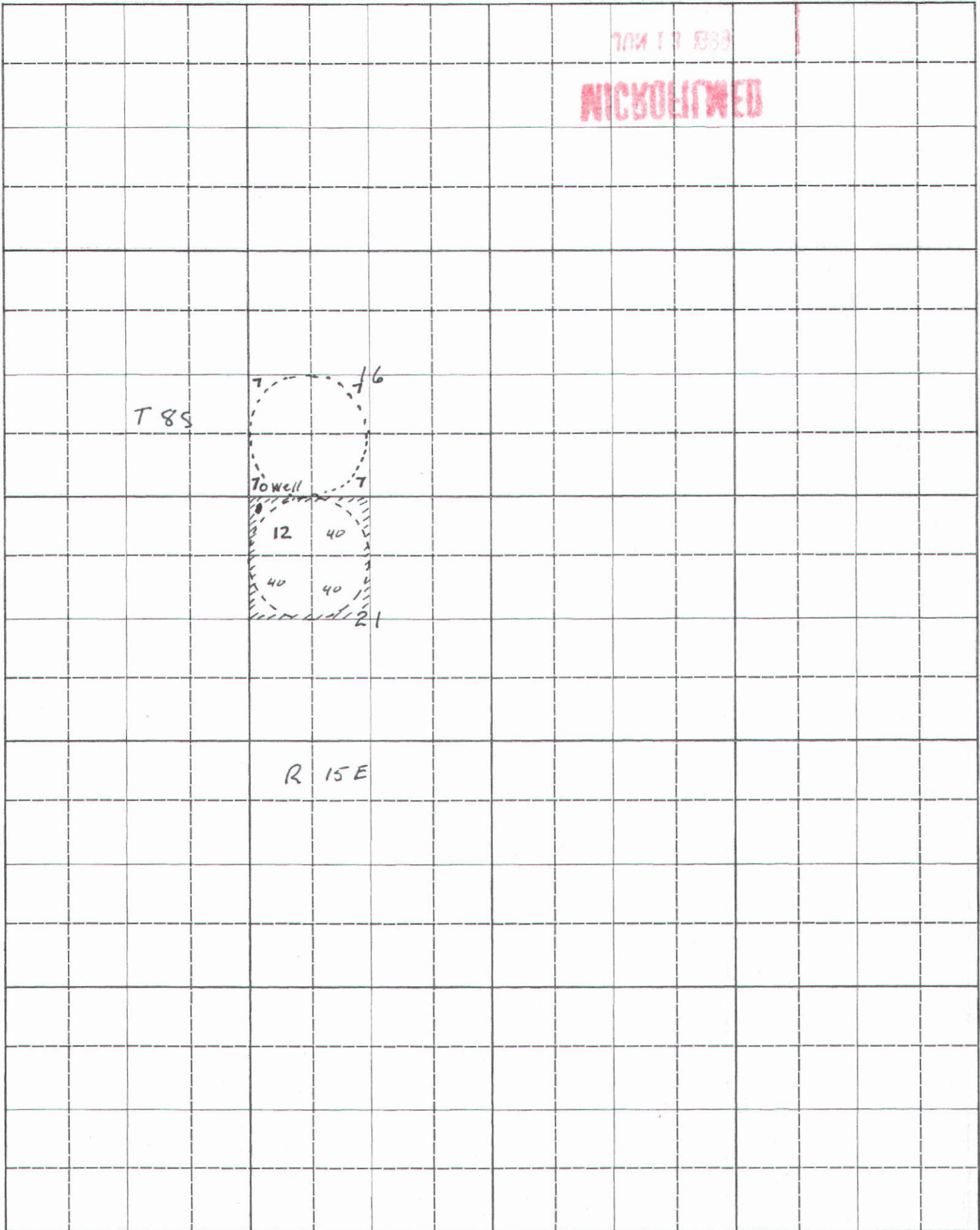


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

JUN 13 1989

Francis L. O'Neil

(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 27 1994

Department of Water Resources

A. GENERAL INFORMATION

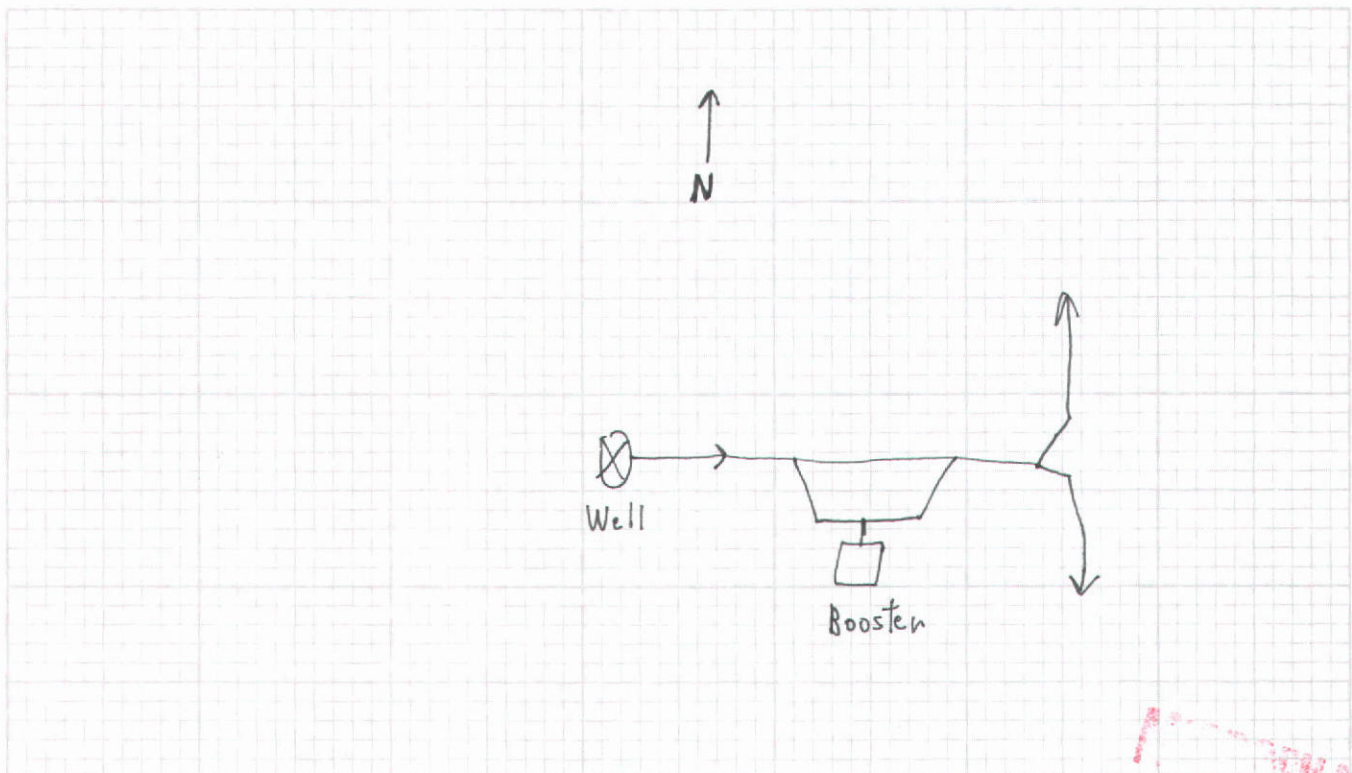
1. Owner: Frank L. Orth Permit No. 36-08164
Current Address: 3510 S. 1950 E., Wendell, ID 83355 Phone No. 536-2796
2. Accompanied by: Mr. Orth EXAM. DATE: 2-25-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 36-7386
_____ ☒ 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

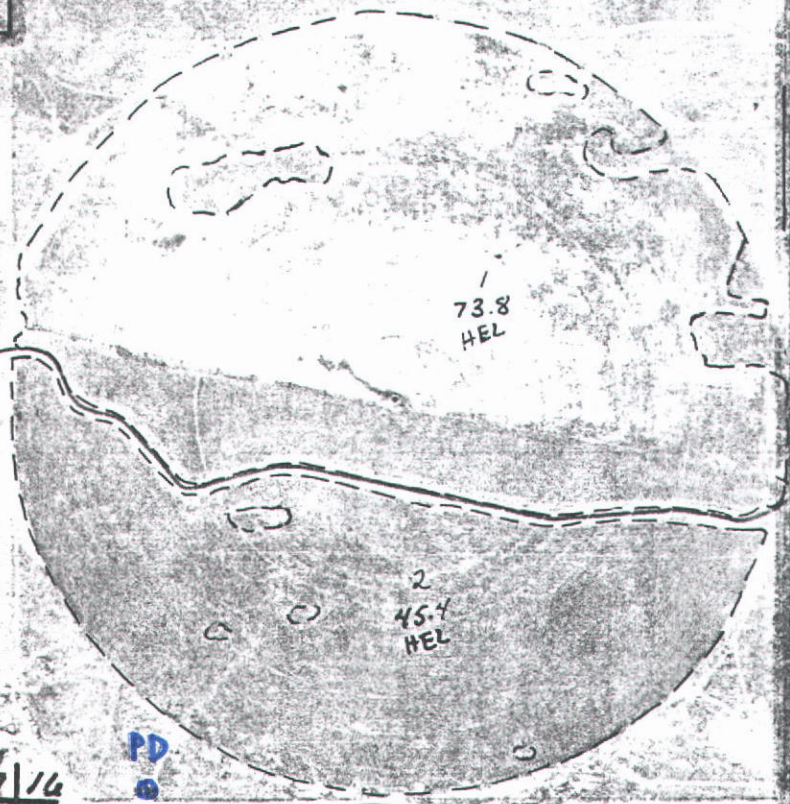


Scale: 1" = _____

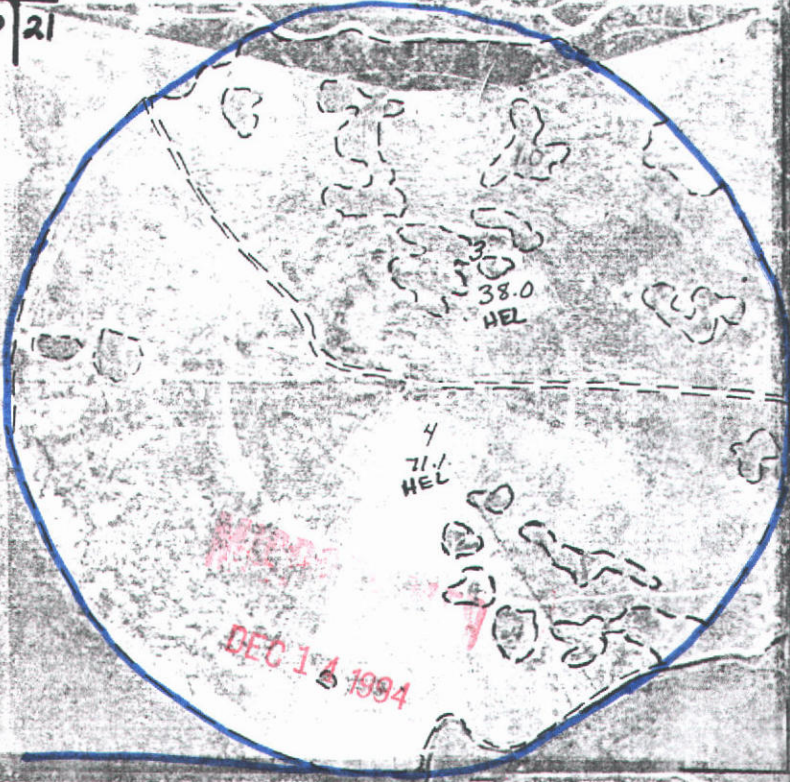
2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or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

DEC 14 1994

627
T-843



17 16
20 21 PD



T85
R 15E

36-08164

DEC 11 1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T8S RISE
S16
DNR 36-8164

5000m.E.

686

687

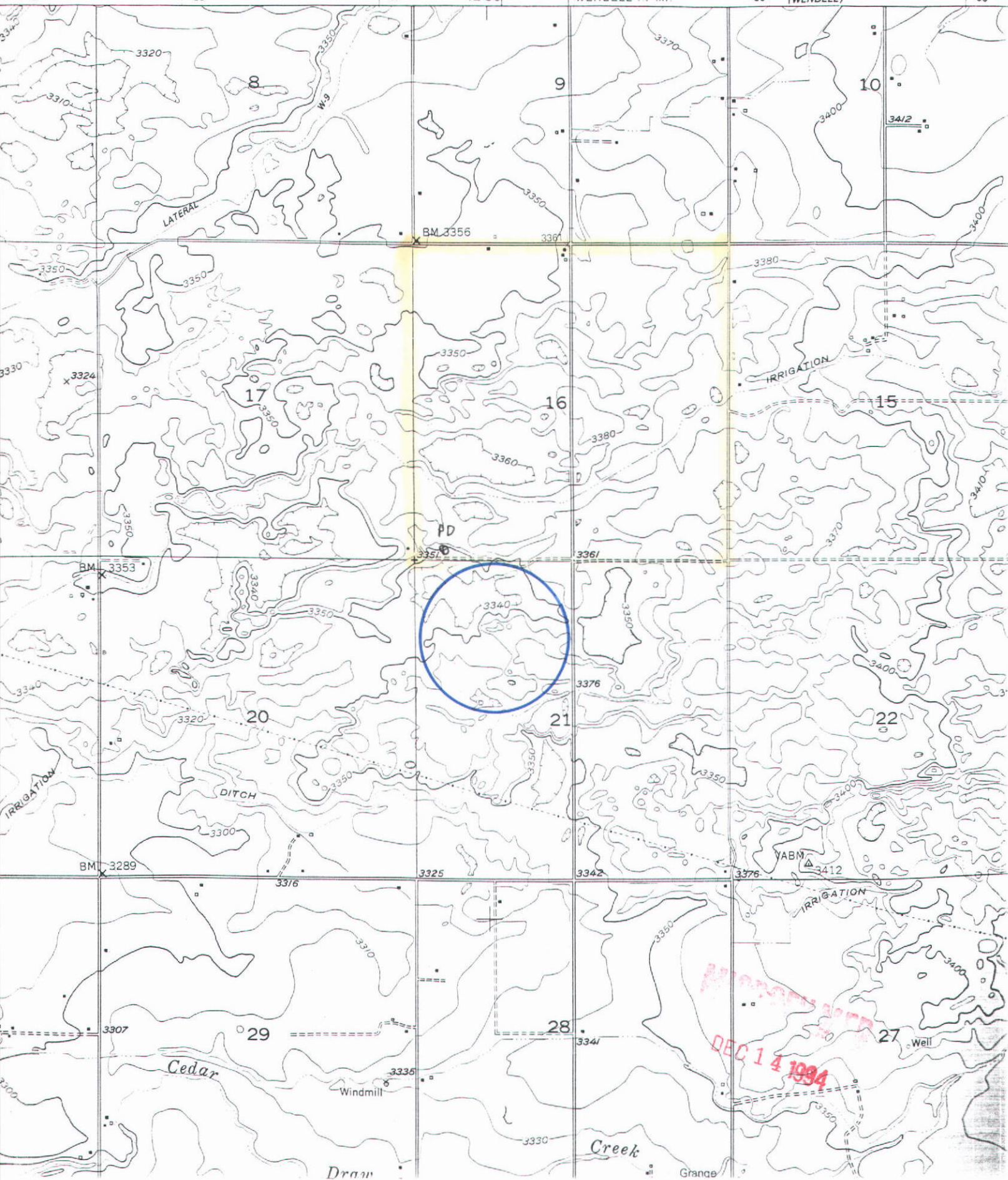
42°30'

WENDELL 17 MI.

689

3069 1 SW
(WENDELL)

690



36-8164



Diversion Works

P/U

DEC 14 1994

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 24 1989

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

Department of Water Resources
Southern Region Office

Mike Thornberry, 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of Feb 19 89, and the date of the last publication was on the 22 day of Feb, 19 89.

Mike Thornberry

Subscribed and sworn to before me this 22nd day of Feb, 19 1989
(SEAL)

Norma DeVoe
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

OK MB
3/14/89

Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
351 Lines straight at 14.04 4¢/Pica
Subsequent lines at 12.29 3.5¢/Pica
TOTAL COST 26.33

COPY OF NOTICE
(Paste Here)

Water App.
TITLE OF NOTICE

Orth
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept. of Water Resources
2148 4th Ave East
Twin Falls, Id 83301

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application has been filed to appropriate the public waters of the State of Idaho:
36-08164
ORTH, FRANK L., RT. 2, WENDELL, ID 83355
Source: GROUNDWATER
Diversion Pt: SWSW Sec 16 T 08S R 15E
Use: IRRIGATION (3,000 CFS)
Date Filed: 1/27/1983
In: T08S R15E S16 NESW NWSW SWSW SESW
S21 NENW NWNW SWNW SENW - 160.0 ACRES TOTAL
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 MARCH 6, 1989.
R. Keith Higginson, Director
Pub: 2-15, 22 G13771

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

JUN 13 1989

Nº 1405
#13771

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08164

Priority: June 27, 1985

Maximum Diversion Rate: 2.08 CFS

Maximum Diversion Volume: 416.0 AF

This is to certify, that FRANK L ORTH
3510 S 1950 E

WENDELL ID 83355

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 27, 1985; and has submitted Proof of Beneficial Use on April 25, 1990. An examination indicates that the works have a diversion capacity of 3.940 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/01 to 10/31	2.08 CFS	416.0 AF
------------	----------------	----------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 16, Township 08S, Range 15E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	15E	21	NENW 33	NWNW 5	SWNW 33	104
			SESW 33			

Total number of acres irrigated: 104

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. This right uses the same well as Right 36-07386 and when combined with Right 36-07386 shall not exceed a diversion rate of 3.94 cfs.

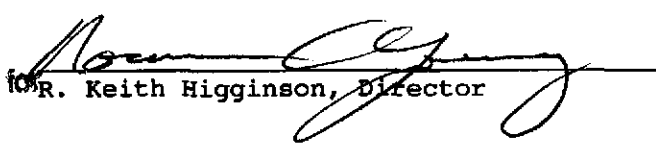
DEC 14 1994

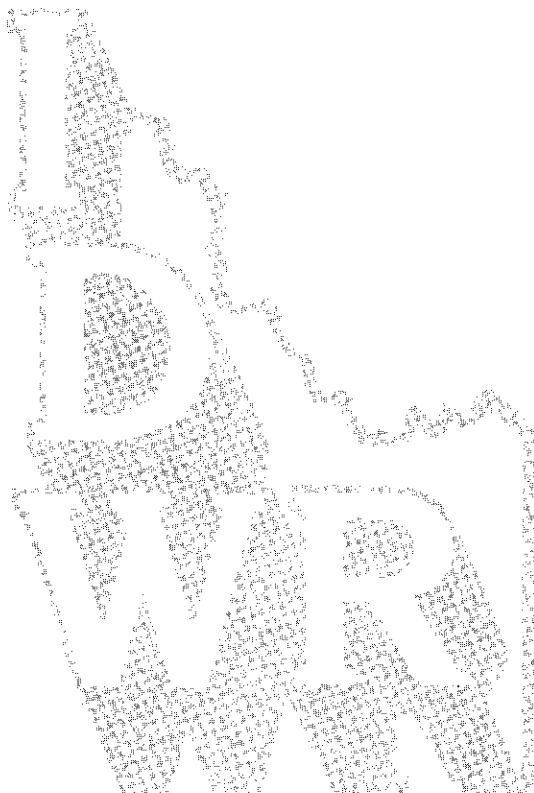
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08164

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 28th
day of NOVEMBER, 1994.

Acting for  R. Keith Higginson, Director



RECEIVED
NOV 28 1994

RECEIVED

APR 25 1990

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$ 150Date 4/25/90Receipt No. 3012192Received by DRJ6-1-90Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

Permit No. 36-8164Telephone No. 536-2796Name(s) of Permit Holder(s): Frank OrthPost Office Address: 351051950E Wendell, Id 83355Source of Water: GroundwaterIf ground water, well driller's name: D & G Drilling Date drilled: 11/12/73

Extent of Use:

Domestic _____ (No. of households)

Irrigation 160 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 3.00 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: May, 1983

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ NoFee Enclosed: \$ 150 (See License Examination Fee Schedule)

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

Name

Same as above

Telephone No.

Address

MICROFILMED

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.

JUN 19 1990

Date

4/25/90

Signature (and title if on behalf of a company or organization)

Frank L. Orth

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-8114

RECEIVED

MAR 25 1983

Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

Corrected 6/27/85
F.L.O.

1. Name of applicant Frank L. Orth Phone 536-2796

Post office address Rt 2 Wendell, Idaho 83355

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 8S

Range 15E B.M. Gooding County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.00 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

3.00
a. 2.56 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet.

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

JUN 13 1989

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

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	21					40	8 12	40	40									128 132
		16									7	7	7	7					28

Total number of acres to be irrigated 128 160

c. Describe any other water rights used for the same purposes as described above. 36-7386

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

10. Remarks Note that the above described lands covered under

the pivot have been irrigated since Spring of 1983.

This filing is being made to insure that the benefits

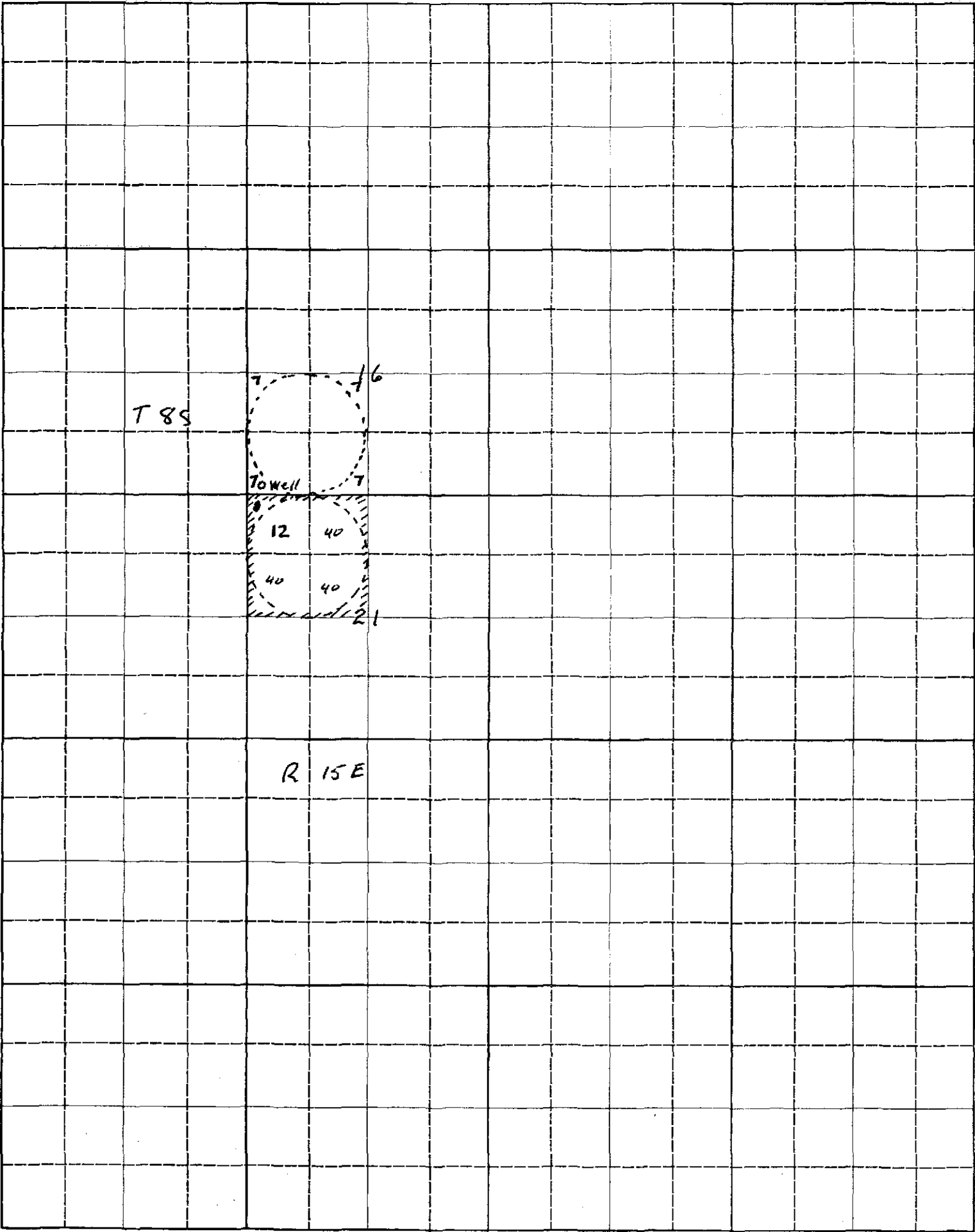
of subordination per the Swan Falls Agreement are

obtained. F.L.D.

RECORDED

JUN 13 1989

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



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.

MICROFILMED

JUN 13 1989

Francis L. Carter
(Applicant)

Received by eh Date 1/27/83 Time 1:30 p
Preliminary check by TB Fee \$ 85.00 # 25961
Received by mdy Date 1/27/83
Publication prepared by LG Date 2/16/89
Published in Sending County, London
Publication dates 2/15 & 2/22/89
Publication approved M. Baldwin Date 3/14/89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LH

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. 36-8164, 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 May 1, 19 90.
- 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. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 19th day of April, 1989.

J. M. Saxton

MICROFILMED

JUN 13 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 29, 1994

FRANK L ORTH
3510 S 1950 E
WENDELL ID 83355

RE: WATER RIGHT NO. 36-08164

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

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-81164 DATE 11-3-94



NAME	Yes ☐	No ☒	Or Address Change?
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? ☐
SOURCE	☐	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	☒	Amendment needed? ☐ Overlaps? <u>36-7386 FOR 3.2 CFS/160 acres</u> <u>Listed Capacity @ 3.32 CFS</u>
PLACE OF USE	☐	☒	Amendment needed? ☐ Overlaps? ☐
DIV RATE	☒	☐	Permit/fee limits: <u>3 CFS</u> Meas Q = ☐ Theo Q = <u>3.94</u> Recommend: <u>2.08</u> <u>104 acres x .02 = 2.08</u> <u>160 x .02 = 3.20</u> <u>TOTAL SYSTEM RATE @ 3.94/264 acres = .0149 CFS per acre</u>
NEW CAPACITY = <u>3.94 CFS</u> - <u>36-7386 = 3.20 CFS</u> AVAILABLE <u>.74 CFS</u>			Combined rates exceed capacity ☐
ANNUAL VOLUME	☐	☒	Season of use: <u>C/4 (4-1 to 10-31)</u> Calculations: <u>104 x 4 = 416 af</u> Flow limit: ☐ cfs x ☐ x 1.9835 = ☐ Combined volumes exceed capacity/allowable <u>NO</u>
USES	☐	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
REMARKS	<u>W41 (EDIT)</u> Multiple p/d(s) in <u>1/4 1/4</u> ? ☒ Other <u>36-07386/3.94 CFS</u>		
CONDITIONS	☐	☒	Measuring/Locking Devices ☐ Watermaster control - District ☐ <u>B31</u> Irrigation Overlap ☐ Water Quality ☒ Other ☒ Heat/Cool/ Fish verified ☐

COMMENTS: Reduce acres and rate

RECOMMENDED	CFS	VOL	SRBA Claim Filed <u>A36-11093/WITHDRAWN</u>
<u>Irrigation</u>	<u>2.08</u>	<u>416</u>	Adjustment Memo Needed <u>YES</u>
_____	_____	_____	LICENSE ☒
_____	_____	_____	1ST AMENDMENT LETTER ☐
_____	_____	_____	FINAL AMENDMENT LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 27 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08164

1. Owner: Frank L. Orth Phone No. 536-2796

Current Address: 3510 S. 1950 E., Wendell, ID 83355

2. Accompanied by: Mr. Orth EXAM. DATE: 2-25-92

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

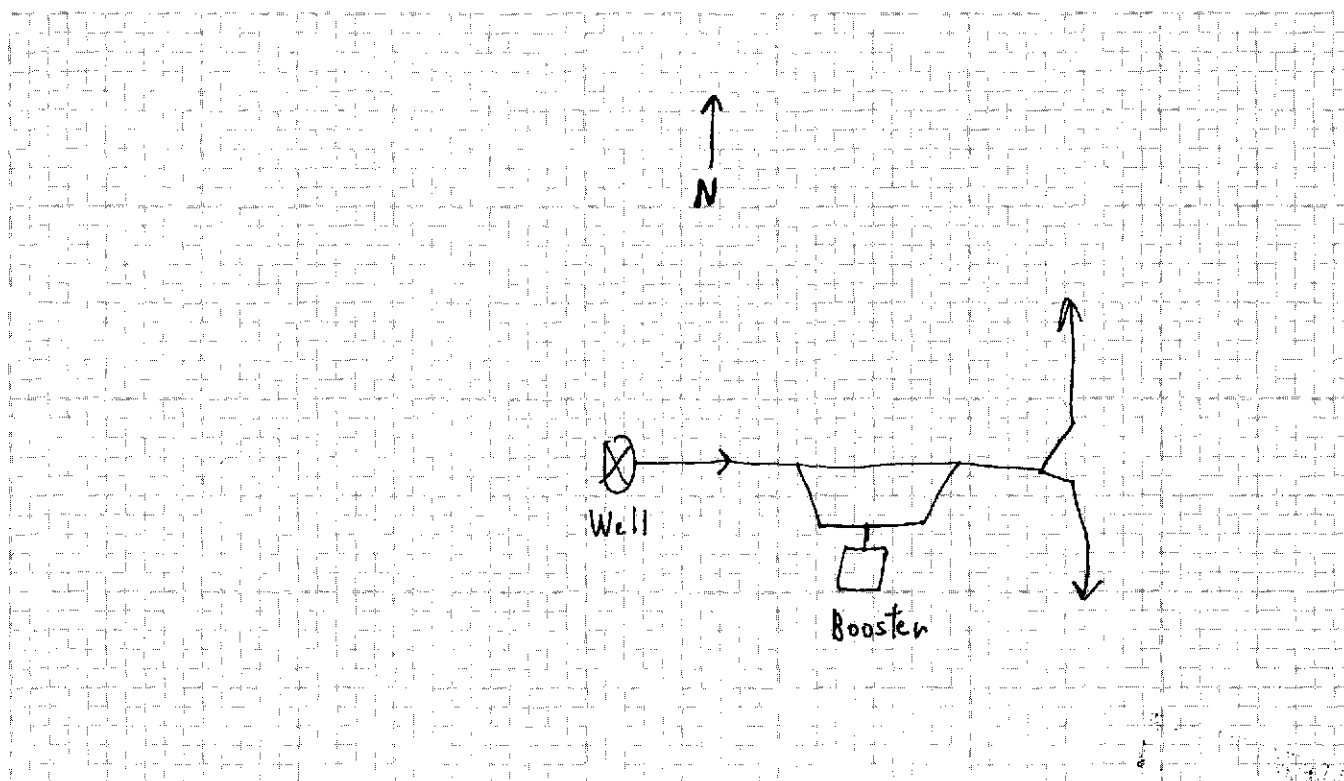
B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached

2. Other water rights with same point of diversion: 36-7386
_____ ☒ 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" = _____

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).

DEC 14 1994

System Description (continued)

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

Well, motor, pump, booster motor & pump, mainline to 2 pivots, corner handlines.

☐ 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
Main Pump	U.S. Motors	100	R2038914	Aurora	No tag
Booster	"	40	R-9216-03-279H	"	82-10255-2

*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
		SW	SW	SW	16	8S	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	
8S	15E	21					33	33	33	33									132
		16									33	33	33	33					132
																			264
8S	15E	21					33	5	33	33									104

Do not use this space

DEC 14 1994

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, measurement not required per groundwater^{measurement} analysis.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Theoretical system capacity is 3.94 cfs for 2 pivots. Allow 1.97 cfs for 1 pivot.

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 104 \times 4 = 416$

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 416$

2. Volume Calculations for Other Uses:

DEC 14 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Mr. Orth claimed that pivot corners were watered until 2 or 3 years ago, but corners are dry on 1987 aerial photo. ASCS records do not show irrigation of corners since at least 1984. Recommend corners not be licensed.

System capacity (theoretical) is 0.95"/acre. Original license was issued for 1"/acre, which does not reflect how the system actually operates.

South half of pivot is in row crops, north half is in pasture.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	3-15	11-15	1.97 cfs	416
Totals:			1.97	416

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

J. E. Stanton

Signature

J. E. Stanton

Certification Date

Field Report Preparation Date

3-9-92

CONSULTANT SEAL

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

* See attached adjustment memo for explanation. EC

DEC 14 1994

MEMORANDUM

TO: File 36-08164 / Frank L. Orth
FROM: Brenda Chapman
DATE: November 3, 1994
RE: Recommendation Adjustment(s)

=====

The final licensing recommendation for the above referenced water right is based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	2.08	416.0

The irrigation season dates were adjusted to the currently used Field Headgate Requirement and Season of Use chart.

The rate recommendation of what one of the two pivots in the system produces would have been acceptable if 28 acres in the NWNW $\frac{1}{4}$ of Section 21 had not already been licensed under 36-07386 at an inch per acre. Therefore, it is logical to recommend the balance of the circle's 104 acres at an inch per acre also with a limiting remark addressing the capacity limits of the system.

NOV 14 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-8164

DATE: 2-25-92

BY: J.E. Stanton

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

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (140) \times (0.70)}{[(69) + (65 \times 2.31)]} = 2.94$$

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

REMARKS

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

$$POTENTIAL = \frac{(...246...) \times (1.98) \times (...2.94...)}{(...364...)} = 2.3$$

$$POTENTIAL = 2.3$$

REQUIRED Acre Feet/Acre/Annum = 4.0
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

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

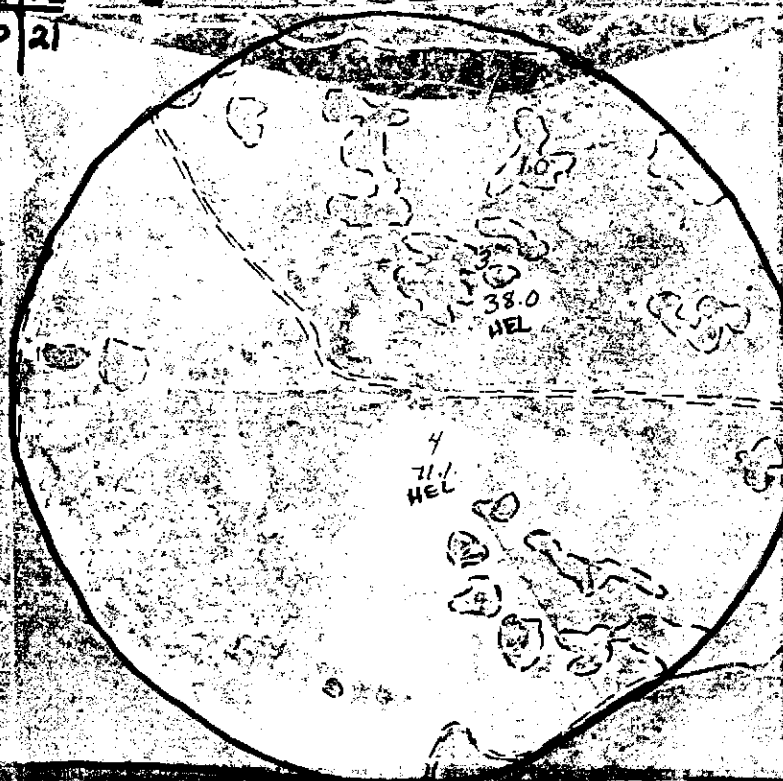
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

DEC 14 1994

627
T-843



27/16
20/21



AS
R 15E

6-08164

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T85 RISE
S16
DNR 36-8164

5000m.E

686

687

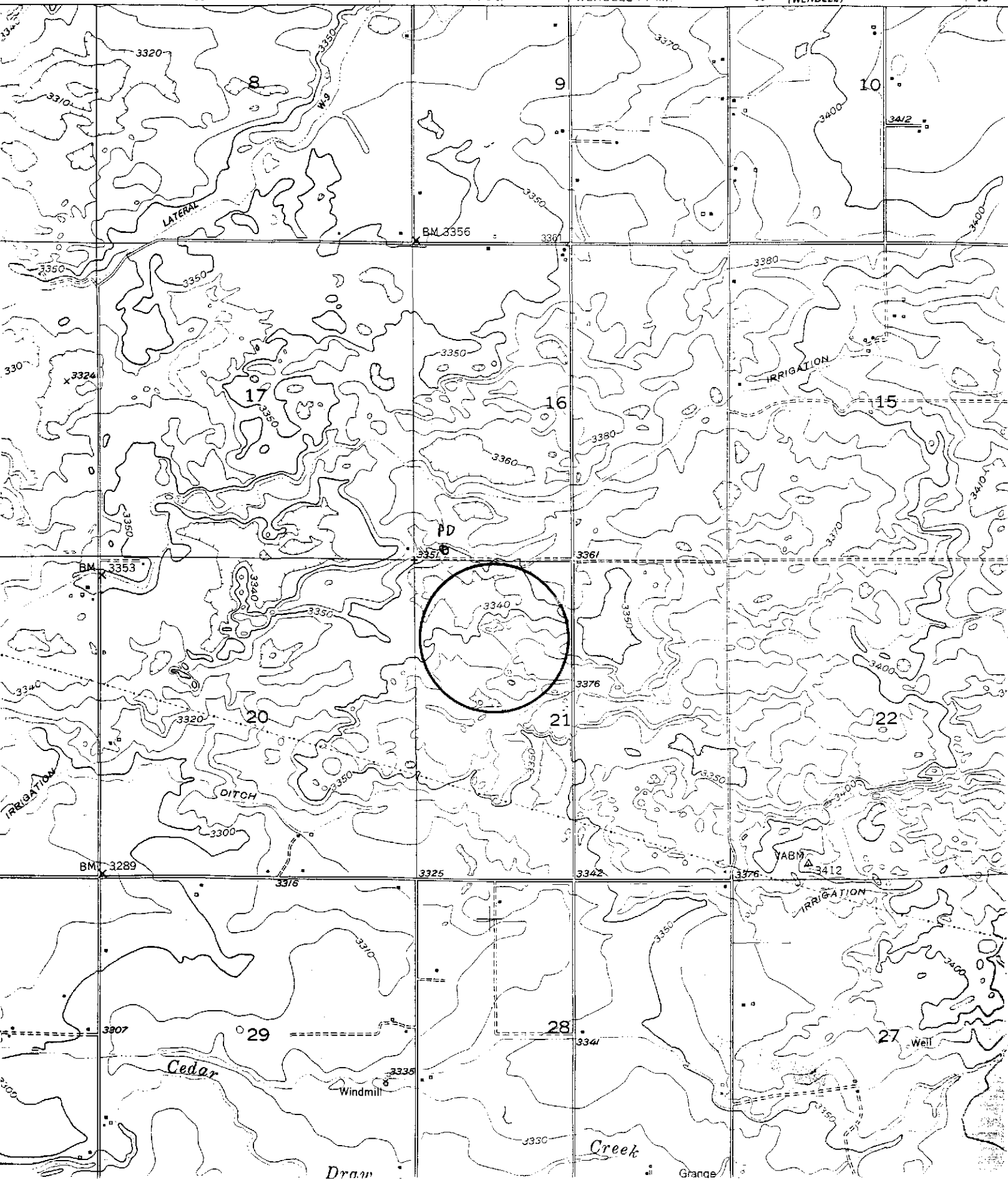
42°30'

WENDELL 17 MI.

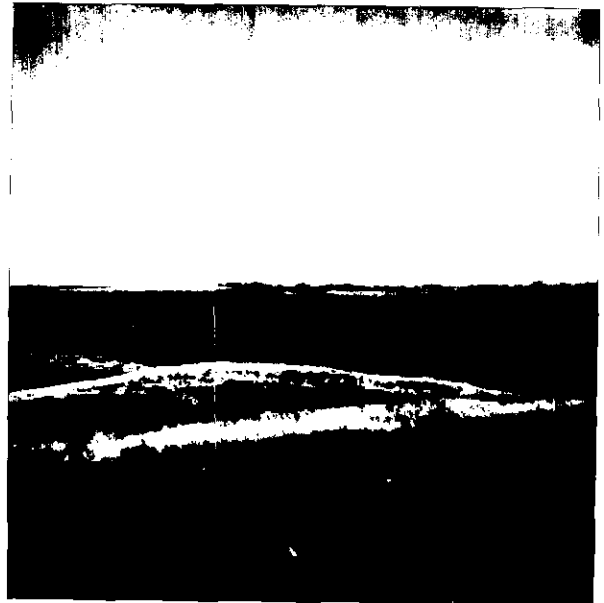
689

3069 1 SW
(WENDELL)

590



36-8164



Diversion Works

P/U

2-11-64
DET 3 A 334

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

Date	4545
Code	03/14/91
	193000

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

FRANK L. ORTH
3510 S. 1950 E.
WENDELL, ID 83355

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 40 199	1238	88	31	REFUNDS PER RITA FLECK WR #36-B164 RECEIPT #5012784 3/13/91 15.00	15.00	
TOTAL						15.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

March 13, 1991

FRANK L ORTH
3510 S 1950 E
WENDELL ID 83355

Dear Mr. Orth:

Re: Permit No. 36-8164

Returned is the request for extension of time form submitted to the Department's Southern Regional office on October 29, 1990. I understand that your pump has burned out twice and you need time to get it in working condition.

In May of 1990, you submitted the proof of beneficial use form. This document indicates or is as a statement that you have put the water to a beneficial use. The next step is for the department to conduct the field inspection. What I think you hoped to accomplish by submitting the request for extension of time was additional time in which to fix your pump before the department conducts the field inspection. That can be easily handled by advising the field inspector, when he contacts you, of the status of your irrigation system and how much more time, if any, you will need to get the pump back in working order.

I have requested the Accounting Section to prepare a refund of the \$15. You should receive it in the mail within several weeks.

If you have questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Acct. Sec.
S. Reg.

MEMORANDUM

DATE: March 13, 1991

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - 36-8164

Please prepare a refund of \$15.00 (receipt No. S012784). Attached is a copy of the letter which explains why the refund is necessary.

Also, please reference the identification number on any papers returned to me for the file. Thanks.

Attachments: letter
receipt

June 4, 1990

FRANK L. ORTH
RT. 2
WENDELL, ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08164

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

MICROFILMED

JUN 13 1990

138214

~~138214~~

February 28, 1990

FRANK L. ORTH
RT. 2
WENDELL, ID 83355

PROOF DUE NOTICE

RE: PERMIT NO. 36-08164

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 May 1, 1990. (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

RECEIVED
JUN 1 1990
IDAHO DEPARTMENT OF WATER RESOURCES

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

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
May 2, 1989

FRANK L. ORTH
RT. 2
WENDELL, ID 83355

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

RE: PERMIT NO. 36-08164

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.

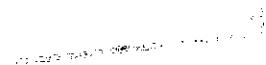
Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also



JUL 13 1989



enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 24 1989

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

Department of Water Resources
Southern Region Office

Mike Thornberry, 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of Feb 19 89, and the date of the last publication was on the 22 day of Feb, 19 89.

Mike Thornberry

Subscribed and sworn to before me this 22nd day of Feb, 19 1989
(SEAL)

Norma DeVoe
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

OK MB
3/14/89

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
351 Lines straight at 14.04 4¢/Pica
Subsequent lines at 12.29 3.5¢/Pica
TOTAL COST 26.33

COPY OF NOTICE
(Paste Here)

Water App.
TITLE OF NOTICE

Orth
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept. of Water Resources
2148 4th Ave East
Twin Falls, ID 83301

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application has been filed to appropriate the public waters of the State of Idaho:

36-08164
ORTH, FRANK L., RT. 2, WENDELL, ID 83355
Source: GROUNDWATER
Diversion Pt: SWSW Sec 16 T 08S R 15E

Use: IRRIGATION (3,000 CFS)
Date Filed: 1/27/1983
In: T08S R15E S16 NESW NWSW SWSW SESW

S21 NENW NWNW SWNW SENW - 160.0 ACRES TOTAL

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 MARCH 6, 1989.

R. Keith Higginson, Director
Pub: 2-15, 22 G13771

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

No 1405

#13771

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

FEBRUARY 6, 1989

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 MARCH 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED
JUL 1 1965

JUL 1 1965

GOODING LEGAL

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

36-08164

ORTH, FRANK L., RT. 2, WENDELL, ID
83355

Source: GROUNDWATER

Diversion Pt: SWSW Sec 16 T 08S R
15E

Use: IRRIGATION (3,000 CFS)

Date Filed: 1/27/1983

In: T08S R15E S16 NESW NWSW
SWSW SESW

S21 NENW NWNW SWNW SENW -
160.0 ACRES TOTAL

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 MARCH 8, 1989.

R. Keith Higginson, Director

Pub: 2-15, 22

G13771

OK
2/13/89

MICROFILMED

JUN 13 1989

36-08164

ORTH, FRANK L.
RT. 2
WENDELL, ID 83355

Source: GROUNDWATER

Diversion Pt: SWSW Sec 16 T 08S R 15E

Use: IRRIGATION (3.000 CFS)

Date Filed: 1/27/1983

In: T08S R15E S16	NESW	NWSW	SWSW	SESW
S21	NENW	NWNW	SWNW	SENW

160.0 ACRES TOTAL

MICROFILMED

JUN 13 1989



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

February 2, 1989

Frank L. Orth
Rt. 2
Wendell ID 83355

Re: Application for Permit No. 36-8164

Dear Mr. Orth:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Loren O. Holmes
Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

MICROFILMED

JUN 13 1989