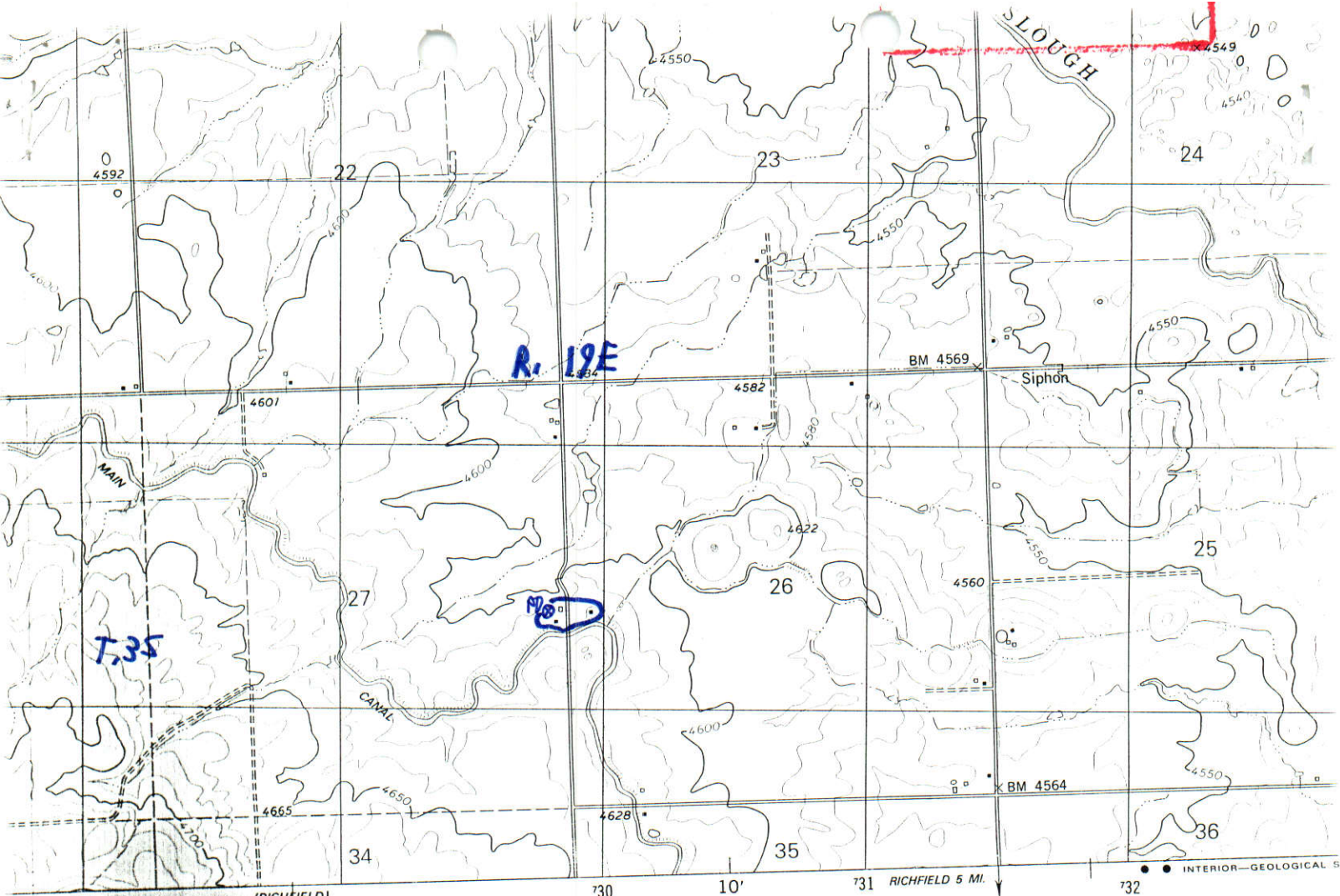
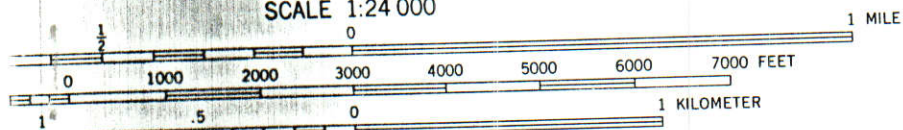




SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



- ROAD CLASSIFICATION
- Primary highway, hard surface
 - Secondary highway, hard surface
 - Interstate Route

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 27 1994
Department of Water Resources

A. GENERAL INFORMATION

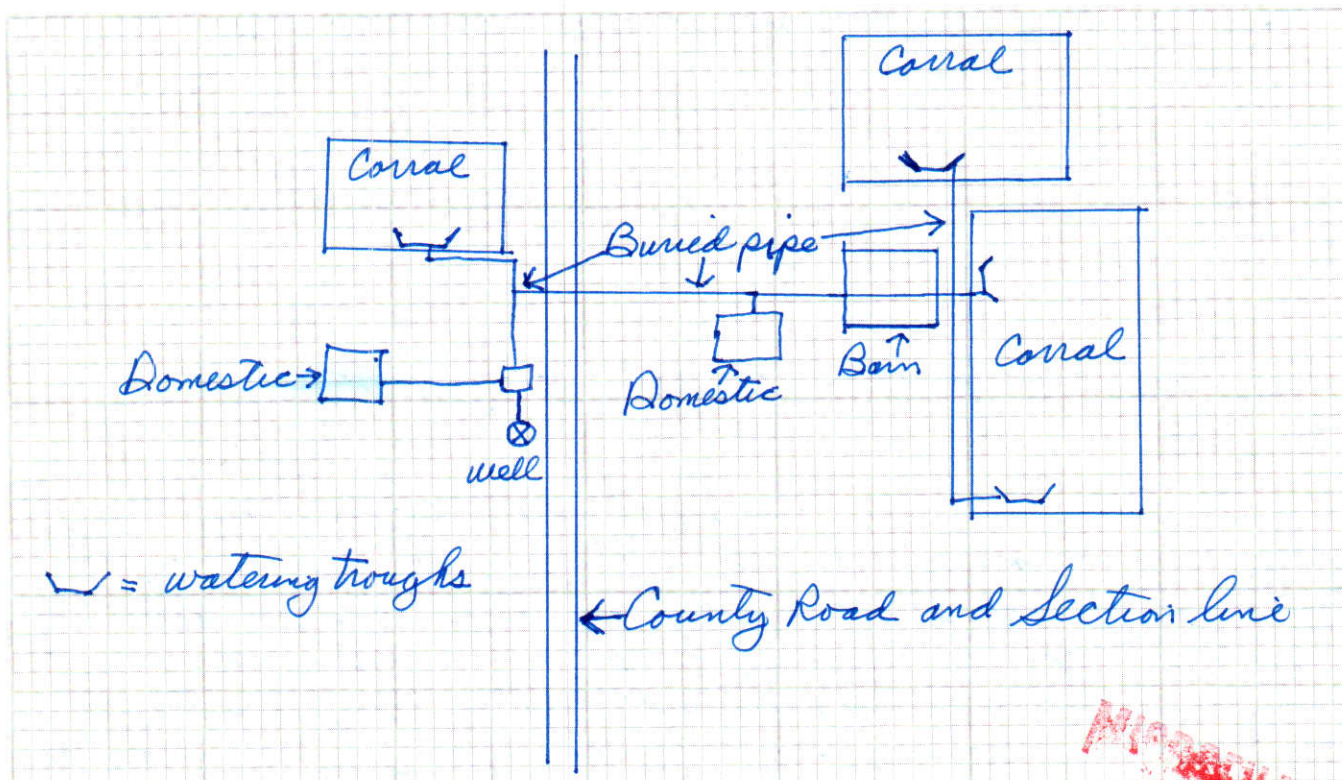
Permit No. 37-08410
1. Owner: Daniel G & Vicki S. Durand Phone No. 487-2842
Current Address: 1360 N 1150 E, Richfield ID 83349
2. Accompanied by: Mr & Mrs Durand EXAM. DATE: 4-19-94
Address: _____ Phone No. _____
Relationship to Permit Holder: Owners
3. Source: Groundwater tributary to _____

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

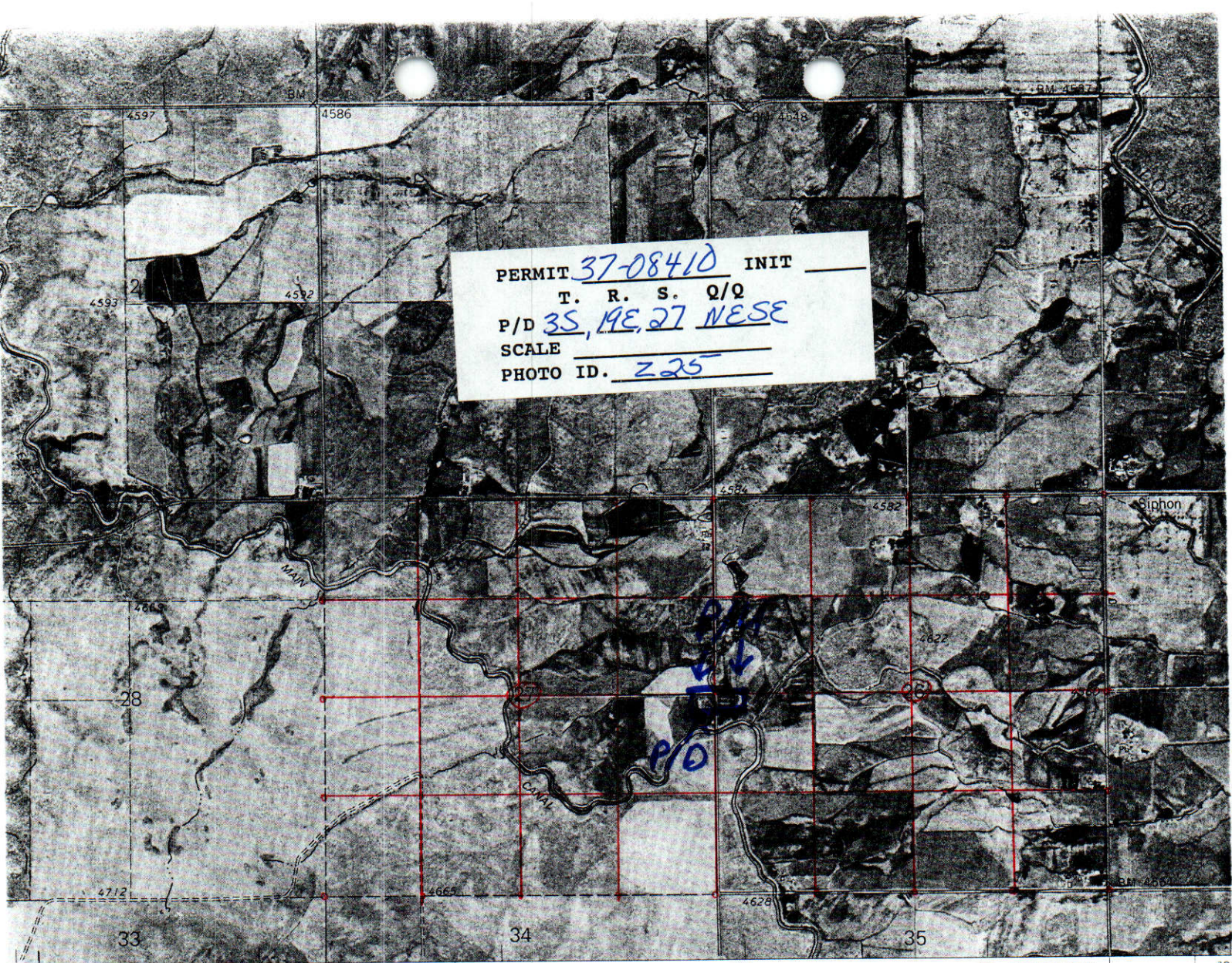
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to scale

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).

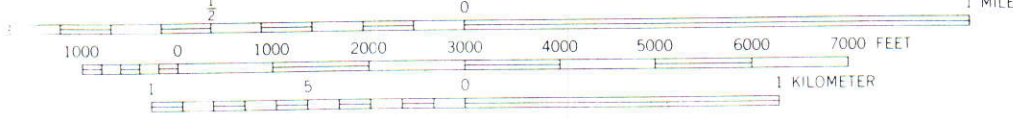
RECEIVED
DEC 19 1994



PERMIT 37-08410 INIT
T. R. S. Q/Q
P/D 3S, 19E, 27 NESE
SCALE
PHOTO ID. 225

12' 30" 28 29 30 10' 31 RICHFIELD 5 MI. 73

SCALE 1:24 000



QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

MISSOURI GEOLOGICAL SURVEY
DEC 19 1994

PICABO 4 NW, IDAHO

37-08410

#1
P/D



#2.
Shed containing
pressure tanks



DEC 19 1994

37-08410



#3

Domestic use
nearest well
on West side
of road.



#4

Domestic use
on East side of
road next to
dairy barn.

DEC 19 1994

37-08410

#5-

Dairy barn



#6

Corral with some
of livestock.



DEC 19 1994

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 23 1989

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

Department of Water Resources
Southern Region Office

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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, know 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 1st day of Feb 19 89, and the date of the last publication was on the 8 day of Feb, 19 89.

Mike Thornberry
Subscribed and sworn to before me this 22nd day of Feb, 19 89.
(SEAL)

Norma DeDe
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

OK MB
2/27/89

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)

Notice of Water App.
TITLE OF NOTICE

Durand
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources

BILL TO
Twin Falls, ID

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08410
DURAND, DANIEL G., DURAND, VICKY
S., RT. 1 BOX 81, RICHFIELD, ID 83349
Source: GROUNDWATER
Diversion Pt: NESE Sec 27 T 03S R 19E
Use: COMMERCIAL (.100 CFS)
DOMESTIC (.060 CFS)
STOCKWATER (.070 CFS)
Date Filed: 10/04/1988
In: T03S R19E S26 NWSW
S27 NESE

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 FEBRUARY 20, 1989.

R. Keith Higginson
Director
L321.0

Pub: Feb. 1 & 8

(Idaho Code, Rev. Statutes 1981)

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 3239

MICROFILMED

JUN 13 1989

31. 32/88

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08410

Priority: October 4, 1988

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

5.7 AF

This is to certify, that DANIEL G DURAND
VICKY S DURAND

1360 N 1150 E

RICHFIELD ID 83349

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 4, 1988; and has submitted Proof of Beneficial Use on March 14, 1990. An examination indicates that the works have a diversion capacity of .030 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	0.03 CFS	2.7 AF
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	2.4 AF
	Totals	0.03 CFS	5.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 27, Township 03S, Range 19E
LINCOLN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03S 19E 26 NWSW
27 NESE

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03S 19E 26 NWSW

PLACE OF USE: DOMESTIC

TWN RGE SEC

03S 19E 26 NWSW
27 NESE

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.

DEC 19 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

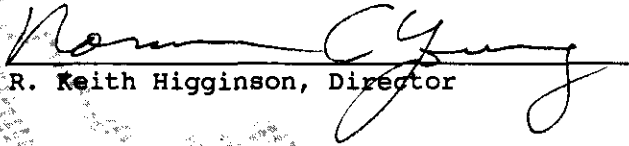
WATER RIGHT NO. 37-08410

CONDITIONS/REMARKS:

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.
6. Stockwater use is for 50 dairy cattle and 50 range cattle.
7. Commercial use is for a dairy operation.
8. Domestic use is for 2 homes.

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 12TH day of DECEMBER, 1994.

Acting for


R. Keith Higginson, Director

DEC 19 1994

Form 217
03/86

RECEIVED

MAR 14 1990

Department of Water Resources
Southern Region Office

RECEIVED

MAR 15 1990

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 50.

Date 3/14/90

Receipt # 501540

Receipt by 16

Reviewed by _____

Sent to region 3-1K-90
S.O.

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 87-08410

Name(s) of Permit Holder: Daniel G. Durand Vicki S. Durand

Post Office Address: RT1 Box 81 Richfield Idaho

Telephone No. 487-2842

Source of Water: well

Extent of Use:

Domestic 2 (number of households) Stockwater 100nd Beef & Dairy (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.10 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 3-11-76

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

Daniel Durand
(Name)

487-2842
(Telephone Number)

Same as above

(Address)

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

MAY 23 1990

May 12 - 90

Date

Daniel G. Durand
Signature of Permit Holder (and title, if appropriate)

Form 202
8-88
RECEIVED

OCT 4 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08410

APPROVED

Department of Water Resources To appropriate the public waters of the State of Idaho
Southern Region Office

1. Name of applicant Daniel G. &/or Vicky S. Durand Phone 487-2842
Post office address Rt. 1 Box 81, Richfield, ID 83349

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 27 Township 3S Range 19E B.M. Lincoln County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10cfs for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.07cfs for Livestock 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) 0.10 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 665 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 _____ use is
one years (minimum 1 year).

MICROFILMED

JUN 13 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. 100 beef & dairy cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. two
- e. Other; describe fully. Commercial use in 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	
3S	19E	26										D							
		27										C,S							

C is commercial, D is domestic, S is livestock

Total number of acres to be irrigated _____

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

none

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

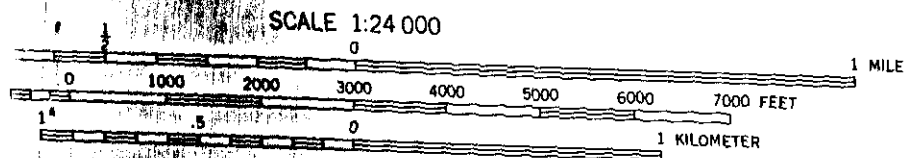
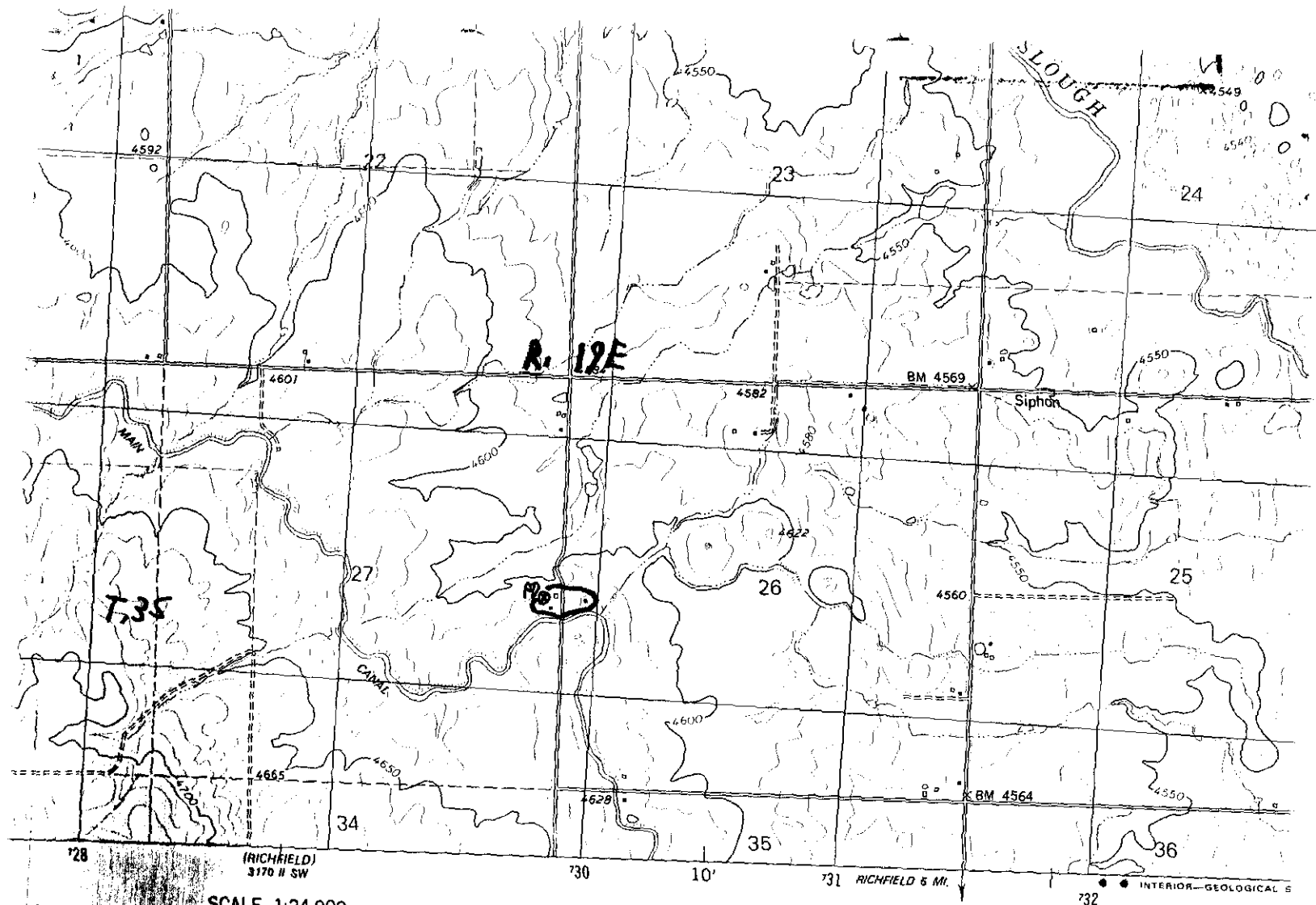
b. Who owns the land to be irrigated or place of use? "

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

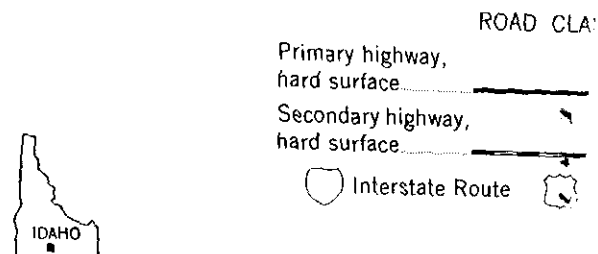
12. Remarks: Well was drilled under Permit 37-7320, but the permit lapsed before full development was completed. Dairy use was added in 1979.

MICROFILMED

JUN 13 1989



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



[illegible]

JUN 13 1989

Application for permit to appropriate the public waters of

Daniel G. Suran
(Applicant)

Proposed Priority 10/4/88

Received by J. F. Stettin Date 10/4/88 Time 1:40 Preliminary check by LA

Fee \$ 30.00 Receipted by M. Baldwin # 5004097 Date 11/30/88

Publication prepared by M. Baldwin Date 1/12/89 Published in Liasola Co. Journal

Publication approved M. Baldwin Date 2/27/89

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. 37-8410, 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. 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.

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

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

J. Blum 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

December 14, 1994

DANIEL G DURAND
VICKY S DURAND
1360 N 1150 E
RICHFIELD ID 83349

RE: WATER RIGHT NO. 37-08410

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

A faint, circular official stamp, likely from the Idaho Department of Water Resources, located in the bottom right corner of the page.

DEC 19 1994

LICENS REVIEW CHECKLIST

PERMIT NO. 37-8410 DATE 12-7-94



NAME Yes No Or Address Change?

PRIORITY DATE ✓ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended? NO

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?
 ✓ Overlaps?

DIV RATE ✓ Permit/fee limits: .10 cfs
 Meas Q = Theo Q = .03 Recommend: .03
Stock @ .04 - limited to .03 Domestic @ .03
Commercial @ .01
 Permit limited to 100 range + dairy - doesn't state how many of each.
 Combined rates exceed capacity

ANNUAL VOLUME ✓ Season of use: 1-1 to 12-31
 Calculations: com = .60 cfs Stock 2.7
(2) com = 2.4 (50 dry / 50 dairy)
 Flow limit: .03 cfs x 365 x 1.9835 = 21.7
 Combined volumes exceed capacity/allowable

USES ✓ Change in Nature of Use or additional uses?
 Amendment necessary?

REMARKS ✓ Multiple p/d(s) in ¼ ¼?
 ✓ Other

CONDITIONS ✓ Measuring/Locking Devices
 ✓ Watermaster control - District
 ✓ Irrigation Overlap
09E ✓ Water Quality
 ✓ Other Heat/Cool/ Fish verified

COMMENTS: Reduce rate to capacity. Verified well depth from area
well logs (static water level)

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Commercial</u>	<u>.01</u>	<u>.6</u>	Adjustment Memo Needed	<u>YES</u>
<u>Livestock</u>	<u>.03</u>	<u>2.7</u>		
<u>Domestic</u>	<u>.03</u>	<u>2.4</u>	LICENSE	<u>✓</u>
<u>Total</u>	<u>.03</u>	<u>5.7</u>	1ST AMENDMENT LETTER	<u> </u>
			FINAL AMENDMENT LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 27 1994

Department of Water Resources

A. GENERAL INFORMATION

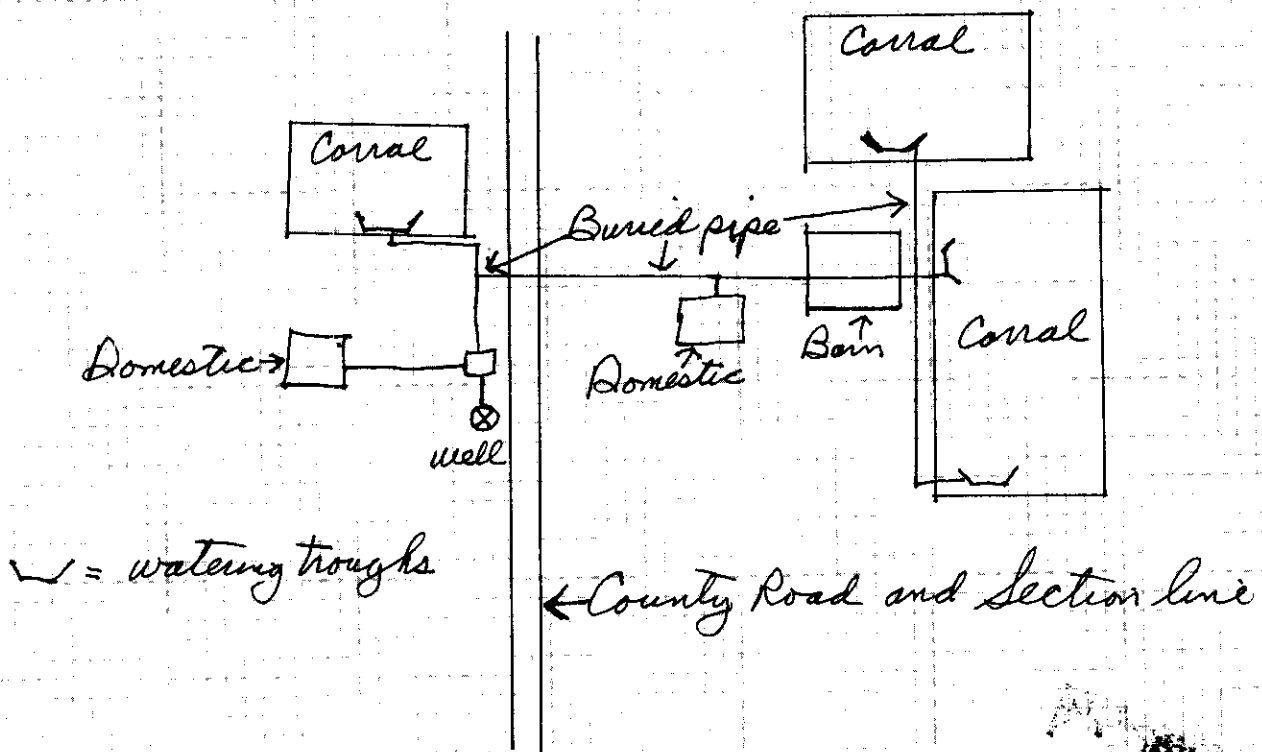
Permit No. 37-08410
Phone No. 487-2842
1. Owner: Daniel G & Vicki S. Durand
Current Address: 1360 N 1180 E, Richfield ID 83349
2. Accompanied by: Mr & Mrs Durand EXAM. DATE: 4-19-94
Address: _____ Phone No. _____
Relationship to Permit Holder: Owners
3. Source: Groundwater tributary to _____

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" = Not to scale

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 19 1994

System Description (continued)

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

The system consists of a 6" well with 3 hp pump that discharges to a pressure tank in a shed 30' to the North. No pressure gauge on the system. From the tank a buried pipe services a home and stock tank about 100' West of the well site. The buried pipe also crosses a county road to the East for about 200' to a 2nd home and small dairy. Three troughs provide stock water in two adjacent corrals. According to the owner, he milks 50 hd with another 100 hd of dry, heifers, calves and beef animals. He milks twice a day for a total of 2 hrs daily. See attached "Dairy worksheet" for more information. ☐ 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
	Franklin	3	2823028103	Bundfoss	10S30-37

*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
		NE	NE	SE	27	3S	19E	Lincoln	Orthophoto quad map

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	
3S	19E	26.										C/S							
												D							
		27												D/S					

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:

No measurements could be taken. Stockwater diversion rate recommended is based on attached "Dairy worksheet".
Commercial diversion rate is based on the rate required to provide .5 cfs based on 2 hours per day milking time:
 $.01 \times 365 \times 1.9835 \times 2/24 = .60 \text{ cfs}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

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:

See attached "Dairy Worksheet".

Domestic: 2 homes with internal and external use. Less than 1/2 acre irrigation = 1.2 cfs.

Dec 9 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

*No overlaps -
The system appears to be minimally adequate but can
provide the needed diversions one at a time. License
should be conditioned to reflect diversion capacity of
.03 cfs.*

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Domestic	1-1	12-31	.06	1.2
Stockwater	1-1	12-31	.05	3.3
Commercial	1-1	12-31	.01	.5
Totals:			.03	5.0

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 Mel Schulte

Signature Mel Schulte

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

DEC 19 1994

MEMORANDUM

TO: File 37-08410 / Daniel G. Durand
FROM: Brenda Chapman
DATE: December 7, 1994
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

E. FLOW CALCULATIONS

The permit limit for stock is 100; therefore, the licensing recommendation is limited to 100. The permit did not provide a specific number for each. Since there were 50 milkers at the time of the exam, it is recommended to base the calculations on 50 milking and 50 nonmilking cattle.

50 milking cattle x .00065	= .03 cfs
50 nonmilking cattle x .00022	= .01 cfs
Total	.04 cfs

However, the rate is limited by the capacity of .03 cfs.

G. VOLUME CALCULATIONS

Stockwater volume recommendation was reduced based on the above information.

50 milking cattle x .0391	= 2.0 af
50 nonmilking cattle x .0134	= .7 af
Total	2.7 af

The domestic volume was increased to 2.4 af for 2 domestics with lawn irrigation. They may not be 1/2 acre each but the exam photos do show lawn irrigation is evident.

DEC 19 1994

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Commercial	1-01 to 12-31	.01	0.6
Stockwater	1-01 to 12-31	.03	2.7
Domestic	1-01 to 12-31	.03	2.4

See items E & G.

Note: the rates were corrected and the volumes adjusted.

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms there are no changes in the place of use.

DEC 19 1994

37-08410

FILE # or NAME ----- DURAND--37-08410
REVIEWER ----- MTS
DATE ----- 21-Oct-94

IDAHO DEPARTMENT OF WATER RESOURCES

DAIRIES: WATER USE WORKSHEET

DEC 19 1994

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 50
NUMBER OF NONMILKING CATTLE ----- 100
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO ----- 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 1
NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD ----- 0.03
~~MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 0.04~~
NONMILKING CATTLE @12 GPD/HD ----- 0.02
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 0.02
TOTAL (BASED UPON ROUNDED NUMBERS) ----- ~~0.06~~ **.05**

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD ----- 2.0
~~MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 2.0~~
NONMILKING CATTLE @12 GPD/HD ----- 1.3
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ----- 1.3
TOTAL (BASED UPON ROUNDED NUMBERS) ----- **3.3**

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING ----- 0.1
TOTAL ----- **0.5** *should be .6 bc*

TOTAL DIVERSION VOLUME ----- 3.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING ----- 0.6
NONMILKING ----- 0.0
TOTAL ----- 0.6

COMMERCIAL ----- 0.0

TOTAL CONSUMPTIVE USE ----- 0.6

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	3.00	0.00	
LIFT (FT) -----	640	0	
DISCHARGE PRESSURE (PSI) -----	40	0	
FRICITION LOSSES (FT) -----	0.0	0.0	

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** -----	0.03	0.00	0.00
DIVERSION VOLUME (AFA) *** -----	18.3	0.0	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.
**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

Dev.: M Sterling
Mod.: ADM & KKC
Mod.: 8/5/94 DRJ

PERMIT 37-08410 INIT _____
 T. R. S. Q/Q
 P/D 3S, 14E, 27 NESE
 SCALE _____
 PHOTO ID. Z 25



SCALE 1:24,000



QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

NOV 19 1994

FIGURE 4 NW, IDAHO

37-08410

#1

P/D



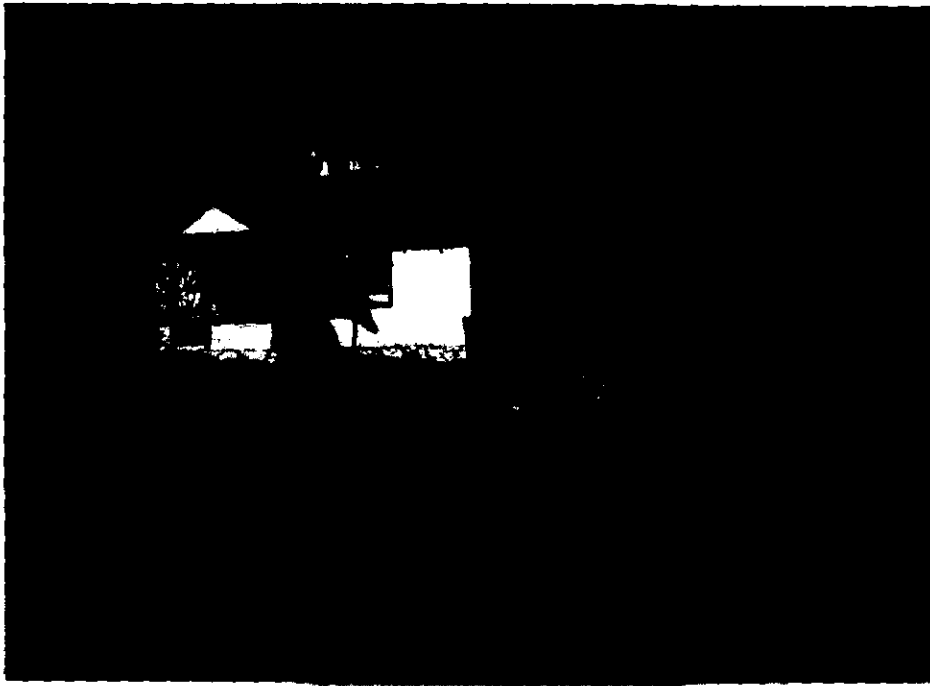
#2.

Shed containing
pressure tanks



DEC 19 1984

37-08410



#3

Domestic use
nearest well
on West side
of road.



#4

Domestic use
on East side of
road next to
dairy barn.

DEC 19 1994

37-08410

#5-

Dairy barn



#6

Corral with some
of livestock.



DEC 19 1994

May 15, 1990

DANIEL G. DURAND
VICKY S. DURAND
RT. 1 BOX 81
RICHFIELD, ID 83349

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08410

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

MAY 23 1990

138224
February 28, 1990

DANIEL G. DURAND
VICKY S. DURAND
RT. 1 BOX 81
RICHFIELD, ID 83349

PROOF DUE NOTICE

RE: PERMIT NO. 37-08410

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

MICROFILMED
MAY 23 1990

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

DANIEL G. DURAND
VICKY S. DURAND
RT. 1 BOX 81
RICHFIELD, ID 83349

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

RE: PERMIT NO. 37-08410

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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JUN 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

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JUL 11 1980

INTER-DEPARTMENT MEMO — 1

DATE 1/19/89

FROM Mary Baldwin, Secretary/Office Coordinator
Southern Region

TO File 37-08410

SUBJECT Change in publication dates

Received a telephone call on this date from the Lincoln County Journal that they just received the ad today, too late for the first scheduled publication, therefore, publication dates will be on 2/1 & 2/8/89 with final date for timeley submittal of protest will be 2/20/89.

Correspondence to the applicant regarding the change was made on this date.

MICROFILMED
JUN 13 1989

Mary Baldwin
SIGNATURE

19-Jan-1989

Daniel &/or Vicky Durand
Rt. 1 Box 81
Richfield, ID 83349

Re: Application for Permit No. 37-08410

Dear Mr. & Mrs. Durand:

I received a telephone call from the Lincoln County Journal on this date informing me that publication of the legal notice on the above application would not appear this week. Therefore, publication should appear on 2/1 & 2/8/89 with final date of 2/20/89 for submittal of timely protests.

We regret any inconvenience this delay may have caused. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

MICROFILMED

JUN 13 1989

12-Jan-1989

Daniel &/or Vicky Durand
Rt. 1, Box 81
Richfield, ID 83349

Re: Application for Permit No. 37-08410

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 Lincoln County Journal on 1/18 & 1/25/89. 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,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

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JUN 13 1989

AFFIDAVIT of PUBLICATION RECEIVED

FEB 23 1989

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

Department of Water Resources
Southern Region Office

_____, being first duly sworn,
deposes and says that he is the printer (publisher) of the Lincoln County
Journal, a newspaper published every week in Shoshone, County of Lincoln,
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, know 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 1 day of Feb
19 89, and the date of the last publication was on the 8
day of Feb, 19 89.

Mike Thornberry

Subscribed and sworn to before me this 22nd
day of Feb, 19 89.
(SEAL)

Norma Deane
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

OK
MB
2/27/89

Number of Lines in Notice _____
Number of Insertions 2x

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

COPY OF NOTICE (Paste Here)

Notice of Water App.
TITLE OF NOTICE

Durrand
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources

BILL TO
Twin Falls, ID

NOTICE OF APPLICATION FOR WATER RIGHT

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

DURRAND, DONALD S. DURRAND, VICTOR S. RT. 1 BOX 10 SHOSHONE, ID 83442
Source: _____
Diversion: _____
Use: COASTAL & FISHING
BONES & MEAT
STOCKWATER 075 CFS
Described: 10000000
Ac: 7000 #195 SEE SHOW
S27 NESE

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203B, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 20, 1989.

R. Keith Higginson
Director
L321

Pub: Feb. 1 & 8

(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 3239

21.32/88

(S T A T E O F I D A H)
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JANUARY 10, 1989

LINCOLN COUNTY JOURNAL
P.O. BOX 704
SHOSHONE, ID 83352

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 FEBRUARY 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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JUN 13 1989



NOT OF APPLICATION FOR WATER RIGHT

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

37-08410

DURAND, DANIEL G.
DURAND, VICKY S.
RT. 1 BOX 81
RICHFIELD, ID 83349

Source: GROUNDWATER

Diversion Pt: NESE Sec 27 T 03S R 19E

Use: COMMERCIAL	(.100 CFS)
DOMESTIC	(.060 CFS)
STOCKWATER	(.070 CFS)

Date Filed: 10/04/1988

In: T03S R19E S26	NWSW
S27	NESE

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 FEBRUARY ²⁰6, 1989.

R. Keith Higginson, Director

Published ^{2/1}~~1/18~~/1989 & ^{2/8}~~1/25~~/1989

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JUN 13 1989

SHONI LEGAL
HOLD FOR FEB. 1 ISSUE

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08410
DURAND, DANIEL G., DURAND, VICKY
S., RT. 1 BOX 81, RICHFIELD, ID 83349
Source: GROUNDWATER
Diversion Pt: NESE Sec 27 T 03S R 19E
Use: COMMERCIAL (.100 CFS)
DOMESTIC (.060 CFS)
STOCKWATER (.070 CFS)
Date Filed: 10/04/1988
In: T03S R19E S26 NWSW
S27 NESE

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 FEBRUARY 20, 1989.

R. Keith Higginson
Director
L32188

Pub: Feb. 1 & 8

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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

Daniel G. Durand
Rt. 1, Box 81
Richfield, ID
83349

September 27, 1988

Dear Mr. Durand;

Per our conversation of 9-26-88, we have prepared an application for permit to cover the well developed under Lapsed Permit 37-7320. If the application is correct, it should be signed and returned to this office along with a \$30. filing fee.

Steps are being taken to refund the \$50. examination fee that you paid in August on the above-referenced lapsed permit.

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

Sincerely,

James E. Stanton
James E. Stanton
Sr. Water Resource Agent

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JUN 13 1989