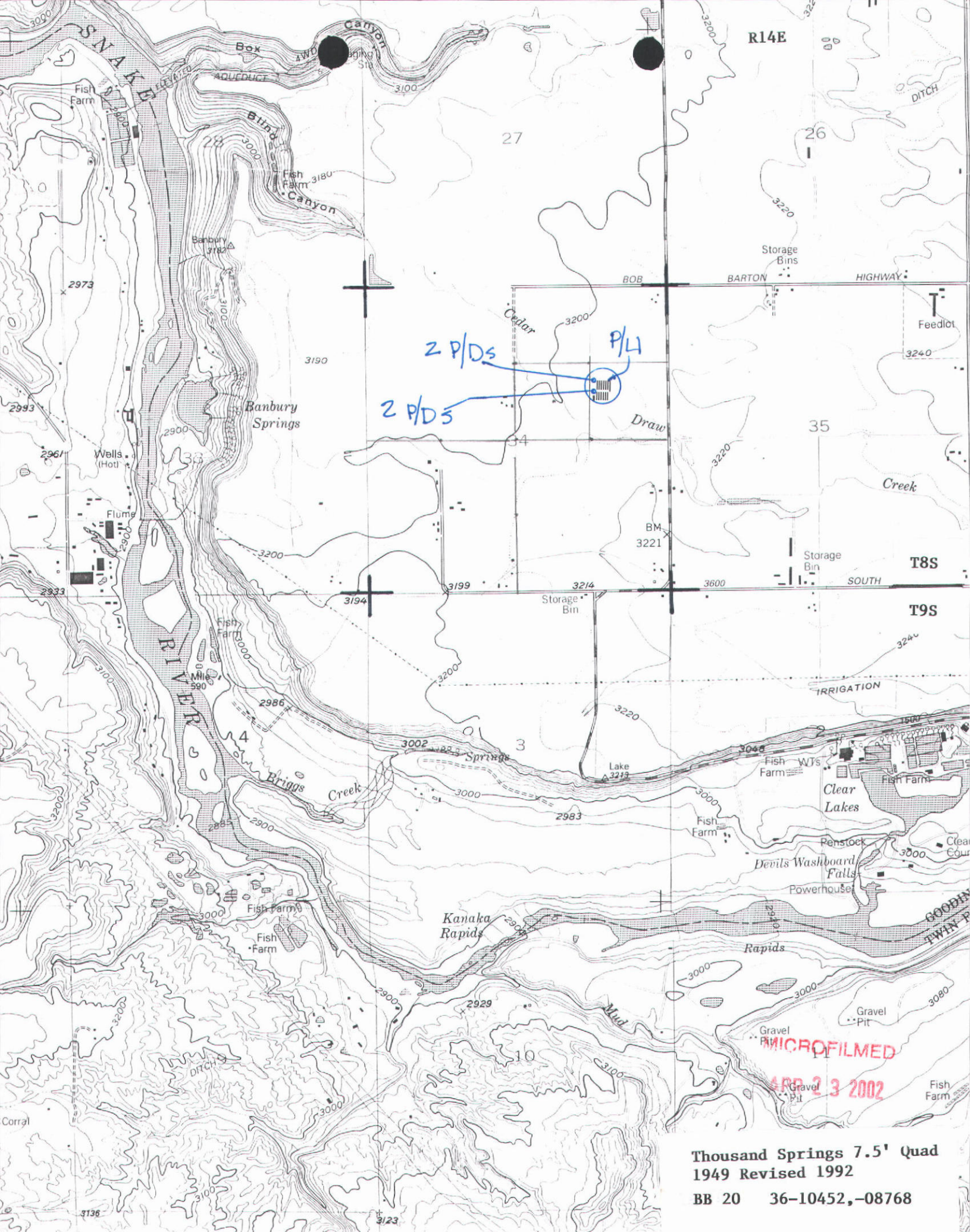


36-08768



Thousand Springs 7.5' Quad
1949 Revised 1992
BB 20 36-10452,-08768

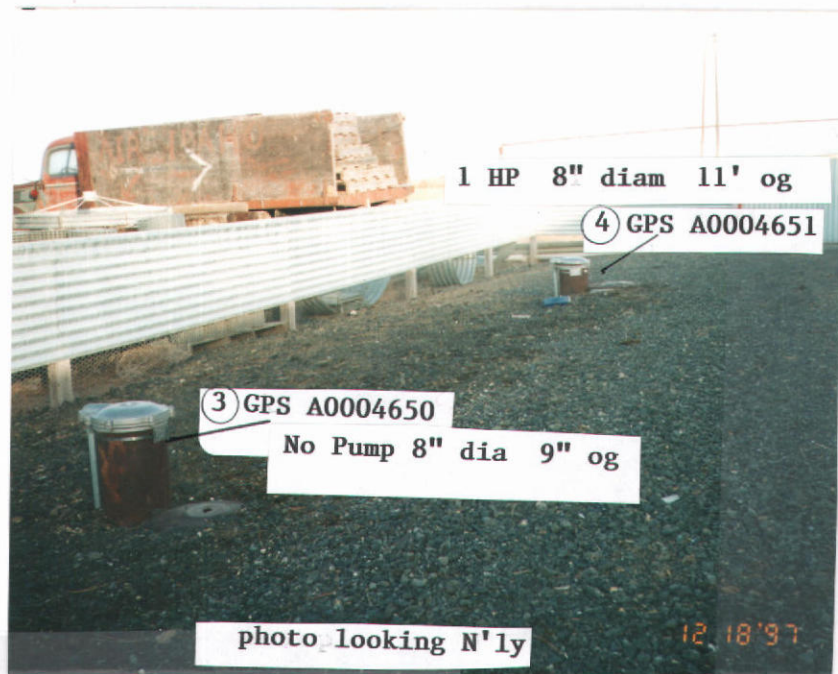


photo looking S'ly

Moyle, Allen and Karla
 18 December 1997 1000 hr.
 Examiner: Satterlee, G
 36-10452,-08768

MICROFILMED
 APR 23 2002

Sheds Set A (N'ly Set) looking E'ly



Took measurement from multiple hose lines and multiplied by the number of lines.



Mink Cages

A mink
B.C. Before Coat



Sheds Set B (S'ly Set) looking E'ly

MICROFILMED

APR 23 2002

Moyle, Allen and Karla
18 December 1997 1000 hrs.
Examiner: Satterlee, G

36-10452,-08768

8. **POSSIBLE CONTAMINATION SOURCES:**
Is there evidence of Chemigation? ☐ Yes ☒ No
If yes, is there a check-valve present? ☐ Yes ☐ No
Is there a possible source of contamination nearby? ☐ Yes ☐ No
If yes, what Type? _____
How far away from the well is this source? _____

9. **REMARKS:** _____

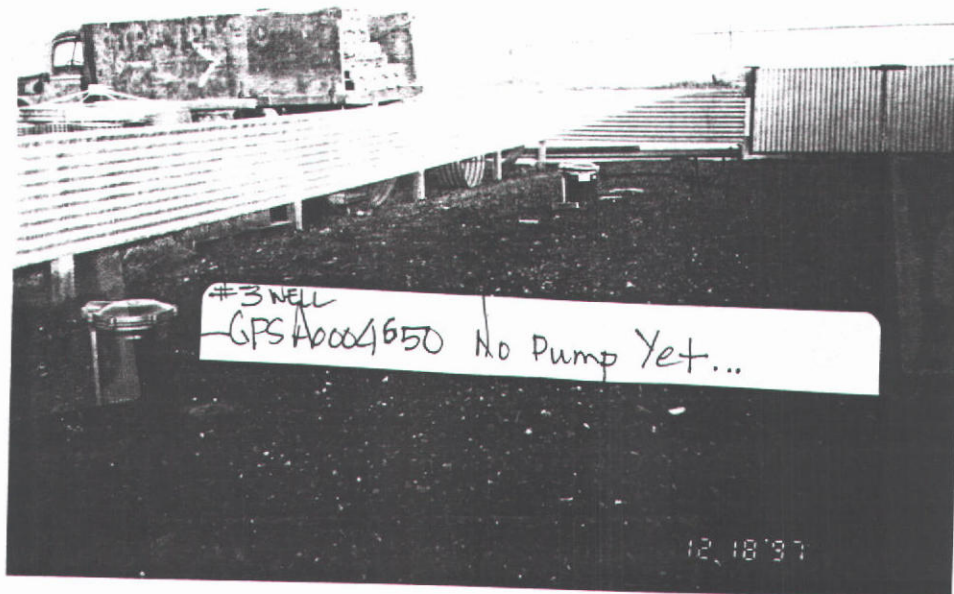
[Signature]

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



MICROFILMED

APR 23 2002

PHOTO LOOKING N'LY

8.

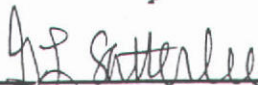
POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemicals? ☐ Yes ☒ NoIf yes, is there a check-valve present? ☐ Yes ☐ NoIs there a possible source of contamination nearby? ☐ Yes ☐ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

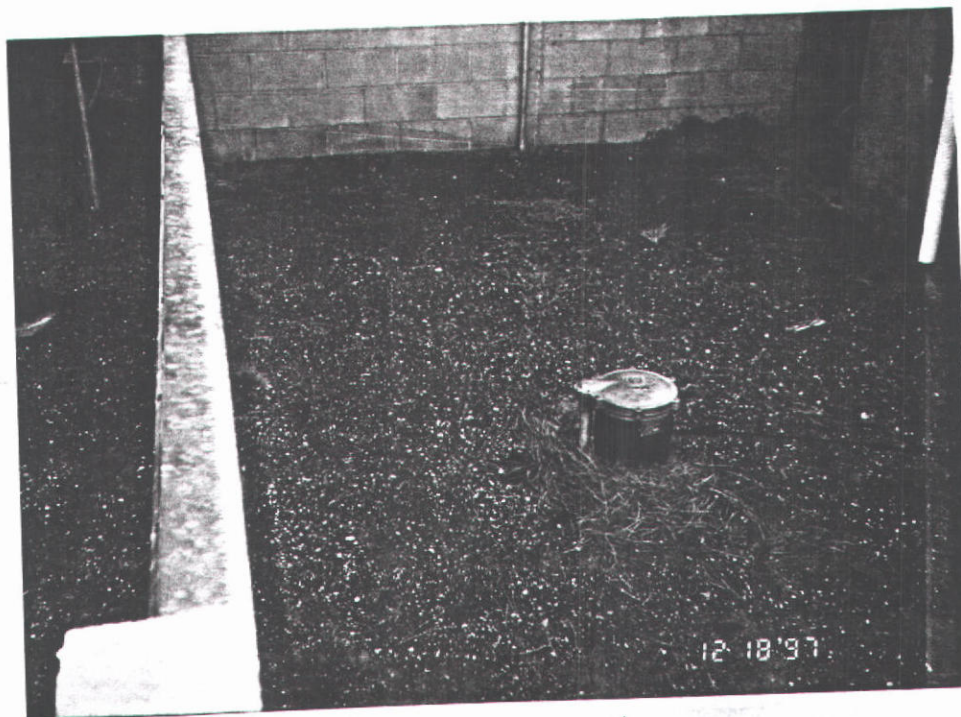
_____

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



#1 WELL

- GPS A0004648

2 HP pump

12-18-97

PHOTO LOOKING S'LY

MICROFILMED
APR 23 2002

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

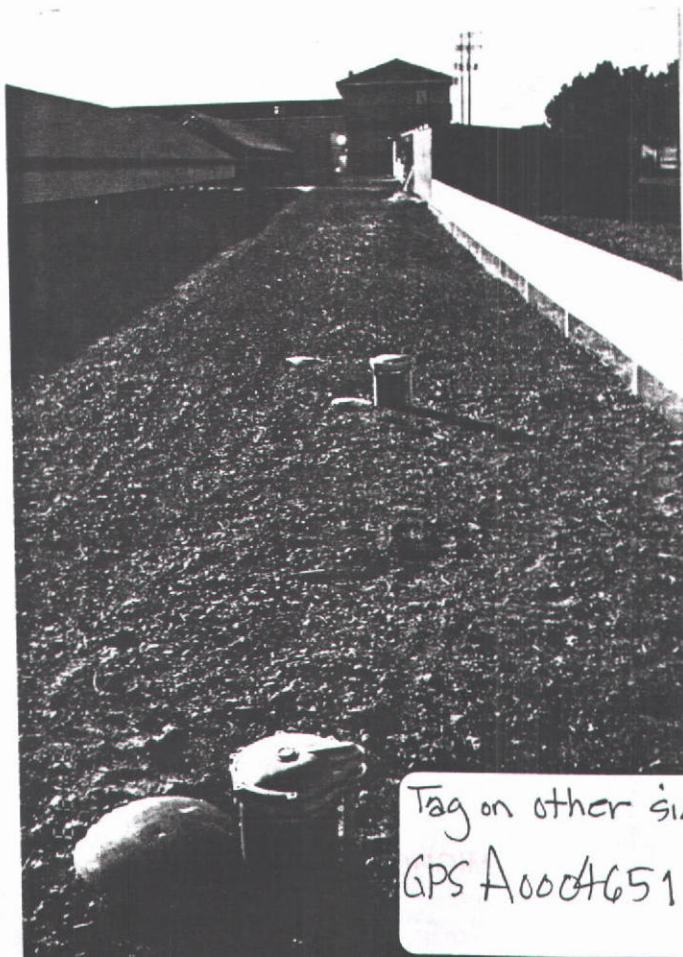
GP Satterlee

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



Tag on other side

GPS A0004651 1HP #4WELL

MICROFILMED

APR 23 2002

PHOTO LOOKING S'LY

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

[Signature]

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



#2 well

GPS Area 4649

2HP pump

#1 WELL
10' RT. of #2 WELL
(OR WEST)

PHOTO LOOKING S'LY

MICROFILMED
APR 23 2002

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 16 day of July, 1997, and the date of the last publication was on the 23 day of July, 1997.

Subscribed and sworn to before me this 23rd day of July, 1997.
(SEAL)

Norma De Voe
NOTARY PUBLIC

6547 / 16584
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

affidavit fee \$2.25

525.94 Lines tabular at _____ 7¢/Pica
525.94 Lines straight at 31.56 6¢/Pica
525.94 Subsequent lines at 21.30 5¢/Pica
TOTAL COST 60.11

COPY OF NOTICE

(Paste Here)

Permit - Moyle
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Res.
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

ALLEN & OR KARLA MOYLE

3539 S 1500 E

WENDELL, ID 83355

Application for Permit No. 36-08768

Source: groundwater (existing development)

Diversion Pt(s): Three points within SE1/4NE1/4, S34, T08S, R14E;

Gooding County

Use: 01/01-12/31

Stockwater (0.20 cfs)

Commercial (0.20 cfs)

Total Diversion: 0.20 cfs

In: SE1/4NE1/4, S34, T08S, R14E;

Gooding County

Date Filed: 06/16/97

The application proposes to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. The permit, if approved, will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 4, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the Gooding County Leader on 7/16 & 7/23/97

MICROFILMED

SEP 11 1997

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08768

Priority: June 16, 1997

Maximum Diversion Rate: 0.17 CFS
Maximum Diversion Volume: 62.9 AF

It is hereby certified that ALLEN MOYLE And/Or
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 16, 1997; and has
submitted Proof of Beneficial Use on November 10, 1997. An examination indicates that the works have
a diversion capacity of 0.35 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	1/01 to 12/31	0.17 CFS	5.9 AF
COMMERCIAL	1/01 to 12/31	0.17 CFS	57.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 08S, Rge 14E, B.M.	GOODING County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 08S, Rge 14E, B.M.	GOODING County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 08S, Rge 14E, B.M.	GOODING County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	
08S 14E 34	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
		X			

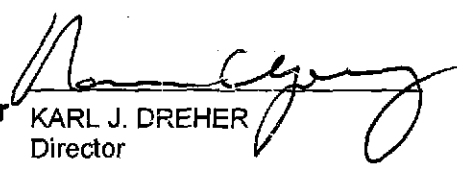
PLACE OF USE: COMMERCIAL, same as Stockwater

CONDITIONS OF APPROVAL

1. Right 36-10452 is also diverted through the points of diversion described above.
2. Commercial use is for a grinding room, freezer shop, and wash-up shop for a mink farm.

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

Signed and sealed this 14th day of MARCH, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

APR 23 2002

RECEIVED

NOV 10 1997

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 5620698
Receipt By: MB
Date Received: 11/10/97

RECEIVED

NOV 12 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 36-08768 Telephone No. 536-6739
2. Name(s) of Permit Holder(s): ALLEN & KARLA MOYLE
3. Mailing Address: 3539 S 1500 E Wendell Id 83355
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 6 / yr. 1980?
 - a. Well Driller: Dale Gilbert Drilling Permit Number: NA
 - b. **OPTIONAL:**
Pump Horsepower: 2 Pressure (psi): 15 Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
 Domestic (No. of households): 2 Stockwater (No. and type of stock): Mink 15,000
 Irrigation (No. of acres): 0 Other: Commercial
6. Total rate of diversion and/or volume for which proof is submitted: 20 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
 (This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____ or No <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
 Name: ALLEN MOYLE Telephone Number: 536-6739
 Address: 3539 S 1500 E Wendell Id
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Allen Moyle Owner Date: 11-10-97
 (include your title, if on behalf of company or organization)

DEC 08 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08768

Proposed Priority: June 16, 1997

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **ALLEN MOYLE**
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.20 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 34, Township 08S, Range 14E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 14E 34 SENE

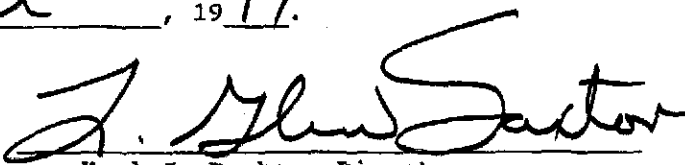
PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1998.
2. Subject to all prior water rights.
3. Three points of diversion are located within SENE, S34, T08S, R14E.
4. Stockwater use is for 15,000 mink.
5. Commercial use is for a grinding room, freezer shop, and wash-up shop.

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

19th day of August, 1997.


Karl J. Dreher, Director
for

MICROFILMED

SEP 11 1997

RECEIVED

AUG 11 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 16 1997

Department of Water Resources

Department of Water Resources

Southern Region

- Name of Applicant ALLEN AND/OR KARLA MOYLE Phone 536-6739
Post Office address 3539 SOUTH 1500 EAST WENDELL, ID 83355
- Source of water supply GROUNDWATER which is a tributary of _____
- Location of point of diversion is NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 34 Township 08 S Range 14 E B.M. GOODING County; additional points of diversion if any: THREE WELLS LOCATED IN NWSENE 1/4 OF SECTION 34
- Water will be used for the following purposes:
Amount 0.20 cfs for STOCKWATER purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 cfs for COMMERCIAL purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) 0.20 cfs and/or (b) _____
cubic feet per second acre feet per annum
- Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 WELLS WITH 2 H.P. PUMPS (ONE SERVES AS BACKUP) AND AN ADDITIONAL WELL WITH 1 H.P. PUMP.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. ~~Proposed~~ well diameter is 8 inches; proposed depth of well is 70' ± feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? 1979; Drilling firm DALE GILBERT
Well was drilled for (well owner) ALLEN MOYLE
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. 15,000 MINK
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. COMMERCIAL USE CONSISTS OF WATER THAT IS RUN THROUGH SYSTEM TO KEEP STOCK (MINK) WATER FRESH AND TO KEEP WATER LINES FROM FREEZING IN WINTER.

MICROFILMED

SEP 11 1997

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	34				S/C													

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE FOR MINK SHEDS (SEE REMARKS AND BELOW AND ATTACHMENTS)

11. a. Who owns the property at the point of diversion? ALLEN MOYLE

b. Who owns the land to be irrigated or place of use? ALLEN MOYLE

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: SYSTEM CONSISTS OF 3 WELLS INTERCONNECTED WITH 2 SEPERATE SUPPLY LEGS.

MINK SHED LEG, DIRECT FEED TO SHEDS, DIVERTS 0.20 CFS AND OPERATES 24 HOURS A DAY. THE 2ND LEG CONSISTS OF A PRESSURE SYSTEM VIA A BOOSTER PUMP AND SUPPLIES 2 HOMES, A GRINDING ROOM, AND A WASHUP

SHOP. THE 2ND LEG IS REPRESENTED BY AN SRBA CLAIM. (PRIOR TO NOVEMBER 1987, ENTIRE DELIVERY SYSTEM WAS IN PLACE WITH 13 MINK SHEDS, TWO SHEDS WERE ADDED @ LATER DATES (1989 AND 1993). NO ADDITIONAL INCREASE

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

IN DIVERSION(S) RESULTED AFTER NOVEMBER 1987.

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

Allen Moyle

(Applicant)

Received by SKINNER Date 06/16/97 Time 11:20 Preliminary check by _____
 Fee \$ 50.00 Receipted by SKINNER # 5020301 Date 06/16/97
 Publication prepared by MB Date 6/30/97 Published in Leading Co. Reader
 Publication approved MB Date 8/4/97

MICROFILMED

SEP 11 1987

EVIDENT ON
NAPP PHOTO
436-29 BB 20 NE
08/06/87



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Allen and Karla Moyle
3539 S 1500 E
Wendell, Idaho 83355

Re: Curtailment of Ground Water Use Under Water Right(s) 36-8768

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 130 and the Thousand Springs Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the North Snake and Magic Valley Ground Water Districts and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the Thousand Springs GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from springs and surface water tributary to the Snake River. The order designating the Thousand Springs GWMA identified an area within 10 kilometers from the Thousand Springs canyon wall north and east of the Snake River within which use of ground water rights having priority dates later in time than July 21, 1967, were determined by the Department to be injuring senior priority surface water rights. Within this area, curtailing ground water diversions will increase spring discharges tributary to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model.

Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected springs and surface water tributary to the Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determines are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.

On February 19, 2002, a Final Order was issued creating Water District 130 for the administration of rights to the use of ground water and springs discharging from the ESPA in the Thousand Springs area. The first annual Water District 130 meeting was held on April 23, 2002, at which a watermaster was elected and certain resolutions were adopted.

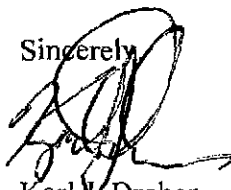
On March 27, 2002, the Department sent a letter to you and others within Water District 130 who had water rights that were not afforded the "safe harbor" provided by an approved mitigation plan or one of the stipulated agreements negotiated last year by either the ground water districts or a group of municipal and industrial users. That letter notified right holders that the Department, through Water District 130, might need to take action to curtail diversions not covered by a stipulated agreement or an approved mitigation plan where the Department has determined that such diversions are causing injury to senior priority water rights.

Unfortunately, drought conditions continue to persist across southern Idaho and the Snake River plain, and spring discharges in the Thousand Springs reach of the Snake River are similar or less than last year. Therefore, certain senior priority water rights that were calling for water last year are again not being satisfied during parts of this year. As described above, the Department, through use of its ESPA ground water model, has determined that unmitigated ground water pumping in the area of impact is causing injury to the holders of senior priority water rights from the Snake River. Consequently, in accordance with Idaho Code §§ 42-237a.g. and 42-607 it is necessary to seek curtailment of all junior priority ground water rights within the Thousand Springs impact area that are not covered by an approved mitigation plan or stipulated agreement.

Because the water right you hold is located in Water District 130 and the Thousand Springs GWMA impact area and is not covered by an approved mitigation plan or one of the stipulated agreements negotiated by either the ground water districts or the group of municipal and industrial water users, you are hereby notified that the watermaster for Water District 130 has been instructed to curtail diversion and use of ground water under your water right for the remainder of this irrigation season. The watermaster for Water District 130 will contact you after 14 days from the date of this letter to arrange for the curtailment of the diversion and use of ground water under your water right. The watermaster will allow you reasonable time to make adjustments or arrangements to minimize hardships caused by this action. Unless water supply conditions dramatically improve, I anticipate that curtailment will need to be extended for all of next year's irrigation season.

I regret that this action is necessary. You may want to consider joining one of the ground water districts that has signed a stipulated agreement as an alternative to having your use of ground water curtailed. Should you have questions about this matter, or if you believe your water right should be excluded from this action, please contact Cindy Yenter (Water District 130 Watermaster) by telephone at (208) 736-3033 or contact Tim Luke at the Department of Water Resources at the address above or by telephone at (208) 327-7864.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl J. Dreher", written over the word "Sincerely,".

Karl J. Dreher
Director

c: Cindy Yenter, Water District 130 Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 15, 2002

ALLEN MOYLE
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

RE: License No. 36-8768 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
APR 23 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8768

**ALLEN MOYLE
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355**


Kari Lynn Townsend
Secretary

MICROFILMED
APR 23 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MEMORANDUM

To: File 36-8768

From: Sharla

Date: 3/8/2002

Re: Licensing Info

Examiner recommended four points of diversion for licensing; permit was based on pre-1987 development and pump has not even been placed in the fourth well. It is not appropriate to issue license for the fourth well.

System capacity is based on theoretical calculations; rate of diversion is based on actual "stockwater" usage (gal/line & lines/shed).

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APR 23 2002

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on

Permit No. 36-8768

BU Fee Pd \$ 5000

Name/Address: ☒ OK ☐ CHANGE

Govt Lots n/a plat copy attached

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
 Supp irr (+ other uses) - 100-105
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55(consumptive uses)
 Non-Trust - 048

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
 WD - R04 (WD#)
 ≤ 0.20 cfs/others - R02- 01P or No MD
 > 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22, N/A
 (02,03) - WB9 if above Weiser
 Payette R (65) - 047(Payette Lake)
 Salmon R (70's) - 029 (fish screens)
 Weiser R (67) - 086-087

USES:

STORAGE - 18A-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 STOCKWATER - R37 (BLM/USFS) N/A
 MINING - 106
 FISH PROP - 029(70'S only)-042-106
 HEAT/COOL - R07(injection well)
 FIRE PROT. - 077

USES:

POWER - R22-R23 (+uses)-025-106-W42-W43-027
 MUNICIPAL
 Restricted area - 022,075
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 >1 in restricted area - 070-071-075(no parks/common areas, etc)
 Irr use listed separate - WB5
 Lawn/garden included - W01

ADVANCE PRIORITY? Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
 Subd lot desc (pd) - W59
 Subd lot desc (pu) - W60
 Use definitions - W02 example - C/tire shop mink farm
 Non-consumptive - 027
 Water Quality - 106-R07
 Mitigation - 121 (if on permit)
 PPU acre limit - W27

CHECK NEW IRR SEASON MAP

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
 PU overlap rights - WB7-W31(<1 ac) 28 22hp
 GW replaced SW - 050 .07 1 hp } .35 cfs cap
 Permit Rate 20 cfs Fee Limit 20 cfs
 Measured cfs Theoretical cfs

Use	Rate	Volume
<u>Shed</u>	<u>17</u> cfs	<u>5.9</u> af
<u>Comm</u>	<u>17</u> cfs	<u>57.0</u> af
	cfs	af
TOTALS	<u>17</u> cfs	<u>62.9</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed Yes ☒ No

If no, is a claim required: Yes ☒ No

AMENDMENTS REQUIRED Yes No

MEMORANDUM

DATE: July 6, 1998
TO: File No. 36-08768
FROM: Cindy Lou Zimmerman
SUBJECT: Review of Beneficial Use Field Report

The examiner recommended combined rates and volumes for commercial and stockwater uses. That volume calculation was based on total flow over time. Per telecon on May 16, 1998, the examiner did not have sufficient data to determine a separate stockwater volume. Per Teresa Platt, Fur Commission USA, mink require 0.5 gallon per day (see attached E-Mail). Commercial volume is calculated by subtracting stockwater volume from the examiner's calculated total diversion volume.

The following adjustments¹ were made on the field report to reflect department standards and licensing practises for uses developed under this permit:

C. Diversion and Delivery System.

1. Point(s) of diversion: *see memo dated 3/8/02*

TWP	RGE	SEC	N E				N W				S W				S E				Total P/Ds
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	34				X													4*

* = amendment required to add fourth p/d

F. Flow Calculations.

a. Capacity.

$$F_{M.R.} = [1 \text{ gpm/line} \times (7 \text{ sheds} \times 4 \text{ lines/shed}) + (8 \text{ sheds} \times 6 \text{ lines/shed})] / 448.83$$

$$= (28 + 48) / 448.83$$

$$= 76 / 448.83$$

$$= \underline{0.17} \text{ cfs.}$$

b. Stockwater = 0.17 cfs.

c. Commercial = 0.17 cfs.

d. Maximum rate of diversion = capacity = 0.17 cfs.

G. Volume Calculations.

a. Stockwater; 15,000 mink for 7 months, 4,400 mink for 5 months.
= (head x gallons per day x days per year) ÷ 325,850
= [(15,000 x 0.5 x 213) + (4,400 x 0.5 x 152)] ÷ 325,850
= 5.9 AF.

b. Commercial; per exam = 62.9 - 5.9 = 57.0 AF.

c. Maximum diversion volume = 62.9 AF.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Stockwater	1/1-12/31	<u>0.17</u> cfs	<u>5.9</u> AF
Commercial	1/1-12/31	<u>0.17</u> cfs	<u>57.0</u> AF
Totals:		<u>0.17</u> cfs	62.9 AF

Examiner: Georgia Satterlee
Examined: December 18, 1997

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APR 23 2002

¹ Adjustments are **bolded and underlined**.

Zimmerman, Cindy

From: TPlatt1070
To: Zimmerman, Cindy
Subject: request for info
Date: Thursday, June 04, 1998 2:21PM

To:

Cindy Zimmerman
IDWR, Boise ID 83720

I received your request (via email, 5/19/98) for information regarding how much water a mink consumes per day. Although it varies depending on the type of feeder used and the type of diet (wet or dry), I have been told 1/2 gallon per mink per day should be adequate.

Let me know if I can help with anything else.

Sincerely,

Teresa Platt
Fur Commission USA
826 Orange Avenue, #506
Coronado, CA 92118
(619) 575-0139
(619) 575-5578/fax
tplatt1070@aol.com
www.furcommission.com

----- Message Header Follows -----

Received: from adm-smtp.state.id.us by admmsmgw.state.id.us
(PostalUnion/SMTP(tm) v2.1.9h for Windows NT(tm))
id AA-1998Jun04.141731.1128.427950; Thu, 04 Jun 1998 14:17:32 -0600
Received: from imo12.mx.aol.com ([198.81.17.34]) by adm-smtp.state.id.us
(Post.Office MTA v3.1.2 release (PO205-101c) ID# 0-0U10L2S100)
with ESMTP id AAA247 for <czimmerm@idwr.state.id.us>;
Thu, 4 Jun 1998 14:17:43 -0600
Received: from TPlatt1070@aol.com
by imo12.mx.aol.com (IMOV14_b1.1) id SAKFa29071
for <czimmerm@idwr.state.id.us>; Thu, 4 Jun 1998 16:20:36 -0400 (EDT)
From: <TPlatt1070@aol.com>
Message-ID: <8b7d418.35770195@aol.com>
Date: Thu, 4 Jun 1998 16:20:36 EDT
To: czimmerm@idwr.state.id.us
Mime-Version: 1.0

APR 28 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08768

1. Owner: ALLEN & KARLA MOYLE

Phone No. 536-6739

Current Address: 3530 S 1500 E, WENDELL, ID. 83355

2. Accompanied by: SAME

EXAM DATE : 18 DEC 97

Address:

Phone No.Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-10452

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

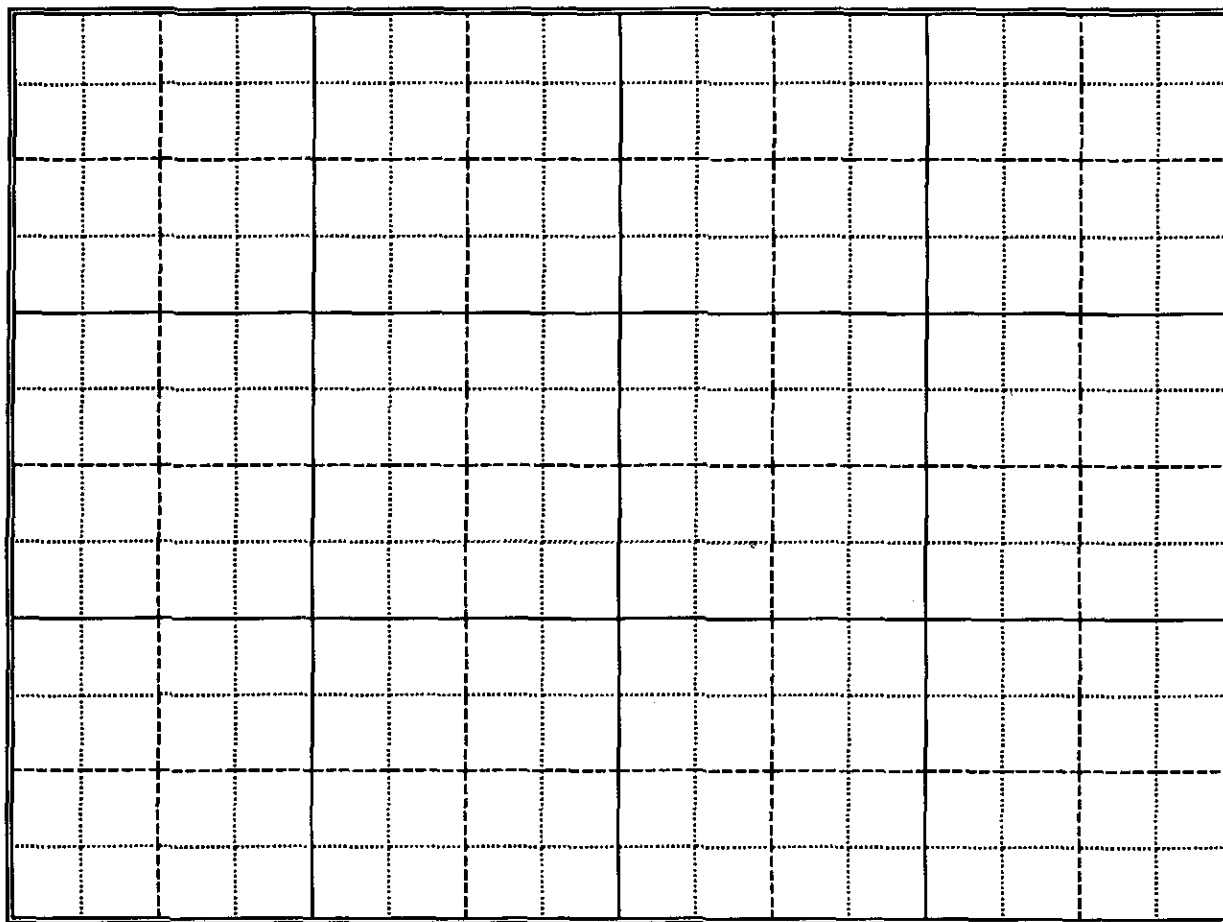
Indicate Method of Determination SAME AS ABOVE

[illegible]

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



Scale: 1" = _____

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

☐ Aerial Photo Attached (required for Irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1 A0004648		2			
#2 A0004649		2			
#3 A0004650		1			

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

#4 A0004651 No Pump Yet

D. FLOW MEASUREMENTS

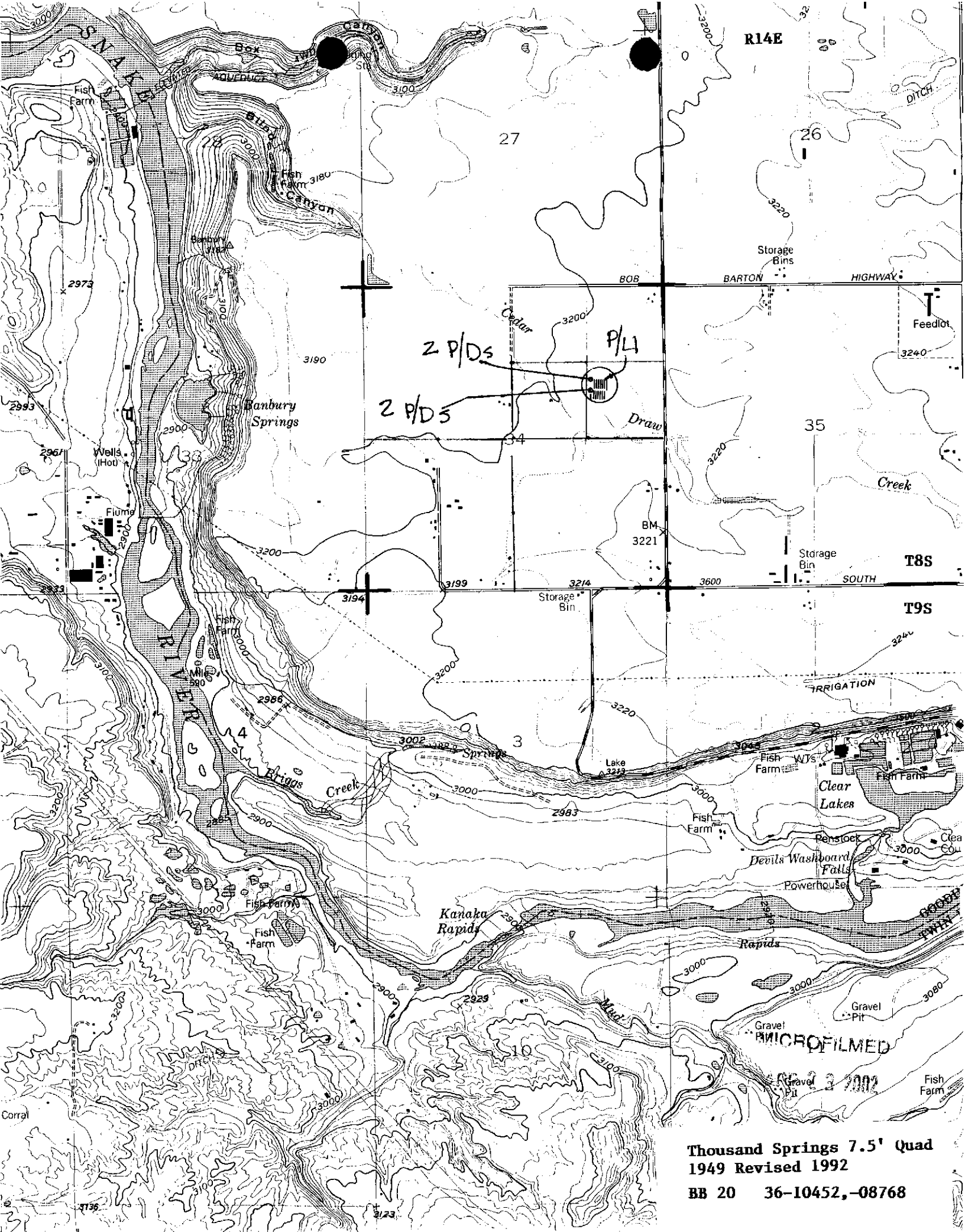
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
BUCKET/STOPWATCH		DATED				
THEORETICAL	SEE SHEET	3 JUNE 1997				

2. Measurements: BOTTOM

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APR 23 2002



Thousand Springs 7.5' Quad
1949 Revised 1992
BB 20 36-10452, -08768



June 3, 1997

ANALYSIS FOR ALLEN MOYLE'S MINK OPERATION

The operation began in 1979 and progressed from a two home, 5 mink shed, and work facility to a two home, 15 mink shed, and work facility operation.

HISTORICAL DEVELOPMENT BY YEARS

YEAR	MINK SHEDS	DOMESTIC USE, (OTHER DATA)
1979	5 sheds	1 duplex (two families), grinding shed, wash room. Four wells drilled by 1980 3 wells operating with 1 1HP pump and 2 1.5HP pumps
1980	1 shed added	
1982	4 sheds added	
1983	2 sheds added	
1984	1 shed added	second home added, duplex converted to single family dwelling
1985		One 1.5HP pump replaced with a 2HP pump
1987		One 1.5HP pump replaced with a 2HP pump
----- commencement of adjudication Nov 19, 1987 -----		
1989	1 shed added	
1993	1 shed added	

PUMP SYSTEM OPERATION

March to June 1HP pump runs 24 hours per day. (after freezing dates)
June to March 2HP pump runs 24 hours per day.
June to March 1 hp pump will occasionally cycle on during the hottest period of July and August (approximately 1 PM to 6 PM)
Second 2HP pump used for backup purposes.

lift in all wells 60 ft.
pressure at sheds 12 psi
domestic uses on separate leg of the system and tied to a pressure tank. A booster pump pressurizes the system to 40 psi.

((SEE TIME LINE GRAPHIC BELOW))

THEORETICAL PUMP CAPACITY CALCULATIONS

$$\frac{8.8 * .7 * 2 \text{ HP}}{60' + (2.31 * 12 \text{ PSI})} = \underline{0.144 \text{ CFS}}$$

$$\frac{8.8 * .7 * 1 \text{ HP}}{60' + (2.31 * 12 \text{ PSI})} = \underline{0.068 \text{ CFS}}$$

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SEP 23 2002

COMMERCIAL USE ANALYSIS

Continuous flow through the watering system to provide fresh water and to keep the watering gutters from freezing, per line, is as follows: Shed set A is a free flowing system year round when they are occupied. Shed set B has a closed watering system for summer use but is free flowing through the winter months.

4 lines per 3 sheds in Shed Set A = $\frac{14}{12}$ lines GLS 12/18/97
4 lines per 7 sheds in Shed Set B = $\frac{28}{7}$ lines
total 40 lines

RATE PER LINE AT SYSTEM CAPACITY

42 " GLS 12/18/97

40 lines @ 0.20 cfs = 0.005 cfs or 2.24 gpm

RATE PER LINE AT NORMAL WINTER OPERATION

40 lines @ 0.14 cfs = 0.0035 cfs or 1.57 gpm

GENERAL COMMENTS

The evidence of pre adjudication existance was the NAAP photo BB 20 NE dated 8-6-87 which shows the 13 mink sheds, the home and out buildings. No other documentation was requested at this time.

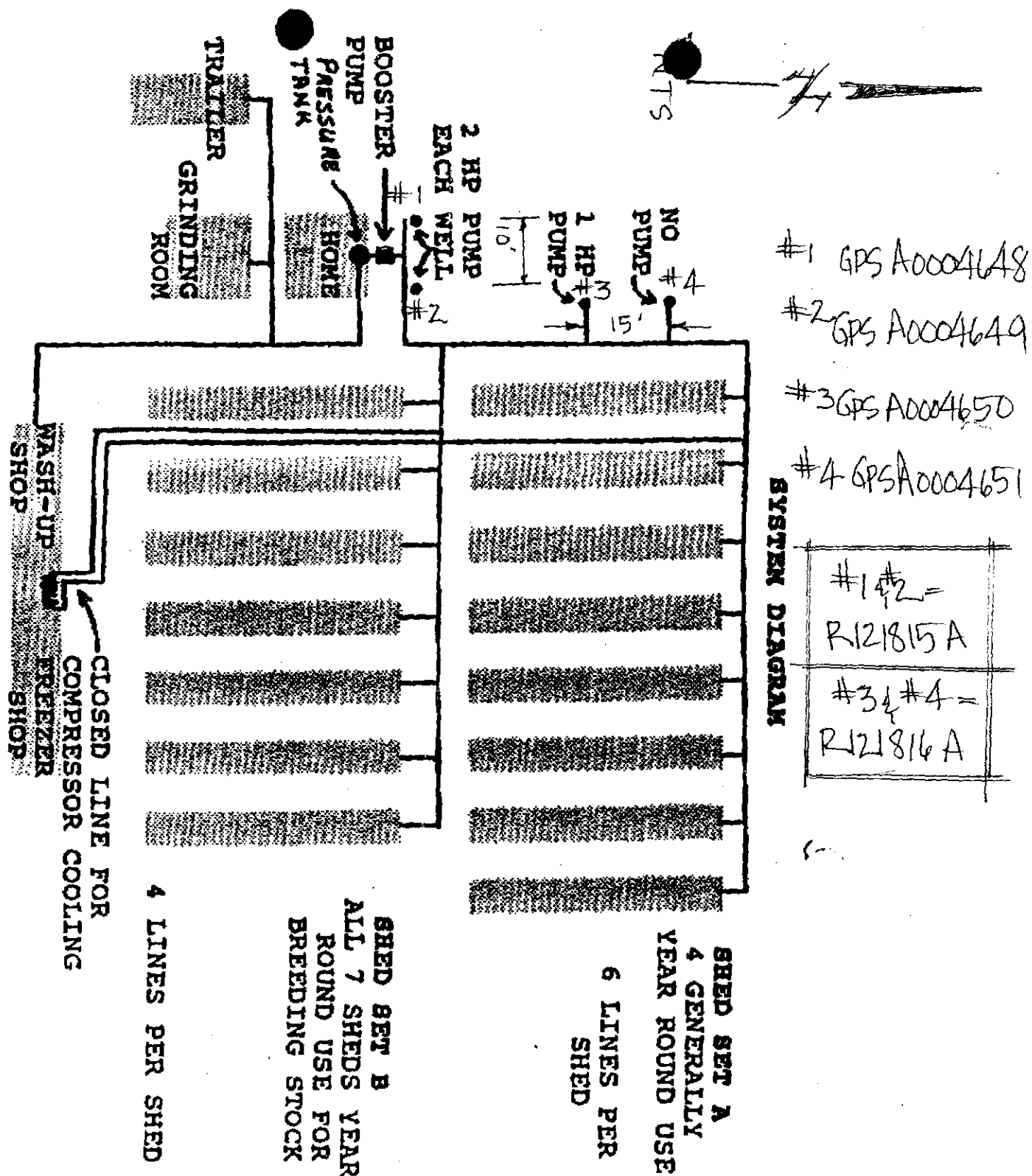
The diversion system was not altered to add the two additional sheds added after commencement. The same rate and volume use was, rather reapportioned between all sheds.

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APR 23 2002

Prepared By KKC
June 6, 1997

File - 36:MOYLE-MINK-APP-ANALYSIS



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SEP 23 2012

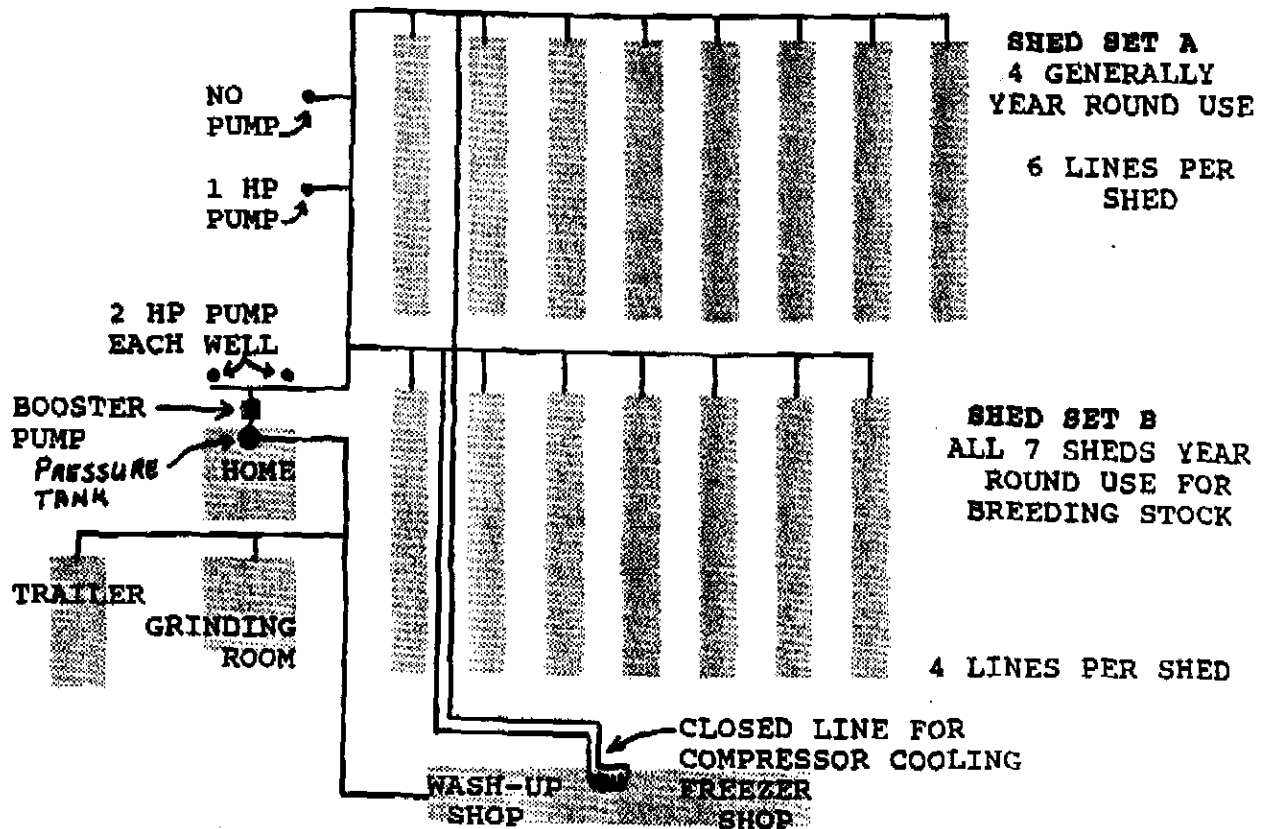
Moyle, Allen and Karla

18 December 1997 1000 hrs.

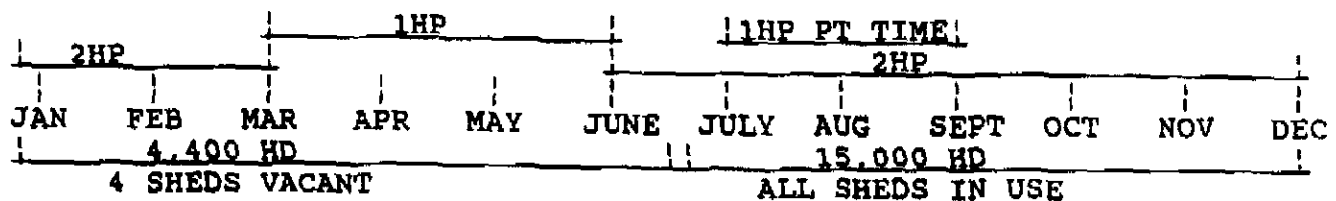
Examiner: Satterlee, G

36-10452,-08768

SYSTEM DIAGRAM



TIME LINE

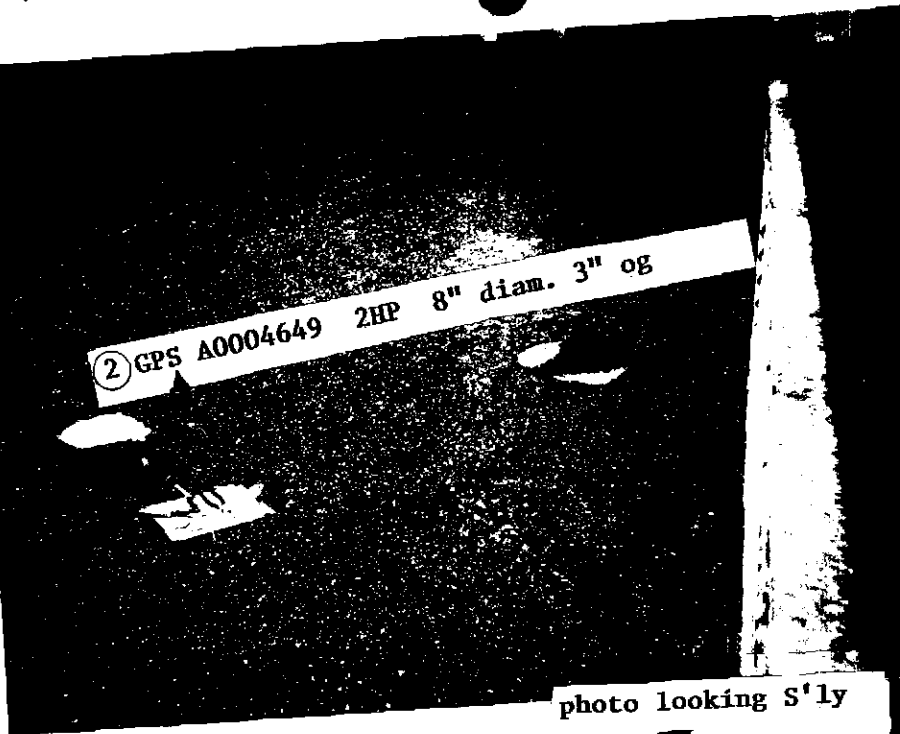


LIVESTOCK USE ANALYSIS

7 sheds	Normal use for breeders at 1,100 per shed.		
Average use	1,100 head per shed during peak use.		
Shed set A	winter use normal, 4 max use		4,400 hd
Shed set A	all in use during summer		8,000 hd
Shed set B	year round full use		7,700 hd
MAXIMUM MINK POPULATION			15,000 hd

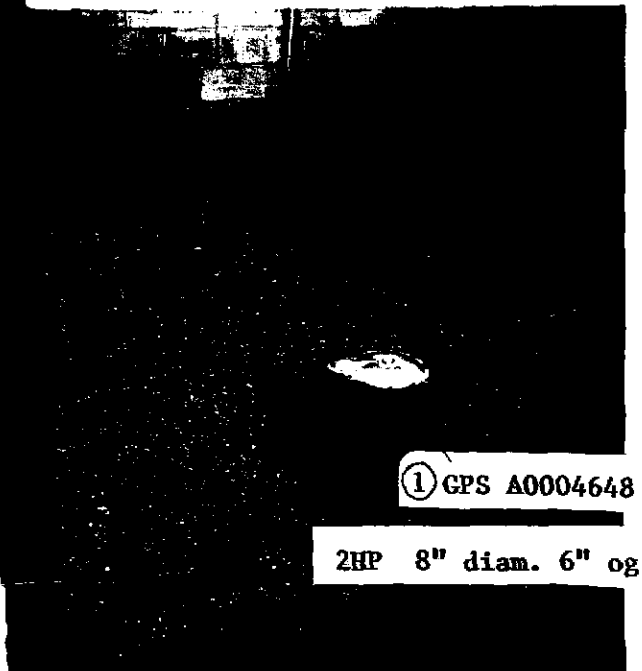
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APR 23 2002



② GPS A0004649 2HP 8" diam. 3" og

photo looking S'ly

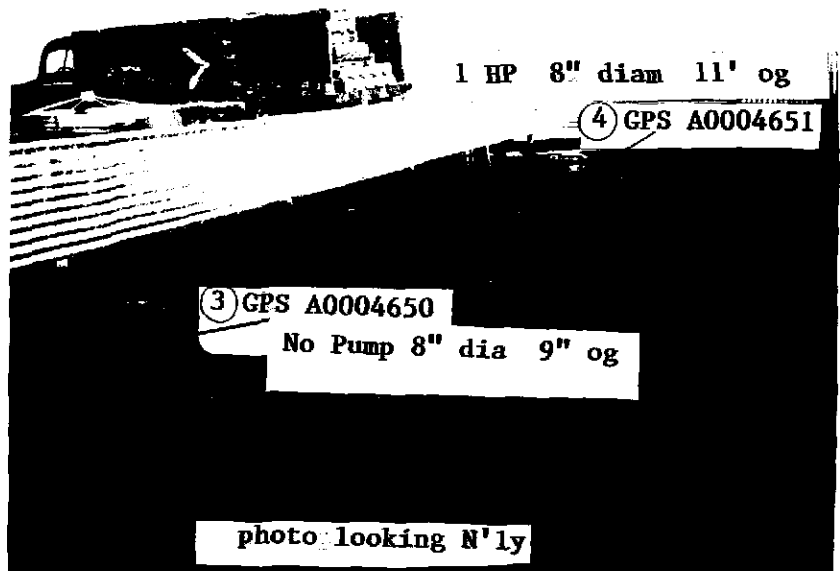


① GPS A0004648

2HP 8" diam. 6" og



photo looking S'ly



1 HP 8" diam 11' og

④ GPS A0004651

③ GPS A0004650

No Pump 8" dia 9" og

photo looking N'ly

Moyle, Allen and Karla
18 December 1997 1000 hr.
Examiner: Satterlee, G

36-10452,-08768

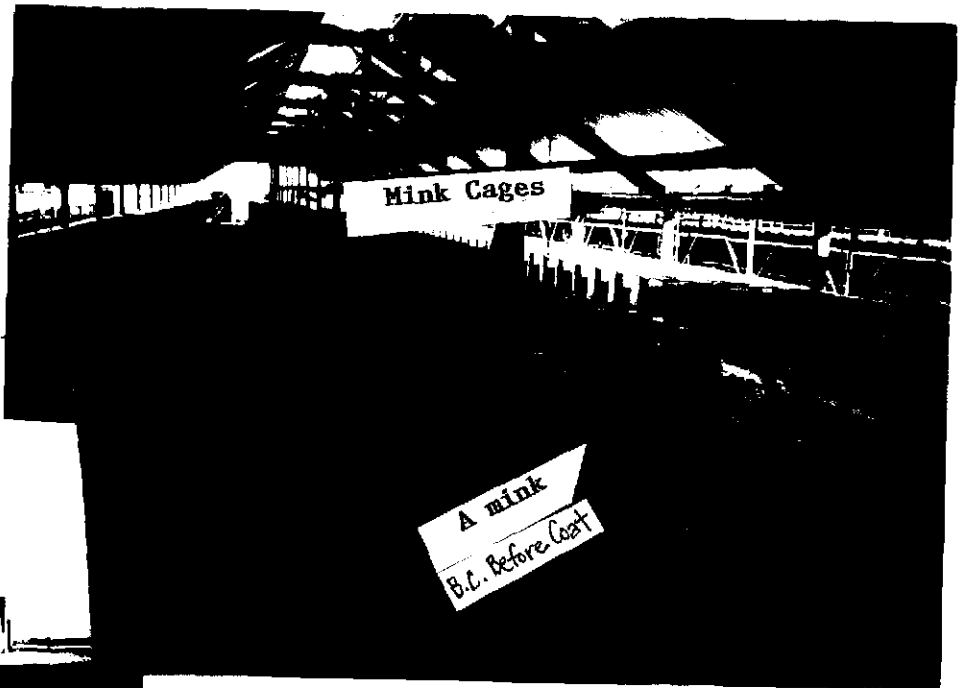
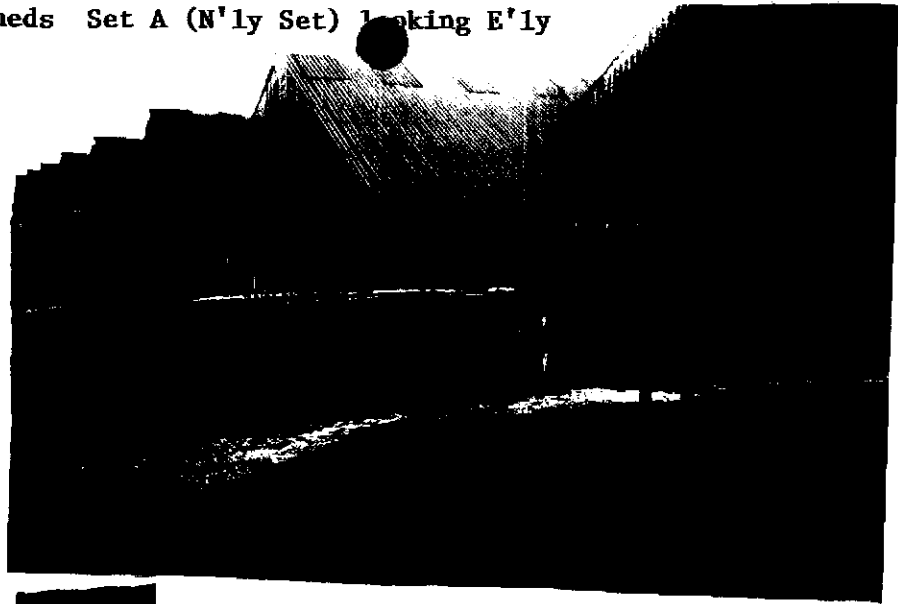
UNCLASSIFIED

2 3 2002

Sheds Set A (N'ly Set) looking E'ly

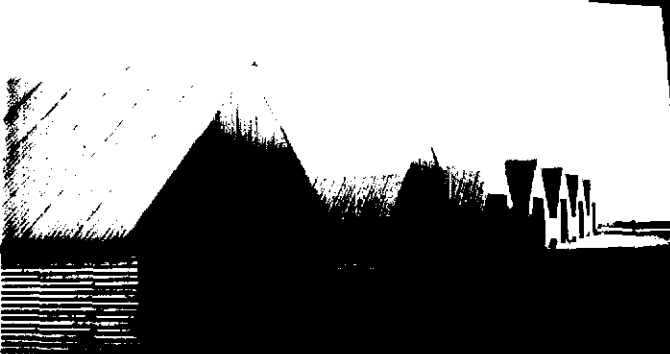
242

Took measurement from multiple hose lines and multiplied by the number of lines.



Mink Cages

A mink
B.C. Before Cost



Sheds Set B (S'ly Set) looking E'ly

MICRO
APR 23 2002

Moyle, Allen and Karla
18 December 1997 1000 hrs.
Examiner: Satterlee, G

36-10452,-08768

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 36-10452
36-08768
2. OWNER: ALLEN & KARLA MOYLE Phone: 536-6739
Address: 3539 S 1500 E WENDELL ID 83355
3. WELL LOCATION: Twp 08S, Rge. 14E, Sec. 34, SE 1/4 NE 1/4
County GOODING (Provide sketch map and photo on reverse.)
4. DRILLER: DALE GILBERT Lic. No. _____
When Drilled? 1979 ±
5. WELL CONSTRUCTION:
Casing Diameter 8 Inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☐ Yes ☒ No - Describe 9" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: 45 (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: MINK FARM

MICROFILMED

APR 23 2002

8. **POSSIBLE CONTAMINATION SOURCES:**
Is there evidence of Chemigation? ☐ Yes ☒ No
If yes, is there a check-valve present? ☐ Yes ☐ No
Is there a possible source of contamination nearby? ☐ Yes ☐ No
If yes, what Type? _____
How far away from the well is this source? _____

9. **REMARKS:** _____

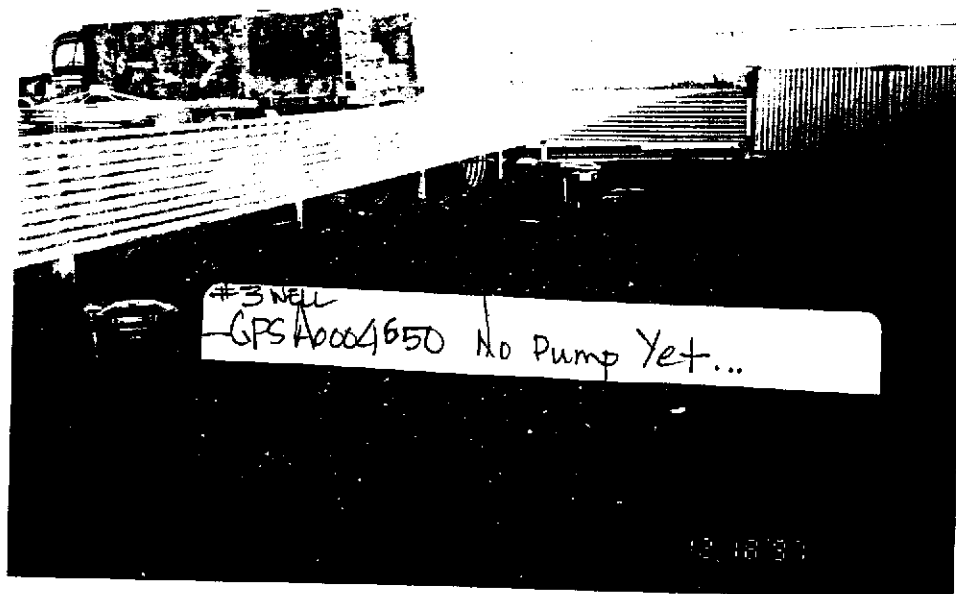
[Signature]

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



MICROFILMED

APR 23 2002

PHOTO LOOKING N'LY

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 36-10452
36-08768
2. OWNER: ALLEN & KARLA MOYLE Phone: 536-6739
Address: 3539 S 1500 E WENDELL ID 83355
3. WELL LOCATION: Twp 08S, Rge. 14E, Sec. 34, SE 1/4 NE 1/4
County GOODING (Provide sketch map and photo on reverse.)
4. DRILLER: DALE GILBERT Lic. No. _____
When Drilled? 1979 ±
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☐ Yes ☒ No - Describe 6" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☒ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 80± ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: 45 (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: MINK FARM MICROPILED

APR 23 2012

8. POSSIBLE CONTAMINATION SOURCES:
Is there evidence of Contamination? ☐ Yes ☒ No
If yes, is there a check-valve present? ☐ Yes ☐ No
Is there a possible source of contamination nearby? ☐ Yes ☐ No
If yes, what Type? _____
How far away from the well is this source? _____

9. REMARKS: _____

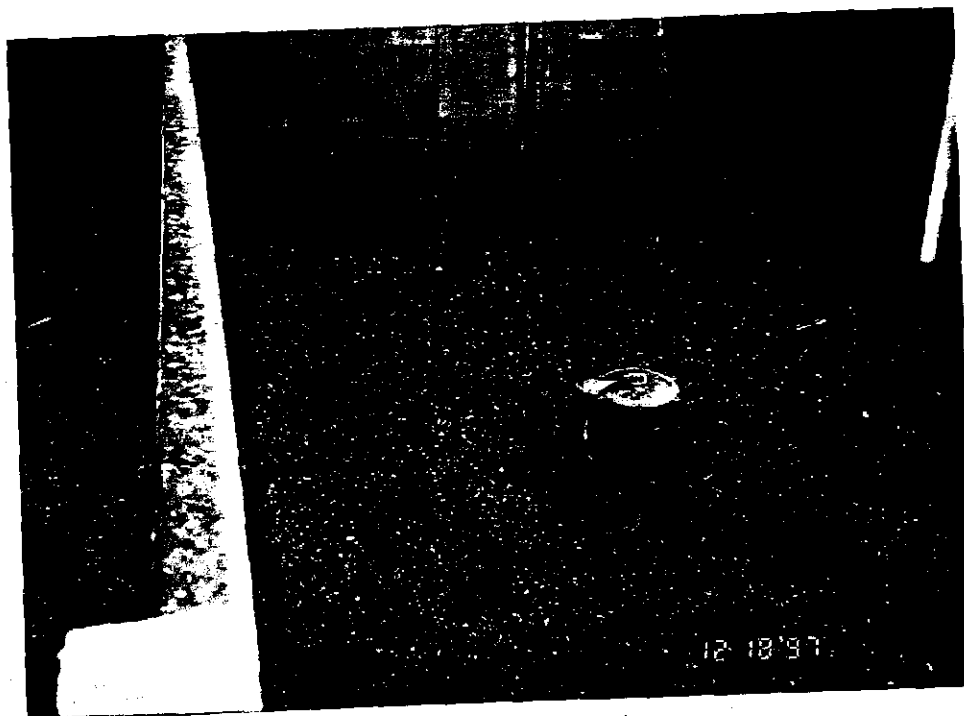
[Signature]

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



#1 WELL
- GPS A0004648
2 HP pump

PHOTO LOOKING S'LY

MICROFILMED

APR 23 2000

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 36-10452
36-08768
2. OWNER: ALLEN KARLA MOYLE Phone: 536-6739
Address: 3539 S 1500 E WENDELL ID 83355
3. WELL LOCATION: Twp 08S, Rge. 14E, Sec. 34, SE 1/4 NE 1/4
County GOODING (Provide sketch map and photo on reverse.)
4. DRILLER: DALE GILBERT Lic. No. _____
When Drilled? 1979 ±
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☐ Yes ☒ No - Describe 11" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: 45 (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: MINK FARM MICROFILMED

APR 23 2002

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

GP Satterlee

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



Tag on other side

GPS A0004651

1 HP #4 WELL

MICROFILMED

APR 23 2002

PHOTO LOOKING S'LY

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 36-10452
36-08768
2. OWNER: ALLEN & KARLA MOYLE Phone: 536-6739
Address: 3539 S 1500 E WENDELL ID 83355
3. WELL LOCATION: Twp 08S, Rge. 14E, Sec. 34, SE 1/4 NE 1/4
County GOODING (Provide sketch map and photo on reverse.)
4. DRILLER: DALE GILBERT Lic. No. _____
When Drilled? 1979 ±
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing ≥ 12 inches above ground? ☐ Yes ☒ No - Describe 3" o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☐ No Pressure: 45 (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: MINK FARM MICROFILMED

APR 23 2002

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

[Signature]

Signature of Dept. Representative & Title

18 Dec 1997

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



#1 WELL
10' RT. of #2 WELL
(OR WEST)

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APR 23 2002

PHOTO LOOKING S'LY

#2 well

GPS A1004649

24" pump

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 23 December 1997
RE: 36-08768

On 18 December 1997 at 0900 hrs., I met with Allen Moyle to perform a field examination on the above permit. The permit is year round use for commercial and stockwater for a mink farm.

The domestic use for the two homes is covered under 36-10452. See attached sheets for Schematic of the Operation, Time Line for the use of the different wells, Livestock Use Analysis, Historical Development, Pump System Operation and Theoretical Pump Capacity, and Commercial Use Analysis.

The rate was measured by bucket and stopwatch. Mr. Moyle said this is the normal winter operation. One of the wells with the 2 horsepower pump was running. See attached sheet showing the yearly time line connected with the well(s) used.

Measurements were taken at several lines on both Set A and Set B with an average of 1 gallon per minute per line. There are 42 lines. The rate is 42 gpm=0.09 cfs for the stockwater and commercial use. Adjustment will be made for the other months using the theoretical for the 1 horsepower pump (theoretical 0.07 cfs).

2 HP runs 24 hrs. June-March 0.18af/day x 243 dys= 43.7
1 HP runs 6 hrs./day x 62days=372 hrs=15.5dys(0.14af)=2.2
45.9afa

1 HP runs 24 hrs. March-June 0.14af/day x 122 dys=17.1 afa
TOTAL 62.9

See back of Beneficial Use Field Report for more...

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

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SEP 3 3 2002

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$2 \text{ AP} = 0.09 \text{ cfs (measured)}$$

$$1 \text{ AP} = 0.07 \text{ " (theoretical)}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{N}{A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{n}{n}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \frac{n}{n}$$

2. Volume Calculations for Other Uses:

PERMIT RATE 0.20
EXAM FEE LIMIT 0.20
(SEE F.) MEASURED RATE 0.16

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use *	Period of Use *		Rate of Diversion * Q (cfs)	Annual Volume * V (afa)
	From	To		
COMMERCIAL/STOCK	3/1	6/30	0.07	17.1
" " "	6/30	3/1	0.09	45.9
Totals:			0.16 cfs	62.92 fa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Georgia Satterlee Date 12 Jan 98

Reviewer _____ Date _____

SEAL

MICHAEL
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 2, 1997

ALLEN AND KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08768

Dear Permit Holder:

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

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

If you have questions concerning the field examination, please contact the department's SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

DEC 08 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 20, 1997

ALLEN MOYLE
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08768

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

1000-11MED

1997

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Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

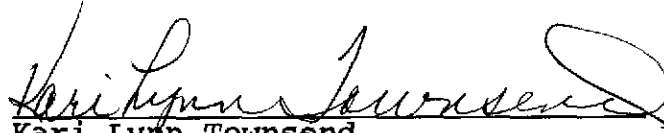
SEP 11 1997

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 36-08768

ALLEN MOYLE
KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 11 1997

MEMORANDUM

DATE: August 18, 1997
TO: File No. 36-08768
FROM: Cindy Zimmerman *CS*
SUBJECT: Trustwater Review

This application proposes to divert 0.20 cfs of trustwater from groundwater for stockwater for 15,000 mink and commercial use in grinding room and 2 shops located within SENE, S34, T08S, R14E. This application satisfies 42-203A & C requirements.

MICROFILMED
SEP 11 1997

FROM: Allen Merritt

DATE: August 7, 1997

TO: Application No. 36-08768
In the Name of: Moyle

SUBJECT: Review and Recommendation

This application was processed for pre-1987 development not covered under other rights or filings. (See memo dated 6/3/97 by Kelly Christensen) Evidence support pre 1987 use.

RECOMMENDATION

I recommend that the application be approved subject to the following conditions:

-This right when combined with 36-10452 shall not exceed a system capacity of 0.22 cfs.

MICROFILMED

SEP 11 1997

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

16 day of July, 1997

and the date of the last publication was on the 23 day of

July, 1997.

Patty Nance

Subscribed and sworn to before me this 23rd day of

July, 1997.

(SEAL)

Norma W. Use
NOTARY PUBLIC

6547 / 16584
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

affidavit fee \$2.25

Lines tabular at _____ 7¢/Pica
525.94 Lines straight at 31.56 6¢/Pica
525.94 Subsequent lines at 21.30 5¢/Pica
TOTAL COST 60.11

COPY OF NOTICE

(Paste Here)

Permit Moyle
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Slip. Water Res.
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

ALLEN & OR KARLA MOYLE

3539 S 1500 E

WENDELL, ID 83355

Application for Permit No. 36-08768

Source: groundwater (existing development)

Diversion Pt(s): Three points within SE1/4NE1/4, S34, T08S, R14E;

Gooding County

Use: 01/01-12/31

Stockwater (0.20 cfs)

Commercial (0.20 cfs)

Total Diversion: 0.20 cfs

In: SE1/4NE1/4, S34, T08S, R14E;

Gooding County

Date Filed: 06/16/97

The application proposes to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. The permit, if approved, will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 4, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County Leader on 7/16 & 7/23/97

MICROFILMED

SEP 11 1997

NOTICE OF
APPLICATION FOR
WATER PERMIT

The following application
has been filed to appropriate
the public waters of the
State of Idaho:

ALLEN MOYLE &/OR
KARLA MOYLE

3539 S 1500 E

WENDELL ID 83355

Application for Permit

No. 36-08768

Source: groundwater
(existing development)

Diversion Pt(s): Three
points within SE1/4NE1/4,
S34, T08S, R14E; Gooding
County.

Use: 01/01-12/31

Stockwater (0.20 cfs)

Commercial (0.20 cfs)

Total Diversion: 0.20 cfs

In: SE1/4NE1/4, S34,
T08S, R14E; Gooding
County

Date Filed: 06/16/97

The application proposes to
divert groundwater from the
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of \$25.00 on or before
August 4, 1997. The
protestant must also send a
copy of the protest to the
applicant.

Karl J. Dreher, Director

Published in the Gooding
County Leader on 7/16 &
7/23/97.

Not per format of camera - ready
mb
8/4/97

MICROFILMED

SEP 11 1997

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

ALLEN &/OR KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

Application for Permit No. 36-08768

Source: groundwater (existing development)

Diversion Pt(s): Three points within SE1/4NE1/4, S34, T08S, R14E; Gooding County.

Use: 01/01-12/31
Stockwater (0.20 cfs)
Commercial (0.20 cfs)

Total Diversion: 0.20 cfs

In: SE1/4NE1/4, S34, T08S, R14E; Gooding County

Date Filed: 06/16/97

The application proposes to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be show the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. The permit, if approved, will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 4, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County Leader on 7/16 & 7/23/97.

RECORDED

SEP 11 1997



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

July 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN Gooding County Leader
PO BOX 468
JEROME ID 83338

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

RECEIVED

SEP 11 1997



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

June 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ALLEN &/OR KARLA MOYLE
3539 S 1500 E
WENDELL ID 83355

Re: Application for Permit No. 36-08768

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the Gooding County Leader for 7/16 & 7/23/97. 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.

If an application is not protested, it will be forwarded to our State Office in about five weeks. 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

MAILED
SEP 11 1997

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 Kelly K Christensen

CUSTOMER:
ALLEN MOYLE

DATE: June 16, 1997 3:11 pm

SUBJECT: OFFICE VISIT FOLLOUP ON 36-10452, 10454, AND 10455
phone () walk-in(X)

He brought in the completed application for permit for the mink farm water use. Corey receipted the application.

We discussed the adjudication aspects of his claims and he elected to file a withdrawal for A36-10455. WITH SRBA COURT.

ALSO
AMENDED
BDD
TO SENE { I then assisted him in filling out a standard form 4 and provided him an amended copy of A36-10452 that changed the right to domestic use only at 0.08 cfs. The use was described as 2 homes and 2 out buildings used for feed prep and washup facilities for the mink operation. I generated copies to assist him in mailing standard form 4 copies.

I checked with Charlie Honsinger and he indicated that Allen should verbally request that 36-10454 be withdrawn during the 7-2-1997 hearing being held by Special master Haemmerle. I discussed this with Allen.

RECEIVED

SEP 11 1997

36-08768



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

June 3, 1997

ANALYSIS FOR ALLEN MOYLE'S MINK OPERATION

The operation began in 1979 and progressed from a two home, 5 mink shed, and work facility to a two home, 15 mink shed, and work facility operation.

HISTORICAL DEVELOPMENT BY YEARS

YEAR	MINK SHEDS	DOMESTIC USE, (OTHER DATA)
1979	5 sheds	1 duplex (two families), grinding shed, wash room. Four wells drilled by 1980 3 wells operating with 1 1HP pump and 2 1.5HP pumps
1980	1 shed added	
1982	4 sheds added	
1983	2 sheds added	
1984	1 shed added	second home added, duplex converted to single family dwelling
1985		One 1.5HP pump replaced with a 2HP pump
1987		One 1.5HP pump replaced with a 2HP pump
----- commencement of adjudication Nov 19, 1987 -----		
1989	1 shed added	
1993	1 shed added	

PUMP SYSTEM OPERATION

March to June 1HP pump runs 24 hours per day. (after freezing dates)
June to March 2HP pump runs 24 hours per day.
June to March 1 hp pump will occasionally cycle on during the hottest period of July and August (approximately 1 PM to 6 PM)
Second 2HP pump used for backup purposes.

lift in all wells 60 ft.
pressure at sheds 12 psi
domestic uses on separate leg of the system and tied to a pressure tank. A booster pump pressurizes the system to 40 psi.
((SEE TIME LINE GRAPHIC BELOW))

THEORETICAL PUMP CAPACITY CALCULATIONS

$$\frac{8.8 * .7 * 2 \text{ HP}}{60' + (2.31 * 12 \text{ PSI})} = \underline{0.144 \text{ CFS}}$$

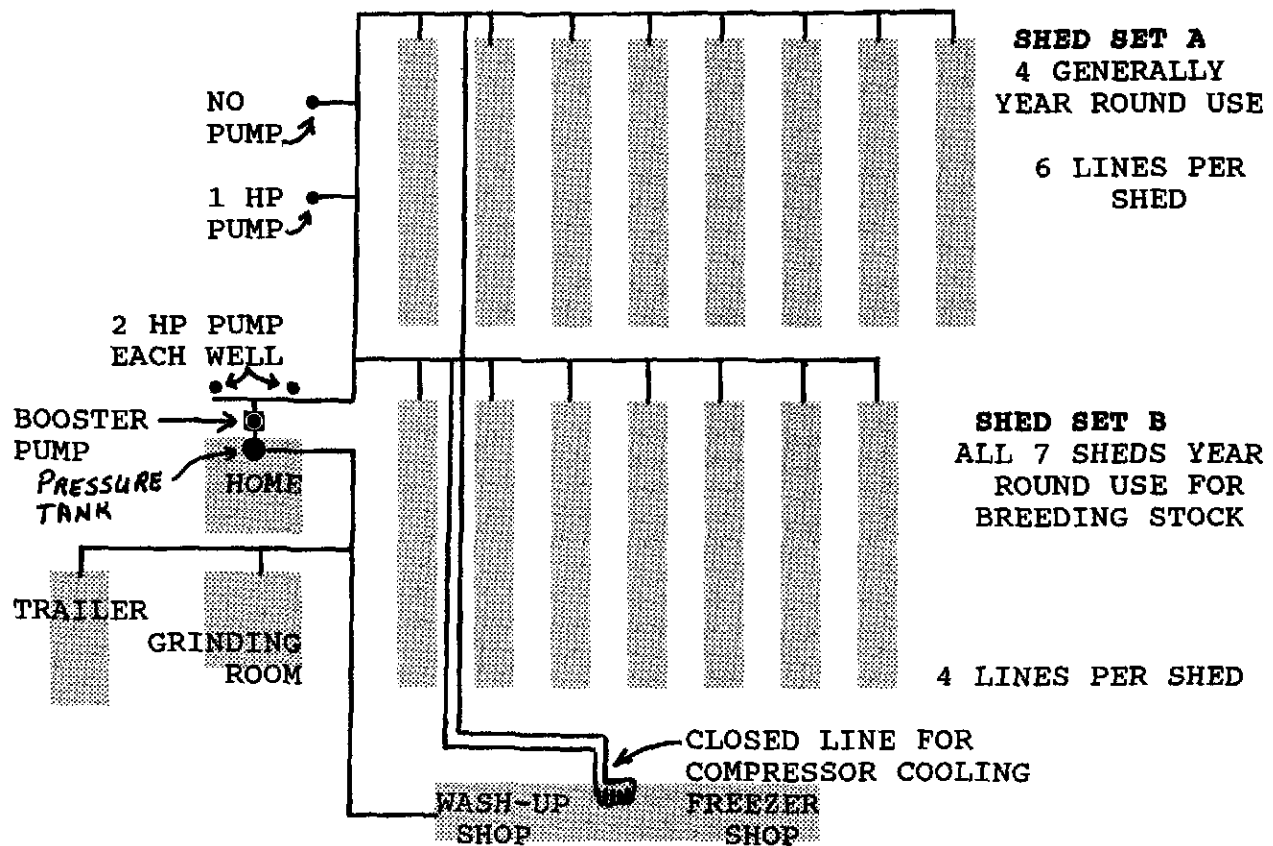
$$\frac{8.8 * .7 * 1 \text{ HP}}{60' + (2.31 * 12 \text{ PSI})} = \underline{0.068 \text{ CFS}}$$

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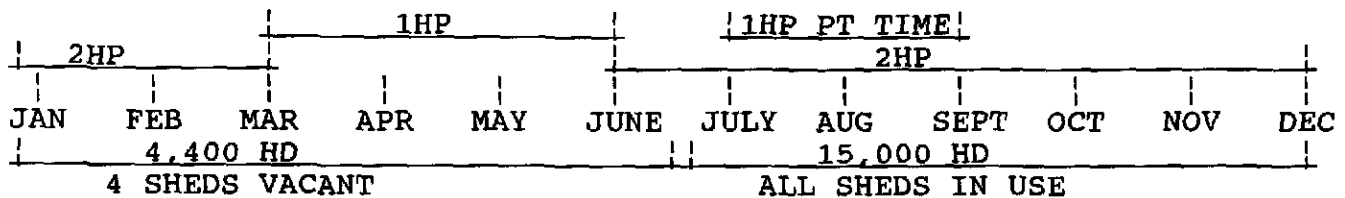
SEP 11 1997

36-08768

SYSTEM DIAGRAM



TIME LINE



LIVESTOCK USE ANALYSIS

7 sheds Normal use for breeders at 1,100 per shed.

Average use 1,100 head per shed during peak use.

Shed set A	winter use normal, 4 max use	4,400 hd
Shed set A	all in use during summer	8,000 hd
Shed set B	year round full use	7,700 hd
MAXIMUM MINK POPULATION		15,000 hd

MICROFILMED

SEP 11 1987

36-08768

COMMERCIAL USE ANALYSIS

Continuous flow through the watering system to provide fresh water and to keep the watering gutters from freezing, per line, is as follows: Shed set A is a free flowing system year round when they are occupied. Shed set B has a closed watering system for summer use but is free flowing through the winter months.

4 lines per 3 sheds in Shed Set A =	12 lines
4 lines per 7 sheds in Shed Set B =	<u>28 lines</u>
total	40 lines

RATE PER LINE AT SYSTEM CAPACITY

40 lines @ 0.20 cfs = 0.005 cfs or 2.24 gpm

RATE PER LINE AT NORMAL WINTER OPERATION

40 lines @ 0.14 cfs = 0.0035 cfs or 1.57 gpm

GENERAL COMMENTS

The evidence of pre adjudication existance was the NAAP photo BB 20 NE dated 8-6-87 which shows the 13 mink sheds, the home and out buildings. No other documentation was requested at this time.

The diversion system was not altered to add the two additional sheds added after commencement. The same rate and volume use was, rather reapportioned between all sheds.