

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

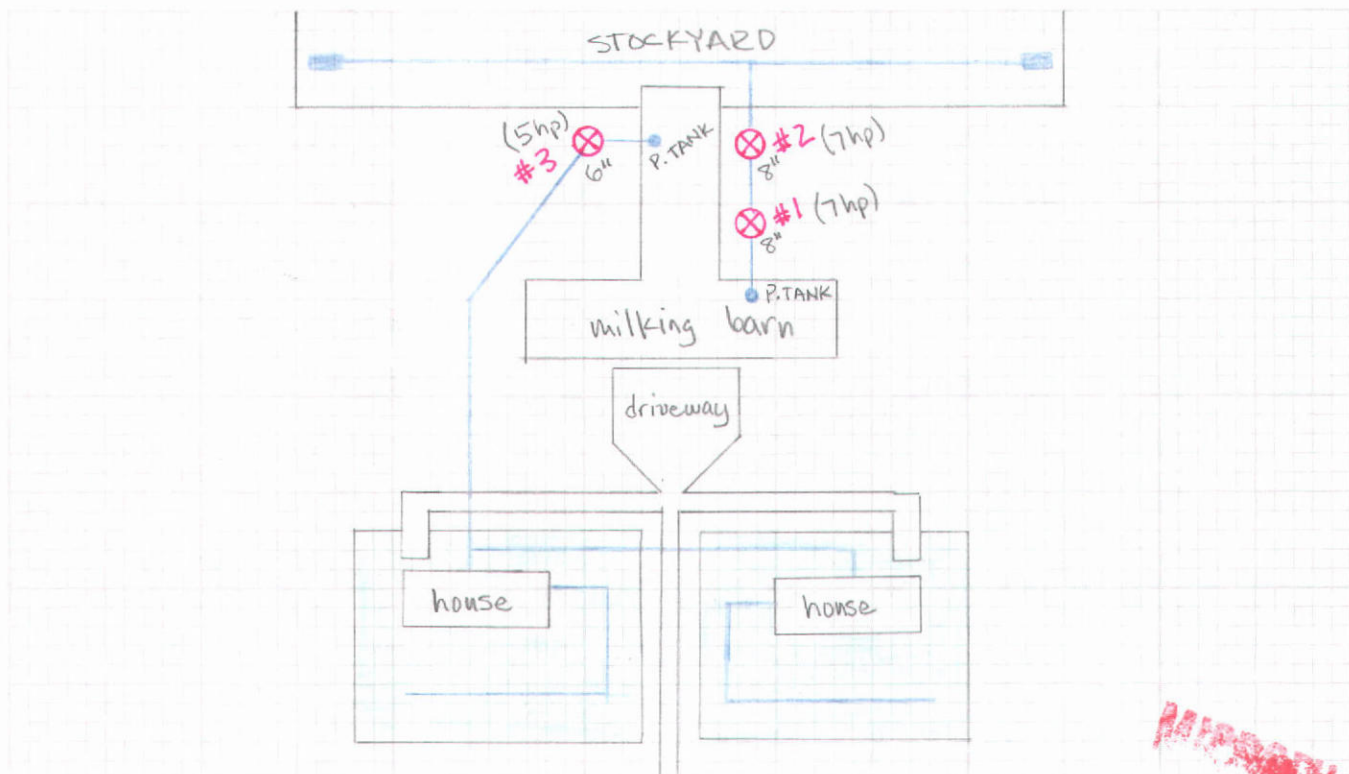
1. Owner: Elcidio Rocha Permit No. 36-8379
Current Address: 3164 S. 2050th Wendell, ID 83355 Phone No. 536-6786
2. Accompanied by: Jose Rocha EXAM. DATE: 6-5-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

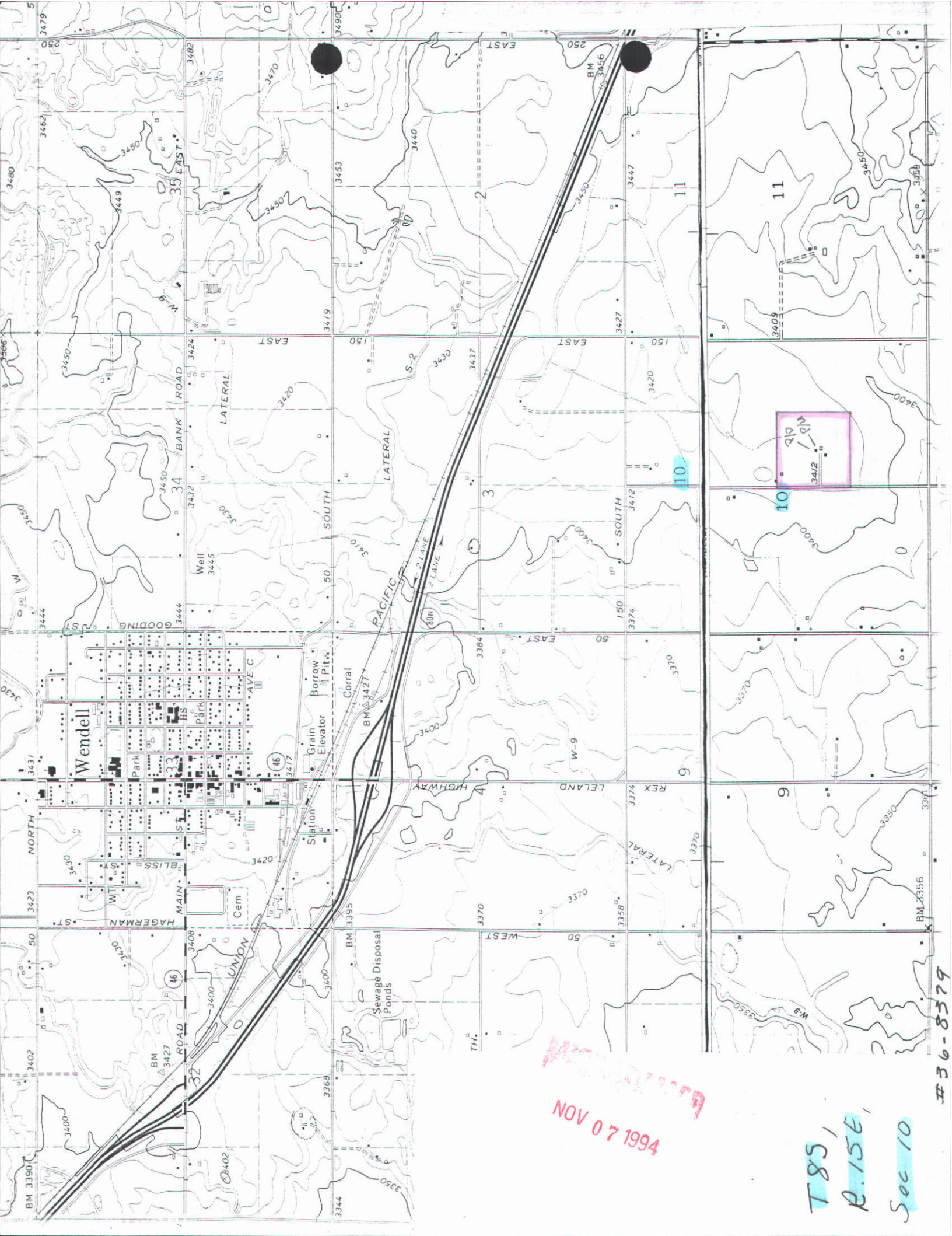
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = approx. 50 ft.

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

NOV 07 1994



NOV 07 1994

T85,
R.15E,
Sec 10

#36-8579

36-8374



RECEIVED
NOV 07 1994

36-9379



NOV 07 1994

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

NOV 10 1988

Department of Water Resources

Dave Coomber

Southern Region Office

, being first duly sworn, deposes and says that he 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 2nd day of Nov 19 88, and the date of the last publication was on the 9th day of Nov, 19 88.

[Signature]

Subscribed and sworn to before me this 9th

day of Nov, 19 88.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 29
Number of Insertions 2

Lines tabular at 5¢/Pica
29 Lines straight at 15.08 4¢/Pica
25 Subsequent lines at 13.19 3¢/Pica
TOTAL COST 28.27

OK
mb
11/21/88

3034

COPY OF NOTICE
(Paste Here)

Appeal for Water
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application has been filed to appropriate the public waters of the State of Idaho:
36-08379
ROCHA, JOSE C., ROCHA, ELCIDIO,
14213 S. BON VIEW, CHINO, CA 91710
Source: GROUNDWATER
Diversion Pt: NWSE Sec 10 T 08S R 15E;
Gooding County; 2 1/2 miles South and 1 mile East of Wendell.
Use: COMMERCIAL (.400 CFS)
STOCKWATER (.400 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/19/1988
In: T08S R15E S10 - NWSE - SWSE
The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 21, 1988.
R. Keith Higginson
Dir.

Publish: November 2 and 9

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

MICROFILMED
No 1314
MAR 01 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5320
WATER RIGHT NO(S). 36-07460AB/36-08379

This is to certify that: **ROCHA DAIRY**
3164 S 2050 E
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07460AB:			
STOCKWATER	01/01 to 12/31	0.16 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.44 CFS	74.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 03/25/1974			
SUBTOTAL:		0.60 CFS	102.0 AF
Right No. 36-08379 :			
STOCKWATER	01/01 to 12/31	0.34 CFS	51.3 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 08/19/1988			
SUBTOTAL:		0.38 CFS	89.4 AF
TOTAL:		* 0.98 CFS	* 191.4 AF
<u>SOURCE</u> GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 10, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 15E 10

NESE
SESE

NWSE

SWSE

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 15E 10

NENE
SENE
NWSE

NWNE
SWSW
SWSE

SWNE
SESW
SESE

MICROFILMED
JUN 24 1999

TRANSFER NO. 5320
WATER RIGHT NO(S). 36-07460AB/36-08379

PLACE OF USE: DOMESTIC

TWN RGE SEC

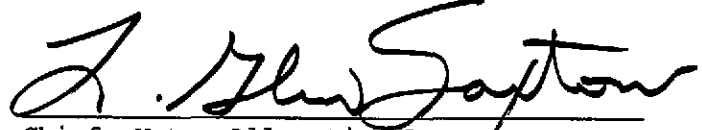
08S 15E 10

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Three (3) points of diversion are located within NWSE, S10, T08S, R15E.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5320 shall not exceed 0.98 cfs, nor a total combined annual volume of 191.4 af.
9. The water used for commercial purposes under this approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.
10. Commercial use is for a dairy facility located within NWSE, S10, T08S, R15E.
11. Domestic use is for one (1) home each under Rights 36-07460AB and 36-08379, or a combined total of two (2) homes.

Dated this 14th day of June, 1999.


Chief, Water Allocation Bureau

MICROFILMED
JUN 24 1999

State of Idaho
Department of Water Resources

AMENDED

AMENDED

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08379

Priority: August 19, 1988

Maximum Diversion Rate:

0.38 CFS

Maximum Diversion Volume:

89.4 AF

This is to certify, that ELCIDIO ROCHA
JOSE C ROCHA

3164 S 2050 W

WENDELL ID 83355

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 1988; and has submitted Proof of Beneficial Use on December 13, 1990. An examination indicates that the works have a diversion capacity of .480 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.34 CFS	51.3 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.38 CFS	89.4 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE, Sec. 10, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER
TWN RGE SEC
08S 15E 10 NWSE

PLACE OF USE:
COMMERCIAL, same as STOCKWATER use

PLACE OF USE:
DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

JAN 19 1995

State of Idaho
Department of Water Resources

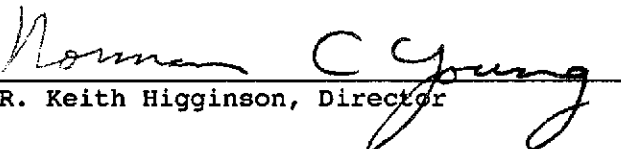
WATER RIGHT LICENSE

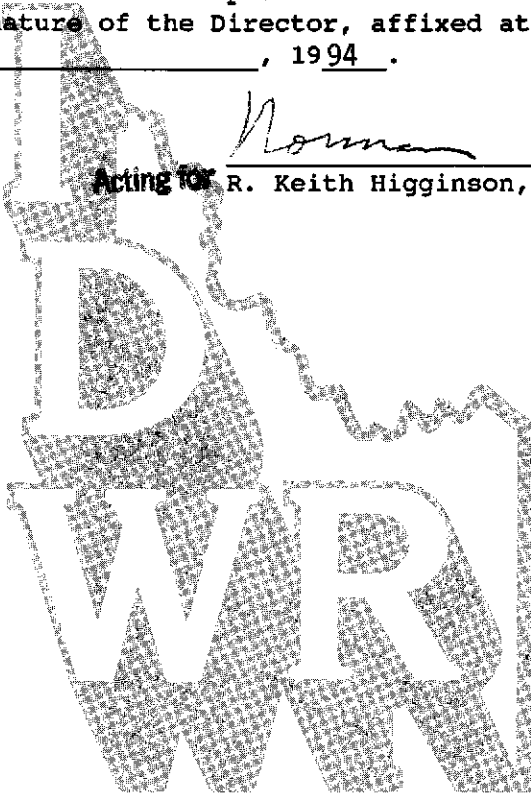
WATER RIGHT NO. 36-08379

CONDITIONS/REMARKS:

6. Three points of diversion are located within NWSE, S10, T08S, R15E.
7. Commercial use is for a dairy operation.
8. Stockwater use is for 900 range cattle and 1000 dairy cattle.
9. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29th day of December, 1994.


Acting for R. Keith Higginson, Director



[Faint, illegible stamp]

JAN 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-08379

Priority: August 19, 1988

Maximum Diversion Rate: 0.38 CFS
Maximum Diversion Volume: 142.4 AF

This is to certify, that ELCIDIO ROCHA
JOSE C ROCHA

3164 S 2050 W
WENDELL ID 83355

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 1988; and has submitted Proof of Beneficial Use on December 13, 1990. An examination indicates that the works have a diversion capacity of .480 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.34 CFS	51.3 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	89.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Totals		0.38 CFS	142.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 10, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 15E 10

NWSE

PLACE OF USE:

COMMERCIAL, same as STOCKWATER use

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

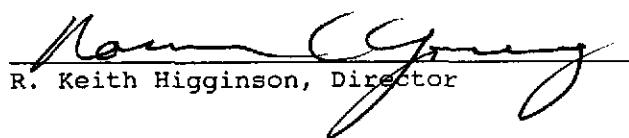
WATER RIGHT NO. 36-08379

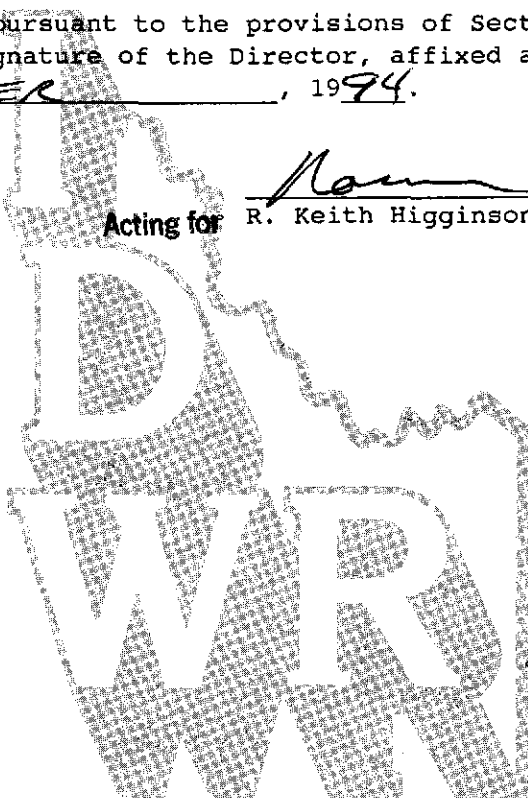
CONDITIONS/REMARKS:

6. Three points of diversion are located within NWSE, S10, T08S, R15E.
7. Commercial use is for a dairy operation.
8. Stockwater use is for 900 range cattle and 1000 dairy cattle.
9. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of OCTOBER, 1994.

Acting for


R. Keith Higginson, Director



NOV 07 1994

RECEIVED

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 100.00
Date 12-13-90
Receipt No. 5012899
Received by E. S. [illegible]

DEC 13 1990

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

DEC 14 1990

Department of Water Resources

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

1. Permit No. 86-8379 Telephone No. 536-6786

2. Name(s) of Permit Holder(s): 3164 S. 2050 W. E/cidio & Jose Rocha

3. Post Office Address: Wendell, ID 83355

4. Source of Water: Groundwater (3 wells)

a. If ground water, well driller's name: Eaton Drilling Date drilled: years ago

b. Pump horsepower: 2, 2.5 hp Pressure (psi): 45, 45, 75 Dynamic pumping level (ft.): 3

5. Extent of Use:

Domestic 2 (No. of households)

Irrigation _____ (No. of acres)

Stockwater Dairy, 1000 range
1000 (No. and type of stock)

Other Commercial - Dairy

6. Total rate and/or volume for which proof is submitted 0.40 cfs _____ acre/feet

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

Measuring device: Required? Yes ✓ No Installed? Yes ✓ No

OR

Flow Measurement Port: Required? Yes ✓ No Installed? Yes ✓ No

8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Permittees

Name

Telephone No.

Same

Address

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

12-13-90
Date

Elcidio S. Rocha
Signature (and title if on behalf of a company or organization)

JAN 2 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 36-08379

APPROVED

AUG 18 1988

To appropriate the public waters of the State of Idaho

RECEIVED

1. Name of applicant Jose C. Rocha - Elcidio Rocha Phone 714-597-8450

Post office address 14213 S. Bon View Chino, CA 91710

2. Source of water supply Groundwater which is a tributary of 2 points

3. Location of point of diversion is 1/4 of NW 1/4 of SE 1/4, Govt. Lot

Sec. 10 Township 8S Range 15E B.M. Gooding County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.40 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.40 for Livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.40 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two wells & pumps, pipelines, stock
troughs

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 190 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

5 years (minimum 1 year).

MICROFILMED

MAR 01 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 1000 dairy cattle, 900 range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Commercial - dairy barn

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	15E	10														X	X		

X is P/U for commercial, livestock, domestic

Total number of acres to be irrigated _____

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

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

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

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

12. Remarks: An existing domestic use on the property has been moved. It will be served by the new wells, and a second domestic use will be developed on the property. Since there is a use right for the existing home, only 1 domestic use is shown on this application.

MAR 01 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

A 12x12 grid map. Handwritten labels include 'T. 8S' at the intersection of the 6th vertical line and 6th horizontal line, and 'R. 15E' at the intersection of the 10th vertical line and 8th horizontal line. A small 3x3 grid icon is located at the intersection of the 10th vertical line and 7th horizontal line.

RECORDED

MAR 01 1989

Scale: 2 inches equal 1 mile.

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

Jose C. Rocha Eduardo Rocha
(Applicant)

Proposed Priority 8/19/88

Received by JA Date 8-19-88 Time 1pm Preliminary check by LH

Fee \$ 45.00 Receipted by JA # 5001574 Date 8-19-88

Publication prepared by M. Baldwin Date 10/20/88 Published in Gooding Co. Leader

Publication approved M. Baldwin Date 11/21/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-8379, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 91.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 3rd day of February, 1989.

A. Glen Saylor

RECORDED

MAR 01 1989

MEMORANDUM

TO: Files 36-07460Y & 36-08379

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5320

DATE: June 14, 1999

Transfer 5320 changes the points of diversion, place, nature and season of use under a portion of Right 36-07460Y, splitting the right into Parts AA & AB, and combining the use with Right 36-08379 to provide for an existing dairy.

The applicant has purchased a portion of irrigation Right 36-07460Y to provide the additional water historically used at the dairy. The place of use under Right 36-08379 is changed to more accurately reflect the current uses.

Season of use was adjusted to year round use for the dairy uses and volume was limited to the consumptive use volume associated with the 34.0 acres removed from irrigation use. No expansion occurs through this transfer; the net result is a reduction of diversion volume.

Recommended conditions include multiple points of diversion/measuring devices, measuring & annual reporting, water quality, county zoning, land application limits and standard transfer conditions.

<u>Change in Nature of Use Evaluation</u>				
	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol.</u>
36-07460Y	1.53 cfs	IRR	86.3 acres	(345.2 af/258.9 af)
36-07460AA	0.93 "	IRR	52.3 "	(209.2 af/156.9 af)
36-07460AB	0.60 " Dairy Uses (34.0 ")			102.0 af/102.0 af
	1.53 cfs IRR & Dairy 52.3 acres			311.2 af/258.9 af

MICROFILMED

JUN 24 1999

MEMORANDUM

TO: FILE 36-08379
FROM: PAM SKAGGS
RE: TRANSFER # 5320
DATE: 9-29-98

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 36-074608.

MICROFILMED
JUN 24 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 29, 1994

Robert E. Williams III
117 South Adams Street
P.O. Box 168
Jerome, ID 83338-0168

RE: Jose and Elcidio Rocha/ License 36-08379

Dear Mr. Williams:

I am writing in response to your request dated December 9, 1994.

I will first address your concern about the domestic use for two homes. The Application for Permit submitted to the Department by the Rochas in 1988, numbered 36-08379, states that it is to cover only one domestic use because there is an existing "beneficial use" right for another existing domestic use. The existing beneficial use right is confirmed by our records, which show that Rocha Dairy filed claim A36-10654 in the Snake River Basin Adjudication for a single domestic use. The Department recommended claim A36-10654 for decree by the Snake River Basin Adjudication court with a priority date of March 1, 1976. A printout of our recommendation is enclosed.

Therefore, counting claim 36-10654 and license 36-08379, the Rochas have recorded water rights for two homes at their dairy location. If the Rochas have more than two homes, they may file an Application for Permit, a Snake River Basin Adjudication claim, or both, to cover the additional use. However, as indicated in Idaho Code §42-227, users of groundwater for domestic purposes, as defined in Idaho Code §42-111, are not required to file with the Department to establish a water right.

As for the stockwater issue, I have reviewed our file on 36-08379, and it contains the following information. The Application for Permit submitted in 1988 states in item 8.b that the livestock use will be for 1000 dairy cattle and 900 range cattle. The Department approved the permit based on the information contained in the Application for Permit. Proof of Beneficial Use was filed for 36-08379 on December 13, 1990. It indicated stockwater use for 1000 dairy cattle and 1000 range cattle.

The Department considers submission of Proof of Beneficial Use to be an indication that the development period has been completed and the appropriation allowed under the permit has been accomplished.

JAN 19 1995

Robert E. Williams
RE: 36-08379
December 29, 1994
Page 2

Idaho Code §42-211 provides specific direction relating to amending permits, especially if the amendment proposes increased water use. Moreover, there is a fee associated with the filing of an Application for Amendment of a Permit. There is no record in our files of any attempt to amend the permit, even to the numbers indicated on the Proof of Beneficial Use, prior to the submission of proof of beneficial use. Unless the Application for Amendment and associated fee are received prior to the submission of Proof of Beneficial Use, the Department cannot consider increasing the amount of water allowed to be appropriated under a given permit.

In the same manner that adding acres to an irrigation right would surely increase the volume of water appropriated, adding stock to a stockwater right would increase the total volume of water appropriated.

The file for 36-08379 does contain a memo indicating that Mr. Rocha visited our Twin Falls office on May 18, 1992, to discuss his herd size. However, his visit occurred more than a year after he submitted Proof of Beneficial use. Moreover, his visit occurred three days after the Director issued the ongoing moratorium on processing new applications for consumptive water rights in the Eastern Snake River Plain.

With the moratorium in place, it is undoubtedly more difficult to obtain a water right in the Eastern Snake River Plain than in years past. However, the Department regularly receives Applications for Transfer to move a water right from one place to another and/or to change the nature of use of an existing right. Perhaps the Rochas can find another right that could be transferred to their dairy.

In a related matter, we have discovered that a typographical error was made on the Rochas license. The annual volume limit for the commercial use should not be 89.9 AF, but rather 36.9 AF as indicated by our field examiner. I am sorry that this error was not discovered earlier. A copy of the amended license is enclosed. The original has been forwarded to the Rochas.

MISSOURI DEPT
JAN 19 1995

Robert E. Williams
RE: 36-08379
December 29, 1994
Page 3

If you have any questions, or if I can be of further assistance,
please contact me at 208-327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures:

- Copy of SRBA Recommendation for A36-10654
- Copy of Amended License 36-08379

RECEIVED
JAN 19 1995

FREDERICKSEN, WILLIAMS & MESERVY

ATTORNEYS AT LAW

117 South Adams Street
P. O. Box 168
Jerome, Idaho 83338-0168

RECEIVED

DEC 12 1994

Department of Water Resources



EUGENE D. FREDERICKSEN

ROBERT E. WILLIAMS III

JAMES C. MESERVY

Telephone: (208) 324-2303

Telecopier: (208) 324-3135

December 9, 1994

RECEIVED

DEC 12 1994

Department of Water Resources

*Attn: Shelly W. Keen
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000*

Dear Mr. Keen:

I represent Jose and Elcidio Rocha of Wendell. The Rochas are owners of Water Right No. 36-08379 for a total of .38 cfs. The water rights are devoted to livestock, commercial and domestic purposes, on the Rocha Dairy east of Wendell.

The original water rights application and drilling permit erroneously stated the number of livestock for which the permit was sought. The permit was intended to be sought for 1000 head of milking cows and 1400 head of heifers. Further, there are two homes on the dairy, not one, as the drilling permit suggests.

In December, 1990, and again on June 5, 1991, my clients appeared at the Twin Falls office of DWR to advise the personnel that the license needed to be revised to show the true state of facts as I have set them forth. My clients were under the impression that their visits to the Twin Falls office had accomplished their purpose.

It is clear that the license has not been amended to demonstrate that the use of the water is for 1000 head of milking cows, 1400 heifers and two residences. I am requesting that in light of my clients' attempts to achieve this amendment, that you issue a revised license demonstrating the correct facts as set forth.

Would you please notify me as soon as possible concerning your ability to comply with this request.

Very truly yours,

FREDERICKSEN, WILLIAMS & MESERVY

ROBERT E. WILLIAMS III

RECEIVED

REW/rlw
cc: Clients

JAN 19 1995

MEMORANDUM

DATE: November 9, 1994

TO: File 36-08379

FROM: Shelley W. Keen (SWK)

RE: Conversation with Right Holder

=====

Today Al Rocha called me about this license. He reiterated the concerns expressed by his wife in her call to me last week. (See my memo dated November 7, 1994.)

To summarize, Mr. Rocha believes that this license should cover stockwater and commercial development for additional cattle beyond the 900 range cattle and 1000 dairy cattle listed on the license. I explained that there is evidence in the file that he spoke about his expanded herd with Steve Clelland in our Twin Falls office on May 18, 1992. I also told Mr. Rocha that I could find no evidence of an application for amendment of permit or an application for permit to cover the water use for his expanded herd. I explained that we cannot issue a license for water use in excess of that identified on the corresponding permit.

Mr. Rocha indicated that he was not advised during his visit with Steve Clelland that he should file an application for amendment or an application for permit. Mr. Rocha was apparently under the impression that his conversation with Steve was adequate notification to IDWR staff that he wanted a license that would cover water use for additional stock. I told Mr. Rocha that the only information in the file relates to the use and not to how he may or may not have been advised to proceed. I also mentioned that how he was advised may have been affected by the Snake/Boise moratorium order, which was issued three days prior to his visit with Steve.

In order to have an opportunity to explore this issue more closely, I asked Mr. Rocha to send me a written explanation of his perspective and a request for specific action by the department.

Mr. Rocha also thought that the license recognized only one well, not three. I explained that remark no. 6 on the license recognizes the use of three wells.

RECORDED

JAN 19 1995

M E M O R A N D U M

DATE: November 7, 1994

TO: File 36-08379

FROM: Shelley W. Keen *SWK*

RE: Right Holder's Dissatisfaction with the License

=====

On November 3, 1994, Barbara Rocha called me about this license. She thinks that water for two additional domestic units and several hundred additional cattle should be indicated on this license.

The Application for Permit in the file for this right shows that the applicant wanted to develop a water right for one home and 900 range cattle and 1000 dairy cattle. I searched the database and found only one other filing for this property -- SRBA claim A36-10654 in the name of Rocha Dairy for domestic purposes for one home.

There is a conversation memo in this file indicating that Mr. Al Rocha spoke to Steve Clelland at Southern Region on May 18, 1992. Apparently Mr. Rocha told Steve that he has 1100 milking cattle and 1400 range cattle. However, there is no record of any filing having been made then, possibly because the Snake/Boise moratorium order was issued on May 15, 1992, three days prior to Mr. Rocha's conversation with Steve.

I explained to Mrs. Rocha that we cannot issue a license for water development in excess of what is allowed on the permit. I also explained that domestic uses from groundwater do not require a filing. Finally, we briefly discussed the moratorium and the timing of Mr. Rocha's conversation with Steve Clelland.

Mrs. Rocha told me that she or her husband would call back to discuss this matter further. I have received no call to date.

[Stamp]

NOV 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1994

ELCIDIO ROCHA
JOSE C ROCHA
3164 S 2050 W
WENDELL ID 83355

RE: WATER RIGHT NO. 36-08379

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

NOV 07 1994

LICENSE REVIEW CHECKLIST



PERMIT NO. 36-8379 DATE 10-14-94

NAME	Yes	No		Or Address Change?
PRIORITY DATE	☐	☒		Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒		Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☐	☒		Amendment needed? _____ Overlaps? _____
PLACE OF USE	☐	☒		Amendment needed? <u>DELETE SWSE 1/4 1/4</u> Overlaps? _____
DIV RATE	☐	☒		Permit/fee limits: <u>.40 CFS</u> Meas Q = _____ Theo Q = <u>.34 + .14</u> Recommend: <u>.38 CFS</u> <u>Well #1 = .17 CFS</u> Domestic well #3 = <u>.14 CFS</u> <u>Well #2 = .17 CFS</u> CAPACITY = <u>.43 CFS</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☐	☒		Season of use: <u>(1-1 to 12-31)</u> Calculations: <u>SEE SHEET</u> Flow limit: <u>.34</u> cfs x <u>365</u> x 1.9835 = <u>246 cfs</u> Combined volumes exceed capacity/allowable _____
USES	☐	☒		Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	<u>W32 (3)</u> Multiple p/d(s) in 1/4 1/4? <u>NWSE/S10/T85/RISE</u> <u>✓</u> Other <u>Commercial use is for a dairy.</u> <u>Stockwater use is for 900 range cattle + 1000 dairy.</u>			
CONDITIONS	☐	☒		Measuring/Locking Devices <u>Domestic use is for 1 home.</u> <u>✓</u> Watermaster control - District _____ <u>✓</u> Irrigation Overlap _____ <u>09E</u> Water Quality _____ <u>✓</u> Other _____ Heat/Cool/ Fish verified _____
COMMENTS: <u>Commercial and stock rate limited by capacity; domestic rate by permit and standard.</u>				

RECOMMENDED	CFS	VOL	SRBA Claim Filed	NO-NA
<u>Commercial</u>	<u>.34</u>	<u>89.9</u>	Adjustment Memo Needed	<u>NO</u>
<u>Stockwater</u>	<u>.34</u>	<u>51.3</u>		
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	LICENSE	<u>✓</u>
<u>TOTAL</u>	<u>.38</u>	<u>142.4</u>	1ST AMENDMENT LETTER	_____
			FINAL AMENDMENT LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

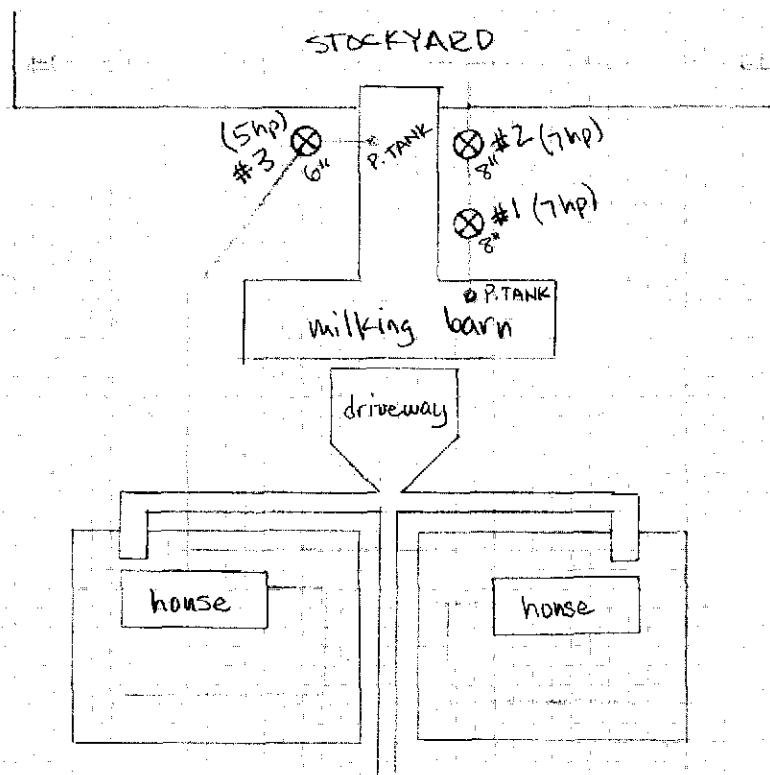
1. Owner: Elcidio Rocha Permit No. 36-8379
Current Address: 3164 S. 2050th Wendell, ID 83355 Phone No. 536-6786
2. Accompanied by: Jose Rocha EXAM. DATE: 6-5-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Approx. 50 ft.

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

NOV 07 1994

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Wells #1 & #2 equipped with 7 hp. submersible pumps. wells are interconnected and service milking barn and provide stockwater. Two 50 gal pressure tanks inside barn read 50 psi. 36 milking stations in barn.

Well #3 has 5 hp. submersible pump and serviced 2 houses and lawns. Connected to 2 50 gal. pressure tanks at 68 psi.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	redjacket	7			
#2	redjacket	7			
#3	redjacket	5			

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1			NW	SE	10	08S	15E	Gooding	USGS map/inspection
#2			NW	SE	10	08S	15E	Gooding	
#3			NW	SE	10	08S	15E	Gooding	

6. Place(s) of Use:

Indicate Method of Determination _____

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	
08S	15E	10																S	
08S	15E	10																D	
08S	15E	10																C	

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: *horsepower*

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

Stock water - See dairy worksheet

Commercial - " " "

Domestic - Allow 1.2 AFA / home w/ lawn

NOV 07 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Herd size exceeds permitted herd size, so volume is based on permit.

In the case of well #3 (the domestic well), based on calculations, the applied-for rate of 0.04 cfs. is obviously the limiting constraint, and will be the recommended rate. Original domestic use was not claimed in SRBA, is not covered by this permit.

In the case of the stockwater and commercial use wells, the recommendation is limited by pump capacity. (the combined capacity of wells #1 & #2)

~~Water use for houses and lawn areas are claimed as domestic under sec. 42-111 paragraph B.~~

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
stockwater	1/1	12/31	0.34	51.3
commercial	1/1	12/31	0.34	89.9
domestic	1/1	12/31	0.04	1.2
Totals:			0.38	142.4

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

J. AUTHENTICATION

Field Examiner's Name

Brian Block

Signature

Brian Block

Certification Date

Field Report Preparation Date

6/19/91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOV 07 1994

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE 36-08379

RE: SIZE OF HERD

DATE 5-18-92

NAME OF PARTY

AL ROCHA

Mr Rocha came in, on the advice of his attorney, to confirm the Herd size as described in his permit.

Based on his concern and the review stage of the permit we processed the Dairy system through the Lotus program on Node 01.

Mr Rocha supplied these facts:

- ① sprinkler wash method in outer pen
- ② 1100 milking / 1400 Dry
- ③ Lagoons: Two
250' X 150' X 15' EACH
wash water then sprinkled on
70 Acres.

NOV 07 1994

FLOW CALCULATIONS

36-08379

#1 & 2

dynamic level
power
press.

135 ft.
7 hp
50 psi

$$Q = \frac{8.8 (0.7) (7)}{135 + 2.31 (50)} = \boxed{0.17 \text{ cfs.}} \text{ (each)}$$

#3

dynamic level
power
press

135 ft
5 hp
50 psi

$$Q = \frac{8.8 (0.7) (5)}{135 + 2.31 (50)} = \boxed{0.12 \text{ cfs.}}$$

~~WFM~~

WFM

NOV 07 1994

Based on Permitted Herd Size

FILE NUMBER 36-8377 3.00 FOR PRINTING INSTRUCTIONS
REVIEWER ----- MTS GO TO -- "G30"

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 1000
NUMBER OF NONMILKING CATTLE ----- 900
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO ----- 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 4
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 3
NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD ----- 0.65
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.65
NONMILKING CATTLE @12 GPD/HD ----- 0.20
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.20
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 0.85

DIVERSION VOLUME (AFA):

STOCKWATER

MILKING CATTLE @35 GPD/HD ----- 39.2
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 40.0
NONMILKING CATTLE @12 GPD/HD ----- 12.1
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 13.0
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 53.0

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING ----- 36.4
TOTAL ----- 36.9

TOTAL DIVERSION VOLUME ----- 89.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER

MILKING ----- 5.8
NONMILKING ----- 0.0
TOTAL ----- 5.8

COMMERCIAL ----- 0.0

TOTAL CONSUMPTIVE USE ----- 5.8

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	7.00	7.00	
LIFT (FT) -----	135	135	
DISCHARGE PRESSURE (PSI) -----	50	50	
FRICTION LOSSES (FT) -----			

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** -----	0.17	0.17	0.00
DIVERSION VOLUME (AFA) *** -----	124.6	124.6	0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.
** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
*** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON
THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY
EVERY DAY OF THE YEAR.

TO PRINT:

USE THE MACRO COMMAND - ALT P

The print macro formula location
within this spreadsheet is at J63

NOV 07 1994

FILE NUMBER ----- 36-08379
REVIEWER ----- SCC 5-18-92

Based On
Actual Herd Size

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 1100
NUMBER OF NONMILKING CATTLE ----- 1400
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO ----- 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 4
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS -
NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.71
MILKING CATTLE @35 GPD/HD ----- 0.71
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.31
NONMILKING CATTLE @12 GPD/HD ----- 0.31
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 1.03

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 44.0
MILKING CATTLE @35 GPD/HD ----- 43.1
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 19.0
NONMILKING CATTLE @12 GPD/HD ----- 18.8
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 63.0

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING ----- 39.9
TOTAL ----- 40.4

TOTAL DIVERSION VOLUME ----- 103.4

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING ----- 6.4
NONMILKING ----- 0.0
TOTAL ----- 6.4
COMMERCIAL ----- 0.0
TOTAL CONSUMPTIVE USE ----- 6.4

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

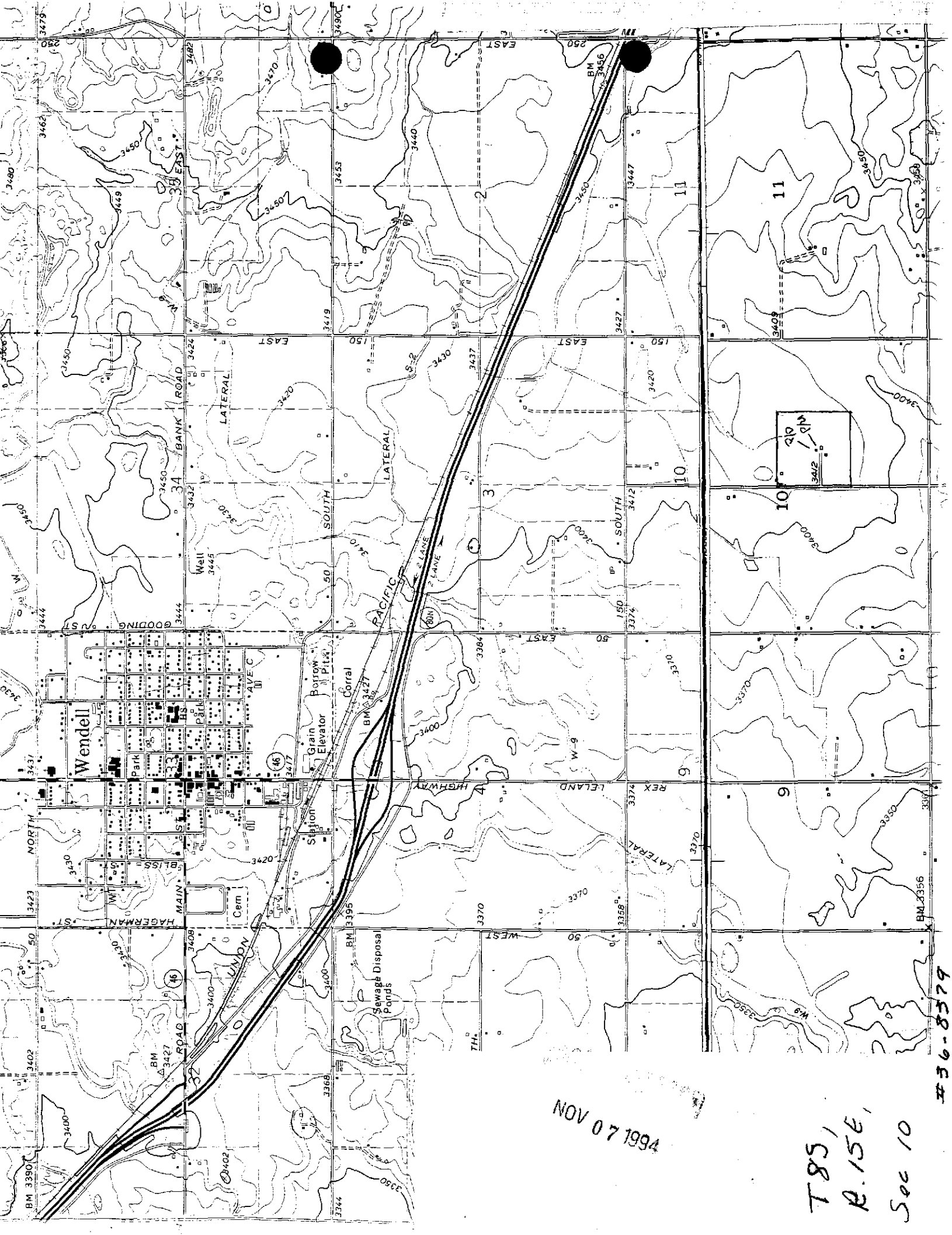
	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	7.00	7.00	0.00
LIFT (FT) -----	135	135	0
DISCHARGE PRESSURE (PSI) -----	50	50	0
FRICTION LOSSES (FT) -----	3.0	3.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * -----	0.17	0.17	0.00
DIVERSION VOLUME (AFA) ** -----	124.6	123.1	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
DAY OF THE YEAR.



NOV 07 1994

T85,
R.15E,
Sec 10

#36-8379

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 <u>AL RAY</u> <u>Charles P. Ray</u> <u>Randy Austin</u> <u>Wendell</u> Address _____ Owner's Permit No. <u>56-89-2-01</u>	7. WATER LEVEL Static water level <u>63</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____ <i>Describe artesian or temperature ranges below</i>																																
2. NATURE OF WORK ☐ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																													
Discharge G.P.M.	Pumping Level	Hours Pumped																															
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yes No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>0</td> <td>7</td> <td>Top Soil</td> <td>X</td> </tr> <tr> <td>10</td> <td>7</td> <td>31</td> <td>Gray loam</td> <td>X</td> </tr> <tr> <td>8</td> <td>31</td> <td>32</td> <td>Black loam</td> <td>X</td> </tr> <tr> <td>8</td> <td>32</td> <td>33</td> <td>Red sand</td> <td>X</td> </tr> <tr> <td>8</td> <td>33</td> <td>34</td> <td>Black loam</td> <td>X</td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water Yes No	From	To	10	0	7	Top Soil	X	10	7	31	Gray loam	X	8	31	32	Black loam	X	8	32	33	Red sand	X	8	33	34	Black loam	X
Bore Diam.	Depth		Material	Water Yes No																													
	From	To																															
10	0	7	Top Soil	X																													
10	7	31	Gray loam	X																													
8	31	32	Black loam	X																													
8	32	33	Red sand	X																													
8	33	34	Black loam	X																													
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dig ☐ Other _____	10. RECEIVED DATE <u>SEP 23 1989</u> Department of Water Resources Southern Region Office																																
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Thickness	Diameter	From	To																														
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W		E																															
S																																	

USE TYPEWRITER OR
BALLPOINT PEN

It is also required that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

I. WELL OWNER Name _____ Address _____ Owner's Permit No. _____	II. WATER LEVEL Static Water Level _____ feet below land surface Flowing _____ YES ☒ NO ☐ G.P.M. NOW _____ Artesian closed in pressure _____ Controlled by _____ Valve ☐ Cap ☐ Plug ☐ Temperature _____ °F Quality _____																																																																																																																																				
III. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (Describe method of abandoning) _____	IV. WELL TEST DATA NONE ☐ Pump ☐ Sailer ☐ AB ☐ Other _____																																																																																																																																				
V. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (Specify type) _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Discharge G.P.M.</th> <th style="width: 33%;">Pumping Level</th> <th style="width: 33%;">Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																	
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X. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Block No. _____ County _____	XI. OTHER INFORMATION Work started 7/26/76 Finished 7/27/76 Notes _____																																																																																																																																				

36-8374



NOV 07 1994

36-9374



NOV 02 1954

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 Al Rocha: Contractor?
Address Wendell 14213 S Bon View
Owner's Permit No. 36-89-2-02

7. WATER LEVEL

Static water level 123 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

WR# 36-8379
☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

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 _____ inches Diameter _____ inches + _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

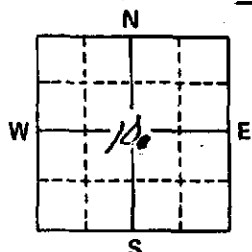
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ 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 12 1/2 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld
☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name Wendell
Lot No. NOV 07 1994
Block No. 1994

County Gooding
NW 1/4 SE 1/4 Sec. 10, T. 8, R. 15 E. 1/4

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
210	12		Top Soil		X
210	15		Gray Loam		X
210	19		Black Loam		X
210	33		Brown Loam		X
210	78		Black Silty		X
210	180				

JUL 13 1989

Department of Water Resources

RECEIVED

JUL 13 1989

Department of Water Resources
Southern Region Office

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name ERTON Drilling Firm No. 26

Address Wendell Date Oct 27 88

Signed by (Firm Official) _____

and
(Operator) Bob McLaughlin

December 28, 1990

ELCIDIO ROCHA
JOSE C. ROCHA
3164 S. 2050 W.
WENDELL, ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08379

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JAN 20 1991

138814

November 30, 1990

ELCIDIO ROCHA
JOSE C. ROCHA
3164 S. 2050 W.
WENDELL, ID 83355

PROOF DUE NOTICE

RE: PERMIT NO. 36-08379

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

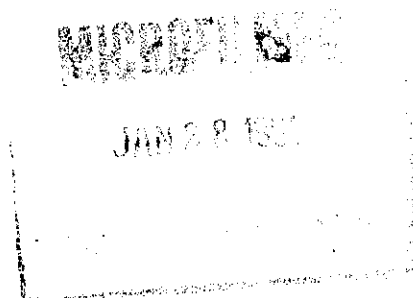
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



DATE 4-10-90

FROM Jim Stanton

TO File

SUBJECT Change of Address, Permit 36-08379, Jose Rocha

Per telecon this date with permittee, mailing address is now 3164 S. 2050 W., Wendell,
ID, 83355.

*Computer
updated SC 4/11/90*

MICROFILMED

JAN 28 1991

RECEIVED
APR 11 1990

Department of Water Resources



SIGNATURE

S T A T E O F 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

Statehouse
Boise, Idaho 83720
(208) 334-7900
February 10, 1989

ELCIDIO ROCHA
JOSE C. ROCHA
14213 S. BON VIEW
CHINO, CA 91710

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 36-08379

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

MICROFILMED

MAR 01 1989

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

RECEIVED
MAR 21 1989

MAR 01 1989

RECEIVED

State of Idaho
Department of Water Resources

RECEIVED

OCT 12 1988

DRILLING PERMIT

AUG 18 1988

Department of Water Resources

Southern Region Office (Authorizing Construction of a Well)*

Department of Water Resources
Southern Region Office

1. Applicant Al Rocha

2. Address 14213 S. Bon View

Chino, Calif. 91710

(☒) Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location NW 1/4 SE 1/4 1/4, or Gov't lot No. _____,

Sec. 10, Twp. 8 S, Rge. 15 E, County Gooding,

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

(☒) Domestic (☒) Stockwater () Monitoring

() Irrigation () Industrial () Municipal

() Injection (☒) Other, Specify Commercial - dairy

6. Well construction information:

() New well () Deepen () Replace

Proposed surface diameter 8" Proposed depth 180'

Anticipated bottom hole temperature:

- (☒) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

7. Anticipated construction start date Aug. 20 or later, '88

8. Well Driller (if known) Eaton Drilling & Pump Serv. Inc.

Address RT 1 Box 412 Wendell, ID. 83355

Date 7-28-88 Applicant's signature Al Rocha

Title Randy Austin - Contractor

MICROFILMED

MAR 01 1989

* After other pre-requisite approvals have been obtained.

Idaho Dept. of Water Resources
2148 4th Ave East
Twin Falls, Id. 83301 Ph. 734-3578

State of Idaho
Department of Water Resources

RECEIVED

DRILLING PERMIT

AUG 10 1988

(Authorizing Construction of a Well)*

Department of Water Resources
Southern Region Office

1. Applicant Al Rocha

2. Address 4213 S. Bon View

Chico, Ca 91710

☒ Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location NW 1/4 SE 1/4 1/4, or Gov't lot No. _____,

Sec. 10, Twp. 8S, Rge. 15E, County Gooding,

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☒ Domestic ☒ Stockwater () Monitoring

() Irrigation () Industrial () Municipal

() Injection (X) Other, Specify Commercial - dairy

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() 212°F or more (Geothermal well)

7. Anticipated construction start date Aug 20th 1988

8. Well Driller (if known) Eaton Drilling & Pump Serv. Co., Inc.

Address RT. 1 Box 412 Mendell, ID 83355

Date 7-28-88 Applicant's signature Al Rocha

Title Randy Austin, Builder

* After other pre-requisite approvals have been obtained.

MAR 01 1989

Idaho Dept. of Water Resources
2148 9th Ave East
Twin Falls, Id. 83301 Ph. 734-3578



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-Oct-1988

Idaho Dept. of Health & Welfare
Attention: Gary Burkett
P.O. Box 1626
Twin Falls, ID 83301

Re: Applications for Permit Nos. 36-8386, 36-8379, 37-8371

Dear Mr. Burkett:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosures

MICROFILMED

MAR 01 1989

October 31, 1988

Jose C. & Elcidio Rocha
14213 South Bon View
Chino, CA 91710

Re: Application for Permit No. 36-08379

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 will be advertising the application in the Gooding County Leader on 11/2 & 11/9/88. 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.

If the 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.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED

MAR 01 1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

NOV 10 1988

Department of Water Resources

Dave Coomber Southern Region Office
being first duly sworn,
deposes and says that he 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 continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive 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 2nd day of Nov
19 88, and the date of the last publication was on the 9th
day of Nov, 19 88.

Subscribed and sworn to before me this 9th
day of Nov, 19 88.
(SEAL)

Laverne M. Perme
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice 29
Number of Insertions 2

Lines tabular at 5¢/Pica
29 Lines straight at 15.08 4¢/Pica
29 Subsequent lines at 13.19 3¢/Pica
TOTAL COST 28.27

COPY OF NOTICE
(Paste Here)

Appeal for Water
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL

TO ALL WHOM THESE PRESENTS SHALL COME:
I, the undersigned, do hereby certify that the following is a true and correct copy of the public notice of the State of Idaho:
34-08378
ROCHA, JOSE C.; ROCHA, ELIGIO;
14219 S. BON VIEW, CHINO, CA 91710
Source: GROUNDWATER
Diverion Pt: NWSE Sec 10 T 08S R 16E;
Gooding County; 2 1/2 miles South and 1
mile East of Wendell.
Use: COMMERCIAL (400 CFS)
STOCKWATER (400 CFS)
DOMESTIC (640 CFS)
Date Filed: 8/19/1988
In: T08S R16E S10 - NWSE - SWSE
The permit will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 2100 4th Avenue
East, Twin Falls, Idaho 83301 on or before
NOVEMBER 21, 1988.
R. Keith Higgins
D.

Published November 8 and 9

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

NOV 13 1988
MAR 01 1989

3034

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

OCTOBER 20, 1988

GOODING COUNTY LEADER
BOX 56
GOODING, ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 21, 1988.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

MAR 01 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08379

ROCHA, JOSE C.
ROCHA, ELCIDIO
14213 S. BON VIEW
CHINO, CA 91710

Source: GROUNDWATER

Diversion Pt: NWSE Sec 10 T 08S R 15E; Gooding County; 2 1/2 miles
South & 1 mile East of Wendell.

Use: COMMERCIAL	(.400 CFS)
STOCKWATER	(.400 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 8/19/1988

In: T08S R15E S10 NWSE SWSE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 21, 1988.

R. Keith Higginson, Director

Published 11/02/1988 & 11/09/1988

