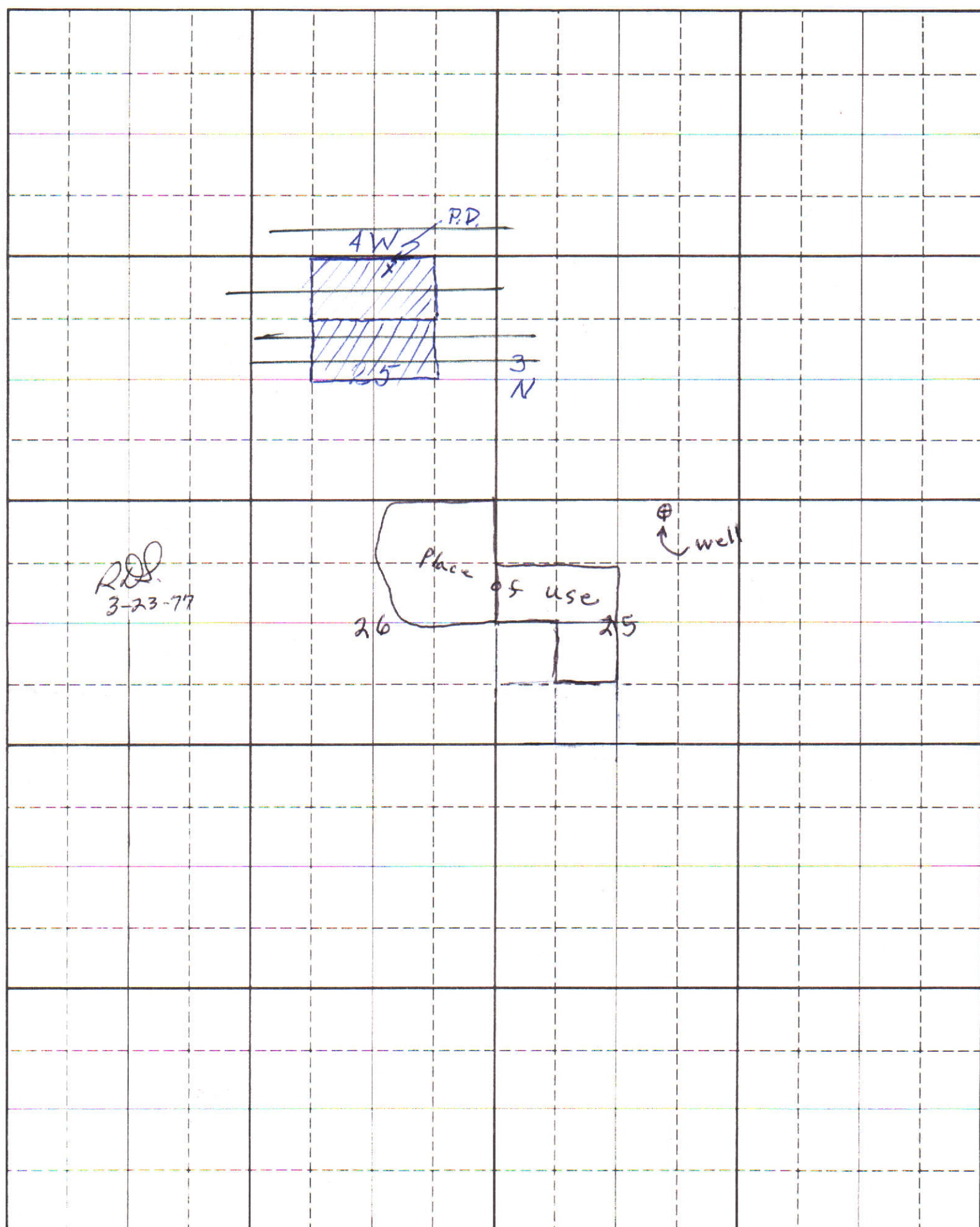


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Symms Fruit Ranch
(Applicant)
by RA Symms
Owner

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 4 1977

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

Department of Water Resources
Western Regional Office

NOTICE OF AMENDED
APPLICATION FOR PERMIT

Notice is hereby given that Application No. 63-8468 in the name of SYMMS FRUIT RANCH was filed on February 22, 1977 for the diversion of 3.2 cubic feet per second of water from a groundwater source with the point of diversion within the NW 1/4 NE 1/4 Sec 25 T3N-R4W B.M., Canyon County to be used from March 15 to Nov. 15 for irrigation of 160 acres within the W 1/2 NE 1/4, E 1/2 NW 1/4 Sec 25 T3N-R4W B.M.

The application holder now proposes to amend the application by changing the place of use to S 1/2 NW 1/4, NE 1/4 SW 1/4 Sec 25; NE 1/4 Sec 26 T3N-R4W B.M.

Any protests 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 April 18, 1977.

C. STEPHEN ALLRED
Acting Director
March 31; April 7, 1977

Verla Harker
of Caldwell, 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 News-Tribune, a daily (except Sunday) newspaper published in the City of 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 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:

March 31; April 7, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 7th day of April

Adam D. Hark

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MICROFILMED

OK
4-18-77
JF

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 75 1977

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

Idaho Department of Water Resources
Boise, Idaho

Verla Harker
of Caldwell, 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 News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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:

March 3, 10, 1977

OK
3-21-77
JF

Verla Harker

Subscribed and sworn to before me this

10th day of March, 19 77

Adam J. Laro

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that SYMMMS FRUIT RANCH, Route 4, Caldwell, ID has on February 22, 1977 submitted Application No. 63-8468 for a permit to appropriate 3.2 cubic feet per second of water from a groundwater source by means of well, pump and pipeline within the NW 1/4 NE 1/4 Sec 25 T3N-R4W B.M., Canyon County to be used from Mar. 15 to Nov. 15 for irrigation of 160 acres within the W 1/2 NE 1/4, E 1/2 NW 1/4 Sec 25 T3N-R4W 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 21, 1977.

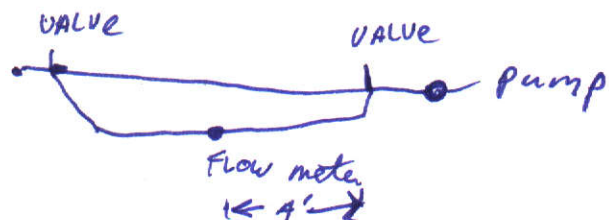
R. KEITH HIGGINSON
Director
March 3, 10, 1977

MICROFILMED

A hand-drawn diagram on graph paper, likely representing a cross-section of a structure. The diagram consists of several rectangular blocks of different sizes and orientations, connected by lines. The dimensions and labels are as follows:

- Top-left block:** A rectangle with a width of 30 and a height of 40.
- Top-right block:** A rectangle with a width of 20 and a height of 40.
- Bottom-left block:** A rectangle with a width of 20 and a height of 10.
- Bottom-right block:** A rectangle with a width of 10 and a height of 10.
- Labels:**
 - P.O.** (Point of Origin) is marked at the top-left corner of the top-right block.
 - P.D.** (Point of Destination) is marked at the top-right corner of the top-right block.
 - 20** is written to the left of the bottom-left block.
 - 25** is written to the right of the bottom-right block.

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW NE 25 31 44

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

Examiner's Signature Lee Wong

Checked by DJS

Approved by [Signature]

Date 19 May 1980

8/26/80

Date 2-14-83



C37
12616

C
10.9

33.4

C323
12628

10.5

K
15.4

D
23.4

C
3.4
C753
12690

B
13.4

A
9.8

D
11.2

E
15.2

F
4.9

C754
12700

D
13.0

C
5.6

B
7.1

A
4.2

E
7.5

F
20.0

K
4.4

M
12.4

13.9

N
64.8

O
16.5

C760
12650

A
5.6

B
18.5

27.25
34.35

Lizard
Butte

2625
3536

G
8.7

C755
12750

H
18.6

12860

B
15.1

C
16.4

C756
12740

D
8.0

C
7.0

B
9.9

A
5.3

C763
12830

B
12.4

A
14.2

C1053
16360

G770
12490

E
25.6

C
15.9

NOT TO SCALE

MICROFILMED

CL 94
9370

CL 95
9350

C339
9390

B
35.6

C345
9370

B
54.0

C379
9360

B
19.8

A
18.8

G
39.1

F
35.6

C379
9370

B
33.4

A
11.7

15.5

8.5

F
11.0

21.4

11.5

C359
9390

K
15.4

J
14.1

6.1

0

16

17.1

Q

24.6

25.2

MICROFILMED

NOT TO SCALE

Q P.D.



R4W

JOHNSON

WEITZ

TARASUGI

PETERS

LAKE LOWELL

HOCKBERGER

SYMMONSH

C766
1285C

C746
1257C

C746
1247C

C773
1295C

C746
1253C

C774
1276C

C774
1304C

LODGE
6.6

WEITZ

MICROFILMED

G 34.3

A 22.8

A 6.5

B 9.7

I 19.4

350' Deep

(Best)

Well #7

180' w/L

C 11.5

J 15.4

K 14.1

L 6.1

D 12.6

E 25.2

E 6.9

F 21.0

A 35.6

E 16.5

O 9.0

N 7.5

140' w/L

Worst

Well #9

D/D 200'

M 1257C

17.1

F Well #5

11.3

Q 15.0

P 8.6

C 40.0

125' w/L

Well

A 47.1

B 12.7

I 10.4

J 8.3

C 9.5

B 4.0

B 5.7

A 3.8

C 8.3

D 16.2

R 4.0

C746

B

17.5

Well 100' w/L

C 22.5

K 7.7

L 9.6

E 10.6

D 6.1

M 6.7

N 8.0

G 25.2

H 23.0

B 9.8

A 8.2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8468 Priority February 22, 1977 Amount 3.20 cfs

THIS IS TO CERTIFY, that Symms Fruit Ranch
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8468 issued pursuant to Application for Permit dated February 22, 1977,
and has submitted proof to the Department of Water Resources on February 15, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.34 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>3.20</u> cfs and <u>720.0</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 3.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
720.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Twp.
3N, Rge. 4W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	25							10	10	10								30
		26	40	30	20	40													130

Total number of acres irrigated 160

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
April, 19 83.

Acting for the Director

Roman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 63-8468 }

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,

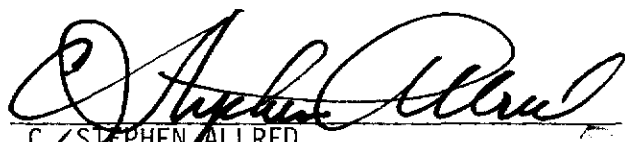
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

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 18th day of August, 1978.


C. STEPHEN ALLRED
Director

Identification No. _____

Application No. 63-8468

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 SYMMS FRUIT RANCH Phone: 459-4821
post office address Rt. 4, Caldwell, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25 Township 3N
Range 4W 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 3.2 for Irrigation purpose from Mar 15 to Nov 15 (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. 3.2 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 & pipeline

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 _____ (Mo, Day) to _____ (Mo, Day) inclusive.
c. Proposed well diameter is 12 inches; proposed depth of well is _____ 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 \$ 10,000.
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: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	4W	25		~~40~~	~~40~~	~~40~~			10	10	10								30
																			~~160~~
		26	40	30	20	40													130

RDS 3-23-77

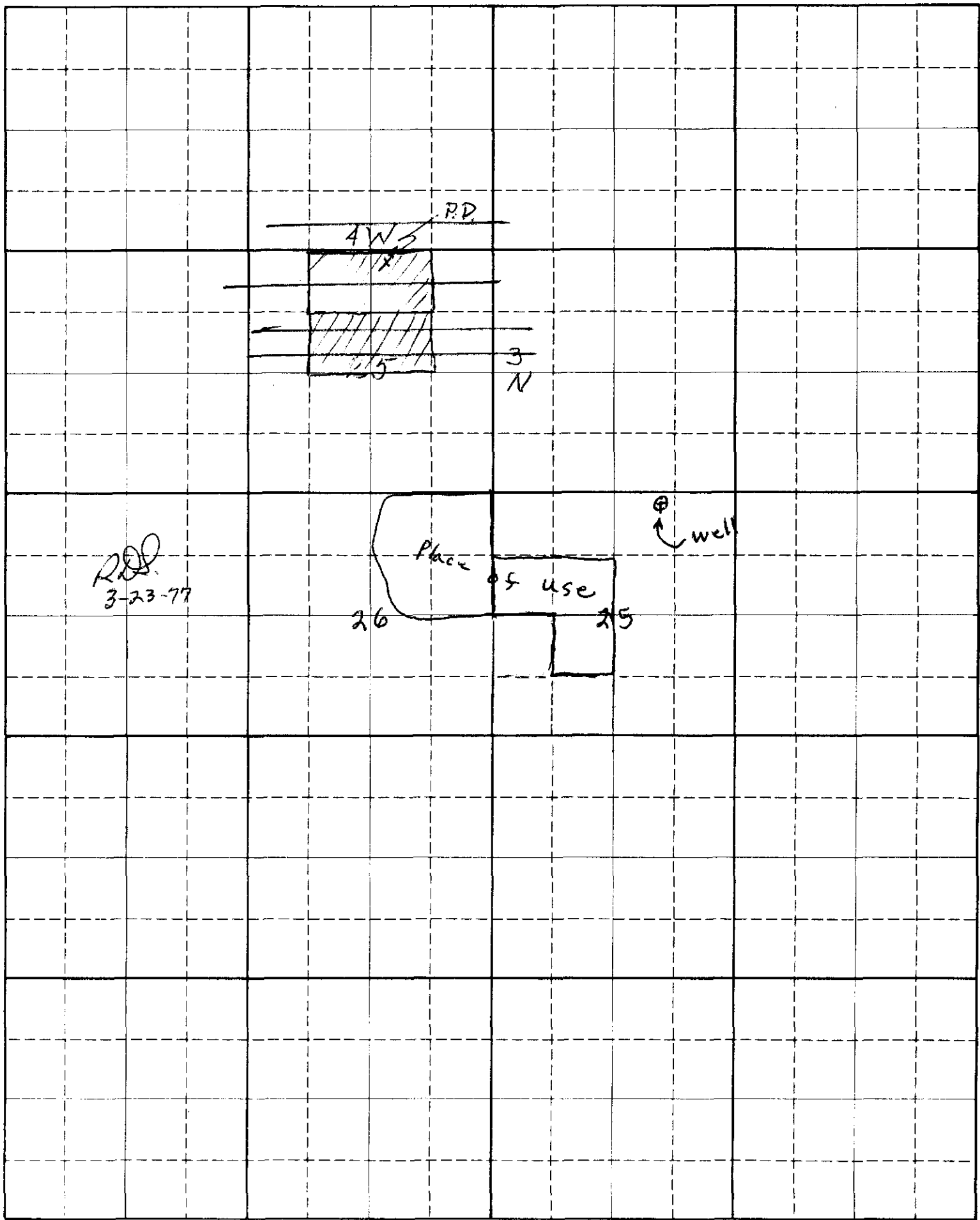
Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above.
Water rights no. 63-3533, 65-3539, old no. 8567.

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

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.

Symms Fruit Ranch
(Applicant)
by R.A. Symms
Owner

Proposed Priority: 2-22-1977

Received by S Date 2/22/77 Time 3:00 pm
Preliminary check by _____ Fee \$ 55.00
Receipted by rf Date 2-22-77 # 6697 amended # 7058
Publication prepared by rf Date 2-24-77 2-23-77
Published in New Tribune
Publication dates March 3 & 10
Publication approved rf Date 3-21-77
Priority reduced to _____ Reason _____

Protests filed by: Hockberger Fruit Ranch

Copies of protests forwarded by rf 4-26-1977
Hearing held by LG5+ BDF Date 5-18-77
Recommended for approval denial by rf

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. 63-8468, 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 82.
- c. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER DATE THIS DATE.

2. Denial of said application is for the following reasons: _____

Witness my hand this 31 day of May 19 77.

[Signature]
Deputy Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT
NO. 63-8468 IN THE NAME OF SYMMS FRUIT RANCH

MEMORANDUM DECISION
AND ORDER

On February 22, 1977, Symms Fruit Ranch applied to the Department of Water Resources for a permit to appropriate 3.20 cubic feet per second of groundwater within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 3N, Rge. 4W, B.M., Canyon County, to be used for the irrigation of 160 acres of land.

Notice of the application was published in the News-Tribune, Caldwell, Idaho, on March 31 and April 7, 1977. On April 18, 1977, the Department received a protest against the granting of a permit from John J. Hockberger.

On May 18, 1977, a conference in the matter was held in Boise, Idaho. The applicant and protestant were present and represented themselves.

Both the applicant and protestant were given the opportunity to present their arguments at the conference. Both parties agreed to allow the Department to reach a decision in the matter based upon the information presented at the conference, the official files and records of the Department and the Director's understanding of the law. The Department then took the matter under advisement and after having considered the information presented by the parties, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The protestant is the holder of groundwater permit no's. 63-8474 and 63-8475. The proposed point of diversion of permit no. 63-8475 is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 3N, Rge. 4W, B.M. (an adjoining 40-acre tract to the proposed well location of the applicant).
2. The protestant has not yet drilled the wells as described in permits 63-8474 and 63-8475.
3. The applicant also has not yet drilled a well under Application No. ~~63-8468~~ 8468.
4. The applicant has several prior licensed rights from wells in the same general area as the protestant's permits.

5. The pumping by the applicant of his wells under prior licensed rights appear to have little or no effect upon the groundwater level since no decline has been noted and the wells also appear to have little effect one upon another even though they are located approximately 700 feet apart.

6. No evidence was presented indicating that there was not sufficient water available from the source for appropriation.

CONCLUSIONS OF LAW

1. There is water available in the aquifer to satisfy the proposed appropriation.

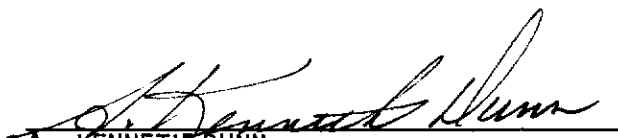
2. The applicant is entitled to a permit from the Department of Water Resources.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 63-8468 is APPROVED subject to the following conditions:

1. The permit be and is subject to all prior existing water rights.
2. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
3. Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before May 1, 1982.

Dated this 31 day of May, 1977.


A. KENNETH DUNN
Deputy Director

RECEIVED

AFFIDAVIT OF PUBLICATION

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

Verla Harker
of Caldwell, 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 News-Tribune,
a daily, (except Sunday) newspaper published in the City of
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 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:

March 31; April 7, 1977

Verla Harker

Subscribed and sworn to before me this _____

19 77 ^{7th} day of April

Adam D. Hall
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

Notice is hereby given that
Application No. 63-8448 in the
name of SYMMAS FRUIT RAN-
CH was filed on February 22,
1977 for the diversion of 3.2 cubic
feet per second of water from a
groundwater source with the
point of diversion within the
NW1/4 NE1/4 Sec 25 T3N-R4W
E.M. Canyon County to be used
from March 15 to Nov. 15 for
irrigation of 160 acres within the
W1/2 NE1/4, E1/2 NW1/4 Sec 25 T3N-
R4W E.M.
The application holder now
proposes to amend the ap-
plication by changing the place
of use to SW1/4 NW1/4, NE1/4 SW1/4
Sec 25, NE1/4 Sec 26 T3N-R4W
E.M.
Any protests 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 April 18, 1977.

OK
4-18-77
JF

SEARCHED
SERIALIZED
INDEXED
FILED
APR 11 1977
IDAHO DEPT. OF WATER RESOURCES
BOISE, IDAHO

AFFIDAVIT OF PUBLICATION

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

Verla Harker
of Caldwell, 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 News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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:

March 3, 10, 1977

Verla Harker

Subscribed and sworn to before me this

10th day of March, 1977

Adam Q. Taylor

Notary Public, Residing at Nampa, Idaho

My Comm. Expires June 23, 1979.

Notice is hereby given that SYMMAS FRUIT RANCH, Route 4, Caldwell, ID has on February 22, 1977 submitted Application No. 23-8468 for a permit to appropriate 3.3 cubic feet per second of water from a groundwater source by means of well, pump and pipeline within the NW 1/4 Sec 25 T3N-R4W E.M. Canyon County to be used from Mar. 15 to Nov. 15 for irrigation of 160 acres within the W 1/2 NE 1/4, E 1/2 NW 1/4 Sec 25 T3N-R4W E.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 Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720, on or before March 21, 1977.

R. KATH HIGGINSON

OK
3-21-77
JY

WRD417

WATER RIGHTS PROOF READING REPORT

05/16/85

PAGE 1

VERIFIED DJ
5-77-85

WATER RIGHT NUMBER 63-8468

OWNER LAST NAME - SYMMS FRUIT RANCH

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - RT. 4

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CALDWELL

STATE - ID ZIP CODE - 83651

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 02-22-1977 COUNTY - CANYON

TOTAL DIV. RATE - 3.2000 -CFS

TOTAL DIV. VOLUME - 720.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT EASIS -

DIVERSION POINT - NWNE 25 03N 04W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE - 3.2000 CFS USE DIV. VOLUME - 720.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 04W SEC 26 TRACT NENE LOT AC 40 TRACT NWNE LOT AC 30

TRACT SWNE LOT AC 20 TRACT SENE LOT AC 40

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 04W SEC 25 TRACT SWNW LOT AC 10 TRACT SENW LOT AC 10

TRACT NESW LOT AC 10

DECREE NAME -

DATE -

TOTAL ACRES 160

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - 62-3533, 65-3539 & 8567.

PROOF DUE - 05-01-1982 PERMIT/DENIED - 05-31-1977 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R32

DIVERSION MEANS - WELL, PUMP & PIPELINE.

May 2, 1983

RE: Permit No. 63-8468

Symms Fruit Ranch
Route #4
Caldwell, ID 83651

Gentlemen:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

Symms Fruit Ranch

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

P/D NWNE, S. 25
RCES T. 3N
R. 4W

63-8468
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
✓ Appointment letter mailed:			
1 Telephone call made: (List Telephone No. used)			mid Aug. P.P.
1 Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 15 Aug 1980 Accompanied by Dick Symms Total Q measured 3.34
 f source is surface water, estimate total flow of source N.A.
 Methods of measurement In Line Flow meter Meets Permit requirements? yes
MCROMETL # 77-10-516

Measurement calculations:

Flow meter $\frac{1500 \text{ gpm}}{448.8} = 3.34 \text{ CFS}$ capacity

ALLOW .02 $\frac{160}{100} \times .02 = 3.2$ ✓ OK

$$V = 3.2 \text{ qsx} \times 245 \text{ days} \times 1.9835 = 1555.0 \quad | \quad \text{BACK } 4.5 \text{ in reg} = 720.0 \checkmark_{OK}$$
[illegible]

System Description Pump INTO 8" main line, branches INTO Sprinkler System, of
The system is tied to the rest of ranch.

Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION	3.2 ✓	720 ✓	3/15	2/15

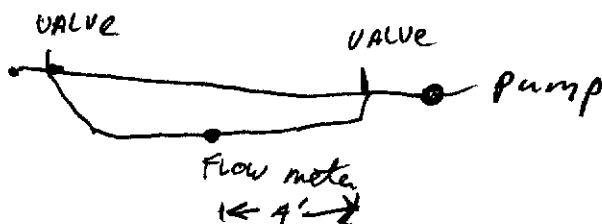
Total 3.2 ✓ 720

Remarks ~~440'~~ deep ~~230'~~ bowls weather AT 182'
Tied to the Ranch irrigation system. License for the Bureau
of Reclamation

Overlap Review attached

A hand-drawn diagram on graph paper. The diagram consists of a large rectangle with a smaller rectangle attached to its right side. The main rectangle has a width of 36 and a height of 40. Inside this rectangle, there is a section labeled '20 P.O.' and '40'. The attached rectangle has a width of 10 and a height of 10. To the right of the attached rectangle, there is a label '25'. A point labeled 'P.D.' is marked on the right side of the main rectangle. The diagram is drawn on a grid with solid lines for the main structure and dashed lines for the grid lines.

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW NE 25 31 44

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change CD, as reflected above
- ☐ Change CD, as reflected above

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

Examiner's Signature GLE Morris

Checked by

Approved by 

Date 19 Nov 1980

8/26/80

Date 7-14-83



0578
12616

C-23
12603

0579
12617

0580
12618

D
23.4

K
15.4

O
16.5

C
3.4

0753
12690

B
13.4

A
9.8

D
11.2

E
5.7

F
4.9

0754
12700

A
4.2

D
13.0

C
5.6

B
7.1

E
7.5

F
20.0

B
18.5

12625
3536

0755
12710

G
8.7

B
18.6

B
16.1

C
6.4

0756
12740

C
7.0

B
9.9

A
5.3

0757
12830

B
12.4

A
14.2

0758
12840

E
25.6

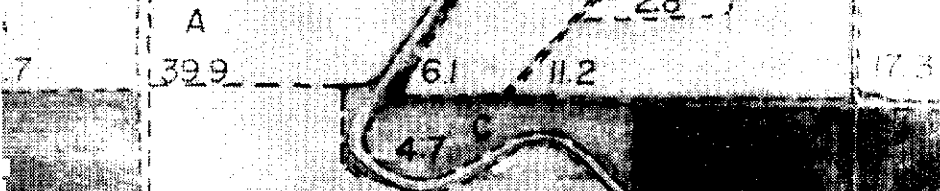
C
15.9

0759
12850

MICROFILMED

NOT TO SCALE

C. 9370



B
54.0

C. 9360

B
98

A
188

G
39.1

Q P.D.

B
33.4

15.8

F
11.0

12.90

K
15.4

J
14

16

246

252

C575

C574

528

33

A

123

B

100

C

G

327

C528

3580

B

9.7

C

70

C

100

E

116

3280

A

73

B

27

D

207

6.9

F

47

83

B

112

C550

2600

8.9

C575

12610

B

A

NEW YORK

127

32

H

39

A

98

K

44

N

134

9.4

9.4

Overlap Review for 63-8468

Page 1

Permit 63-8767 Lapsed

License 63-3091 gw

T/D SENEW Sec 25 T3N R4W
✓ (different well)

T/U see attached license
copy
(same tracts) ok

Recommend condition R16(4.5) ok

License 63-3529 gw

T/D SWNW Sec 25 T3N R4W
✓ (different well)

T/U see attached license
copy ✓
(same tracts)

Recommend condition R16(4.5) ok

MICROFILMED

Jim
3-30-83

Page 2 of Overlap Review for 63-8468

License 63-3529

gw

P/O SWNW Sec 25 T3N R4W
(different well)

P/U see attached license
copy
(same tracts)

Recommend condition R16(4.5)

RR 2-14-83

MICROFILMED

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33006/63-3533 Priority July 15, 1966 Amount 0.92 cfs

THIS IS TO CERTIFY, that SYMMS FRUIT RANCH, INC.
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 33006/63-3533 issued pursuant to Application for Permit dated July 15, 1966,
and has submitted proof to the Department of Water Administration on July 8, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.92 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.92 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than * 0.92 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp. 3 N, Rge. 4 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 328.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	4 W	25							(36)										36
		26		(7)	(30)														37

Total number of acres irrigated 73

* Subject to the condition that the maximum rate of diversion shall not exceed
0.92 cfs when combined with License No. 32990/63-3529.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the Laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
November, 19 73.

Director

63 3533

State of Idaho
License and Certificate of Water Right

Water License No. G-26462

Amount .57 c.f.s.

Water District No.

Priority July 12, 1956

THIS IS TO CERTIFY that JAY P. MUNSEY
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 19, 1956; that Permit No. G-26462
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.57 second feet, was issued thereunder on March 22, 1962, showing that said works
were completed on the 29th day of May, 1959; and that on the 29th
day of May, 1959, JAY P. MUNSEY

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation &
domestic use, under Use Permit No. G-26462 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7257, on the 22 day of March, 1962;

The right hereby confirmed dates from July 19, 1956;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 25, Tp. 3 N, R. 4 W, B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .57 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	4 W	25	SW 1/4 NW 1/4	40	40 ✓
			SE 1/4 NW 1/4	40	40 ✓
			NE 1/4 SW 1/4	40	30 ✓
			Total number of acres to be irrigated:		110

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22 day of March, 1962.

/s/ CARL E. TAPPAN
Assistant State Reclamation Engineer.

RECORDED
(L)

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32990/63-3529 Priority July 1, 1966 Amount 0.92 cfs

THIS IS TO CERTIFY, that SYMMS FRUIT RANCH, INC.
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 32990/63-3529 issued pursuant to Application for Permit dated July 1, 1966,
and has submitted proof to the Department of Water Administration on May 24, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.92 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.92 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than _____ of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp. 3 N, Rge. 4 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 342 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	4 W	25							(36)	(40)									76

Total number of acres irrigated 76

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of
November, 19 73.


Director

63 3529

MICROFILMED

501

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESORUCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL
OF THE APPLICATION FOR PERMIT NO. 63-8468
IN THE NAME OF SYMMS FRUIT RANCH

NOTICE OF CONFERENCE
AND/OR HEARING

On February 22, 1977, Symms Fruit Ranch filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 18, 1977 the Department received a protest against approval of said application from John J. Hockberger of Hockberger Fruit Ranch.

The Department has set the matter of protest for conference and/or hearing for Wednesday, May 18, 1977 at 3:00 p.m., in the conference room of the Idaho Department of Water Resources, 373 W. Franklin Street, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason os such non-appearance may be assessed against the non-appearing parties.

Dated this 4th day of May, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.
Western Regional Supervisor

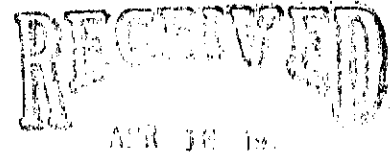
MICROFILMED

Select Fruits Since 1913

HOCKBERGER FRUIT RANCH

ROUTE 4 BOX 224
CALDWELL, IDAHO 83605

April 10, 1977



Mr. C Stephen Allred, Director
Idaho Department of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

Subject: Protest of Application No. 63-8468 in the name of Symms Fruit Ranch to appropriate 3.2 CFS of water from a groundwater source by means of well, pump and pipeline within the NW 1/4 NE 1/4 Sec 25 T3N-R4W B.M. Canyon County, and Protest of Application No. 63-8468 as amended by changing the place of use to S 1/2 NW 1/4, NE 1/4 SW 1/4 Sec 25, NE 1/4 Sec 26 T3N-R4W B.M., as published April 7, 1977.

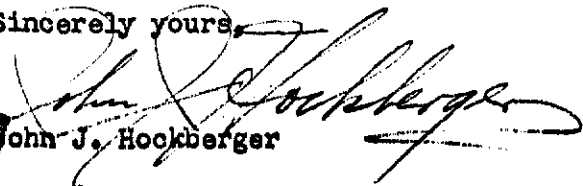
Dear Mr. Allred:

As application holder of groundwater permits No 63-8475 within the NE 1/4 NE 1/4 Sec 25 T3N-R4W B.M. Canyon County, and No. 63-8474 within the NW 1/4 NW 1/4 Sec 30 T3N-R3W B.M. Canyon County, I protest the Application No. 63-8468 for the following reasons:

1. Location of proposed well is on land which has an existing well and groundwater rights.
2. Diversion of 3.2CFS of groundwater from the proposed well far exceeds the capacity of any existing well in the area.
3. The proposed large diversion of groundwater is located at a point which could adversely effect present wells.
4. The diversion point is not located on the hundreds of acres for which the applicant wishes to establish a new water right,
5. Proposed point of diversion could adversely effect the other permits for groundwater sources in the immediate area.

For the above reasons I protest Symms Fruit Ranch Application No. 63-8468, and request that the application as proposed be rejected.

Sincerely yours,


John J. Hockberger

RECEIVED

April 26, 1977

Re: Application for Permit No. 63-8468
(Symms Fruit Ranch)

Symms Fruit Ranch
Route 4
Caldwell, ID 83605

Gentlemen:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest.

If we may be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON
Western Regional Supervisor

LGS:rf

bcc: State Office

MICROFILMED

April 26, 1977

Re: Application for Permit No. 63-8468

Symms Fruit Ranch
Route 4
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 63-8468. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

If we may be of any assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P. E.
Western Regional Supervisor

LGS:rf

Enc.

bcc: State Office ✓

MICROFILMED

4.19 cfs for sec 25 From ^{four} other wells in this area

Water in past has been pumped from the ditch
this year no water is available

Water is better on East side of Ridge

Water Level 180' deep nearby —

Takasugi's location based on physical location ~~with~~ to
ditches —

~~that these~~ .

Has there been any ~~development~~ premanent in the past —

MICROFILMED

IDENT. NO. 63-8468

WATER RIGHT
DATA ENTRY LOG

[illegible]

DEPARTMENT OF WATER RESOURCES

The Idaho Department 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. 63-8469.

Name(s) of Permit Holder: SYNMS FERTILIZER, INC.

Post Office Address: RT. #4 - CALDWELL,

IDAHO - 83605 Tel. No. 208 459-4821

Source of Water: GROUND WATER

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 80
☐ Other

MICROFILMED

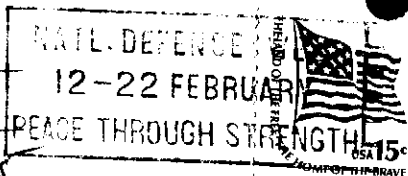
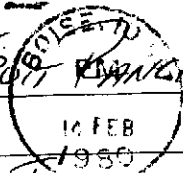
Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

2/14/80
 Date

[Signature]
 Signature of Permit Holder

SYNTH FROTH RANCH
RT. 4
CALDWELL, IDAHO 83605



RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

WATER RESOURCES

1980

January 28, 1980

Jim Mertz
Symms Fruit Ranch
Route 4
Caldwell, ID 83605

Dear Mr. Mertz:

Re: Permit No. 63-8468 and 63-8469

Pursuant to your request, enclosed are the statement of beneficial use postcards. Also enclosed, are copies of the order modifying the measuring device requirement on these permits.

If you have any questions concerning the completion of these cards, or if you need any explaining on the orders, please contact this office or our regional office.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

January 28, 1980

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.

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

DRT:lr

Enclosures

Northern Region Office
Rt. #5, Box 203 Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

Western Region Office
92 S. Cole Road
Boise, Idaho 83705

RECEIVED

June 6, 1977

Re: Permit No. 63-8468

Symms Fruit Ranch
Route #4
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8468. 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 install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

— Agreement —

We, the undersigned hereby agree to allow the Dept of Water Resources to reach a memorandum decision in the matter of protested applications 63-8468 (Symms Fruit Ranch) and 63-8622 (Max M. Takasugi) based on the information presented at the conference held on May 18, 1977, based on the official files and records of the Dept. and based on the Director's understanding of the Law.

Signed at the Dept. of Water Resources Conference room on May 18, 1977.

SYMMS FRUIT RANCH

4 M TAKASUGI

63-8468 - SYMMS FRUIT RANCH

Conference Room, State Office

Idaho Department of Water Resources

Wednesday, May 18, 1977 - 3:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
R.A. SYMMS (APPLICANT)	Rt 4 CALDWELL	SYMMS FRUIT RANCH
Max Lukens (applicant)	Rt 6 Caldwell	Lukens & Sons
John J. Habberger (Protector)	Rt #4 Caldwell	Habberger Fruit Ranch

23 24 JOHNSON
26 25

TAKASUGI

PETERS

SYMM SH 15.5

HOCKBERGER

LAKE LOWELL

[illegible]

HOCKBERGER

Parcel Label	Well Identifier(s)	Acreage Value	Notes
A	C746 1257C	47.1	125' w/L well
B	C746 1247C	9.7	
C	C713 1295C	22.5	well 100' w/L
D	-	2.7	
E	-	6.9	
F	-	21.0	

Additional labels at top: 24, 25, 30, 6.5.

LAKE LOWELL

Plot	Area	Additional Info
A	35.6	
E	16.5	
I	10.4	
J	8.3	
C	9.5	
B	4	
K	7.7	
L	9.6	C774 1276C
E	10.6	C774 1304C
F	6	
M	6.7	
N	8.0	
G	25.2	
H	2	
B	9.8	
A	8.2	

A hand-drawn map of a mountainous area with various points labeled A through R. The map includes a vertical line on the left, possibly a road or boundary, and several dashed lines indicating paths or terrain features. The labels and their associated values are: A (3.8), B (5.7), C (8.3), D (16.2), E (8.3), F (12.5), G (15.0), H (15.0), I (15.0), J (15.0), K (15.0), L (15.0), M (15.0), N (15.0), O (15.0), P (8.6), Q (15.0), R (4.0), and S (4.0). The word "LODGE" is written in large letters near the bottom right.

WEITZ
C
43.7

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 2-23-77

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

(4) P.W.H 2-23-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels: no close obs wells.

Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none see 8(c) see 8(c)

(10) _____

Comments: app is not excessive
when combined w other nts.

(11) if OK

Affidavit of Publication received(date) 4-18-77
3-21-77

(12) _____

Final date for protests 4-18-77
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 THJ

Date 5-18-77

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL
OF THE APPLICATION FOR PERMIT NO. 63-8468
IN THE NAME OF SYMMS FRUIT RANCH

NOTICE OF CONFERENCE
AND/OR HEARING

On February 22, 1977, Symms Fruit Ranch filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 18, 1977 the Department received a protest against approval of said application from John J. Hockberger of Hockberger Fruit Ranch.

The Department has set the matter of protest for conference and/or hearing for Wednesday, May 18, 1977 at 3:00 p.m., in the conference room of the Idaho Department of Water Resources, 373 W. Franklin Street, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against the non-appearing parties.

Dated this 9th day of May, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.

Western Regional Supervisor

April 26, 1977

Re: Application for Permit No. 63-8468

Symms Fruit Ranch
Route 4
Caldwell, ID 83605

Gentlemen:

C
O
P
Y

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 63-8468. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

If we may be of any assistance, please contact us.

Sincerely,

L. GLEN SEXTON, P. E.
Western Regional Supervisor

LGS:rf

Enc.

bcc: State Office

ENCLOSURE

April 26, 1977

Re: Application for Permit No. 63-8468
(Symms Fruit Ranch)

Symms Fruit Ranch
Route 4
Caldwell, ID 83605

Gentlemen:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest.

If we may be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON
Western Regional Supervisor

LGS:rf

bcc: State Office

C
O
P
Y

MICROFILMED

Select Fruits Since 1913

HOCKBERGER FRUIT RANCH

ROUTE 4 BOX 224
CALDWELL, IDAHO 83605

April 10, 1977

Mr. C Stephen Allred, Director
Idaho Department of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Subject: Protest of Application No. 63-8468 in the name of Symms Fruit Ranch to appropriate 3.2 CFS of water from a groundwater source by means of well, pump and pipeline within the NW 1/4 NE 1/4 Sec 25 T3N-R4W B.M. Canyon County, and Protest of Application No. 63-8468 as amended by changing the place of use to S 1/2 NW 1/4, NE 1/4 SW 1/4 Sec 25, NE 1/4 Sec 26 T3N-R4W B.M., as published April 7, 1977.

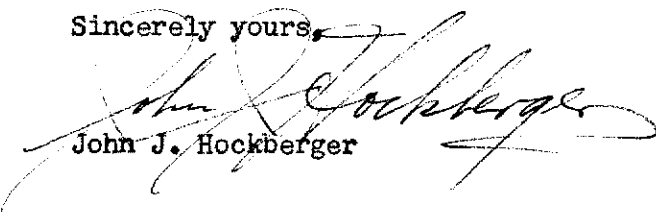
Dear Mr. Allred:

As application holder of groundwater permits No 63-8475 within the NE 1/4 NE 1/4 Sec 25 T3N-R4W B.M. Canyon County, and No. 63-8474 within the NW 1/4 NW 1/4 Sec 30 T3N-R3W B.M. Canyon County, I protest the Application No. 63-8468 for the following reasons:

1. Location of proposed well is on land which has an existing well and groundwater rights.
2. Diversion of 3.2CFS of groundwater from the proposed well far exceeds the capacity of any existing well in the area.
3. The proposed large diversion of groundwater is located at a point which could adversely effect present wells.
4. The diversion point is not located on the hundreds of acres for which the applicant wishes to establish a new water right,
5. Proposed point of diversion could adversely effect the other permits for groundwater sources in the immediate area.

For the above reasons I protest Symms Fruit Ranch Application No. 63-8468, and request that the application as proposed be rejected.

Sincerely yours,


John J. Hockberger



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

March 25, 1977

Re: See Attached Sheet

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

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 April 18, 1977.

Sincerely,

Bill submitted
4-18-77
rf

Published in the News-Tribune, Caldwell, ID on March 31, 1977 and April 7, 1977.

Notice of Application for Water Permit

02-7245	Gorman A. & Betty L. McQueen
63-8468	Symms Fruit Ranch (Amended)
63-8589	Charles E. Johnson
63-8590	Charles E. Johnson & Robert A. Johnson
63-8591	Ervin &/or Velma Pickrel
63-8593	Grant Peterson
63-8594	Richard C. Brock
63-8595	Jesse D. Downs
63-8596	Andrew J. &/or Geraldine M. Hoagland
63-8597	Andrew J. &/or Geraldine M. Hoagland
63-8598	Herbert Q. Hultz
63-8601	Simineo Farms, Inc.
63-8607	Virgil V. Skelton

RECEIVED

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 63-8468 in the name of SYMMS FRUIT RANCH was filed on February 22, 1977 for the diversion of 3.2 cubic feet per second of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 T3N-R4W B.M., Canyon County to be used from Mar 15 to Nov 15 for irrigation of 160 acres within the ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 T3N-R4W B.M.~~ W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 25 T3N-R4W B.M.

The application holder now proposes to amend the application by changing the place of use to S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 25; NE $\frac{1}{4}$ Sec 26 T3N-R4W B.M.

Any protests ~~XXX~~ 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 April 18, 1977

C. STEPHEN ALLRED

Acting Director

Published in the News-Tribune, Caldwell, Idaho on March 31, 1977 and April 7, 1977.

ENCLOSURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higgerson
Director

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

February 25, 1977

Re: See Attached Sheet

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

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 March 21, 1977.

Sincerely,

Bill submitted
3-21-77
y

Published in the NEWS-TRIBUNE, CALDWELL, ID on MARCH 3, 1977 and
MARCH 10, 1977.

63-8469	Symms Fruit Ranch
63-8470	James Washburn
63-8472	M & W Farms, Inc.
63-8471	M & W Farms, Inc.
63-8491	Allan Wood
63-8468	Symms Fruit Ranch
63-8475	John J. Hockberger
63-8474	John J. Hockberger
63-8478	Ed M. Payne &/or James L. Payne
63-8484	James Kent
63-8486	J. Keith Grow & Jean N. Grow
63-8487	Clyde L. Marchbanks

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that SYMMS FRUIT RANCH,
Route 4 Caldwell, ID
has on February 22, 1977 - submitted Application No. 63-8468
for a permit to appropriate 3.2 cubic feet per second acres feet
~~XXXXXXXXXX~~ of water from a groundwater source
by means of well, pump and pipeline
within the NW1/4 Sec 25 T3N-R4W B.M., Canyon County

to be used from Mar 15 to Nov 15
for irrigation of 160 acres

within the W1/4 Sec 25 T3N-R4W 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 21, 1977.

R. KEITH HIGGINSON

Director

Published in the News-Tribune, Caldwell, ID
on March 3, 1977 and March 10, 1977.

FILED