

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

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



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

RECEIVED
SEP 14 1988

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 63-8904 & 63-8793

Notice is hereby given that Summerall Farms Inc. of Kuna, ID has applied to the Department of Water Resources for an additional point of diversion of groundwater. The rivers sought to be changed are evidenced by License No. 63-8904 and No. 63-8793 and are recorded as follows:
Amount: 2.90 cfs. Priority: 5/31/77

2.88 cfs. Priority: 9/12/77
Total 5.78 cfs
Point(s) of Diversion: SENW, S. 32, T.2N., R. 1W, B.M. (one well). The water is used for irrigation purposes on N $\frac{1}{2}$, S. 32, T. 2N., R. 1 W., B.M.

TO BE CHANGED
AS FOLLOWS

Amount: 5.78 cfs
Point(s) of Diversion: S $\frac{1}{2}$ NW $\frac{1}{4}$, S. 32, T. 2N., R. 1W., B.M.
The water will be used for irrigation purposes on N $\frac{1}{2}$, S. 32, T. 2N., R. 1W., B.M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705 on or before September 26, 1988.

R. KEITH HIGGINSON
Director
September 7, 14, 1988

Debra Martin del Campo
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

September 7, 14, 1988

Debra Martin del Campo

Subscribed and sworn to before me this
14th day of September
19 88

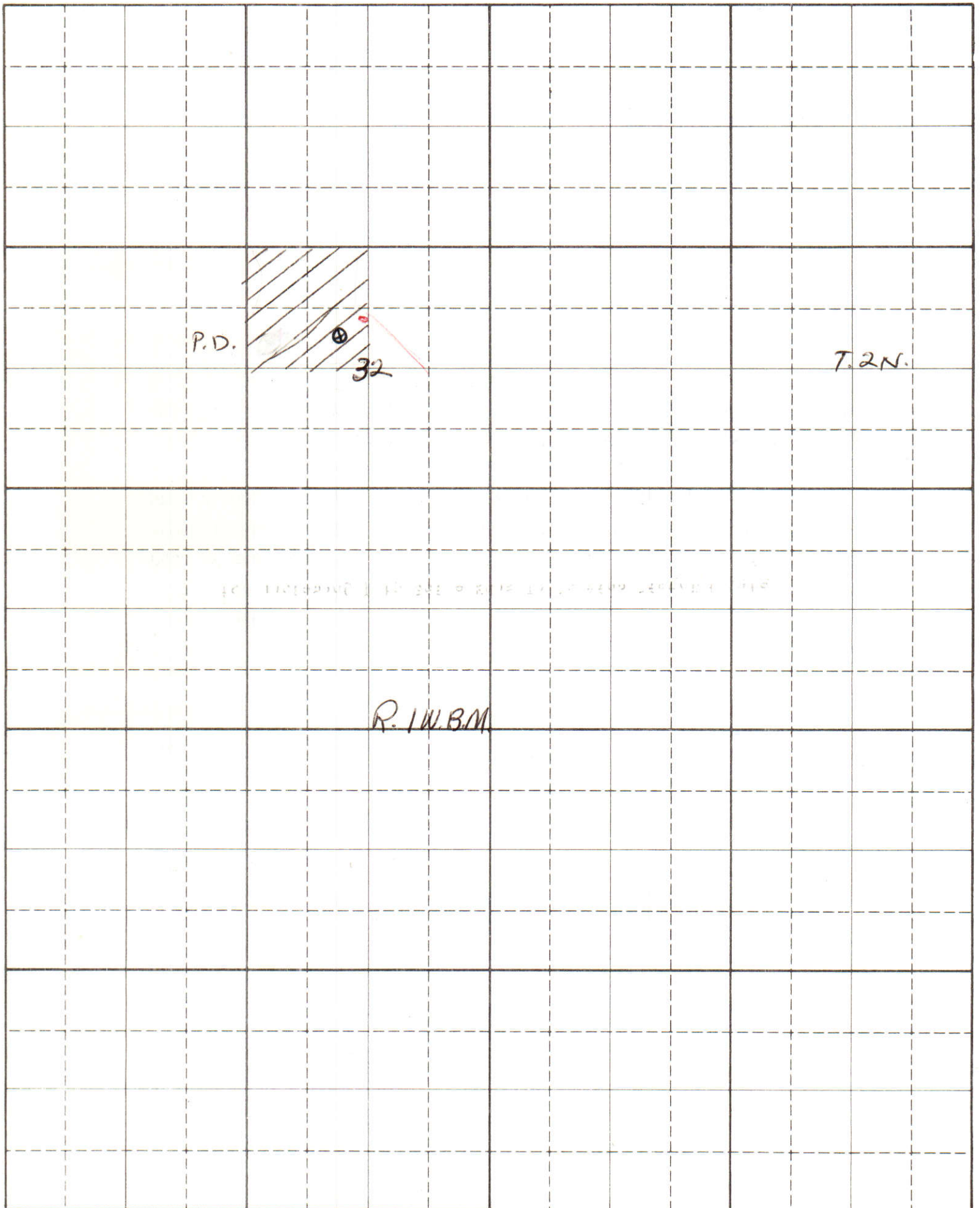
Janet Lee
Notary Public, Residing at Nampa, Idaho

MICROFILMED

DEC 23 1988

MY COMMISSION EXPIRES
JULY 12th, 1991

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.

Norman R. Cole
(Applicant) President

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 17 1977

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

Department of Water Resources
Western Regional Office

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 9, 16, 1977

Verla Harker

Subscribed and sworn to before me this

16th day of June,
19 77.

Adam D. Kau

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF AMENDED
APPLICATION FOR PERMIT

Notice is hereby given that
Application No. 63-8793 in the
name of COLE'S, INC. of Route
1, Kuna, Idaho was filed on May
5, 1977 for the diversion of 3.0
cubic feet per second of water
from a groundwater source with
the point of diversion within the
SW1/4NW1/4, Sec 32 T2N-R1W,
Canyon County to be used from
April 1 to Oct. 31 for irrigation of
160 acres within the NW1/4 Sec 32
T2N-R1W B.M.

The application holder now
proposes to amend the ap-
plication by changing the point
of diversion to SE1/4NW1/4 Sec 32
T2N-R1W B.M. Canyon County.

Any protest to this proposed
amending of the application
must be filed with the Director
of the Idaho Department of
Water Resources, 92 S. Cole
Road, Boise Idaho 83705 on or
before June 27, 1977.

C. STEPHEN ALLRED
Director
June 9, 16, 1977

OK THH
6-23-77

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 27 1977
Department of Water Resources
Western Regional Office

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that COLE'S INC., Route 1, Kuna, Idaho has on May 5, 1977 submitted Application No. 63-8793 for a permit to appropriate 3.0 cubic feet per second of water from a groundwater source by means of well, pump and ditches within the SW1/4NW1/4, Sec. 32, T2N-R1W B.M., Canyon County, to be used from April 1 to Oct. 31 for irrigation of 160 acres within the NW1/4, Sec. 32, T2N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before June 6, 1977.

C. STEPHEN ALLRED
Director
May 19, 26, 1977.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 19, 26, 1977

OK
6-27-77
JY

Verla Harker

Subscribed and sworn to before me this

26th day of May,
19 77.

Adam D. Kaur

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

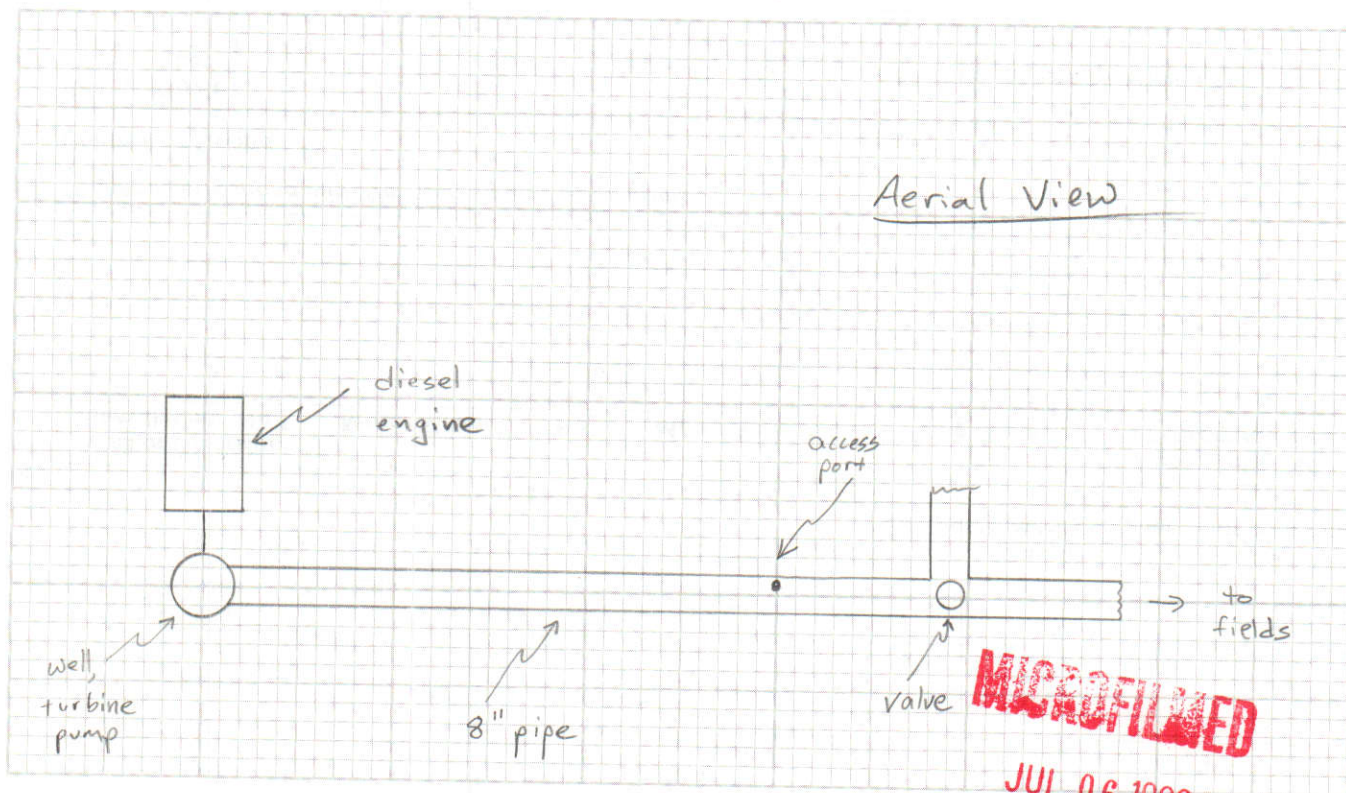
1. Owner: Jerry &/or Beverly Summerall Permit No. 63-8793
Current Address: Rt. 1, Kuna, ID Phone No. 466-6002
83634
2. Accompanied by: owner EXAM. DATE: 6/17/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none (Boise-Kuna Irrig. Dist.) ☐ Copies Attached
2. Other water rights with same point of diversion: as above ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

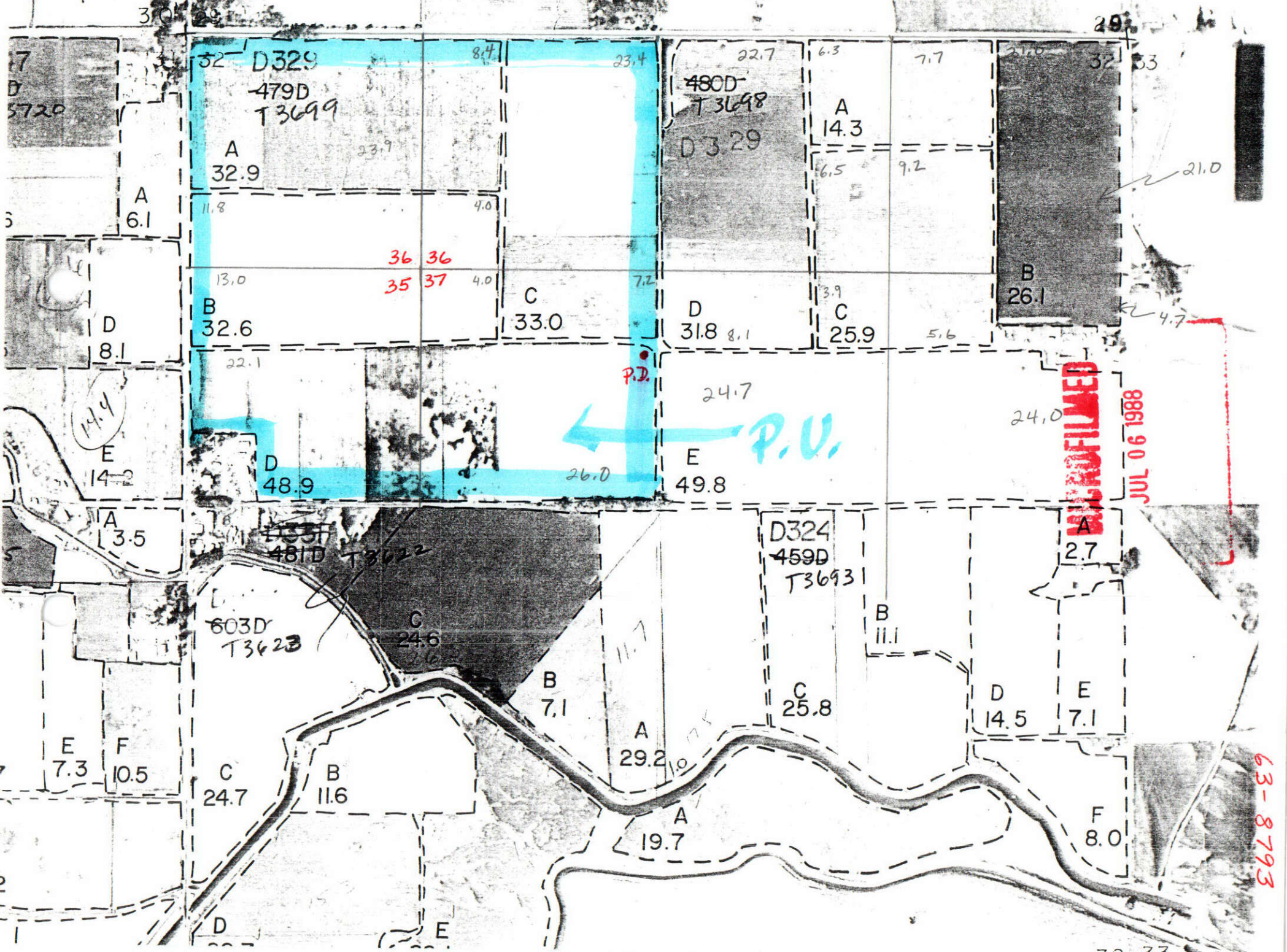
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 5'

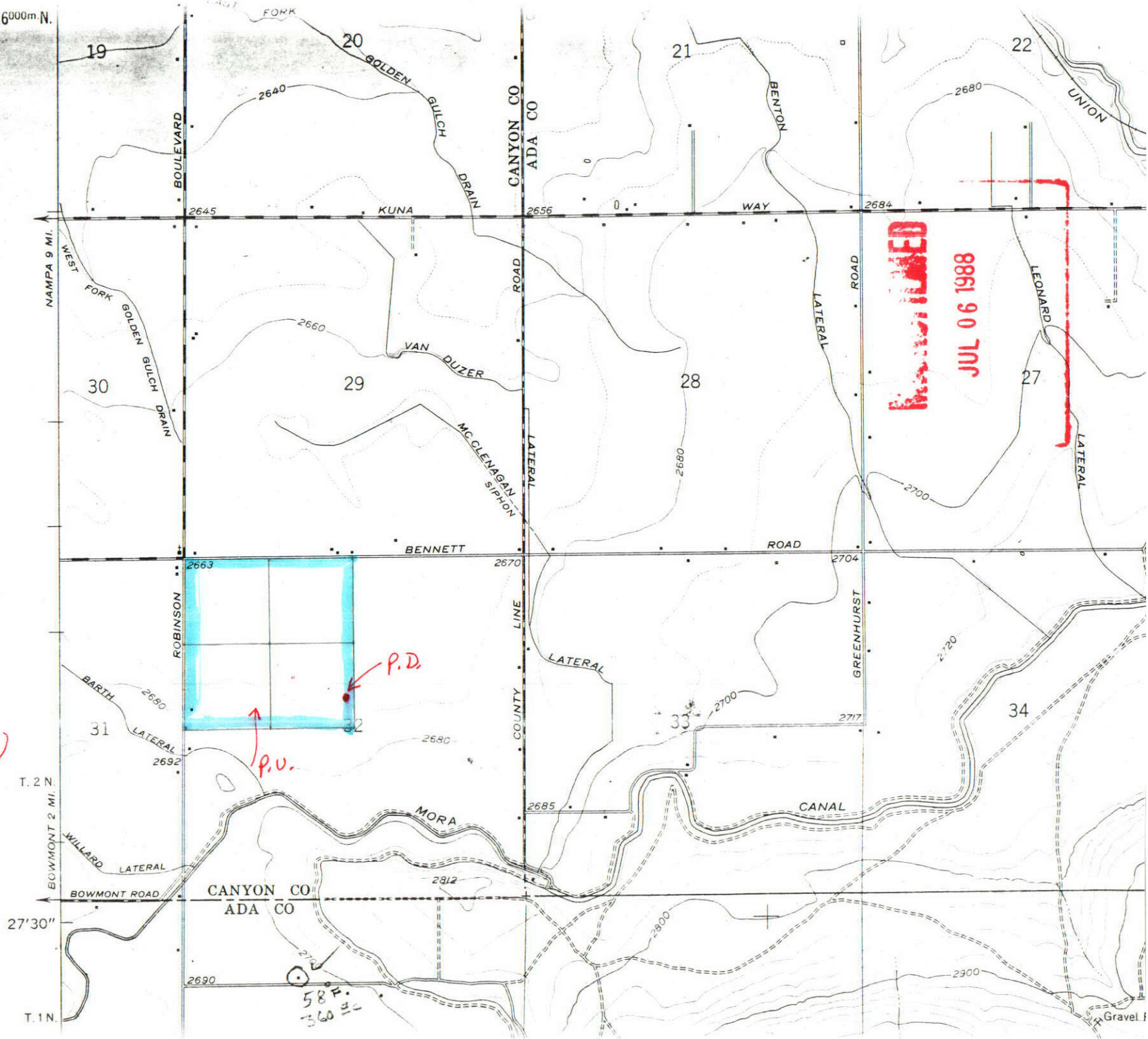
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

Sumneralls



63-8793

T. 2N
R. 1W



63-8793
Summerall



P.D.



P. U.

MICROFILMED

JUL 06 1988

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-8904 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority May 31, 1977

5. Water is used for the following purpose:

amount 2.90 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.90 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	32	2N	1W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	1W	32	38	36	37	34													145

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DEC 20 1988

Total acres 145

9. Describe any other water rights used for the same purpose as described above: Boise-Kuna Irrigation

District of Boise River, 63-2288

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED** N/A

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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DEC 23 1988

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-8793 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority Sept. 12, 1977

5. Water is used for the following purpose:

amount 2.88 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	32	2N	1W	CANYON	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	1W	32					36	36	35	36									144

Total acres 144

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

Irrigation District (Boise River, 63-2388)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

MICROFILMED

DEC 23 1988

Total acres _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Summersall Farms Inc. Phone 466-6002
Post Office address Rt. 1 Kuna, Id. 83634

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes to provide supplemental water to the
farm. Currently, farm has Boise - Kuna Irrigation District water and
one well for sources.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------------|-----------------------|------------------|---------------|
| 63-8904 | MAY 31, 1977 | 2.90 | Irrigation | 3/15 to 11/15 |
| 63-8793 | Sept. 12, 1977 | 2.88 | Irrigation | 3/15 to 11/15 |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>5.78</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 289

PART 1

6. General Information:

- a. Description of diversion system pump into ^{cement} ~~open~~ ditches for gravity flow irrigation.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See attachment.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
Drilling Permit 63-88-W-165 approved 8/30/88.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 63-8793/8904And said application is hereby approved, subject to the following limitations and conditions:**MICROFILMED**

DEC 23 1988

Witness my hand this 8th day of December, 1988J. Glen Saylor

Chief, Operations Bureau

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

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

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

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

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

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

Greg A. Summerall
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of August, 19 88.

Nancy M. Lindgren
(Notary Public)

My commission expires 1-19-1994

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by SL Date 8/29/88

Protest filed by _____

Prelim. check by SL Fee \$50.00

Receipted by SL #6000778 Date 8/29/88

Published in Press Tribune

Copies of protest forwarded by _____

Pub. dates 9/12 & 9/14/88

Hearing held by _____ Date _____

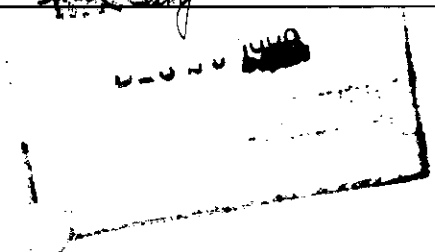
Watermaster recommendation requested on 9/12/88

Recommended for ☒ approval ☐ denial

_____ rec'd. 9/20/88

by DET *[Signature]*

Copy of transfer sent to lien holder _____



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-8793

Priority: September 12, 1977 Amount: 2.88 CFS 648.0 AFA

This is to certify, that JERRY SUMMERALL
BEVERLY SUMMERALL

RT. 1

KUNA, ID 83634

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 5, 1977, and has submitted proof to the Department of Water Resources on September 28, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 5.96 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	2.88 cfs	648.0 afa

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 32, Township 2N, Range 1W
Canyon County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
2N	1W	32	NEW 36	NNW 36	SNW 35	SENW 37	144

Total number of acres irrigated: 144

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

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 31st day of May, 1988.

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JUL 06 1988

Director

RECEIVED
SEP 24 1988

Department of Motor Vehicles
Boise, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo
of Nampa, Canyon County, Idaho, being first duly sworn, deposes
and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of eighteen years,
and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily, (except Saturday) newspaper published in the City of Nampa
and Caldwell, in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of Canyon,
and in the vicinity of Nampa and Caldwell, and has been uninter-
ruptedly published in said County during a period of seventy-eight
consecutive weeks prior to the first publication of the notice, a copy
of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two times
in the regular and entire issue of said paper, and was printed in
the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
September 7, 14, 1988

Debra Martin del Campo
Subscribed and sworn to before me this
14th day of September
19 88

Janice Lee
Notary Public, Residing at Nampa, Idaho

MICROFILMED

DEC 23 1988

MY COMMISSION EXPIRES
JULY 12th, 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 63-8793 IN THE NAME	)	ORDER ADVANCING
	)	DATE OF PRIORITY
OF JERRY &/OR BEVERLY SUMMERALL	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-8793 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On August 22, 1977 the Department approved Application for Permit No. 63-8793 to appropriate the public waters of the State of Idaho with a priority of July 2, 1977.
2. On April 30, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.
3. The fee was due on June 29, 1986, 60 days from the date of the notice; however, the fee was not received until September 9, 1986, 183 days late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

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2. The date of priority of Permit No. 63-8793 should be advanced 183 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 63-8793 is advanced to September 12, 1977.

Dated this 11th day of April, 1988.

J. Glen Sayton
Chief, Operations Bureau

RECEIVED

JUL 06 1988

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	63-8793	Cole's, Inc.	3.0 cfs
Full Assignment	63-8793	Jerry &/or Beverly Summerall	3.0 cfs

ORIGINAL

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-8793 IN THE)
NAME OF JERRY &/OR BEVERLY SUMMERALL) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1982; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on September 28, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-8793 be REINSTATED and the priority advanced to July 2, 1977.

Dated this 21st day of October, 1982.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

OK to
process
RC 10/12
BL

I, NORMAN R. COLE ^{PRESIDENT, COLE INC.}, hereby assign to Jerry t/or Beverly Summerall
of Rt. 1 Kund, ID 83634
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 63-8793
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 28 day of Sept, 19 82.



Norman R. Cole
Permit Holder

SEP 22 1982

Department of Water Resources

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 28 day of Sep, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

David R. Tuttle
Notary Public residing at
Boise Id

My commission expires:
Sep 10, 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **63-8793**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 63-8793

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**

AMENDED

APPLICATION FOR PERMIT

AMENDED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Cole's, Inc. Phone: 922-5714
post office address Route 1 Kuna, ID

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

3. a. Location of point of diversion is N.R. 2 SW-SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 2N
Range 1W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 3.0 for irrigation purpose from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 3.0 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, gravity irrigation system

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 14 inches; proposed depth of well is 400 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 20,000.

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: _____ hp 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: _____

RECEIVED

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

[illegible]

Total number of acres to be irrigated 160

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

Boise-Kuna Irrigation District water

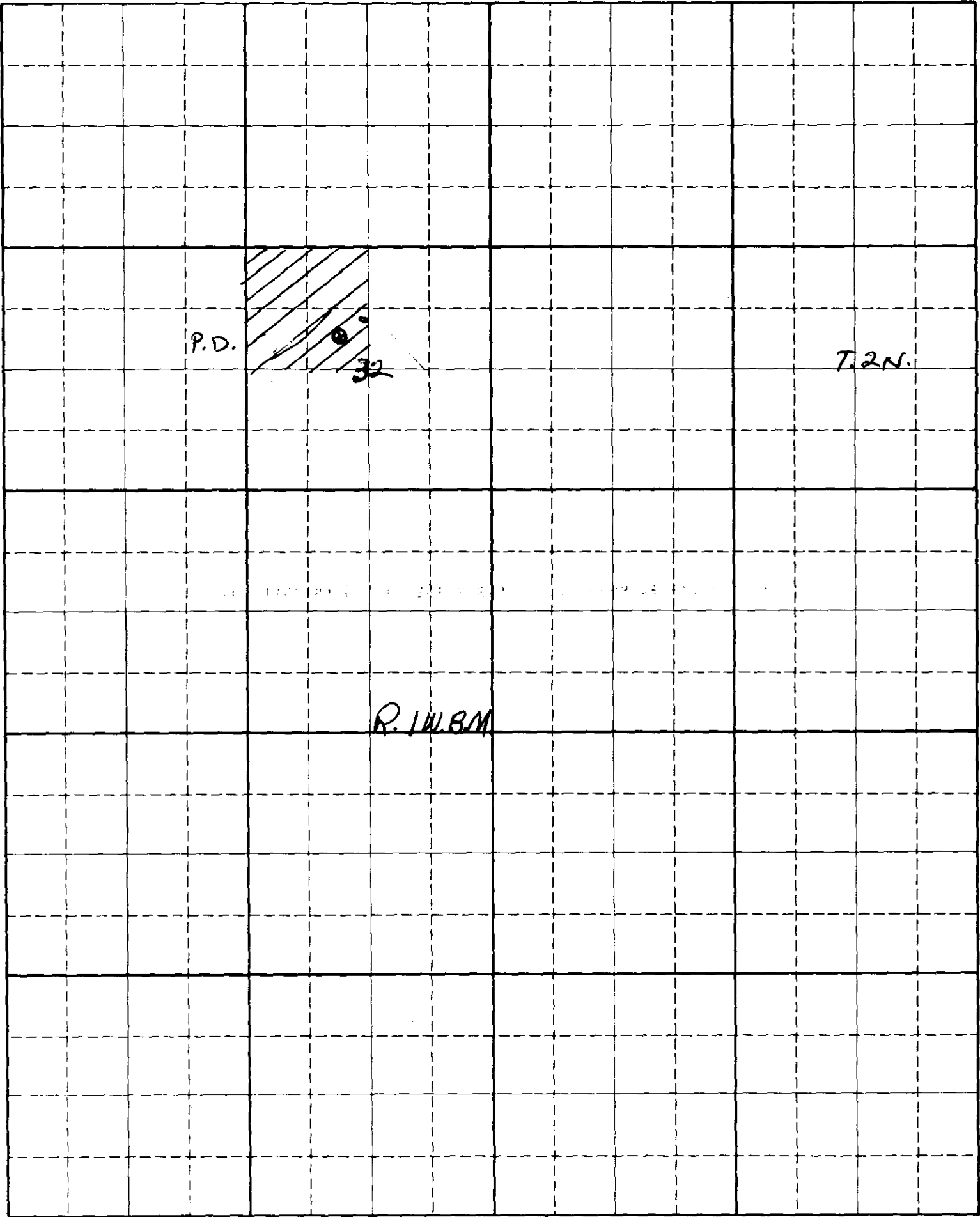
9. a. Who owns the property at the point of diversion Applicant

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 This is supplemental to Boise-Kuna Irrigation District water.

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.

Norman R. Cole
(Applicant) President

Proposed Priority 5/ 5/77

Received by P.W.H. Date 5-5-77 Time 3:35 P.M.

Preliminary check by P.W.H. Fee \$ 45.00

Received by J Date 5-5-77 # 7760

Amendment Fee 10.00
5-24-77 # 8010

Publication prepared by J Date 5-12-77

Published in Idaho Free Press

Publication dates May 19 & 26, 1977

Publication approved J Date 6-27-77

Priority reduced to J Reason re-ad June 9+16, 1977

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date: _____

Recommended for approval denial by THH

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. 63-8793, and said application is hereby APPROVED.

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

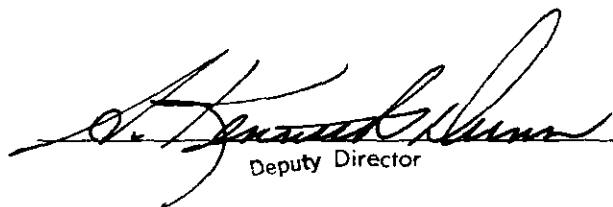
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 22 day of August, 19 77.


Deputy Director

AFFIDAVIT OF PUBLICATION

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

Department of Water Resources
Western Regional Office

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 9, 16, 1977

OK *thh*
6-23-77

Verla Harker

Subscribed and sworn to before me this

19 77 16th day of June

Adam J. Kau

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

AFFIDAVIT OF PUBLICATION

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

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 19, 26, 1977

OK
6-27-77
JY

Verla Harker

Subscribed and sworn to before me this _____

26th day of May,
19 77.

Adam D. Kase

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

File —

MEMORANDUM

DATE: 20 April 00

TO: Glen Saxton
Water Right File 63-08793

FROM: Bill Graham ⁸⁶

SUBJECT: Minimum Streamflow Permit No 63-08793, North Fork Payette River
Upper Payette Lake Dam to Box Creek.

On 14 Feb 2000, I was called before the Senate Resources and Environment Committee to address whether the RS for minimum streamflow water right no. 63-08793 should be printed. Based on the ensuing discussion, the Committee voted to print SCR 145, approving the minimum streamflow for the upper North Fork Payette River. No further action was taken during the 2000 legislative session. Consequently, Permit Number 63-08793 for the Upper North Fork Payette River remains in effect.

MICROFILMED

APR 28 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 9, 1988

RE: Transfer of Water Right Nos. 63-8793/8904

Summerall Farms, Inc.
Rt. 1
Kuna, ID 83634

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No: ~~8465~~).

Sincerely,

Sharla Curtis

for JIM JOHNSON
Water Rights Supervisor

JJ:ky

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DEC 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SL

1. Right number 63-8904 and 63-8793 Applicant Summerall Farms, Inc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments NOT AN EXPANSION, existing well produces 5.96 cfs but is licensed for 5.78 cfs for 289 acres. New well will provide a more efficient system to deliver the licensed flow.
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 63-8904 & 8793 single well for NE 1/4 & NW 1/4, respectively, are only gw rights on land in question.
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 63

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 9/12/88 Received on 9/26/88
2. Is transfer published correctly? ☒ Yes ☐ No 9/14/88
3. Protest received? ☐ Yes ☐ No Presso Tribune 9/17 & 9/14/88 501 WOOD ST

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By Dr Date 10/21/88

Jim 11-10-88

* All uses within Watermaster Districts require special conditions.

RECEIVED
OCT 24 1988

Department of Water Resources

State of Idaho

Department of Water Resources

Temporary Approval Analysis Sheet (TRANSFER)

- ☒ Yes ☐ No Basin No. Correct?
- ☒ Yes ☐ No Source is Groundwater?
- ☒ Yes ☐ No Lands are irrigated with surface water rights? (Bosse-Kuna
Irreg. Dist.)
- ☒ Yes ☐ No Lands are outside Critical Groundwater Area & Groundwater
Management Area boundaries?
- ☒ Yes ☐ No County has been declared a drought emergency area by the
Governor's Office?

Remarks: Existing well for 289 acres under 2 licenses.
Field exam 6/17/87 measured 5.96 cfs from well; licenses
total 5.78 cfs.

Application Initially Received Date 8/29/88 Time 3:00

File Prepared By DRT Date 8/30/88 Time 8:00

Staff Review By SL Date 8/29/88 Time 3:00

Temporary Approval Prepared By DRT Date 8/30/88 Time 8:20

Temporary Approval Signed By DRT Date 8/30/88 Time 8:20

Temporary Approval Mailed By SL Date 8/30/88 Time 12:00

Index Updated By SL Date 9/1/88 Time 9:00 A.M.

Parcel delivery upon applicant's visit to office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 63-8904 & 63-8793

Department of Water Resources
Western Regional Office

RECOMMENDATION OF WATERMASTER

I, Lee Sisco, watermaster of Boise River,
of Water District No. 63, County of Ada, State of Idaho,
whose address is 214 Broadway Ave., Boise, Idaho 83702
have read the attached copy of the application for transfer of water right for _____
Summerrall Farms Inc., and to the best of my knowledge believe the
(name)
application to be true.

(A) I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Boise, Idaho, this 22 day of Sept. 19 88

Lee Sisco
(signature)

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DEC 23 1988

Please use reverse side if needed.



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 30, 1988

Summerall Farms, Inc.
Rt. 1
Kuna, ID 83634

Re: Temporary Approval of Transfer of Water Rights Nos. 63-8904 and 63-8793

Dear Water Right Applicant:

Enclosed is a temporary approval for an addition of a point of diversion from groundwater during the 1988 irrigation season.

The copy of the application for transfer water attached to the interim approval defines the various components of your temporary approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the temporary approval.

This office will continue to process the original application for transfer, pursuant to Chapter 2, Title 42, Idaho Code, unless directed otherwise by you. This processing will include advertisement for two weeks in the county where the point of diversion is located.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

Enclosures: Temporary Approval
Copy of Application for Transfer

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DEC 23 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
WITH RESPECT TO TEMPORARY APPROVAL OF
APPLICATION FOR TRANSFER OF LICENSES NOS. 63-8904 AND 63-8793

This is to certify that I have examined Application for Transfer of Licenses Nos. 63-8904 and 63-8793; and a temporary approval to add a point of diversion is granted until 11/15/1988, subject to the following limitations and conditions:

- a. The water use approved herein is subject to all prior water rights.
- b. The water user acknowledges that the temporary approval does not convey a continuing right to divert water and does not convey and right to divert water except as specifically provided in the temporary approval.
- c. The water user assumes all risk that he or she will be successful in obtaining a permanent water right permit when the application for transfer is processed under the provisions of Chapter 2, Title 42, Idaho Code and the water Appropriation Rules and Regulations.
- d. Violation of temporary approval conditions, provisions of the Idaho Code, or the Water Appropriation Rules and Regulations is cause for cancellation of the temporary approval and denial of future requests.
- e. By commencing diversion of water under this temporary approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the temporary approval or to take other reasonable steps to insure that water is not diverted during any period the temporary approval is suspended or revoked.
- f. The Director may impose additional conditions not a part of the original temporary approval conditions.
- g. The temporary approval applies only to uses and lands which normally have an adequate supply of water from surface water sources but are temporarily water short because of drought conditions.
- h. The temporary approval granted under the expedited procedure shall not be effective for more than the 1988 irrigation season and will expire upon termination of the declared drought emergency, or on the expiration of the term of the approval set herein, whichever is earlier.
- i. The Director will retain jurisdiction of any temporary approval given.
- j. By acceptance of the temporary approval and diversion of water under the temporary approval, the water user assumes all risk relative to interference with other water rights and acknowledges and agrees that the Director is authorized to take reasonable steps to insure that water is not diverted under the approval at any time the Director determines there is not water available for diversion.

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DEC 23 1988

- k. Temporary approval granted will be of no force no effect from and after the 1988 irrigation season. The application for transfer, however, will be processed by the Department under the provisions of Chapter 2, Title 42, Idaho Code, unless directed otherwise by the applicant.

Witness my hand this 30th day of August, 1988.

David R. Tuthill Jr
DAVID R. TUTHILL, JR., P. E.
Manager Western Regional Office,

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DEC 23 1988

**First
Security
Bank**

RECEIVED

August 29, 1988

Dept. of Water Resources
2735 Airport Way
Boise, Idaho

Re: Summerall Farms, Inc.

To Whom it May Concern:

Summerall Farms, Inc. and its principal, Jerry Summerall, have requested permission from mortgage holder, First Security Bank of Idaho, N.A. to drill and develop an agricultural water well system on his farm ground located in Canyon County, Idaho.

Permission is hereby granted for this purpose.

First Security Bank of Idaho, N.A.

By: Steve Tester V.P.
Steve Tester, V. P. & Area Manager

State of Idaho, Canyon County ss:

On this 29th day of August, 1988, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Steve Tester, known to me to be the Vice President of First Security Bank of Idaho, N.A., and acknowledged to me that he executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Maria Basabe Alder
Notary Public

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DEC 23 1988

RECEIVED
AUG 2 1988

Attachment A

CANYON COUNTY
1987 REAL PROPERTY
CONSOLIDATED TAX NOTICE AND RECEIPT

Department of Water Resources
Western Regional Office

Acc't. No.

Area

7R29072-000- -0 099-00

DELINQUENT		SUMMERALL FARMS, INC		Parcel No. 02N01W322400 32 2N 1W NW NW 1/4 LESS S 208.71' OF W 208.71'			
Distribution of Code Area Tax		RT 1 KUNA	ID 83634	6554 ROBINSON BLVD			
AMB	HWY #1	FIRE KU	CEM KU	SCH #3	COUNTY	PEST	
.0204	.0969	.1053	.0175	.8051	.3729	.0074	
31.98	151.92	165.08	27.44	1262.20	584.62	11.60	
TOTAL TAX				EXEMPTION		TOTAL DUE	
2,234.84						2,234.84	
Full Cash Value	Home Ex.	Adj. Value	LEVY SHEETS AVAILABLE KEEP TOP PORTION FOR YOUR RECORDS PLEASE READ REVERSE YOUR CANCELLED CHECK IS YOUR RECEIPT PERSONAL CHECKS SUBJECT TO BANK CLEARANCE				
156775		156775					

CANYON COUNTY
1987 REAL PROPERTY
CONSOLIDATED TAX NOTICE AND RECEIPT

Acc't. No.

Area

7R29068-000- -0 099-00

DELINQUENT		JOHNSTON, GEORGE % SUMMERALL, JERRY A		Parcel No. 02N01W320100 32 2N 1W NE NE1/4			
Distribution of Code Area Tax		RT 1 KUNA	ID 83634	6643 MCDERMITT RD			
AMB	HWY #1	FIRE KU	CEM KU	SCH #3	COUNTY	PEST	
.0204	.0969	.1053	.0175	.8051	.3729	.0074	
37.30	177.16	192.52	32.00	1471.92	681.76	13.52	
TOTAL TAX				EXEMPTION		TOTAL DUE	
2,606.18						2,606.18	
Full Cash Value	Home Ex.	Adj. Value	LEVY SHEETS AVAILABLE KEEP TOP PORTION FOR YOUR RECORDS PLEASE READ REVERSE YOUR CANCELLED CHECK IS YOUR RECEIPT PERSONAL CHECKS SUBJECT TO BANK CLEARANCE				
182825		182825					

MICROFILMED

DEC 23 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 63-8904 & 63-8793

Notice is hereby given that Summerall Farms Inc. of Kuna, ID has applied to the Department of Water Resources for an additional point of diversion of groundwater. The rights sought to be changed are evidenced by License No. 63-8904 and No. 63-8793 and are recorded as follows:

Amount:	2.90 cfs	Priority:	5/31/77
	2.88 cfs		9/12/77
total	5.78 cfs		

Point(s) of Diversion: SENW, S. 32, T.2N., R. 1W, B.M. (one well)

The water is used for irrigation purposes on N1/2, S. 32,T. 2N., R. 1W., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 5.78 cfs

Point(s) of Diversion: S1/2NW1/4, S. 32,T. 2N., R. 1W., B.M.

The water will be used for irrigation purposes on N1/2, S. 32,T. 2N., R. 1W., B.M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705 on or before September 26, 1988.

R. Keith Higginson, Director

Published in the Press-Tribune on 9/7 & 9/14/88

MICROFILMED

DEC 23 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 12, 1988

Lee Sisco
Watermaster
Boise Project Board of Control
214 Broadway
Boise, ID 83702

Re: Transfer of Water Rights No. 63-8904 and 63-8793 in the Name of Summerall Farms Inc., & No. 63-3269 in the Name of Willowbrook Property Owners Assn.

Dear Lee:

Enclosed is an application(s) for transfer of a water right(s) within our water district. Also enclosed is a form for an update of your recommendation concerning this application for transfer.

Please review the transfer and return your recommendation at your earliest convenience.

If you have questions or need information, feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

Enclosure: Copy of Transfer
Recommendation of Watermaster Form

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DEC 23 1988

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

SEP 01 1988

1. Applicant Sumnerall Farms Inc. Department of Water Resources

2. Address Rt. 1 Kuna, Id 83634

Telephone 466-6002

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

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

Sec. 32, Twp. 2N, Rge. 1W, County Canyon,

Lot, block and subdivision _____

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

() Domestic () Stockwater () Monitoring

☒ Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

5. Well construction information:

☒ New well () Deepen () Replace

Proposed surface diameter 12" Maximum depth 200'-250'

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)

6. Anticipated construction start date mid - Sept. 1988

7. Well Driller (if known) Johnston Drilling Co. 92

Address Rt. 1 Bx 830 Melba, Id 83641

8. Applicant's signature Perry A. Sumnerall

Title Owner

Date 8/29/88

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic uses may be \$100, \$50 or \$10.

DEC 20 1988

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 30th day of August, 1988.

Signed David R. Tuttle

Title Mgr. Western Regional Office, IDWR

Received by SL Fee \$100 Date 8/29/88

Receipt No. W000778 Construction start extension to DEC 23 1988

Extension approved by _____

May 31, 1988

JERRY SUMMERALL
BEVERLY SUMMERALL
RT. 1
KUNA, ID 83634

RE: PERMIT NO. 63-08793

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUL 06 1988

April ²⁶18, 1988

JERRY & BEVERLY SUMMERALL
RT. 1
KUNA, ID 83634

RE: Permit No. 63-8793

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUL 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

*system produces enough water
to allow an inch per acre
for both permits diverting water
from this well.*

$$144 \times 0.02 \text{ cfs} = 2.88 \text{ cfs}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{4.5 = 648.0} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1399.55} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. **Overlap Review** *per VAX:*

- a) Other water rights with same place of use: *OK 63-2388 - Boise River well R32*
- b) Other water rights with same point of diversion: *63-8904 - per exams -
✓ also being licensed*
- c) Analysis:

JUL 06 1988

10 day

- Date 3/7/88

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

FOR PERMIT NO. 63-8793

BY: Kay Walker
3/7/88

	<u>DATE</u>	<u>NUMBER OF DAYS</u> (From Table of Days Between Two Dates)
A. EXAMINATION FEE NOTICE SENT	4-30-86	120
B. DATE FEE DUE (60 days)	6-29-86	180
C. DATE FEE RECEIVED	9-9-86	252
D. NUMBER OF DAYS LATE (C - B)		72
E. ORIGINAL PRIORITY DATE	7-2-1977	183
F. NEW PRIORITY DATE (D + E)	9-12-1977	255

REMARKS:

INDEXED

JUL 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

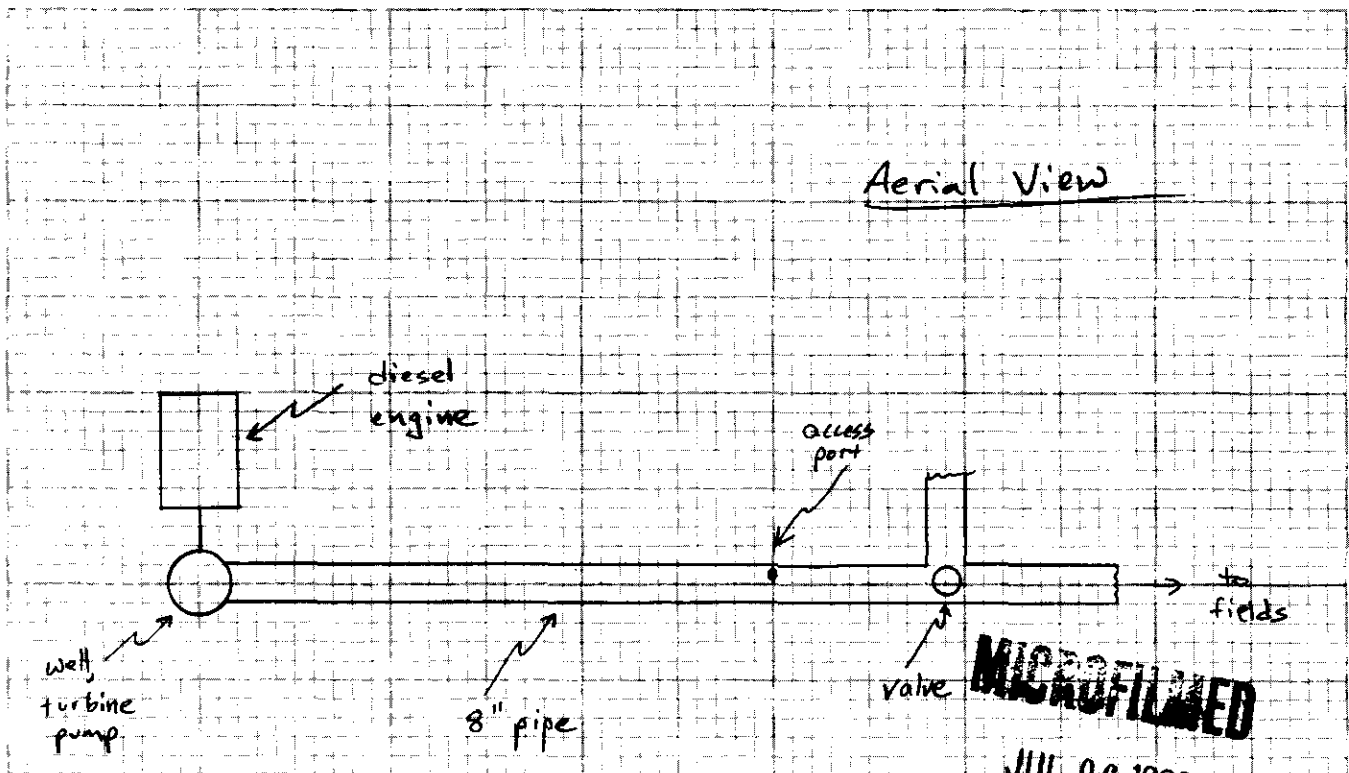
1. Owner: Jerry +/or Beverly Summerall Permit No. 20 10 12 63-8793
Current Address: Rt. 1, Kuna, ID Phone No. 466-6002
2. Accompanied by: owner EXAM. DATE: 6/17/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none (Boise-Kuna Irrig. Dist) ☐ Copies Attached
2. Other water rights with same point of diversion: as above ☐ 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" = 5'

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).

System Description (continued)

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

Point of diversion is a 12" diameter well, 91' deep; static water level is 91' (per well log), while the pumping water level is unknown. An Amarillo turbine pump is used with a diesel engine of unknown horsepower. Water is pumped through 8" pipe and discharges into open concrete ditches. Land is gravity irrigated from ditches.

☐ 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
	Diesel engine, unknown	HP		Amarillo	2BL 36556

*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
			SE	NW	32	2N	1W	Canyon	aerial photo

6. Place(s) of Use:

Indicate Method of Determination as above

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NNW 1/4	SW 1/4	SE 1/4	NE 1/4	NNW 1/4	SW 1/4	SE 1/4	NE 1/4	NNW 1/4	SW 1/4	SE 1/4	NE 1/4	NNW 1/4	SW 1/4	SE 1/4	
2N	1W	32					36	36	35	37									144

RECEIVED
JUL 06 1988

Do not use this space

Do not use this space

707 43 1987

D. FLOW MEASUREMENTS

RECEIVED

Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cox-Hall Flowmeter			6-12"		8"	

2. Measurements:

(linear inches)

36.7" measured on manometer; is equivalent to 53.25" (i.e. "Hall" manometer inches)

flow (GPM) = pipe area (in²) x Hall inches

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: pipe is 8" inside diameter

$$\text{Flow (GPM)} = \pi r^2 \times \text{Hall in.} = \pi (4)^2 \times 53.25" = 2676.64 \text{ GPM} = 5.96 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

not possible; do not know pumping water level or HP of pump, and system is gravity flow.

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:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 144 \times 4.5 \text{ afa} = 648 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.88 \times 245 \times 1.9835 = 1399.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 648 \text{ afa}$$

2. Volume Calculations for Other Uses:

RECEIVED

JUL 06 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Note: This well is also the point of diversion for 63-8904; The measured capacity for this well (5.96 cfs) is adequate for both water rights.

Note: allow 2.88 cfs irrigation (144 x .02)

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	2.88	648.0
Totals:			2.88	648.0

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

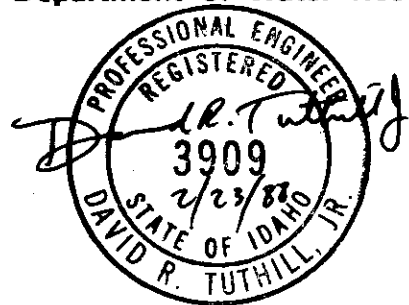
Field Examiner's Name Brad Dingee
Signature Brad E. Dingee
Certification Date _____
Field Report Preparation Date 9/15/87

CONSULTANT SEAL

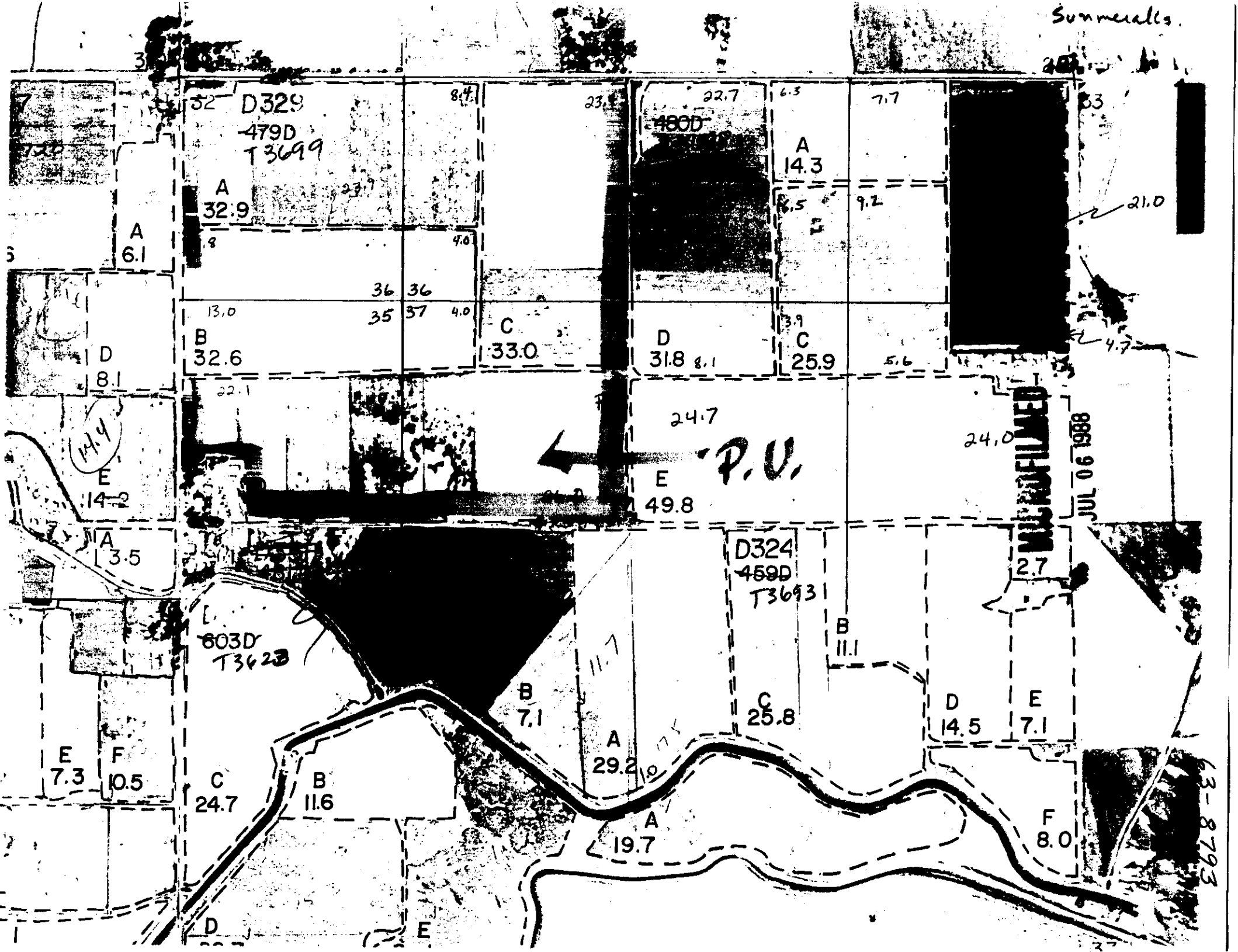
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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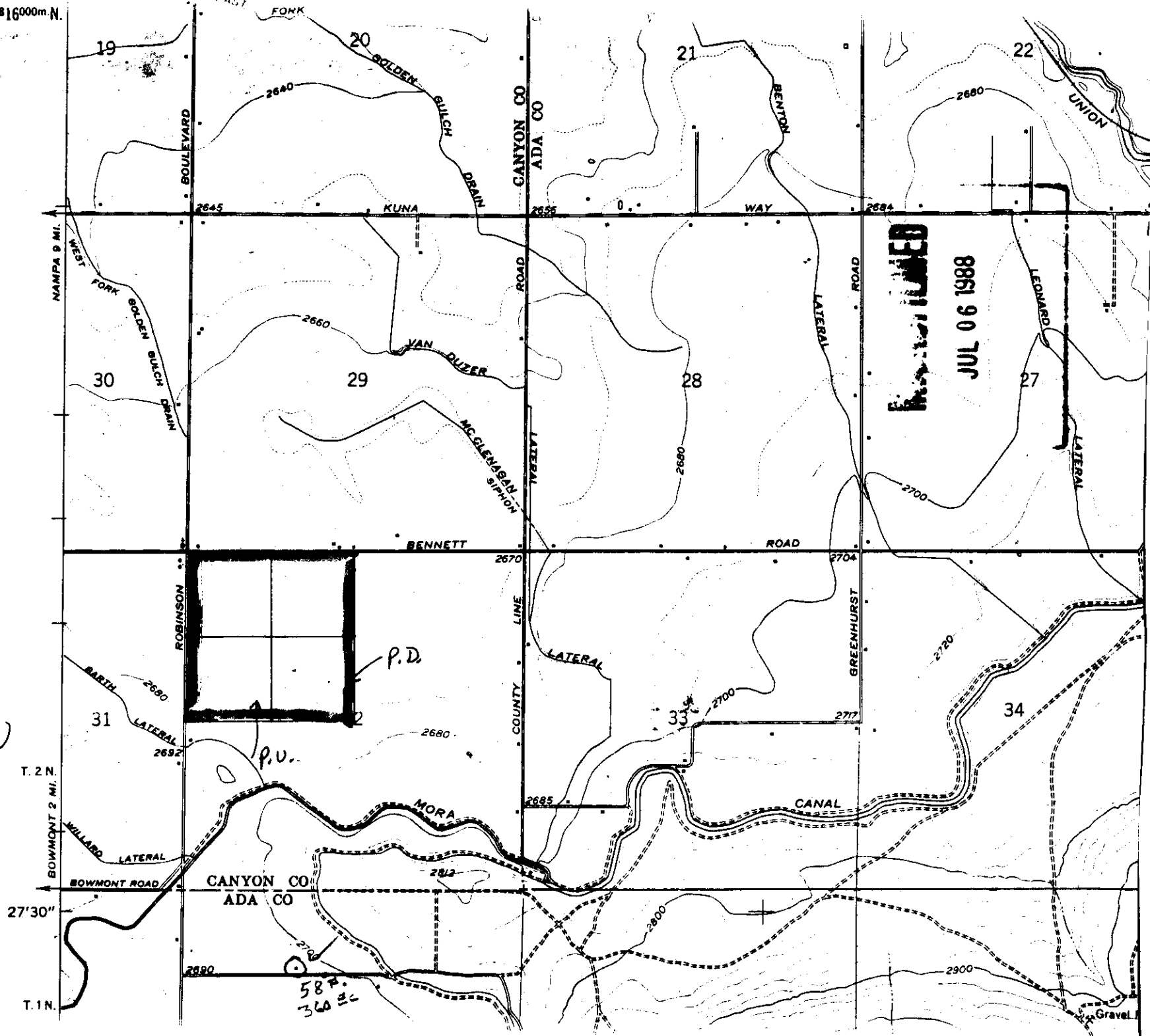
JUL 06 1988



Sumneralls



4816000m N.



Blacked out area

JUL 06 1988

T.2N
R.1W

T.2N.

BOWMONT 2 MI.

WILLARD

LATERAL

BOWMONT ROAD

27'30"

T.1N.

CANYON CO
ADA CO

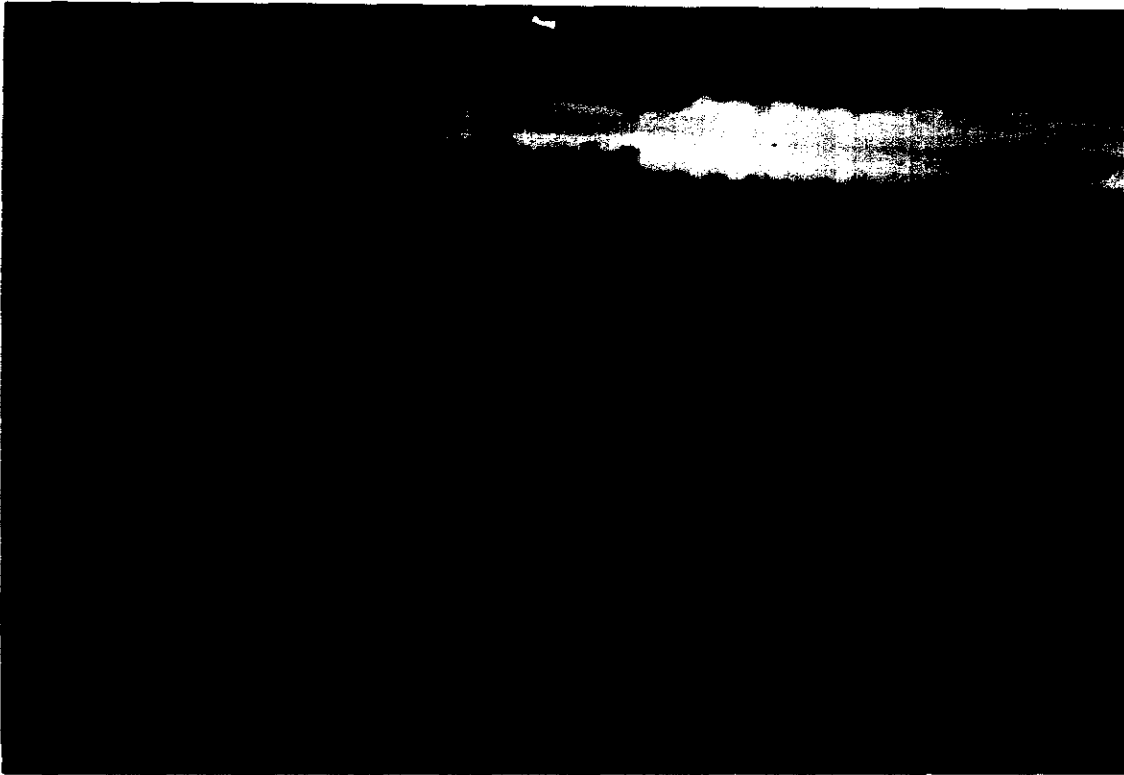
58
360

P.D.

P.V.

63-8793

63-8793
Sumnerall



P.D.



P.U.

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JUL 06 1988

WELL DRILLER'S REPORT

WELL OWNER

Name Coke's Inc. - Summer LL
Address Rt 1, Kila, Idaho 83624
Owner's Permit No. 638793

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

USED LUBE

☐ Irrigation ☐ Test ☐ Other (specify type)
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

METHOD DRILLED

☒ Rotary ☐ Dug ☐ Other

CONSTRUCTION

12 inches Total depth 191 feet
Casing ☐ Steel ☐ Concrete
From 0 to 191 feet
Casing size 12 inches
Casing weight 12.5 lbs/ft
Casing joints 12 inches
Casing connections ☐ Yes ☐ No
Casing sealed ☐ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 2 1/4 inches by 3 inches
Number 24 perforations
From 91 feet to 191 feet
perforations 91 feet
perforations 191 feet
perforations 191 feet

Manufacturer's name ☐ Yes ☒ No
Model No. ☐ Slot size ☐ Set from ☐ foot to ☐ foot
Slot size ☐ Set from ☐ foot to ☐ foot

Gravel packed? ☐ Yes ☒ No Size of gravel ☐ 1/4" ☐ 1/2" ☐ 3/4" ☐ 1" ☐ 1 1/2" ☐ 2" ☐ 3" ☐ 4" ☐ 6" ☐ 8" ☐ 12"
Placed from ☐ 0 to ☐ feet
Surface seal depth 20 feet
Material used in seal ☐ Cement grout ☒ Packing clay ☐ Wall cuttings
Sealing procedure used ☐ Shury pl ☐ Temporary surface casing ☒ Overbore to seal depth

LOCATION OF WELL

map location must agree with written location
Subdivision 1/4 Sec 32, T4N, R1E, S1E
Lot No. 1 Block No. 1
Section 32 Township 4N Range 1E State Idaho

7. WATER LEVEL

Static water level 91 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow
Temperature 56° F. Quality good
Artesian closed-in pressure p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Other

Discharge G.P.M.	Gross Down	Hours Pumped
1125	30	8

9. LITHOLOGIC LOG

Depth	Material	Water
Feet		Yes No
10	basalt	
12	black sand	
13	layers of clay and sand	
14	red gravel	
15	sand	
16	yellow clay	
17	sand	
18	brown clay	

MAILED

JUL 06 1988

Work started Jul 12 1977 finished Aug 18 1977

10. DRILLERS CERTIFICATION

Firm Name Johnston Drilling Co. Firm No. 93
Address Deer Lake Date Aug 25 77
Signed by (Firm Official) Charles Johnston
and Sam Johnston
Department Drilling

FORWARD THE WHITE COPY TO THE DEPARTMENT

RECEIVED

MAR -1 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

63-8793
Permit No.

Staff Analysis Sheet
for

Beneficial Use Field Report

Department of Water Resources

PD SE NW 32 2N1W
PU AU NW 1/4 " " "

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval

☐ Computer Data Proof Report *NO*

☒ Copy of U.S.G.S. Quad

NO ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index QW 5/11/87 (Initial and date)

Boise Kuna

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

122. Dist.

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index QW 5/21/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

→ Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? ☒ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Brad E. Unice 7/15/87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office DA 2/23/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office DA 2/24/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

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JUL 06 1988

4/86

RECEIVED

SEP 9 1986

STATE OF IDAHO

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

KEYPUNCHEDFor Office Use Only *OK*
Fee Received \$150
Date 9-23-86
Receipt # 40590
Receipt by J.H.
Sent to S.O. 9-23-861. Permit No. 63-8793

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

- ☒
- I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Jerry + Beverly Summerall3. Post Office Address: Rt # 1 KUNA, Idaho 83634Telephone No. 466-60024. Source of Water: IRRIGATION (DIESEL)

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 200 (acres) Other/Remark _____

(NOTE: 100 SHOWN ON PERMIT)

6. Total rate &/or volume for which proof is submitted 3.0 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1978 (Spring)

8. Person to contact to accompany the department representative during the field examination:

JERRY Summerall

(Name)

Rt # 1 KUNA

(Address)

466-6002

(Telephone Number)

- ☐
- I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

JUL 06 1988

Sept. 8, 1986
DateJerry A. Summerall
Signature of Permit Holder (and title, if appropriate)

NOTE: I have well engine winterized, would appreciate testing well in the Spring. Thank you.

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0 →	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

03/11/11

Page 1 of 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

63-8793
SUMMERALL, JERRY
SUMMERALL, BEVERLY
ET. AL
KIDDA, ID 83534

September 4, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

MICROFILMED

Sincerely,

David R. Tuthill Jr.

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

JUL 06 1988

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

63-8793
SUMMERALL, JERRY
SUMMERALL, BEVERLY
RT. 1
KUNA, ID 83634

Mailing address:
Statehouse
Boise, Idaho 83720

138842

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners is from the recently enacted HB 671 and is being developed at this time. A listing

JUL 06 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

JUL 06 1988

October 25, 1982

Jerry and/or Beverly Summerall
Rt. 1
Kuna, ID 83634

Dear Mr. and Mrs. Summerall:

Re: Permit No. 63-8793

This office acknowledges receipt of the assignment which conveys the permit to you. The assignment has been included in our file and our records changed accordingly.

This office also acknowledges receipt of the Statement of Beneficial Use postcard. Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you or a representative may show him the system.

If you have any questions regarding the field examination, please contact our Western Regional office at 334-2190.

Sincerely,

RITA I. FLECK
Sr. Secretary

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 63-8793

DATE: Oct. 21, 1982

Date Proof Received Sept. 28

Proof Due Aug. 1

Number of Days Proof Late

$$\begin{array}{r} 271 \\ 213 \\ \hline 58 \end{array}$$

Priority Date May 5, 1977

Number of Days Proof Late

New Priority Date

$$\begin{array}{r} 125 \\ 58 \\ \hline 183 \end{array}$$

= July 2, 1977

Remarks

DEPARTMENT OF WATER RESOURCES

The Idaho Dep. of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 43-8793.

Name(s) of Permit Holder: COLF'S INC, NORMAN R COLF PRES

Post Office Address: RT 1 KUNA RD 83634

Tel. No. 466-1680

Source of Water: GROUND WATER

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 160 (acres)
☐ Other _____

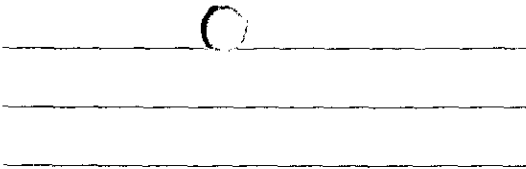
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

28 Sep 82

Date

Norman R. Colf
Signature of Permit Holder



PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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) 334-4440
CERTIFIED MAIL

COLES INC.
RT. 1
KUNA, ID 83634

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8793 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 31, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

August 25, 1977

Re: Permit No. 63-8793

Cole's, Inc.
Route #1
Kuna, ID 83634

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8793 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

RECEIVED
AUG 28 1977
WATER DIVISION

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction
____ Papers Sent

(1) P.W.H. 5-5-77

In form to receipt

(2) _____

Send Copies to:

____ Idaho State Health Department
____ Idaho Fish and Game Department
____ Bureau of Land Management

(3) _____

____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant
____ Request Dam Safety Information

(4) P.W.H. 5-5-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

____ Declining, ____ Stable, ____ Increasing

(comment) _____

(9) _____ RMS

Other rights on the same place of use none
platted

(10) _____

Comments: _____

(11) ry OK

Affidavit of Publication received(date) 6-27-77

(12) _____

Final date for protests 6-27-77

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

____ Proposed Priority

____ Reason for Reduction _____

☒ Measuring device required

____ See attached sheet for other conditions of approval

____ No special conditions for approval

(15) District W

By SEA

Date 6-27-77

Supplemental



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

June 3, 1977

RE: SEE ATTACHED SHEET

63-8793

Idaho Free Press
Box 88
Nampa, Idaho 83651

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before June 27, 1977.

Sincerely,

Bill submitted
6-27-77
ry

RECEIVED

PUBLISHED IN THE IDAHO FREE PRESS, NAMPA, IDAHO, on June 9, 1977 and June 16, 1977

NOTICE OF AMENDED APPLICATION FOR PERMIT

63-8782 Lynn &/or Clayone Tuft

63-8793 Cole's Inc.

NOTICE OF CLAIM TO A WATER RIGHT

63-4508 John &/or Josephine R. Cleverdon

63-4509 George U. &/or Helga H. Watanabe

63-4510 Phillip D. &/or Wadena M. Nagle

NOTICE OF APPLICATION FOR WATER PERMIT

63-8925 Clinton R. Wissel &/or M. O. Clements

63-8926 Bill Muchow &/or W. M. Hoagland

63-83641 W. M. Hoagland

63-8931 Edson A. Fujii

NOTICE
FILED

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 63-8793 in the name of COLE'S, INC. of Route 1, Kuna, Idaho was filed on May 5, 1977 for the diversion of 3.0 cubic feet per second of water from a groundwater source with the point of diversion ~~XXXXX~~ within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 32 T2N-R1W, Canyon County to be used from Apr 1 to Oct 31 for irrigation of 160 acres within the NW $\frac{1}{4}$ Sec 32 T2N-R1W B.M.

The application holder now proposes to amend the application by changing the point of diversion to SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 32 T2N-R1W B.M. Canyon County.

Any protest to this proposed amending of the application must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before June 27, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho Free Press, Nampa, Idaho on June 9, 1977 and June 26, 1977

NOTICE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higgins
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

May 13, 1977

63-8793

Re: See attached sheet

Idaho Free Press
P. O. Box 88
Nampa, ID 83651

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before June 6, 1977.

Sincerely,

PUBLISHED IN THE IDAHO FREE PRESS, NAMPA, IDAHO ON MAY 19 & 26, 1977

NOTICE OF CLAIM TO A WATER RIGHT

63-4494 Clyde R. Keithly

NOTICE OF APPLICATION FOR WATER PERMIT

63-8783	Vernon E. &/or Dora C. Woodman
63-8789	Blaine E. Brown
63-8792	Norman R. Cole
63-8793	Cole's Inc.
63-8804	E. Wayne Vassar &/or John C. Vassar
63-8810	Herb &/or Velma Quenzer
63-8813	Kenneth Hartley
63-8815	E. D. &/or Lois Sayers
63-8816	Arrowway Farms, Inc.
63-8817	Arrowway Farms, Inc.
63-8818	Takashi Koyama
63-8819	H. S. FUJIKAWA
63-8821	Mrs. Willma Coleman
63-8822	Patricia Hall & Joanne Potts
63-8823	Jack Cannon &/or Bertha B. Cannon

RECORDED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that COLE'S INC.

Rt. 1, Kuna, ID

has on May 5, 1977 submitted Application No. 63-8793

for a permit to appropriate 3.0 cubic feet per second

~~XXXXXX~~

~~XXXXXX~~ of water from a groundwater source

by means of well, pump and ditches

within the ~~SW1/4~~ Sec 32 ²~~T1N~~ R1W B.M., Canyon County

to be used from ~~NM~~ April 1 to Oct 31

for irrigation of 160 acres

within the ~~N1/4~~ Sec 32 T2N R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before June 6, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho Free Press, Nampa, ID

on May 19 and May 26

3/79

IDENT. NO. 03-8793

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]