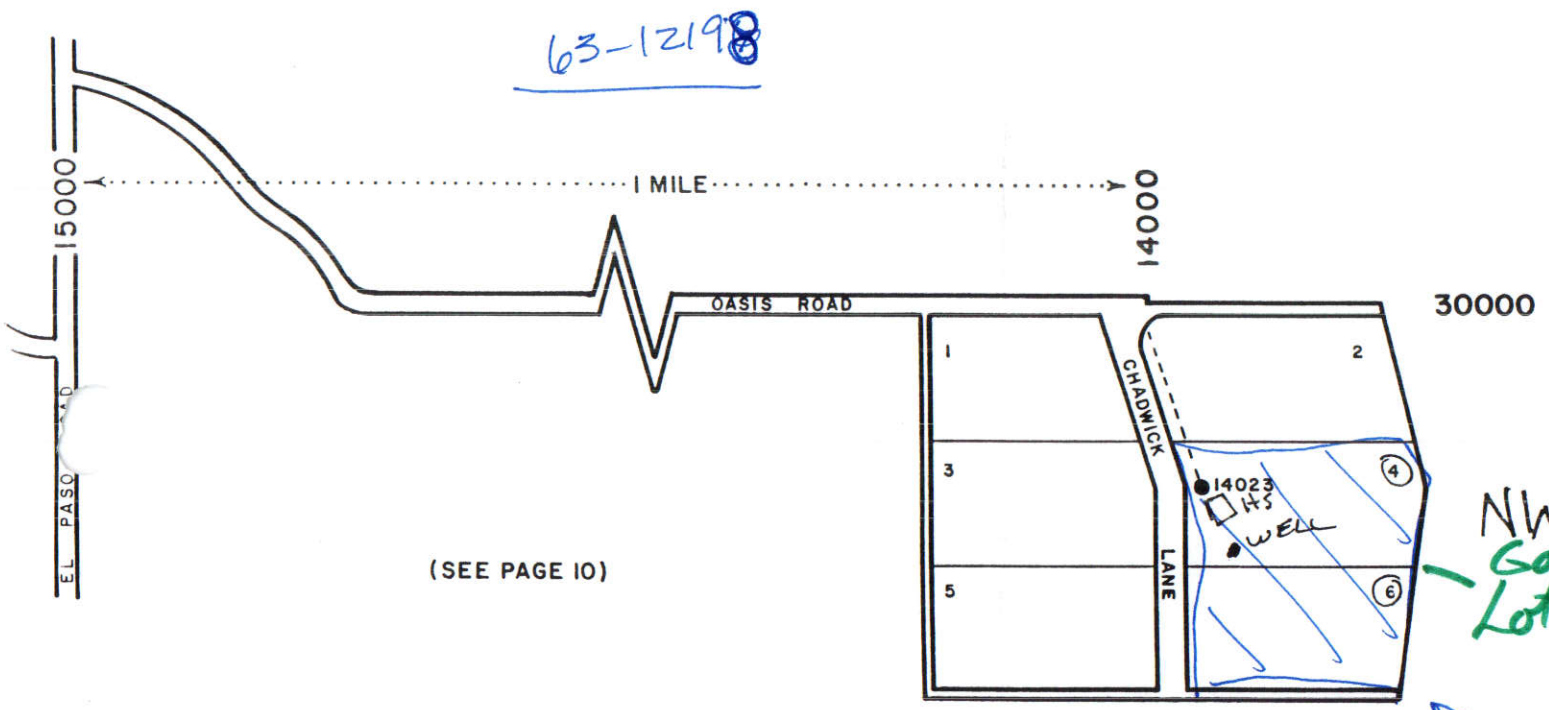
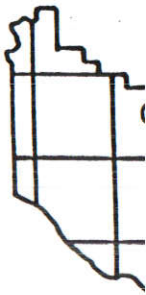
63-12198





NWNW Sec 2
Gov't Lot 4

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JUN 24 2002

HILL RIDGE ESTATES

SECTIONS 2 & 3, T. 5N., R. 3W.

Carlen Post's affidavit of 7/27/95 states subd. Lot 6 irrig. by well in subd. Lot 4 in 1987 - this agrees with 1987 ASCS showing parcel south of homesite irrigated (by some water) but that considerable non-irrig. area found in subd. Lot 4.

- JL 8/8/95

Appraisable: 5 Ac. in Lot 6
Delay: 5 Ac. in Lot 4
} of Hill Ridge Estates

63-31206
SYSTEM DIAGRAM AND ACRES
BY DANIEL A. NELSON
2000 AERIAL PHOTO



0.08 0 0.08 0.16 Miles

WELL
PLACE OF USE
HAND LINES
MAIN LINES
LAND IRRIGATED UNDER 63-30229
SECTION LINES
1/4 1/4 LINES

N
W E
S

MICROFILMED
OCT 0 2 2002

63-31206

63-3126

Sec. 38

NORTH

Sec. 35

PARALLEL

Sec. 34

STANDARD

BRANCH

Mc CALL

WEST

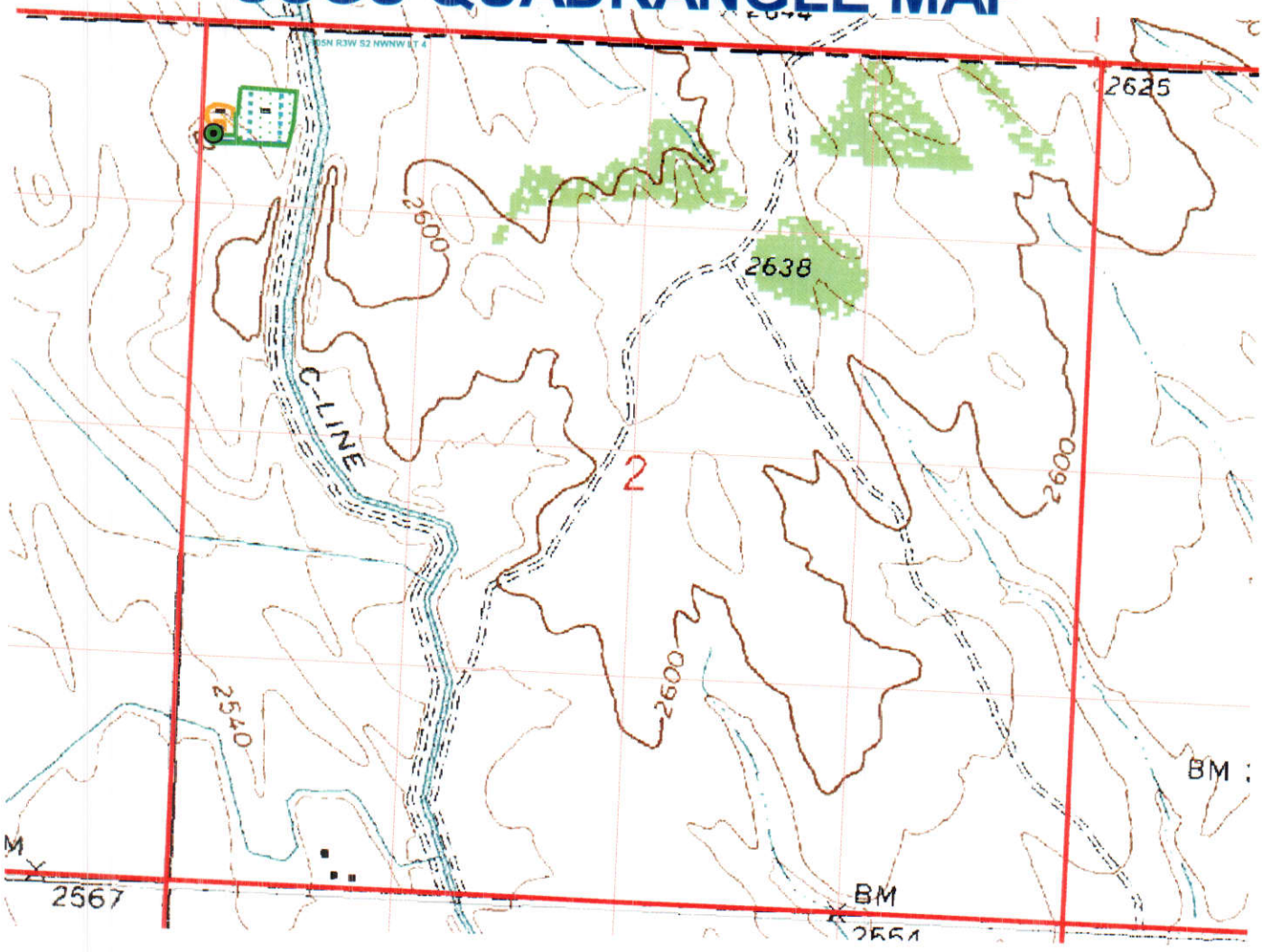
Sec. 1

Sec. 2

Sec. 3

MICROFILMED
OCT 02

63-31206
SYSTEM DIAGRAM AND ACRES
BY DANIEL A. NELSON
USGS QUADRANGLE MAP



0.4 0 0.4 0.8 Miles

- WELL
- PLACE OF USE
- HAND LINES
- MAIN LINES
- LAND IRRIGATED UNDER 63-30229
- SECTION LINES
- 1/4 1/4 LINES

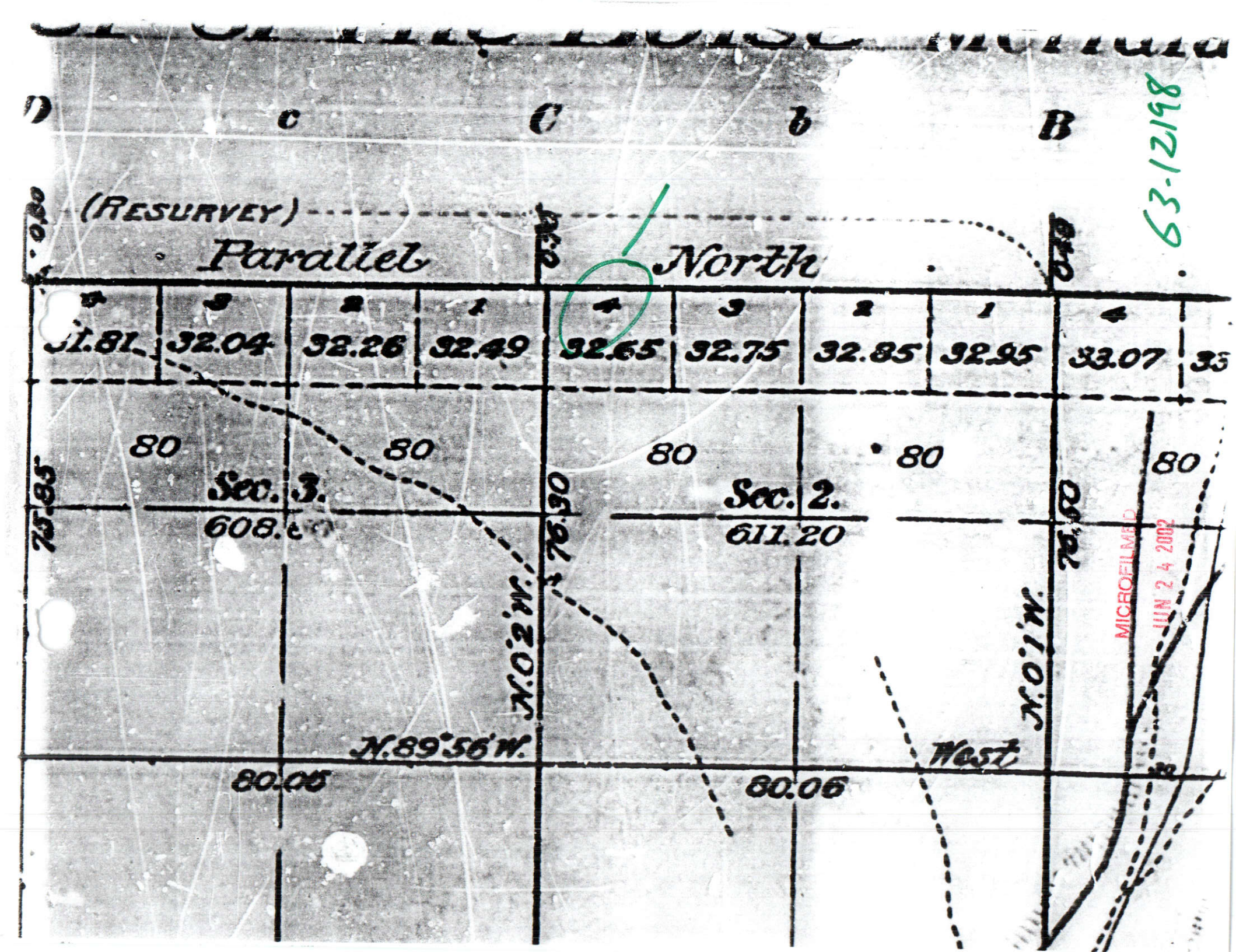
N
W E
S

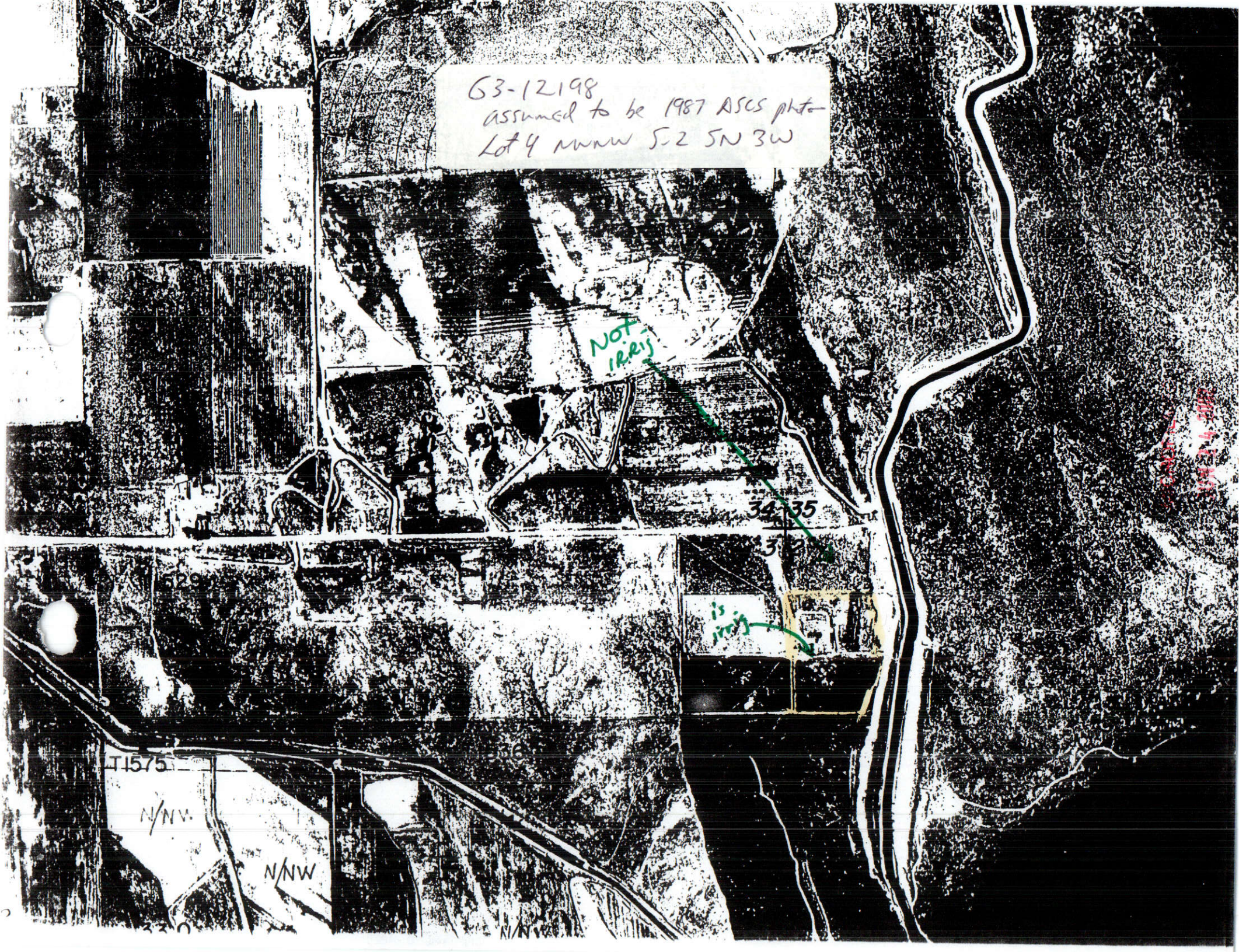
MICROFILMED
OCT 0 2 2002

63-31206

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	63 31206	LANCE R HEROLD, EVA HEROLD,	GROUND WATER	05N03W2						2.6											2.6
App	63 31208	FRANCISCO ODIAGA,	GROUND WATER	05N03W2						5											5
Right	63 30229	EVA HEROLD, LANCE R HEROLD,	GROUND WATER	05N03W2						X											0
Right	63 30229	EVA HEROLD, LANCE R HEROLD,	GROUND WATER	05N03W2						X											0
Claim	65 2900		TUNNEL NO 2 DRAIN	05N03W2						X											0
Claim	63 26106	DOROTHY BRANSCUM, L D BRANSCUM,	GROUND WATER	05N03W2											X						0
Claim	63 26106	DOROTHY BRANSCUM, L D BRANSCUM,	GROUND WATER	05N03W2											X						0
Rec	63 26106	DOROTHY BRANSCUM, L D BRANSCUM,	GROUND WATER	05N03W2												X					0
Rec	63 26106	DOROTHY BRANSCUM, L D BRANSCUM,	GROUND WATER	05N03W2												X					0
Claim	63 28058	GENE J IHLI,	GROUND WATER	05N03W2										X							0
Claim	63 28058	GENE J IHLI,	GROUND WATER	05N03W2										X							0


D
c
C
b
B
(RESURVEY)
Parallel
North
4
3
2
1
31.81
32.04
32.26
32.49
4
3
2
1
32.65
32.75
32.85
32.95
33.07
80
80
80
80
80
Sec. 3.
608.60
Sec. 2.
611.20
N.0°2'W.
N.0°1'W.
N.89°56'W.
West
80.05
80.06
63-12198
MICROFILMED
JUN 24 2002


63-12198
assumed to be 1987 ASCS photo
Lot 4 NWNW 5-2 5N 3W
NOT IRRIG
34
35
3
2
is irrig
T157S
N/NW
N/NW
N/NW
330


P/O, P/L Govt Lot 4
15000
14000
13000
12000
GEM COUNTY
OASIS ROAD
14424
14807
14421
SEE PAGE 11
Ba-1
HOLLOW RD. ADDRESSES
14000
13998
29862
29102
14884
14390
14272
13816
13788
13510
HOLLOW ROAD
28790
28495
28500
28400
28273
28277
28279
28627
28275
28273
28263
COUNTRY LANE
EMMETT ROAD
EL PASO ROAD
14490
14460
14280
14188
28023
13520
13224
28190
28153
28201
28091
28093
SAND HOLLOW ROAD
14899
27949
13837
13806
13537
13535
13469
13217
27805
27801
27537
SPUR LINE DRIVE (PVT.)
27538
27529
27565
27524
27803
27366
27362
HARVEY ROAD
FREEZEOUT ROAD
27374
27290
27286
27333
27236
27166
27096
12920
12904
13308
13306
12508
12506
27005
12038
CEMETERY ROAD
27042
14186
GOODSON ROAD
10
11
12
13
14
15
1
2
3
ADJOINS MAP 8B (PAGE 12)
MICROFILMED
JUN 24 2002
63-12198

60 Hz High Capacity 4" Submersible Pumps

MODEL GS

33GS, 40GS, 55GS, 60GS, 75GS, 80GS



SPECIFICATIONS

Model	Flow Range GPM	Horsepower Range	Best Eff. GPM	Discharge Connection	Minimum Well Size	Rotation①
33GS	10 – 50	1 – 10	33	2"	4"	CCW
40GS	20 – 65	1½ – 7½	40	2"	4"	CCW
55GS	20 – 80	1½ – 10	55	2"	4"	CCW
60GS	40 – 80	1½ – 7½	60	2"	4"	CCW
75GS	40 – 100	3 – 10	75	2"	4"	CCW
80GS	50 – 120	3 – 7½	80	2"	4"	CCW

① Rotation is counterclockwise when observed from pump discharge end.

"GS" SERIES MATERIALS OF CONSTRUCTION

Part Name	Material
Discharge Head	AISI 303 SS
Check Valve Poppet	AISI 304 SS
Check Valve Seal/ Seat Assembly	BUNA, FDA compliant. AISI 304 SS
C.V. Retaining Ring	AISI 302 SS
Adapter Ring	AISI 302 SS
Bearing Spider	Glass Filled Engineered Composite
Upthrust Washer	AISI 304 SS, Powder Metal
Bearing	Urethane, FDA compliant
Shaft Retaining Ring	AISI 301 SS
Diffuser	Glass Filled Engineered Composite
Impeller	
Bowl	AISI 304 SS
Intermediate Sleeve①	AISI 304 SS, Powder Metal
Intermediate Shaft Coupling②	AISI 304 SS, Powder Metal
Intermediate Bearing Spider①	Glass Filled Engineered Composite
Intermediate Bearing Spider②	AISI 303 SS
Bearing	Urethane, FDA compliant
Shim	AISI 304 SS
Spacer	AISI 304 SS, Powder Metal
Screws – Cable Guard	AISI 304 SS
Motor Adapter	AISI 303 SS
Casing	AISI 304 SS
Shaft	
Coupling	AISI 304 SS, Powder Metal
Cable Guard	AISI 304 SS
Suction Screen	AISI 304 SS

① and ② – See Repair Part page for where used.

FEATURES

■ **Powered for Continuous Operation:** All ratings are within the working limits of the motor as recommended by the motor manufacturer. Pump can be operated continuously without damage to the motor.

■ **Field Serviceable:** Pump can be rebuilt in the field to like new condition with common tools and readily available spare parts. **NOTE: The Model GS has left hand casing threads.**

■ **Sand Resistant Construction:** Field proven over almost four decades, face clearance design and floating impellers for an extremely abrasion resistant configuration.

■ **Stainless Steel Metal Parts:** AISI types 302, 303 and 304 are corrosion resistant, non-toxic and non-leaching.

■ **FDA Compliant Non-Metallic Parts:** Impellers, diffusers and bearing spiders are constructed of a glass filled engineered composite. This material is corrosion resistant and non-toxic.

■ **Discharge Head:** Precision cast 303 stainless steel for superior strength and durability. Cast in loop for safety line.

■ **Motor Adapter:** Precision cast 303 stainless steel is extremely rigid for accurate alignment of liquid end to motor. Generous space for removal of motor mounting nuts with regular open-end wrench.

■ **Bowls:** Stainless steel for strength and abrasive resistance.

■ **Check Valve:** Built in check valve constructed of stainless steel and low compression, FDA compliant, BUNA rubber for excellent abrasive resistance and quiet, efficient operation.

■ **Stainless Steel Casing:** Polished stainless steel is attractive and durable in the most corrosive water.

■ **Hex Shaft Design:** Six sided shafts for positive impeller drive.

■ **Shaft Coupling:** Exposed for ease of field alignment to motor shaft and to check pump rotation.

■ **Upthrust Plate:** Factory installed, internal water lubricated thrust bearing to help prevent upthrust damage. Bearing protects internal components if pump is operated beyond maximum recommended capacity.

■ **Urethane Upper and Middle Bearings:** Fluted design for free passage of abrasives and excellent resistance to sand damage.

■ **Franklin Electric Motor:**

- Corrosion resistant stainless steel construction through 10 HP.
- Built-in surge arrestor is provided on single phase motors through 5 HP.
- Stainless steel splined shaft.
- Hermetically sealed windings.
- Replaceable motor lead assembly.
- UL 778 recognized.
- NEMA mounting dimensions.
- Control box is required with 3 wire single phase units.
- Three phase units require a magnetic starter with three leg protection. Magnetic starter and heaters must be ordered separately.

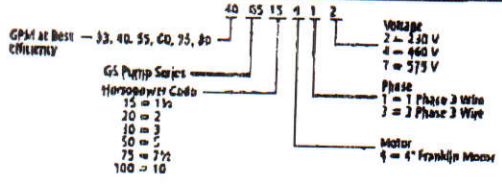
■ **Agency Listings:** All pump assemblies are UL778 and CSA listed and complies with ANSI/ NSF std. 61. All 4" Franklin Electric Motors are UL778 recognized.

AGENCY LISTINGS

Canadian Standards Association Classified ANSI/NSF 61-1992

Goulds Pumps is ISO 9001 Registered.

ORDER NUMBER CODE



Goulds Pumps

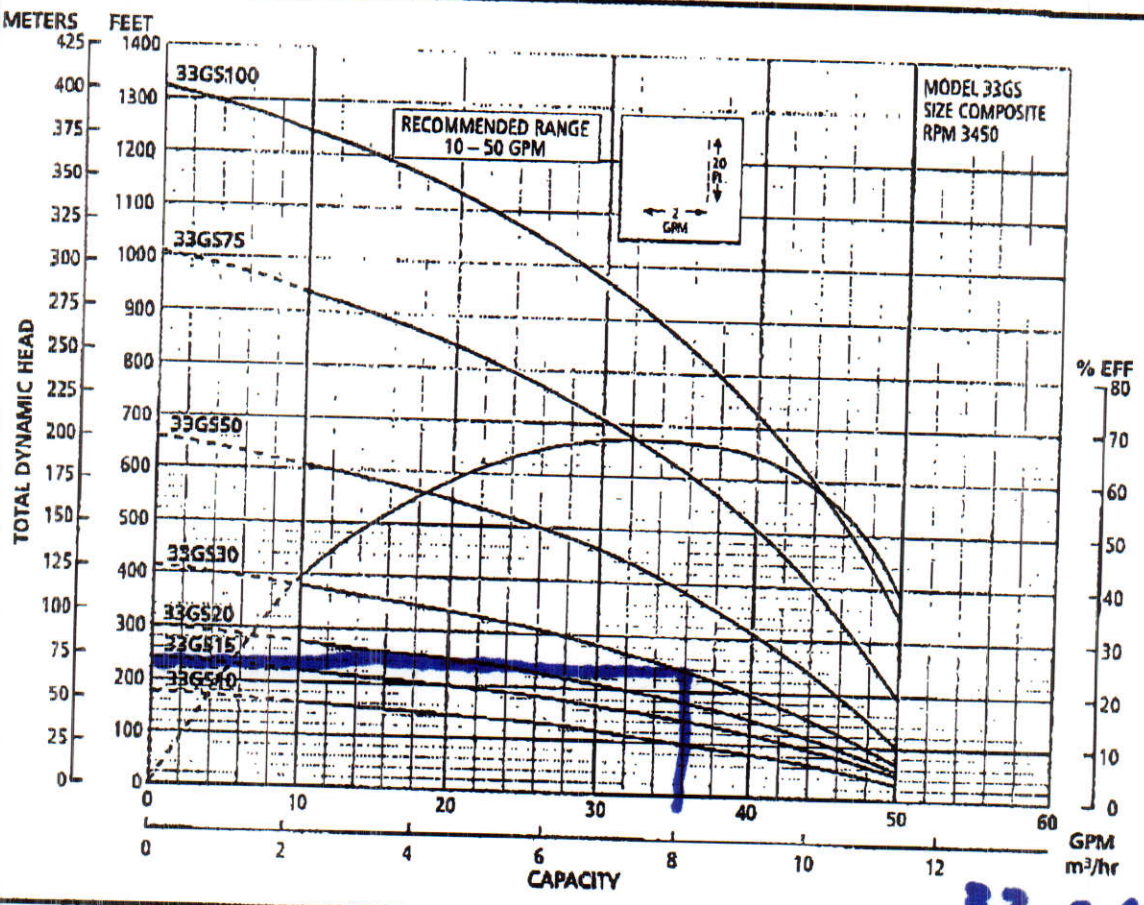
ITT Industries

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OCT 0 2 2002

63-31200

Model 33GS

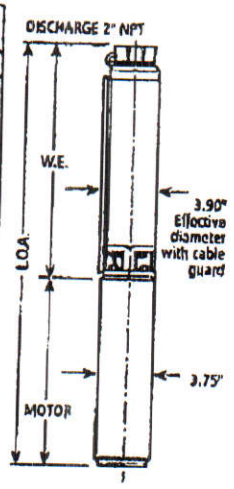
GOULDS PUMPS



37 gpm

DIMENSIONS AND WEIGHTS

HP	Stages	W.E. Order No.	Motor Order No.	PH	Motor Volts	Motor Length	W.E.① Length	L.O.A.②	W.E. and Motor Weight
1	6	33GS10	S06940	1	230	9.5	14.2	23.7	32
			S06978	3	200	11.8	14.2	26	32
			S06970		230				
			S06975		460				
1½	8	33GS15	S07940	1	230	13.6	16.6	30.2	37
			S07978	3	200	11.8	16.6	28.4	34
			S07970		230				
			S07975		460				
			S07979		575				
2	10	33GS20	S08940	1	230	15.1	19.1	34.2	40
			S08978	3	200	13.6	19.1	32.7	38
			S08970		230				
			S08975		460				
			S08979		575				
3	14	33GS30	S09940	1	230	19.1	24	43.1	54
			S09978	3	200	16.1	24	40.1	48
			S09970		230				
			S09975		460				
			S09979		575				
5	22	33GS50	S10940	1	230	28.2	35.2	63.4	83
			S10978	3	200	22.2	35.2	57.4	68
			S10970		230				
			S10975		460				
			S10979		575				
7½	34	33GS75	S119784	3	200	28.2	49.6	77.8	88
			S119704		230				
			S119754		460				
			S119794		575				
10	44	33GS100	S129724	3	460	30.4	61.9	92.3	100
			S129794		575				



NOTES:
For complete pump, order water end and motor.
① W.E. = water end or pump without motor.
② L.O.A. = length of assembly – complete pump – water end and motor.

37 gpm / 448.8 = 0.08 CFS

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03-31200



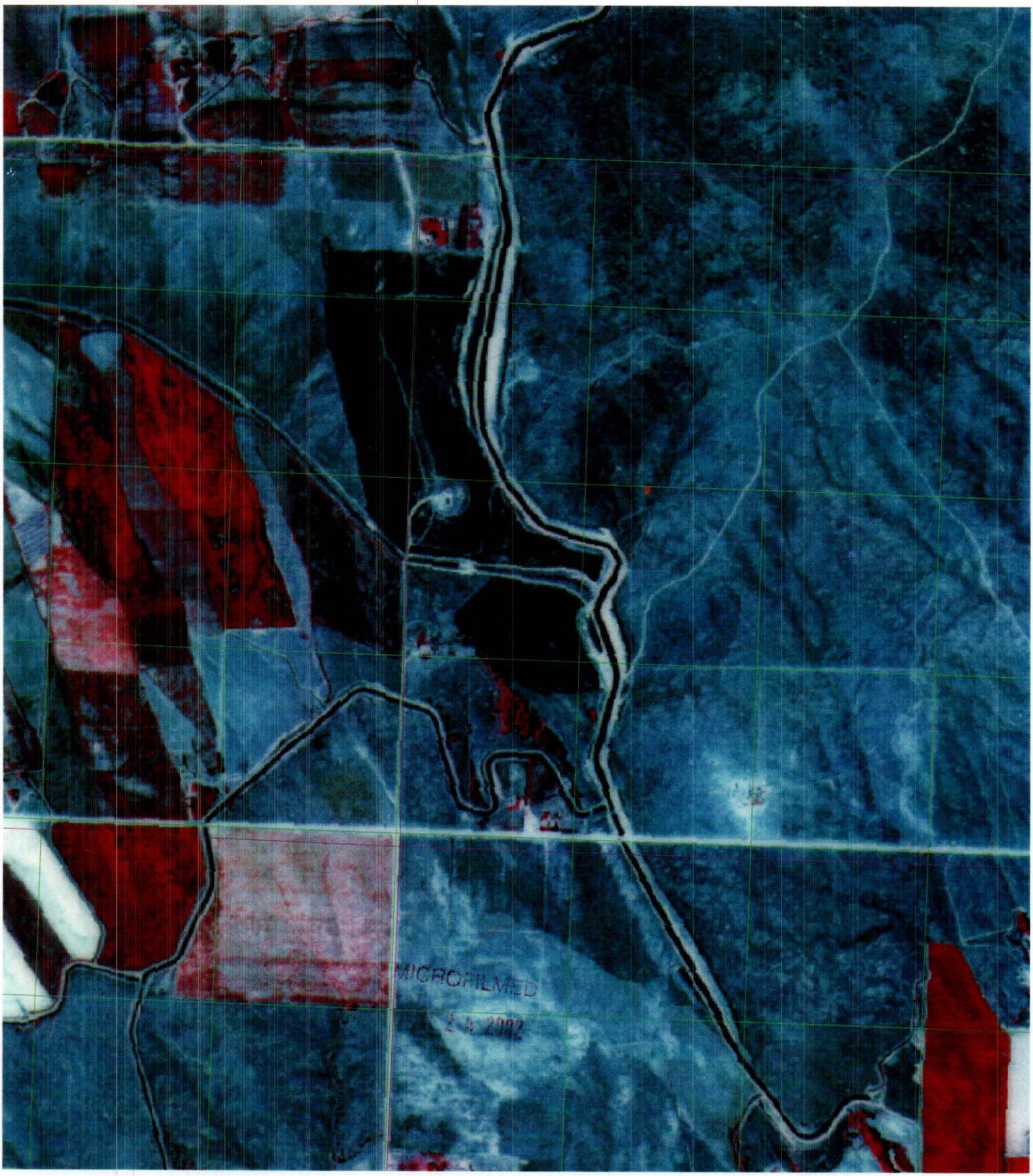
NAPP W-55-SE
7-14-87

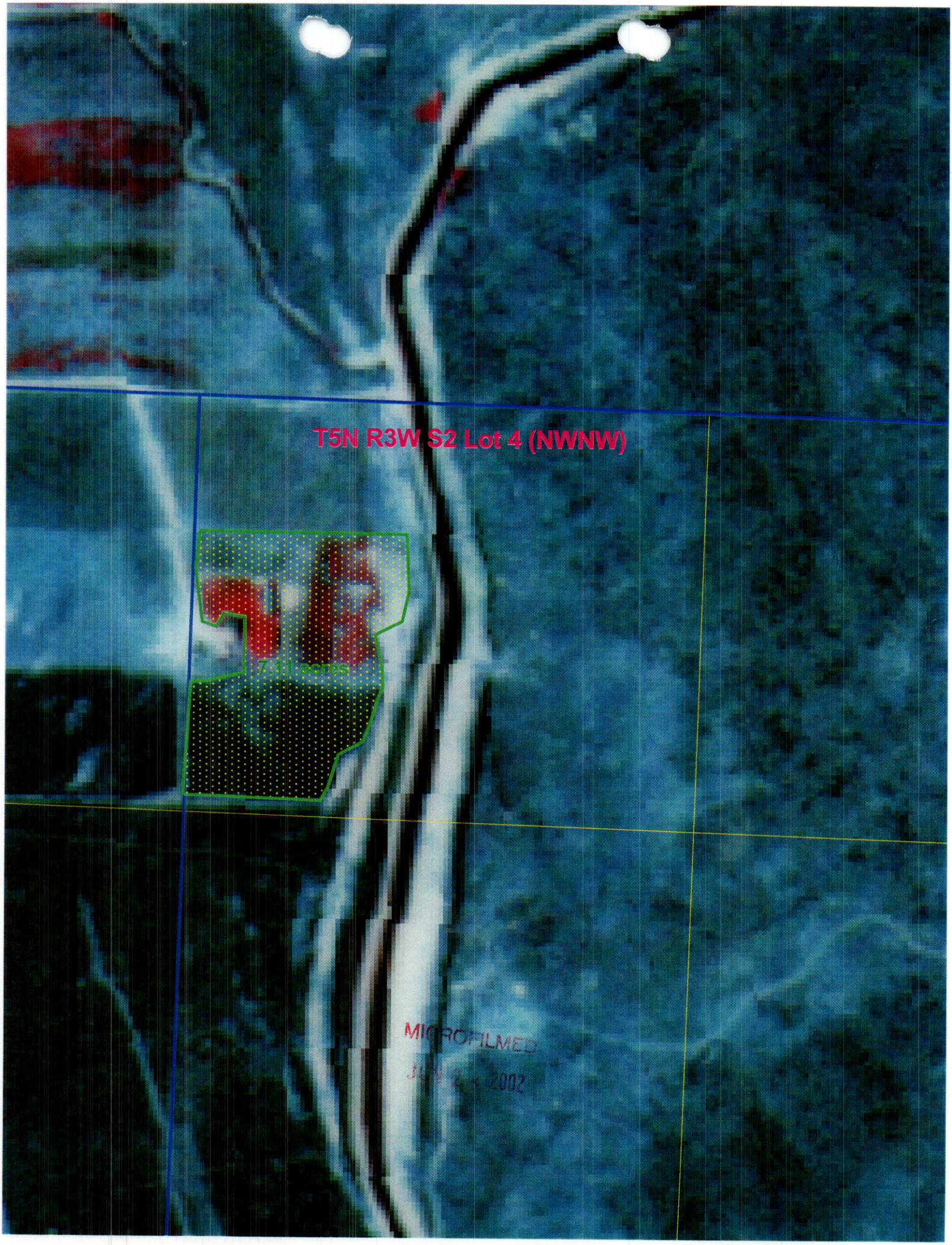
5N 3W 5.2 NWNW

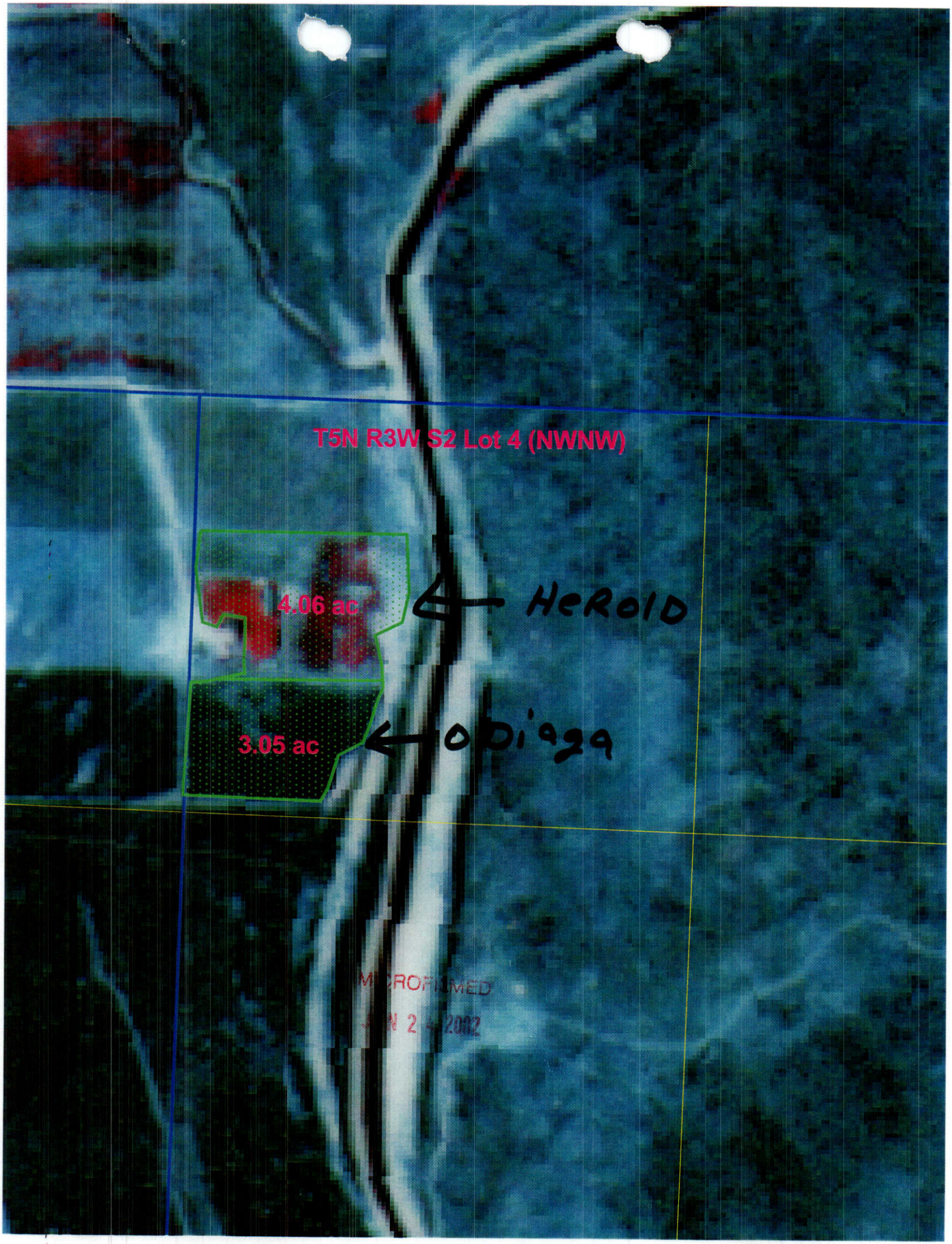
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JUN 24 2002

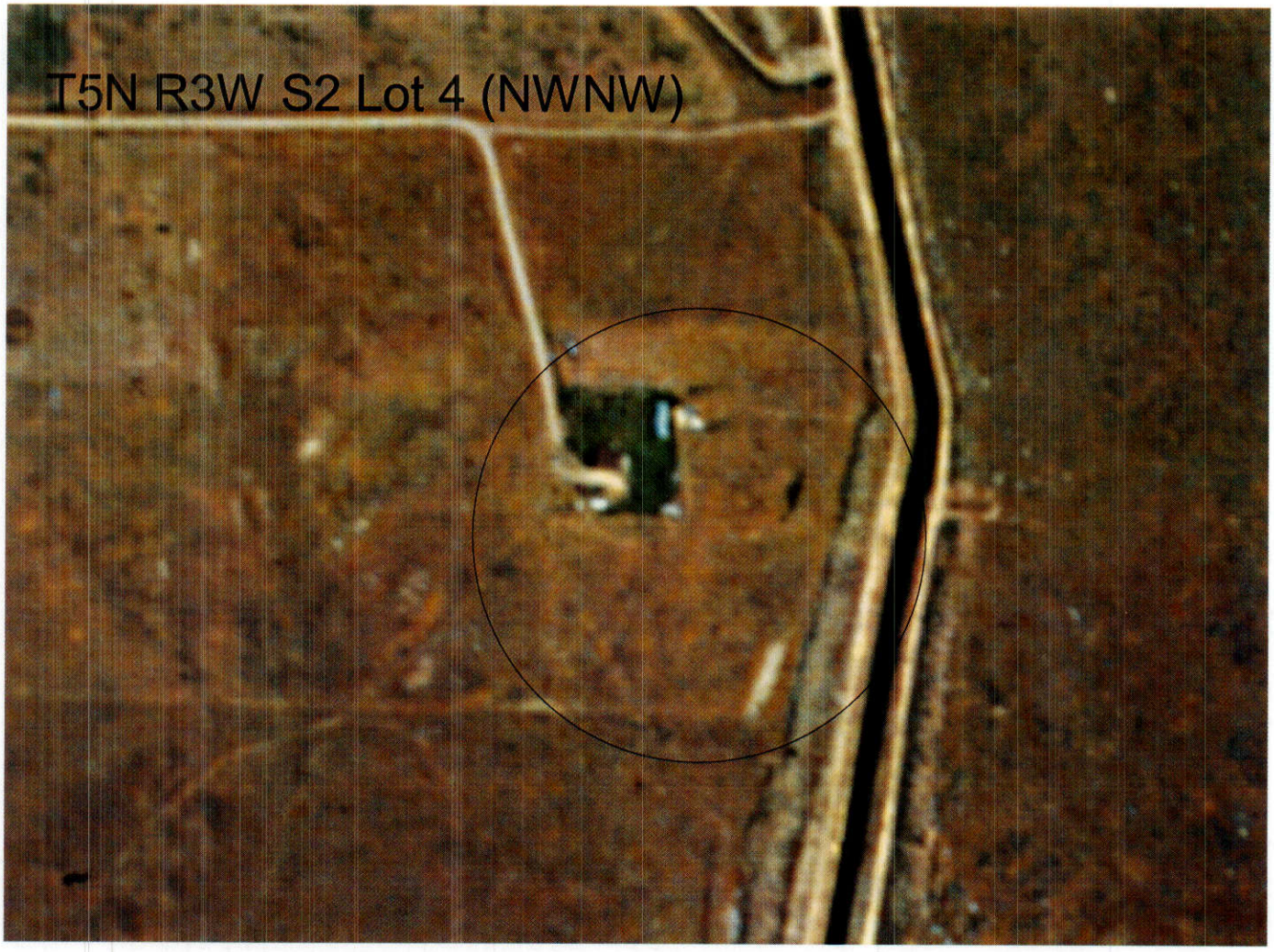
bldgs. shown & bldgs. & few acres south of bldgs. but not north of bldgs.


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2 4 2002


T5N R3W S2 Lot 4 (NWNW)
7.11 acres
MICROFILMED
2002


T5N R3W S2 Lot 4 (NWNW)
4.06 ac
HEROLD
3.05 ac
OBI'929

FSA Photograph, 1986
Pre-1987 Development
63-31206 & 63-31208



40 0 40 80 Miles

N

MICROFILMED
JUN 2 4 2002

REVIEW

FSA Photograph, 1985
Pre-1987 Development
63-31206 & 63-31208



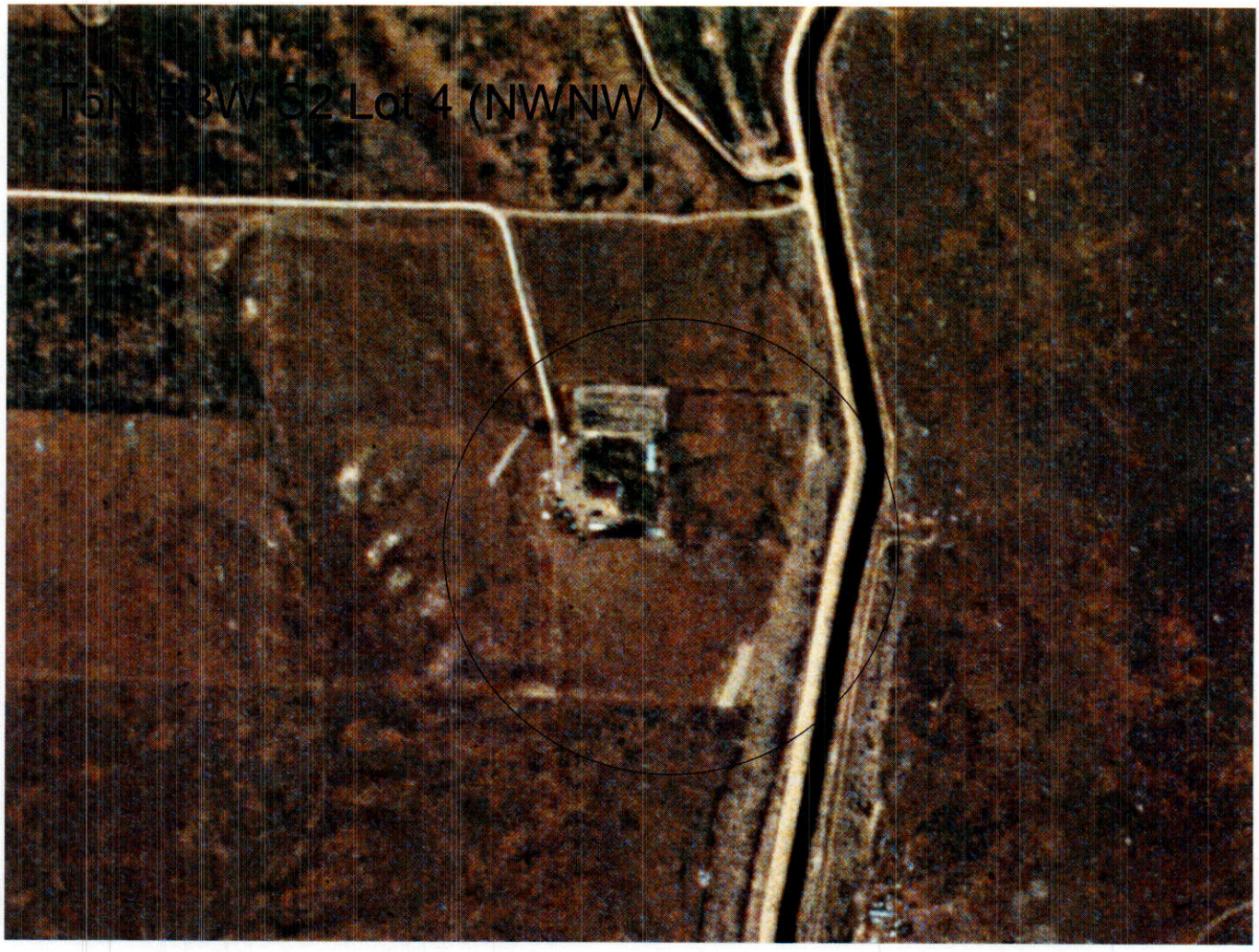
30 0 30 60 Miles

N

MICROFILMED
JUN 2 4 2002

REVIEW

FSA Photograph, 1984
Pre-1987 Development
63-31206 & 63-31208



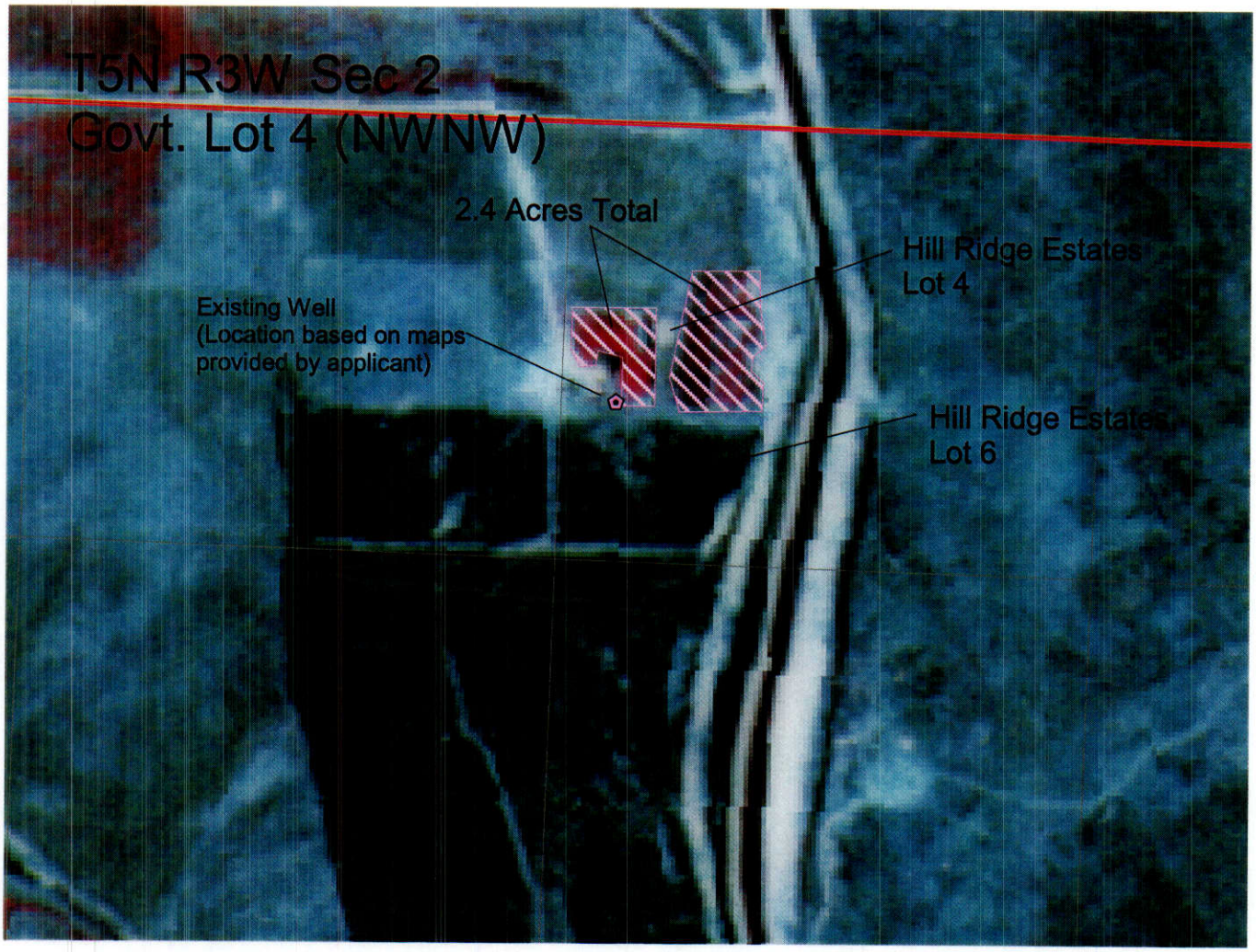
30 0 30 60 Miles

N

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JUN 2 4 2002

REVIEW

1987 NAPP Photography



0.1 0 0.1 0.2 Miles

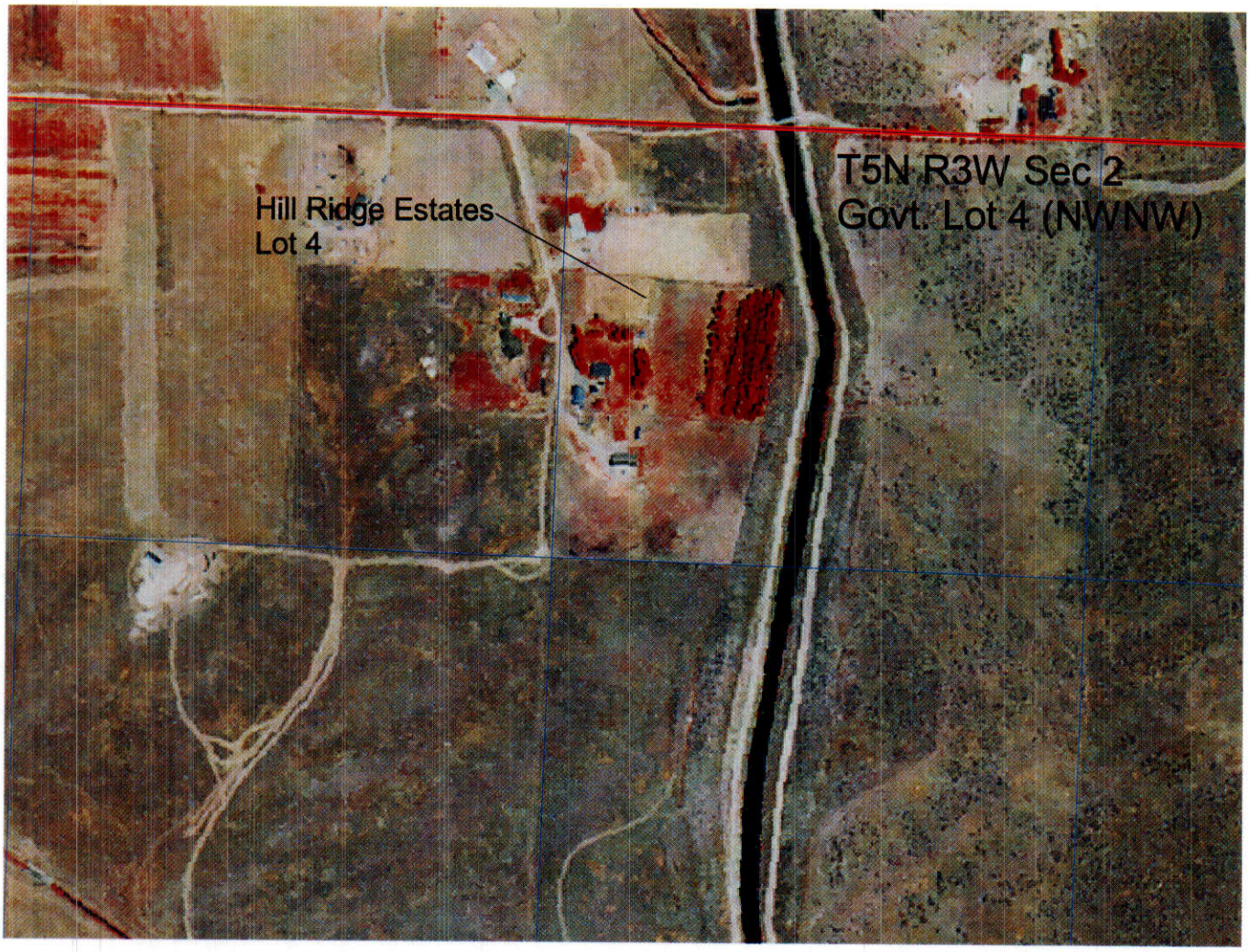
Permit Application Point of Diversion

Permit Application Place of Use

N

MICROFILMED
JUN 2 4 2002

2000 Aerial Photography

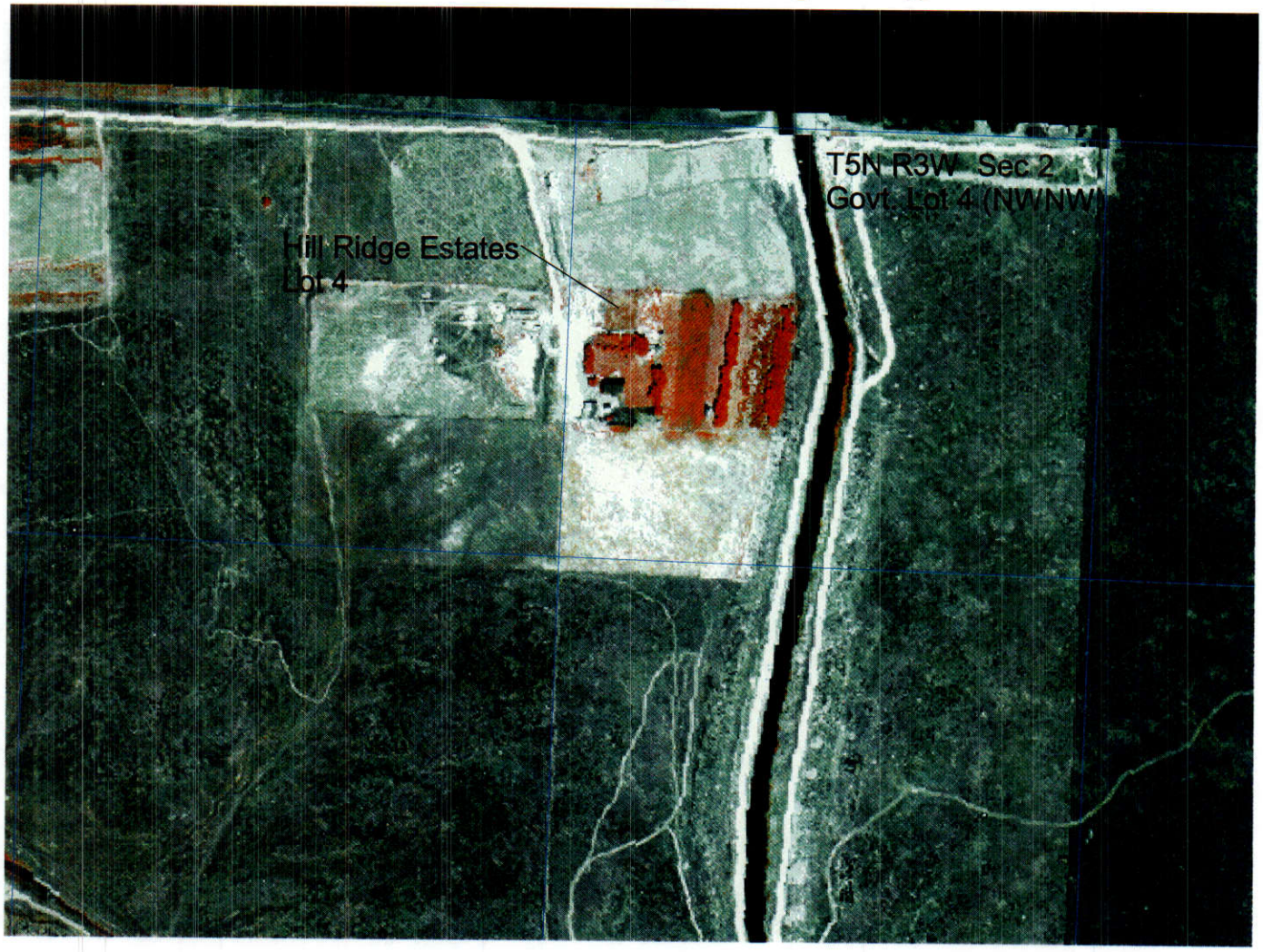


0.09 0 0.09 0.18 Miles

N

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JUN 2 4 2002

1994 Aerial Photography

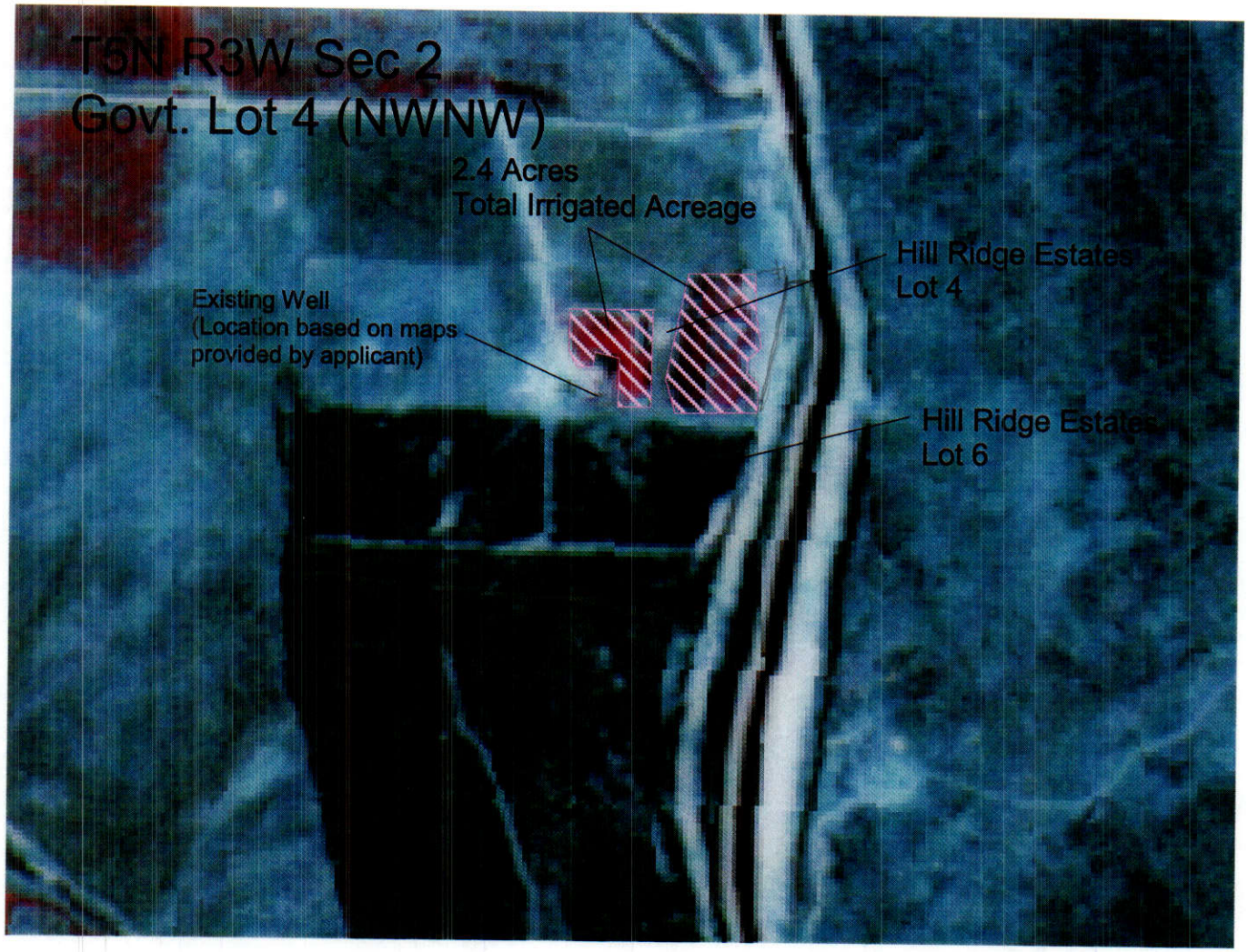


0.09 0 0.09 0.18 Miles

N

MICROFILMED
JUN 2 4 2002

1987 NAPP Photography



0.1 0 0.1 0.2 Miles

Permit Application Point of Diversion

Permit Application Place of Use

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JUN 2 4 2002

N



This picture was taken from the water outlet in the middle of the pasture looking toward the house in the west.



This picture was taken standing in front of the trees in the previous picture looking eastward.



That's Lance standing beside the trees along the eastern edge of the pasture.



This shows the size of the pine trees on the eastern border.

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JUN 2 4 2002

14023 Oasis Road
Caldwell, ID 83607



This pictured was taken from the northern property line looking south. That's Lance in the distance. This is our pasture.



This is the view a little further to the east.



This is a closer view.



This is Lance standing beside the water outlet that we use for watering the pasture.

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JUN 2 4 2002

14023 Oasis Road
Caldwell, ID 83607



This is the well. It is located on the southern edge of our property between the potting shed and the shop. It is approximately 42 feet from the western property line and about 40 feet from the southern property line.



Lance is standing beside the irrigation water outlet about 160 feet from the western property line. We don't use this, but Carl Post turned it and used it to water the property south of ours.

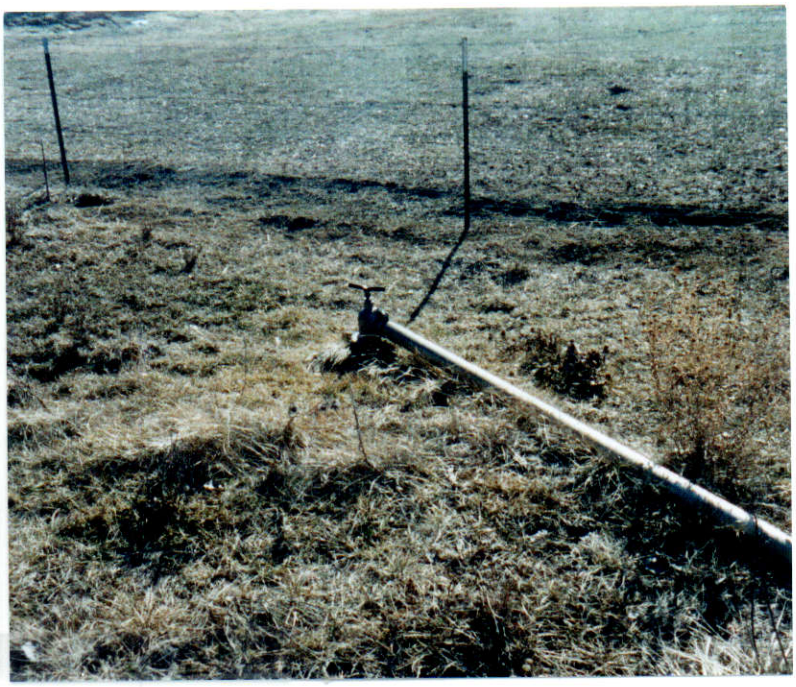


This is a closer view of the water outlet. In the distance Lance is standing beside the water outlet in the middle of the pasture. This outlet is about 119 feet from the first outlet.

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JUN 2 4 2002



This the third water outlet with Lance standing beside the fourth outlet.



This is a closer view of the third water outlet.



This is a view of the fourth water outlet. This outlet is about 45 feet from the third outlet.



This is a view of the line coming from the fourth water outlet. It is taken looking toward the west.

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This picture was taken beside the fence that runs between the house and the pasture. It shows Lance at the water outlet in the middle of the pasture.



This is a closer view of the same outlet.



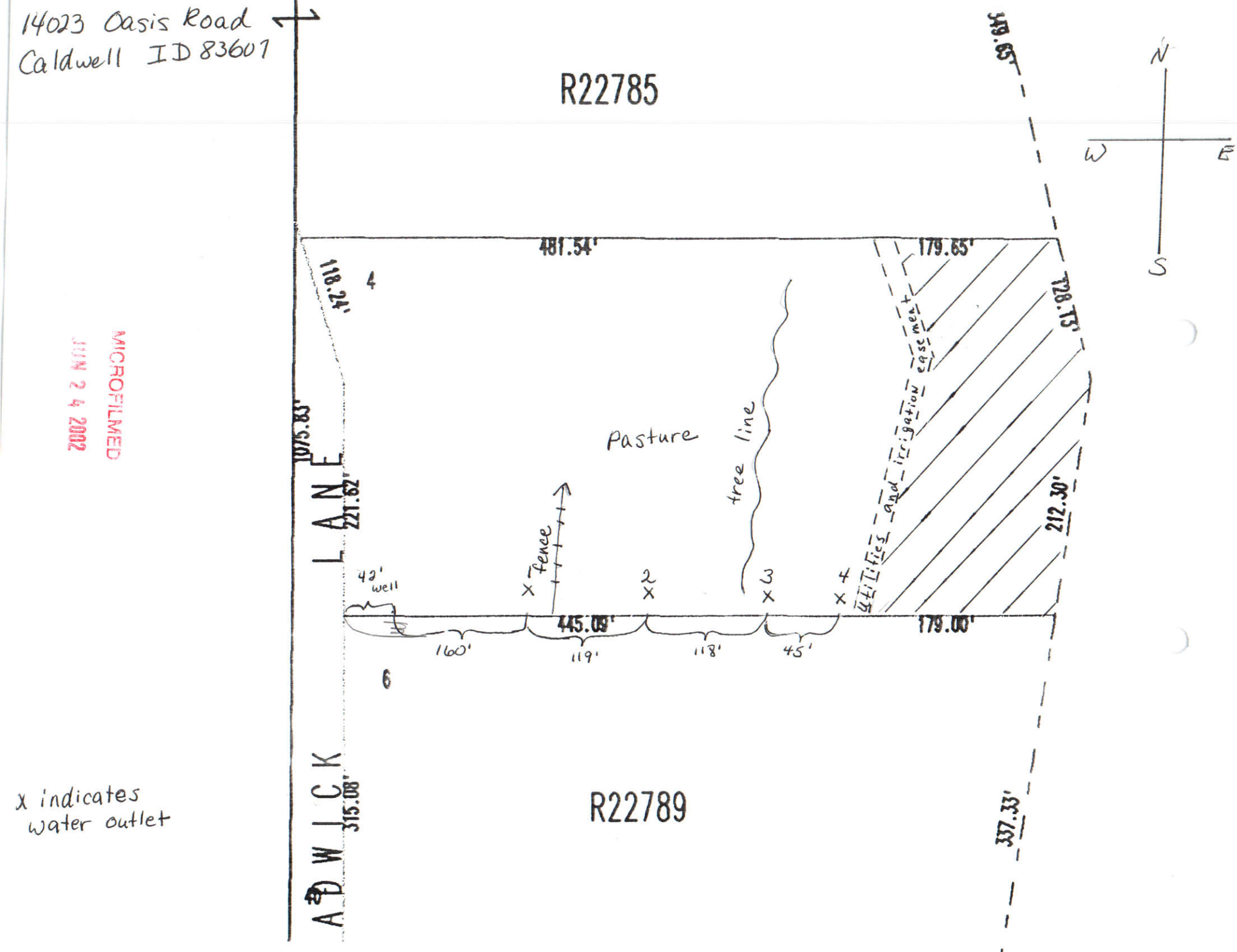
This is another closeup of the water outlet.



This is a long distance view of the third water outlet. This outlet is about 118 feet from the second outlet.

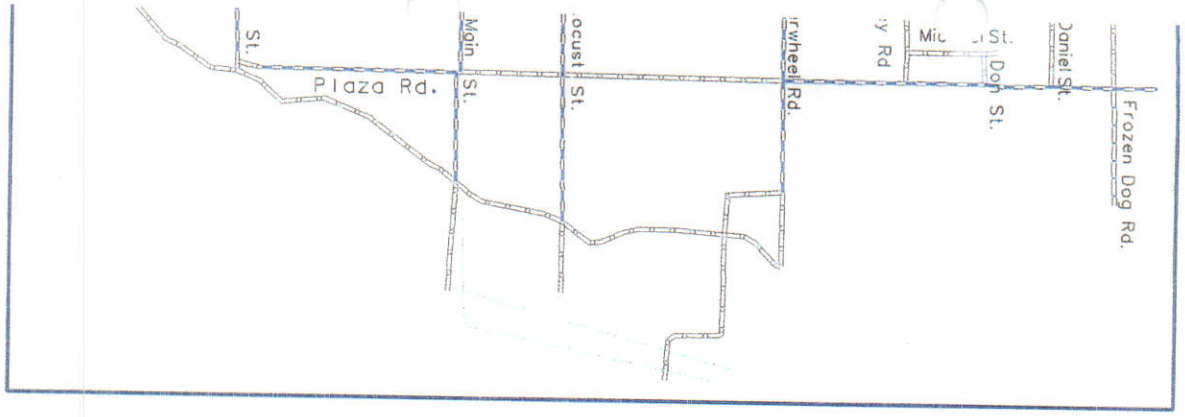
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JUN 2 4 2002

14023 Oasis Road
Caldwell ID 83607



x indicates
water outlet

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JUN 24 2002



PAYETTE COUNTY

CANYON COUNTY

R. 3 W.
R. 2 W.
R. 1 W.

1E
2E
3E
4E
5E
6E
7E
8E
9E
10E
11E
12E
13E

County Line Rd.
Little Rock Rd.
Lower Bench Rd.
Upper Bench Rd.
Bishop Rd.
Bergland Rd.
Petersburg Rd.
Brogan Rd.
Bowman Rd.
Hanna Ave.
Peterson Ln.
Clinton Rd.
Beacon Ave.
Big 4 Ave.
Canyon Mesa Ave.
Linn Ave.
Pioneer Ave.
Jackson Ave.
Gem Ave.
U A Ave.
Lower Bluff Rd.
Hollywood Rd.
Boise Ave.
John's Ave.
Sub Station Rd.
Plaza Rd.
Bissel Creek Rd.
Dussen Rd.
Van 19
Lookout
Oasis Rd.
Dobie Rd.
Dewey Rd.
Bill Burris Rd.
Moorehouse Rd.
Tom's Cabin Rd.
Little Freezeout Rd.
Cascade Rd.
Star Ln.
Sales Yard Rd.
Airport Rd.
Schiller Rd.
Mill Rd.
Old Freezeout Hill Rd.
Cherry Ln.
Locust St.
East Main St.
S. Plaza Rd.
Waterwheel Rd.
Sand
Throckmorton
Brill Rd.
Hillview
Sandy Ave.
Merril Rd.
Black
Sunset
Idaho
Central
Edgemont Rd.
Veenstra Rd.
Hwy
Blvd
Road
Dr.
Ave.
St.
LETHA
EMMETT
To Middleton 9 mi
To Jct. State Hwy 44
2359'
2309'
Lanham Field
Central Mesa Sch.
Parks Ranch
Boise Power Co.
Silverleaf
Ext Rd
Lower Bench Rd.
Cooper Ranch
Reed Cemetery
Sanitary Landfill
Microwave Tower
Hair Creek
Bridal Creek
Wilson
Froz

MICROFILMED
OCT 0 2 2002

Form 238 7
1 78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name CARL POST

Address CALDWELL

Owner's Permit No.

2. NATURE OF WORK

[X] New well [ ] Deepened [ ] Replacement
[ ] Abandoned (describe method of abandoning)

3. PROPOSED USE

[X] Domestic [ ] Irrigation [ ] Test [ ] Municipal
[ ] Industrial [ ] Stock [ ] Waste Disposal or Injection
[ ] Other (specify type)

4. METHOD DRILLED

[X] Rotary [X] Air [ ] Hydraulic [ ] Reverse rotary
[ ] Cable [ ] Dug [ ] Other

5. WELL CONSTRUCTION

Casing schedule: [X] Steel [ ] Concrete [ ] Other

Thickness		Diameter		From		To	
.250	inches	6	inches	+ 2	feet	247' 2"	feet
	inches		inches		feet		feet
	inches		inches		feet		feet
	inches		inches		feet		feet

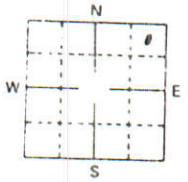
Was casing drive shoe used? [X] Yes [ ] No
Was a packer or seal used? [ ] Yes [X] No
Perforated? [ ] Yes [X] No
How perforated? [ ] Factory [ ] Knife [ ] Torch
Size of perforation inches by inches

Number		From		To	
	perforations		feet		feet
	perforations		feet		feet
	perforations		feet		feet

Well screen installed? [ ] Yes [X] No
Manufacturer's name
Type Model No.
Diameter Slot size Set from feet to feet
Diameter Slot size Set from feet to feet
Gravel packed? [ ] Yes [X] No [ ] Size of gravel
Placed from feet to feet
Surface seal depth 20 Material used in seal: [ ] Cement grout
[X] Puddling clay [ ] Well cuttings
Sealing procedure used: [ ] Slurry pit [ ] Temp. surface casing
[X] Overbore to seal depth
Method of joining casing: [ ] Threaded [X] Welded [ ] Solvent Weld
[ ] Cemented between strata
Describe access port

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name
Lot No. Block No.
County CANYON
N.E. ¼ N.E. ¼ Sec. 2 T 5 N.[S.] R. 3 [E.W.]

7. WATER LEVEL

Static water level 151 feet below land surface
Flowing? [ ] Yes [X] No G.P.M. flow
Artesian closed in pressure p.s.i.
Controlled by [ ] Valve [ ] Cap [ ] Plug
Temperature °F Quality

8. WELL TEST DATA

[ ] Pump [ ] Bailer [X] Air [ ] Other

Discharge G.P.M.	Pumping Level	Hours Pumped
75		2

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
8"	0'	1'	top soil		X
8"	1'	20'	sand with some clay layers		X
6"	20'	160'	clay with some sand layers		X
6"	160'	200'	sand & clay layers	X	
6"	200	240'	sand stone with some clay layers & sand streaks		X
6"	240'	252'	sand stone	X	
6"	252'	254'	sand	X	
6"	254'	260'	sand stone	X	
6"	260'	261'	sand	X	
6"	261'	280'	sand stone	X	
6"	280'	284'	sand	X	

OCT 6 [illegible]
Water [illegible]

10.

Work started 10-21-80 finished 10-24-80

11. DRILLERS CERTIFICATION

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

Firm Name BILL DOTY WELL DRILLING Firm No. 42

Address RT. #7-BX.-311 CALDWELL Date 12-11-80

Signed by (Firm Official) Bill Doty

and

(Operator) Bill Doty

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

MICROFILMED
OCT 0 2 2002


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OCT 02 2002
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PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. AND LEGAL DESCR. 63-31206 7-8.02



These are Photo's of the yard that are covered under Domestic water Right 63-30229

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. 63-31206 7-8-02



These are Photos of the SPRINKLERS and MAINLINE



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63-31206

MICROFILMED
OCT 0 2 2002

IDWR

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. AND LEGAL DESCR. 63-31206 7-8.02





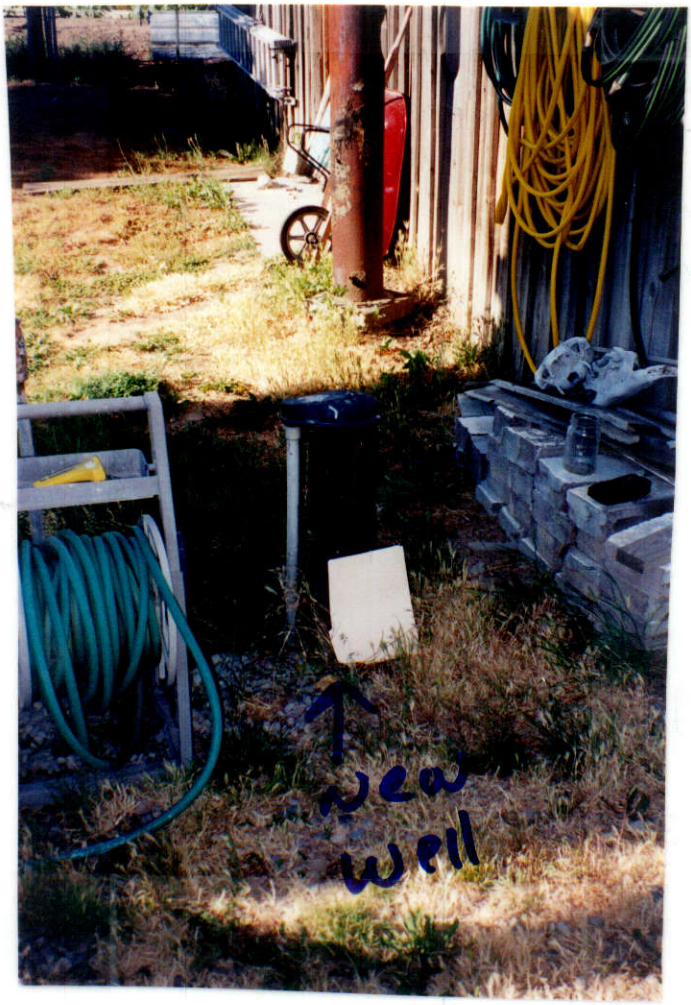


These are PHOTO'S OF THE MAINLINE and SPRINKLERS

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. 63-31206





These are photos of the well. There is an old well on site that has never been used. The old well has a sealed casing & cap and it's ~~above~~ 12" above ground, but it is not connected to power. The new well is the only well used. It was drilled pre-1986

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63-31206

Model 33GS

GOULDS PUMPS

SELECTION CHART

Horsepower Range 1 – 3, Recommended Range 10 – 50 GPM, 60 Hz, 3450 RPM

Pump Model	HP	PSI	Depth to Water in Feet/Ratings in GPM (Gallons per Minute)																										
			20	40	60	80	100	120	140	160	180	200	220	240	260	280	300	320	340	360	380	400	420	440	460	480	520	560	600
33GS10	1	0		48	45	41	36	30	22	11																			
		20	44	39	34	28	19																						
		30	39	33	27	17																							
		40	32	25	15																								
		50	24	14																									
		60	12																										
Shut-off PSI			67	58	50	41	32	24	15	6																			
33GS15	1¼	0		50	48	46	43	40	37	32	26	19																	
		20	48	45	43	39	35	31	24	17																			
		30	45	42	39	35	30	23	15																				
		40	42	38	34	29	22	14																					
		50	38	33	28	21	12																						
		60	33	27	20	11																							
Shut-off PSI			95	86	78	69	60	52	43	34	26	17																	
33GS20	2	0			49	48	46	44	41	38	35	32	28	22															
		20	49	47	45	43	40	38	34	31	26	21	14																
		30	47	45	42	40	37	34	30	25	20	13																	
		40	44	42	40	37	33	29	24	19	11																		
		50	42	39	36	33	29	24	18																				
		60	39	36	32	28	23	16																					
Shut-off PSI			121	112	103	95	86	77	69	60	51	43	34	26															
33GS30	3	0				49	48	46	45	43	41	40	38	35	33	31	28	24	20	15									
		20	50	49	47	46	44	43	41	39	37	35	32	30	27	23	19	13											
		30	49	47	46	44	42	41	39	37	34	32	29	26	22	18	12												
		40	47	45	44	42	40	38	36	34	32	29	25	22	17	11													
		50	45	44	42	40	38	36	34	31	28	25	21	16															
		60	43	42	40	38	36	33	31	28	24	20	15																
Shut-off PSI			170	161	152	144	135	126	118	109	100	92	83	74	66	57	48	40	31	23									

Horsepower Range 5-10, Recommended Range 10 – 50 GPM, 60 Hz, 3450 RPM

Pump Model	HP	PSI	Depth to Water in Feet/Ratings in GPM (Gallons per Minute)																										
			50	100	150	200	250	300	350	400	450	500	550	600	650	700	750	800	850	900	950	1000	1050	1100	1150	1200	1250	1300	1350
33GS50	5	0		50	48	46	44	41	38	35	31	27	20	11															
		20	50	48	46	44	41	38	35	32	27	21	11																
		30	49	47	45	43	40	37	34	30	25	17																	
		40	48	46	44	41	39	36	32	27	21	12																	
		50	47	45	43	40	37	34	30	25	18																		
		60	46	44	42	39	36	32	28	22	13																		
Shut-off PSI			264	242	220	199	177	156	134	112	91	69	47	26															
33GS75	7½	0				50	48	47	46	44	42	40	38	36	33	31	27	23	19	14									
		20			50	49	47	46	44	42	41	38	36	34	31	28	24	19	14										
		30		50	49	48	46	45	43	42	40	37	35	32	29	26	22	17	12										
		40		50	49	47	46	44	43	41	39	36	34	31	28	24	20	15											
		50		49	48	47	45	43	42	40	38	35	33	30	26	22	17	12											
		60	50	49	47	46	44	43	41	39	37	34	31	28	24	20	15												
Shut-off PSI			415	393	371	350	328	306	285	263	241	220	198	176	155	133	111	90	68	47									
33GS100	10	0						50	49	49	48	47	46	44	43	42	40	38	36	34	31	28	24	21	17	14			
		20					50	50	49	48	47	46	44	43	42	40	38	36	34	31	28	25	21	18	14	10			
		30					50	49	48	47	46	45	44	42	41	39	37	35	33	30	27	23	20	16	12				
		40				50	50	49	48	47	46	45	43	42	40	38	36	34	31	28	25	21	18	14	10				
		50				50	49	48	47	46	45	44	43	41	39	37	35	33	30	27	23	20	16	12					
		60			50	50	49	48	47	46	45	43	42	40	39	37	34	32	29	25	22	18	14	10					
Shut-off PSI			550	528	506	485	463	441	420	398	377	355	333	312	290	268	247	225	203	182	160	138	117	95	73	52			

37 GPM.

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OCT 0 2 2002

63-31206

July 27, 1995

I Carlos L. Post affirm that Lot 6 Hillridge Estate Subdivision, Canyon County Idaho was irrigated by me from the well on Lot 4 in the same subdivision in 1987. The buried mainline was placed by me between the two lots for this purpose.

Carlos L Post
Carlos L. Post

7-27-95
Date

Witness

7-27-95
Date

Please let me know if you need anything else on this matter

Joe Roberts

RECEIVED
AUG 0 4 1995
WATER RESOURCES
WESTERN REGION

MICROFILMED
JUN 2 4 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 63-31206

Priority: April 20,1995

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 11.7 AF

It is hereby certified that LANCE R HEROLD And/Or EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607 have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 20, 1995; and have submitted Proof of Beneficial Use on March 13, 2002. An examination indicates that the works have a diversion capacity of 0.08 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	03/01 to 11/15	0.08 CFS	11.7 AF

LOCATION OF POINT OF DIVERSION:
GROUND WATER L4 NW¼NW¼ Sec. 2, Twp 05N, Rge 03W, B.M., CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 03W 2						2.6											2.6
						L 4											

Total Acres: 2.6

CONDITIONS OF APPROVAL

1. Right 63-30229 is also diverted through the point of diversion described above.
2. Rights 63-30229 and 63-31206 when combined shall not exceed a total diversion rate of 0.08 cfs.
3. Point of diversion and place of use are located within Lot 4, Hill Ridge Estates.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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OCT 0 2 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 63-31206

5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 2ND day of AUGUST, 2002.

Acting for KARL J. DREHER
Director

MICROFILMED
OCT 0 2 2002

Form No. 217
6/00

FOR OFFICE USE ONLY
Amt. of Fee $: 50.00
Receipt No. C260623
Receipt By: DW
Date Receipted: 3-13-02

RECEIVED
MAR 13 2002
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-31206 Telephone No. 208-455-9671
2. Name of Permit Holder(s): Lance R. Herold & EVA Herold
3. Mailing Address: 14023 Oasis Road
   City Caldwell State ID Zip 83607
4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 10 / yr. 80
   Well Driller: Bill Doty Well Drilling Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
   Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
   Irrigation (No. of acres): 2.6 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.08 cfs **OR** _____ acre-feet
7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
   (*This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)*

   Measuring Device: Is a measuring device required? Yes ____ **or** No ✓
   Has the measuring device been installed? Yes ____ **or** No ✓
8. Fee Enclosed: $ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
   Name: Lance or EVA Herold Telephone Number: 208-455-9671
   Address: 14023 Oasis Road, Caldwell, ID 83607
10. ***The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.***

Signature of permit holder: Lance R Herold, Eva Herold Date: 3/12/2002
(include your title, if on behalf of company of organization)

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JUN 24 2002

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-31206

Priority: 04/20/1995 Maximum Diversion Rate: 0.08 CFS

This is to certify, that LANCE R HEROLD & EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 NW1/4NW1/4 Sec. 2, Twp 05N, Rge 03W, B.M.
CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 03W 2						2.6											2.6
						L4											

Total Acres: 2.6

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2002.**
2. Subject to all prior water rights.
3. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
4. This right does not authorize the irrigation of land not previously irrigated.
5. This right when combined with all other rights shall provide no more than 0.08 cfs nor more than 4.5 afa at the field headgate for irrigation of the land described above.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. Point of diversion and Place of Use are located within Lot 4, Hill Ridge Estates.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of March, 2002.

MICROFILMED
JUN 24 2002

for KARL J DREHER, Director

63-31806

11/99

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JAN 29 2001
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 2 2001
Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, JOSEPH W. ROBERTS, hereby assign to LANCE and/or EVA HEROLD
of, 14023 OASIS RD., CALDWELL, ID 83605 - 455-9671
(Full Address) (Phone)

All my right, title, and interest in and to Application for Permit No. _____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Application for Permit No. 63-12198 to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

.10 CFS & 5 ACRES IN (GOVT LOT 4) NW¼NW¼, SEC. 2, TWP. 5N, ROE. 3W. AKA LOT 4, HILL RIDGE ESTATES. PT. OF DIV. IN (GOVT LOT 4) NW¼NW¼, SEC. 2, TWP. 5N, ROE. 3W.

Made this 25 day of January, 2001.

Joseph W Roberts
Applicant(s)

State of Idaho)
)ss
County of Ada)

On this 25th day of January, 2001, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

BOBBI ST. JOHN NOTARY PUBLIC STATE OF IDAHO

Bobbi M. John
Notary Public residing at Boise, Idaho

SEAL

Bobbi St. John

My commission expires 2/22/06

MICROFILMED
JUN 2 6 2002

RECEIVED
MAR 28 2001
WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE THREE ALTERNATIVES BELOW

Name of Applicant: Lance Herold

Mailing Address: 14023 OASIS Road
Caldwell, ID 83607

Application No. (if known): 63-12198

____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

____ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature: Lance R Herold

Date: 3/27/01

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

MICROFILMED
JUN 24 2002

RECEIVED
SEP 25 1995
Department of Water Resources

Ident. No. **63-12198**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOSEPH W ROBERTS 208-459-2022
   Address: 15032 HOLLOW RD
   CALDWELL ID 83605

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: Lot4 (NWNW) Sec. 2, Township 05N, Range 03W
   CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.200		

5. Total quantity to be appropriated is:
   0.200 CFS (and/or) AF

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; period of
   year when water will be diverted to storage: to inclusive.
   c. Proposed well diameter is 6 inches; proposed depth of well is 284
   feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO
   e. If well is already drilled, when? 10/24/1980
   Drilling Firm BILL DOTY
   Well was drilled for CARL POST

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
05N	03W	2	Lot4 (NWNW)	10			10

Total number of acres irrigated: 10

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JUN 24 2002

Place of use updated 7/3/95

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:
Application does not propose irrigation of new acres.
Point of diversion within Lot 4, Hill Ridge Estates.
Place of use within Lots 4 & 6, Hill Ridge Estates.

11. Map of proposed point of diversion and place of use attached? [ ]

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.

X Joseph W. Roberts
Applicant

Received by CJH Date 4/20/95 Time 1700 Preliminary check by JR

Fee $ (50) ~~75.00~~ Receipted by CJH #W018993 Date 4/20/1995

Publication prepared by ST Date 8-8-95 Published in Press Tribune

Publication approved ST Date 9-5-95

MICROFILMED
JUN 24 2002

Comments: Date: 4/ 20/ 1995User-ID: RHOWERTO

Subject:
EXISTING SYSTEM

System existing prior to 1987 allows processing under moratorium. Well drilled in 1980 for Carl Post and system developed shortly after; attached ASCS photography (1987?) supports existing use.

Claim A63-30229 filed for domestic/stock uses, same well.

MICROFILMED
JUN 2 4 2002

63-12198

WE L DRILLER'S REPOR

State law requires that [illegible]port be filed with the Director, Departm[illegible]/ater Resources within 3 after the completion or abandonment of the well.

. WELL OWNER

Name CARL POST

Address CALDWELL

Owner's Permit No. _____

7. WATER LEVEL

Static water level 151 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____

. NATURE OF WORK

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

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
75		2

PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
8"	0'	1'	top soil		x
8"	1'	20'	sand with some clay layers		x
6"	20'	160'	clay with some sand layers		x
6"	160'	200'	sand & clay layers	x	
6"	200	240'	sand stone with some clay layers &		
			sand streaks		x
6"	240'	252'	sand stone	x	
6"	252'	254'	sand	x	
6"	254'	260'	sand stone	x	
6"	260'	261'	sand	x	
6"	261'	280'	sand stone	x	
6"	280'	284'	sand	x	

METHOD DRILLED

☐ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	6 inches +	2 feet	247' 2" feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
erforated? ☐ Yes ☒ No
low perforated? ☐ Factory ☐ Knife ☐ Torch
ize of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

ell screen installed? ☐ Yes ☒ No
nufacturer's name _____
ype _____ Model No. _____
meter ____ Slot size ____ Set from _____ feet to _____ feet
ameter ____ Slot size ____ Set from _____ feet to _____ feet
avel packed? ☐ Yes ☒ No ☐ Size of gravel _____
ced from _____ feet to _____ feet
face seal depth 20 Material used in seal: ☐ Cement grout
☒ Puddling clay ☐ Well cuttings
ling procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
hod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
cribe access port _____

10.
Work started 10-21-80 finished 10-24-80

CATION OF WELL

ch map location must agree with written location.

N
W E
S

Subdivision Name _____
Lot No. _____ Block No. _____
CANYON
WNW
¼ N.E. ¼ Sec. 2, T. 5 N/S, R. 3 E/W.

11. DRILLERS CERTIFICATION

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

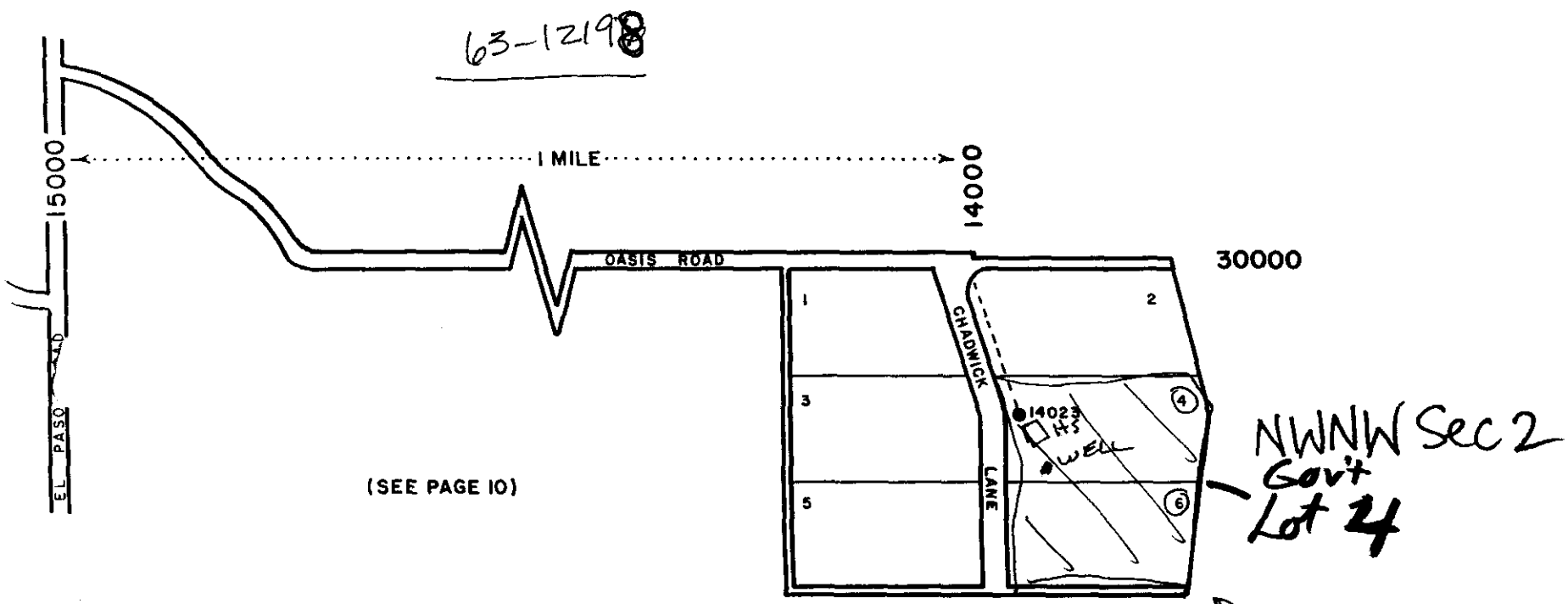
Firm Name BILL DOTY WELL DRILLING Firm No. 42
Address RT.#7-BX.-311 CALDWELL Date 12-11-80
Signed by (Firm Official) Bill Doty
and
(Operator) Bob Doty

MICROFILMED
JUN 24 2002

NOV 20
Department of Water Resources
Western Region Office

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

63-12198



NWNW Sec 2
Gov't Lot 4

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JUN 24 2002

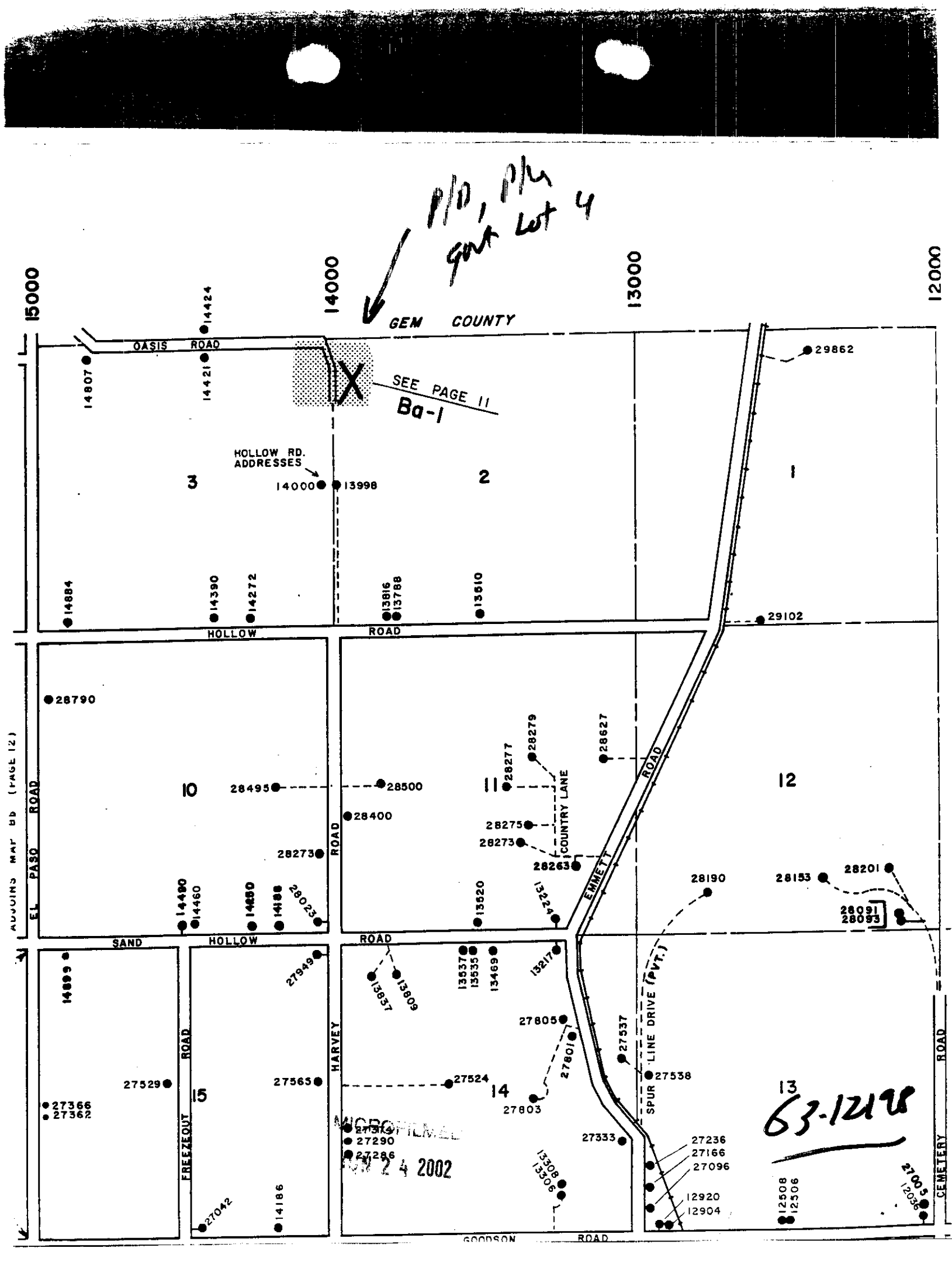
HILL RIDGE ESTATES

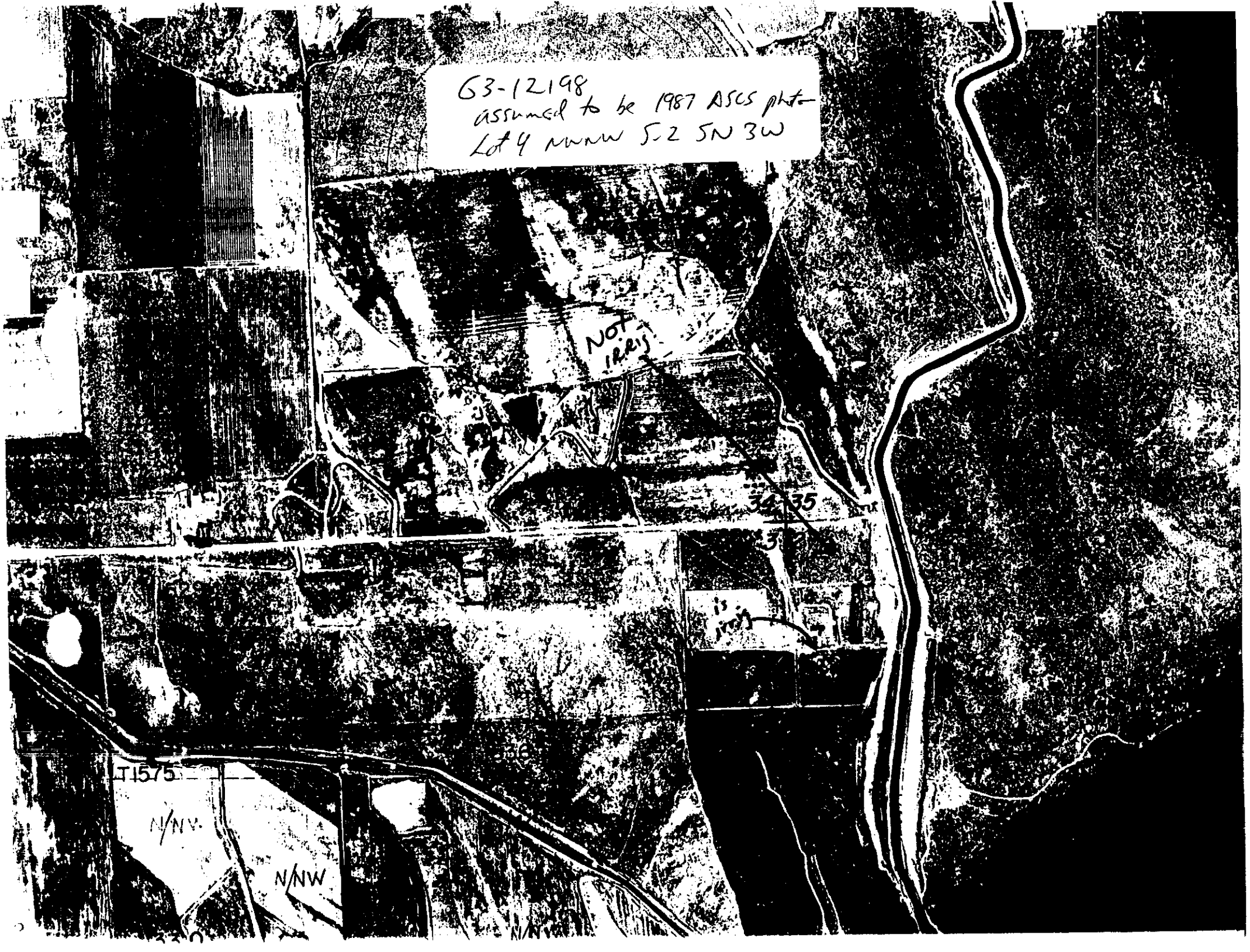
SECTIONS 2 & 3, T. 5N., R. 3W.

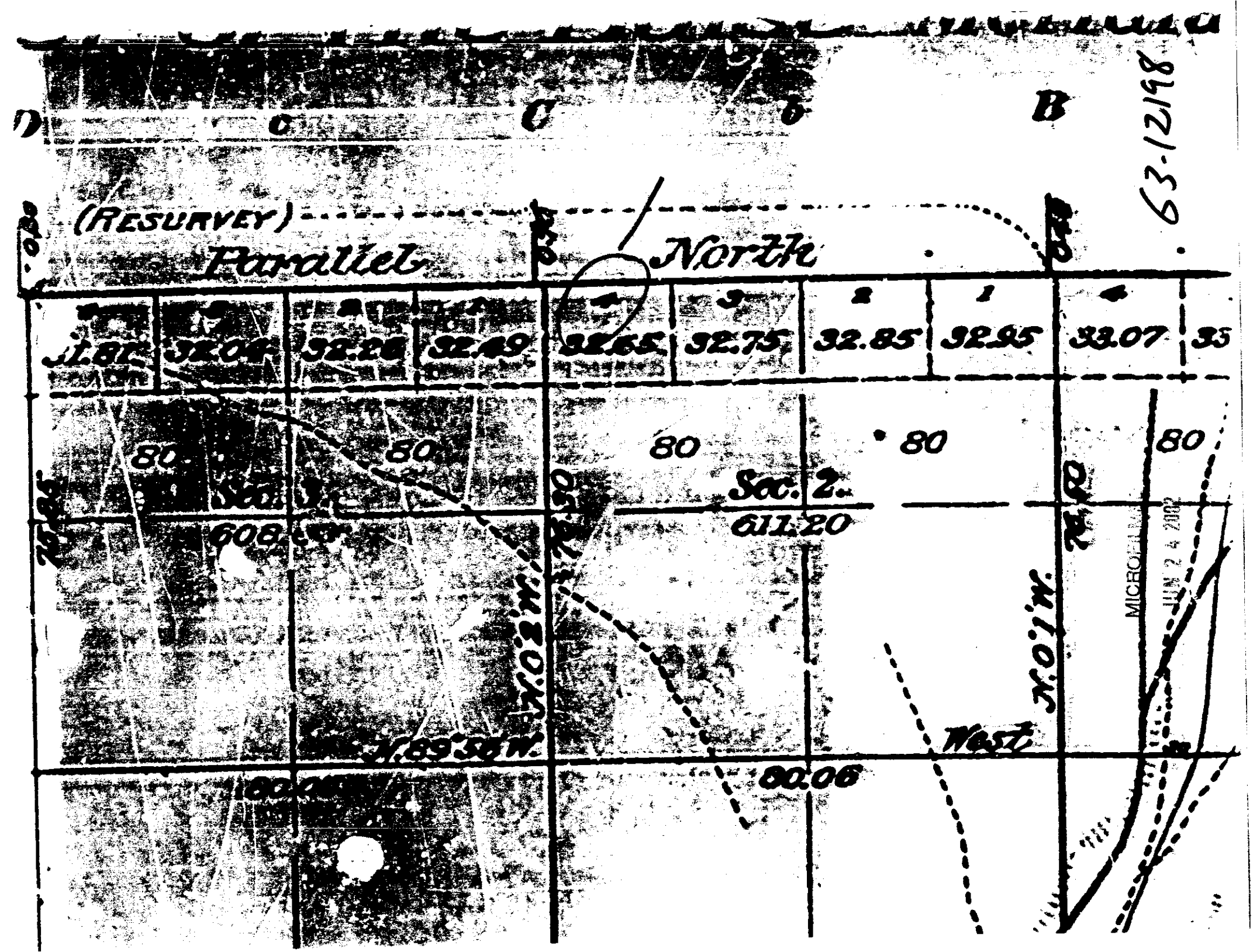
Carlen Post's affidavit of 7/27/95 states subd. Lot 6 irrig. by well in subd. Lot 4 in 1987 - this agrees with 1989 ASCS showing parcel south of homesite irrigated (by some water) but that considerable non-irrig. area found in subd. Lot 4.

- SL 8/18/95

Applicable: 5 Ac. in Lot 6
Delay: 5 Ac. in Lot 4
} of Hill Ridge Estates


P/O, P/L Gov't Lot 4
15000
14000
13000
12000
GEM COUNTY
OASIS ROAD
14424
14807
14421
SEE PAGE 11
Ba-1
HOLLOW RD. ADDRESSES
14000
13998
29862
29102
3
2
1
14884
14390
14272
13816
13788
13510
HOLLOW ROAD
28790
10
28495
28500
11
28277
28279
28627
12
28400
28275
28273
COUNTRY LANE
EMMETT ROAD
28263
28273
EL PASO ROAD
14480
14460
14480
14188
28023
13520
13224
28190
28153
28201
28091
28093
SAND HOLLOW ROAD
14889
27949
13837
13809
13537
13535
13469
13217
27805
27801
27537
SPUR LINE DRIVE (PVT.)
27538
27529
27565
HARVEY ROAD
27524
14
27803
15
27366
27362
FREEZEOUT ROAD
27042
14186
27333
27236
27166
27096
12920
12904
13308
13306
12508
12506
27005
12038
CEMETERY ROAD
GOODSON ROAD
63-1218
MICROFILMED
MAR 24 2002


63-12198
assumed to be 1987 ASCS plat
Lot 4 NWNW 5-2 5N 3W
NOT IRR
34
35
T15S
N/NW
N/NW


C
B
(RESURVEY)
Parallel
North
32.85
32.95
33.07
80
80
80
Sec. 2.
611.20
N.0°W.
West
80.06
63.12198

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2002

LANCE R HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

RE: License No. 63-31206 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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OCT 02 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31206

LANCE R HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

Kari Lynn Townsend
Secretary

MICROFILMED
OCT 0 2 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 0 2 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
OCT 02 2002

LICENSE REVIEW CHECKLIST

Permit No. 63-31206 Date: 7-29-02 Reviewer: Kay Walker

	Change/OK	
Name/Address	ok	
Source	ok	Does change clarify original intended source? If no, void permit.
Point of Diversion:	ok	Change (P39/P49) Add (P45/P44) Feds (P40)
		W32 (multiple in 1/4/1/4)
		W36 (overlap)
		W59 (subdivision description)
Place of Use	ok	Change (P41/P49) Add (P41/P44) Feds (P43)
		W60 (subdivision description)
		W27 (ppu acre limit) 30229
		Overlaps: Right(s): 63-~~30297~~
		File reviewed___ Profile reports printed ✓
		P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:
Permitted rate 0.08 cfs
Fee Limit 0.30 cfs
Measured ___ cfs
Theoretical 0.08 cfs

Recommended Total Diversion Rate 0.08

Water Uses ok Change (P46)

Season of Use per new Standards 3/1 11/15

	cfs	af
Irrigation	0.08	11.7
Stockwater	____	____
Domestic	____	____
_____	____	____
_____	____	____
Total	0.08	11.7

Irrigation - overlap(R58-R61, **R62-R65, R66-R69)**
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette – (W22/047/27A)
Stockwater for US (R37)

Volume Determination
0.08 cfs x 1.9835 x 260 days = _____ af (vs) 2.6 acres x 4.5 (FHR) = 11.7 af
3.5 (con)

Remarks: _____

Additional Conditions
____ Watermaster Control
____ GW Measurement/Measuring Device
____ Other
Trust R55 – remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? ____ yes ✓ If yes, explain why below.
✓ no

SRBA Claim? NO

Adjust memo ____

Amend Letters _____ **P87, S06** **Second Amendment Notice** _____ **S06**

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW		SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	63 31208	FRANCISCO ODIAGA,	GROUND WATER	05N03W2																	5
[redacted]																					

RECEIVED
JUL 22 2002
DEPARTMENT OF WATER RESOURCES

Permit No: 63-31206

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-31206
Exam Date: 7-8-2002

1. Current Owner: LANCE R HEROLD
14023 OASIS RD
CALDWELL ID 83607
(208) 455-9671

And/Or

EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607
(208) 455-9671

2. Accompanied by: LANCE R. HEROLD
Phone No: (208) 455-9671
Address: 14023 OASIS RD
Relationship to Permit Holder: OWNER

3. **SOURCE** **TRIBUTARY**
GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-30299 AND 63-31208
2. Other water rights with the same point of diversion: 63-30299 AND 63-31208

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER L4 NW1/4NW1/4 Sec. 2, Twp 05N, Rge 03W, B.M.
CANYON County

Method of Determination:

2.
PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 03W 2						2.6											2.6
						L 4											

Total Acres: 2.6

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OCT 02 2002

63-31206

Method of Determination:

3. __X__ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

__X__ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

__X__ Aerial Photo Attached (required for irrigation of 10+ acres).

__X__ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL	GOULDS	3 Hp	G9821543	GOULDS	G9821543

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

Flow measurements were made using a theoretical calculation, sprinkler test, and using the pump curve. All three tests show a diversion rate of 0.08 cfs from the pump.

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OCT 0 2 2002

63-31206

E. FLOW CALCULATIONS yes Additional Computation Sheets Attached

Measured Method:

Permit ➔ 0.08 cfs

Theoretical calculation ➔ 0.08 cfs

Sprinkler Test ➔ 0.08 cfs

Pump Curve ➔ 0.08 cfs

PLEASE NOTE: The applicant applied for 0.08 cfs and the capacity of the well is also 0.08 cfs. Therefore, I am recommending that this permit be licensed for 0.08 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

   $V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 2.6 acres X 4.5 afa = 11.7 afa

   $V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.08 cfs X 260 days X 1.9835 = 41.3 afa

   V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 11.7 afa

2. Volume Calculations for Other Uses:

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OCT 2 2 2002

G. NARRATIVE/REMARKS/COMMENTS

The well for this point of diversion is located in Government Lot 4 NWNW S2 T5N R3W between the shop and the old log cabin. The water is diverted into a small well house that diverts the water into 2 pressure tanks. The pressure tanks then deliver the water to the home and outbuildings and the mainline. The water in the mainline travels east along the southern border of the property. The water in the mainline is diverted through handlines that supply water to 8 to 10 sprinklers depending on the set.

63-30229 is a domestic right owned by the Herolds. This decreed right allows in-house use, stockwater, and irrigation of the lawn. When 63-30229 is combined with this permit the Herolds will be allowed to irrigate 3.1 acres of ground (2.6 acres for the pasture and 0.5 acres for the lawn). When combined 63-30229 and this permit should be limited to a total diversion rate of 0.08 cfs and 14 afa for irrigation use (3.1 acres X 4.5 afa = 14 afa). Water Right application 63-31208 and this permit were originally filed under a single water right application and recently split. 63-31208 originally used the same well to irrigate their property. However, the well no longer supplies water to the owner of 63-31208 and they are irrigating out their own well. 63-31208 is currently on processing hold, and if processing should ever resume then the issue of the combined well will need to be addressed with the owner of water right 63-31208.

I recommend that this permit be licensed for 0.08 cfs and 11.7 afa with the condition that when combined with water right 63-30229 the irrigation of 3.1 acres from this well be limited to 0.08 cfs and 14 afa.

Have conditions of permit approval been met? __X__Yes _____No

H. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.080 CFS	11.70 AF
	Totals:	0.080 CFS	11.7 AF

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

I. AUTHENTICATION DANIEL A. NELSON

Field Examiner's Name Daniel A. Nelson Date 7-16-02

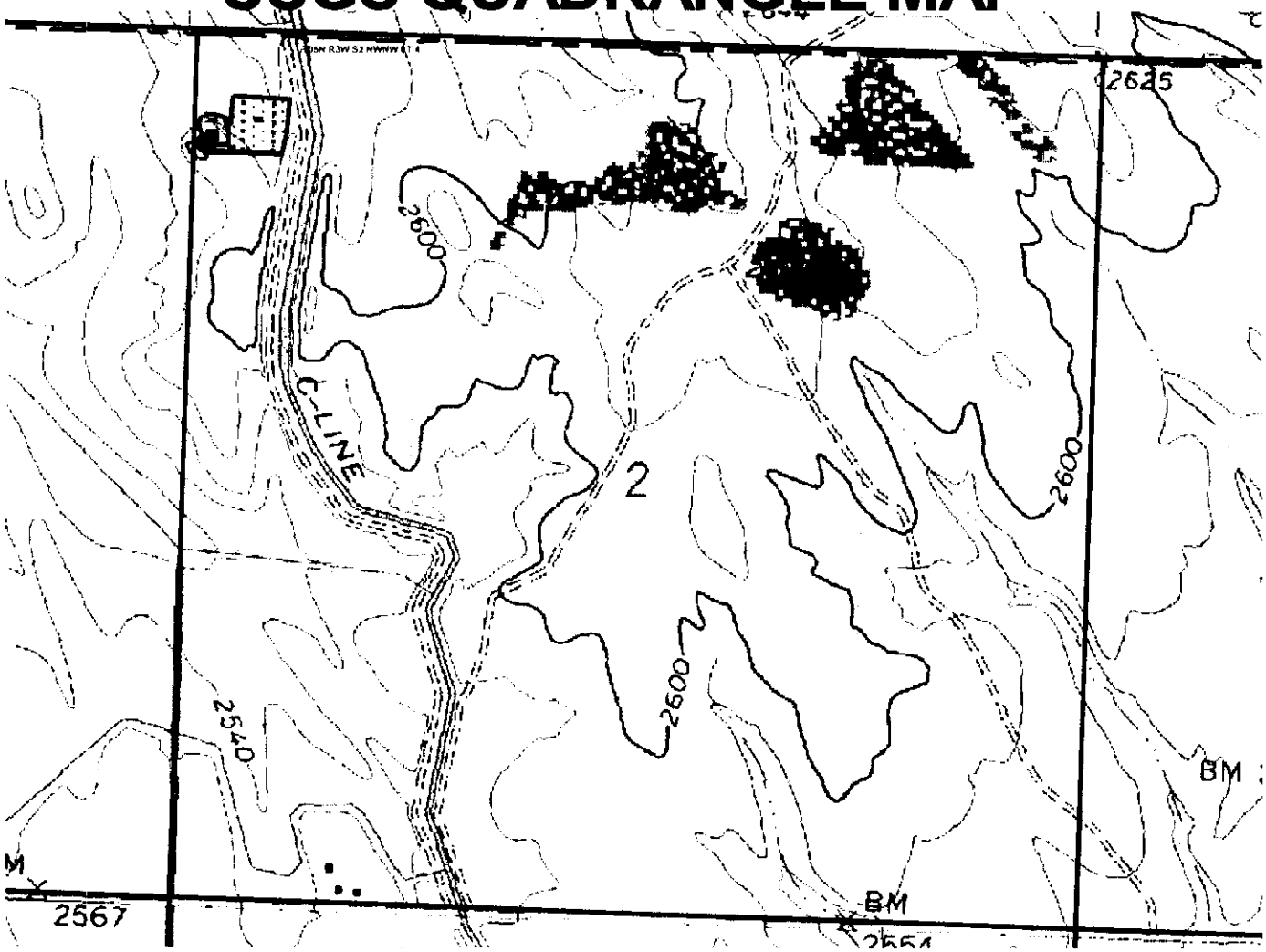
Reviewer _____ Date _____

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OCT 02 2002

63-31206

63-31206
SYSTEM DIAGRAM AND ACRES
BY DANIEL A. NELSON
USGS QUADRANGLE MAP



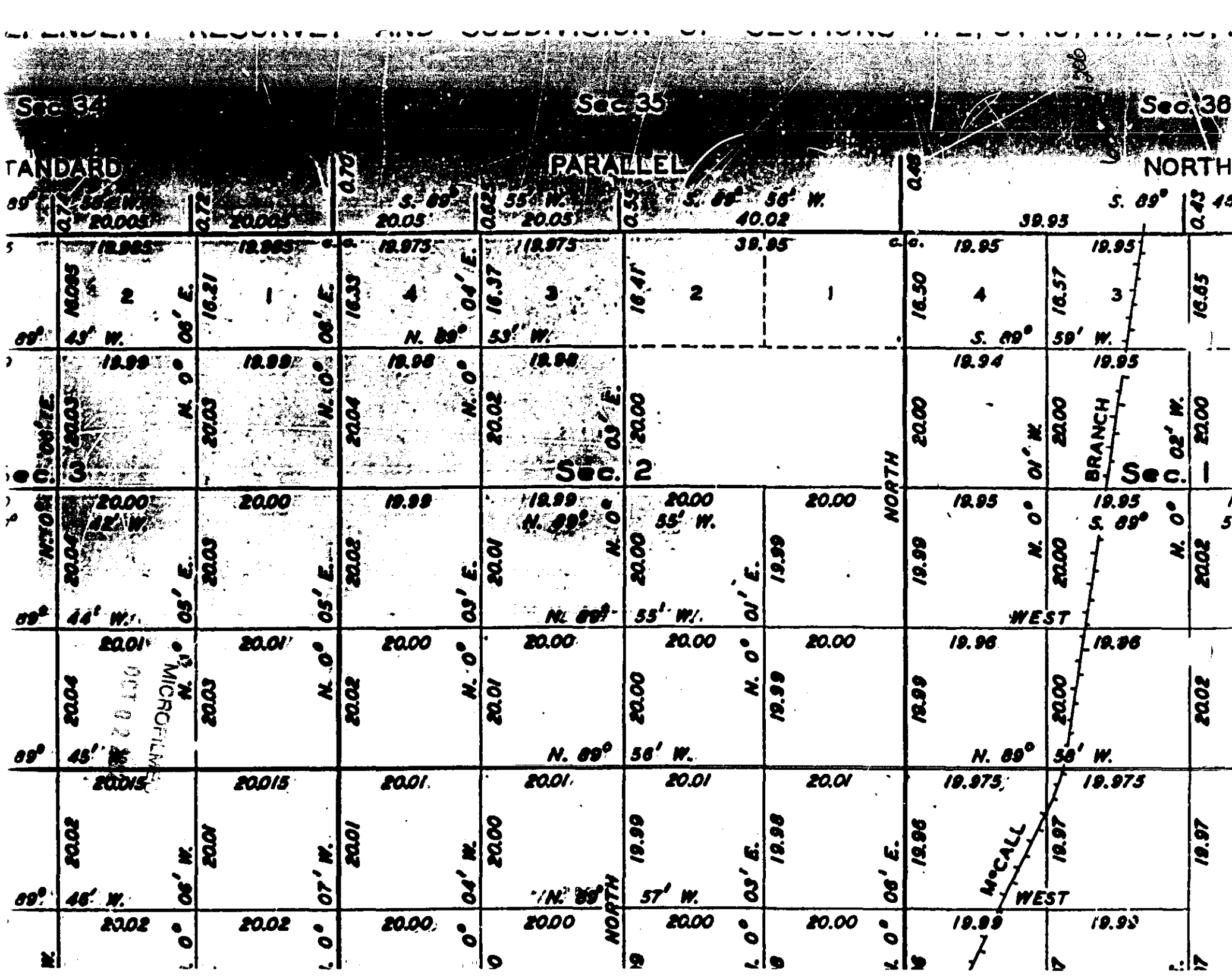
0.4 0 0.4 0.8 Miles

- WELL
- PLACE OF USE
- HAND LINES
- MAIN LINES
- LAND IRRIGATED UNDER 63-30229
- SECTION LINES
- 1/4 1/4 LINES

N
W E
S

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OCT 0 2 2002

63-31206


Sec. 34
Sec. 35
Sec. 36
STANDARD
PARALLEL
NORTH
Sec. 2
NORTH
BRANCH
McCALL
WEST
WEST
NORTH
MICROFILMED

63-31206
SYSTEM DIAGRAM AND ACRES
BY DANIEL A. NELSON
2000 AERIAL PHOTO



0.08 0 0.08 0.16 Miles

- WELL
- PLACE OF USE
- HAND LINES
- MAIN LINES
- LAND IRRIGATED UNDER 63-30229
- SECTION LINES
- 1/4 1/4 LINES

N
W E
S

MICROFILMED
OCT 3 3 2009

63-31206

GROUNDWATER THEORETICAL ANNALYSIS

FILE: 63-31206

DATE: 7-8-02

BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \text{ X } (HP) \text{ X } (EFF.)}{TDH}$

Q = CFS
HP = Total Brake Horsepower of pumping plant (including booster)
Eff. = Pumping plant efficiency (assume 70% or 0.70)
TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = Depth to water in FEET from land surface to pujping water level
PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \text{ X } (3 \text{ Hp}) \text{ X } (0.70)}{[(161) + (30 \text{ X } 2.31)]} = 0.08 \text{CFS}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
Measurement ( )	Measurement ( )	Motor Make, Serial or ID
Owner ( )	Owner ( )	
Area estimate (X)	Estimate ( )	Pump Make, Serial or ID, rating
Well Logs ( )	Owner Gage (X)	
	Booster (Y) (N)	

REMARKS: LIFT was calculated at 10 FT. ~~FEET~~ Below static.

SPRINKLERS were 5/32 SPRINKLERS at 30 psi. NOZZLES Rated at 4.01 gpm/NOZZLE

10 SPRINKLES X 4.01 gpm / 448.8 = 0.09 gpm.

Theoretical & SPRINKLER RATING is on line with WATER RIGHT at 0.08 CFS.

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OCT 02 2002

63-31206

GOULDS PUM.. 5

60 Hz High Capacity 4" Submersible Pumps

MODEL GS

33GS, 40GS, 55GS, 60GS, 75GS, 80GS



SPECIFICATIONS

Model	Flow Range GPM	Horsepower Range	Best Eff. GPM	Discharge Connection	Minimum Well Size	Rotation①
33GS	10 – 50	1 – 10	33	2"	4"	CCW
40GS	20 – 65	1½ – 7½	40	2"	4"	CCW
55GS	20 – 80	1½ – 10	55	2"	4"	CCW
60GS	40 – 80	1½ – 7½	60	2"	4"	CCW
75GS	40 – 100	3 – 10	75	2"	4"	CCW
80GS	50 – 120	3 – 7½	80	2"	4"	CCW

① Rotation is counterclockwise when observed from pump discharge end.

"GS" SERIES MATERIALS OF CONSTRUCTION

Part Name	Material
Discharge Head	AISI 303 SS
Check Valve Poppet	AISI 304 SS
Check Valve Seal/ Seat Assembly	BUNA, FDA compliant, AISI 304 SS
C.V. Retaining Ring	AISI 302 SS
Adapter Ring	AISI 302 SS
Bearing Spider	Glass Filled Engineered Composite
Upthrust Washer	AISI 304 SS, Powder Metal
Bearing	Urethane, FDA compliant
Shaft Retaining Ring	AISI 301 SS
Diffuser	Glass Filled Engineered Composite
Impeller	
Bowl	AISI 304 SS
Intermediate Sleeve②	AISI 304 SS, Powder Metal
Intermediate Shaft Coupling②	AISI 304 SS, Powder Metal
Intermediate Bearing Spider②	Glass Filled Engineered Composite
Intermediate Bearing Spider②	AISI 303 SS
Bearing	Urethane, FDA compliant
Shim	AISI 304 SS
Spacer	AISI 304 SS, Powder Metal
Screws – Cable Guard	AISI 304 SS
Motor Adapter	AISI 303 SS
Casing	AISI 304 SS
Shaft	
Coupling	AISI 304 SS, Powder Metal
Cable Guard	AISI 304 SS
Suction Screen	AISI 304 SS

① and ② – See Repair Part page for where used.

FEATURES

■ **Powered for Continuous Operation:** All ratings are within the working limits of the motor as recommended by the motor manufacturer. Pump can be operated continuously without damage to the motor.

■ **Field Serviceable:** Pump can be rebuilt in the field to like new condition with common tools and readily available spare parts. **NOTE: The Model GS has left hand casing threads.**

■ **Sand Resistant Construction:** Field proven over almost four decades, face clearance design and floating impellers for an extremely abrasion resistant configuration.

■ **Stainless Steel Metal Parts:** AISI types 302, 303 and 304 are corrosion resistant, non-toxic and non-leaching.

■ **FDA Compliant Non-Metallic Parts:** Impellers, diffusers and bearing spiders are constructed of a glass filled engineered composite. This material is corrosion resistant and non-toxic.

■ **Discharge Head:** Precision cast 303 stainless steel for superior strength and durability. Cast in loop for safety line.

■ **Motor Adapter:** Precision cast 303 stainless steel is extremely rigid for accurate alignment of liquid end to motor. Generous space for removal of motor mounting nuts with regular open-end wrench.

■ **Bowls:** Stainless steel for strength and abrasive resistance.

■ **Check Valve:** Built in check valve constructed of stainless steel and low compression, FDA compliant, BUNA rubber for excellent abrasive resistance and quiet, efficient operation.

■ **Stainless Steel Casing:** Polished stainless steel is attractive and durable in the most corrosive water.

■ **Hex Shaft Design:** Six sided shafts for positive impeller drive.

■ **Shaft Coupling:** Exposed for ease of field alignment to motor shaft and to check pump rotation.

■ **Upthrust Plate:** Factory installed, internal water lubricated thrust bearing to help prevent upthrust damage. Bearing protects internal components if pump is operated beyond maximum recommended capacity.

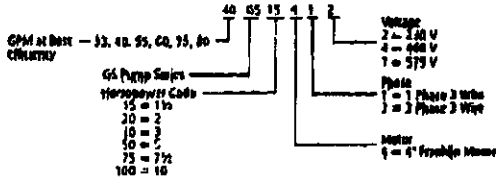
■ **Urethane Upper and Middle Bearings:** Fluted design for free passage of abrasives and excellent resistance to sand damage.

■ **Franklin Electric Motor:**

- Corrosion resistant stainless steel construction through 10 HP.
- Built-in surge arrestor is provided on single phase motors through 5 HP.
- Stainless steel splined shaft.
- Hermetically sealed windings.
- Replaceable motor lead assembly.
- UL 778 recognized.
- NEMA mounting dimensions.
- Control box is required with 3 wire single phase units.
- Three phase units require a magnetic starter with three leg protection. Magnetic starter and heaters must be ordered separately.

■ **Agency Listings:** All pump assemblies are UL778 and CSA listed and complies with ANSI/NSF std. 61. All 4" Franklin Electric Motors are UL778 recognized.

ORDER NUMBER CODE



AGENCY LISTINGS

Canadian Standards Association Classified ANSI/NSF 61-1992

Goulds Pumps is ISO 9001 Registered.

Goulds Pumps

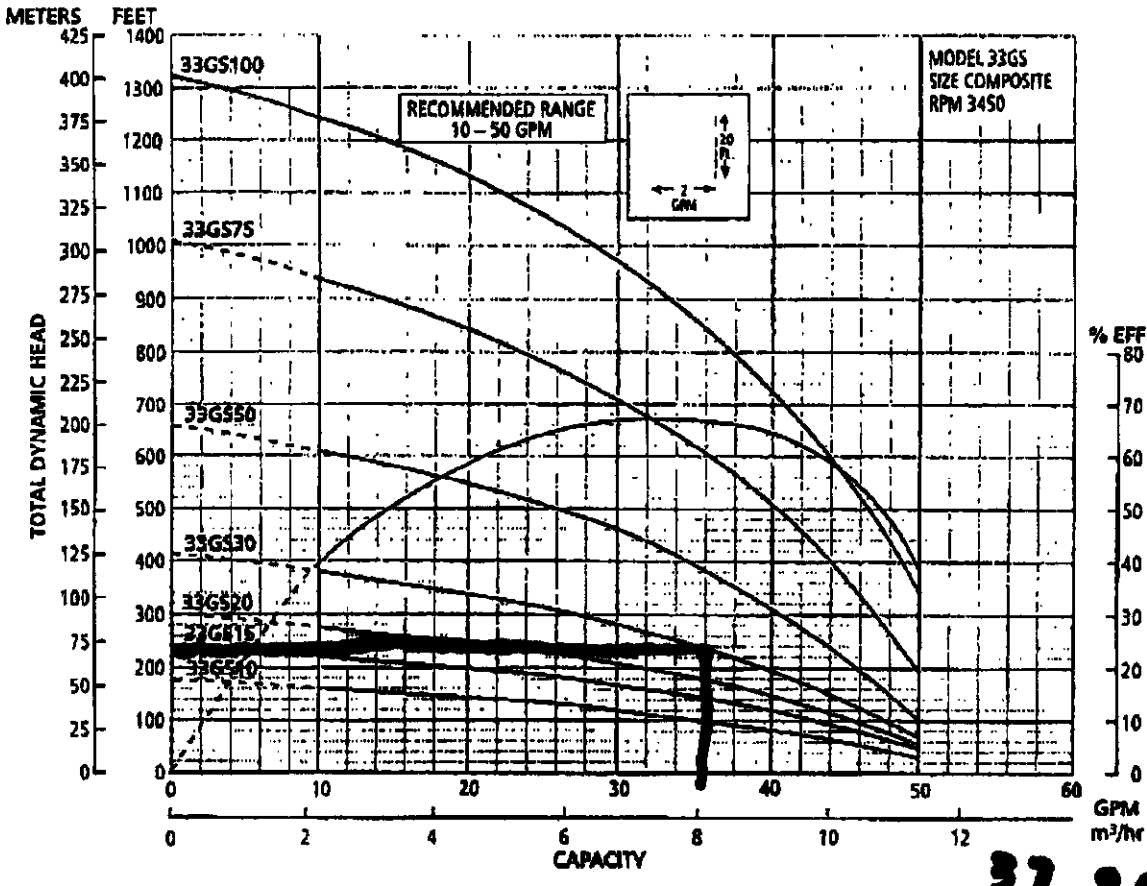
ITT Industries

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OCT 0 2 2002

63-312000

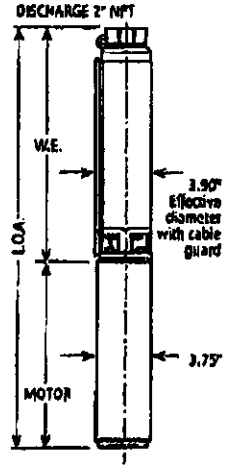
Model 33GS

GOULDS PUMPS



DIMENSIONS AND WEIGHTS

HP	Stages	W.E. Order No.	Motor Order No.	PH	Motor Volts	Motor Length	W.E.① Length	L.O.A.②	W.E. and Motor Weight
1	6	33GS10	S06940	1	230	8.5	14.2	23.7	32
			S06978	3	200	11.8	14.2	26	32
			S06970		230				
			S06975		460				
1¼	8	33GS15	S07940	1	230	13.6	16.6	30.2	37
			S07978	3	200	11.8	16.6	28.4	34
			S07970		230				
			S07975		460				
			S07979		575				
2	10	33GS20	S08940	1	230	15.1	19.1	34.2	40
			S08978	3	200	13.6	19.1	32.7	38
			S08970		230				
			S08975		460				
			S08979		575				
3	14	33GS30	S09940	1	230	19.1	24	43.1	54
			S09978	3	200	16.1	24	40.1	48
			S09970		230				
			S09975		460				
			S09979		575				
5	22	33GS50	S10940	1	230	28.2	35.2	63.4	83
			S10978	3	200	22.2	35.2	57.4	68
			S10970		230				
			S10975		460				
			S10979		575				
7½	34	33GS75	S119784	3	200	28.2	49.6	77.8	89
			S119704		230				
			S119754		460				
			S119794		575				
10	44	33GS100	S129724	3	460	30.4	61.9	92.3	100
			S129794		575				



NOTES:
For complete pump, order water end and motor.
① W.E. = water end or pump without motor.
② L.O.A. = length of assembly – complete pump – water end and motor.

37 gpm / 448.8 = 0.08 CFS

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OCT 02 2002

63-31200

Model 33GS

GOULDS PUMPS

SELECTION CHART

Horsepower Range 1 – 3, Recommended Range 10 – 50 GPM, 60 Hz, 3450 RPM

Pump Model	HP	PSI	Depth to Water in Feet/Ratings in GPM (Gallons per Minute)																										
			20	40	60	80	100	120	140	160	180	200	220	240	260	280	300	320	340	360	380	400	420	440	460	480	520	560	600
33GS10	1	0		48	45	41	36	30	22	11																			
		20	44	39	34	28	19																						
		30	39	33	27	17																							
		40	32	25	15																								
		50	24	14																									
		60	12																										
Shut-off PSI			57	58	50	41	32	24	15	6																			
33GS15	1½	0		50	48	46	43	40	37	32	26	19																	
		20	48	45	43	39	35	31	24	17																			
		30	45	42	39	35	30	23	15																				
		40	42	38	34	29	22	14																					
		50	38	33	28	21	12																						
		60	33	27	20	11																							
Shut-off PSI			95	86	78	69	60	52	43	34	26	17																	
33GS20	2	0			49	48	46	44	41	38	35	32	28	22															
		20	49	47	45	43	40	38	34	31	26	21	14																
		30	47	45	42	40	37	34	30	25	20	13																	
		40	44	42	40	37	33	29	24	19	11																		
		50	42	39	36	33	29	24	18																				
		60	39	36	32	28	23	16																					
Shut-off PSI			121	112	103	95	86	77	69	60	51	43	34	26															
33GS30	3	0				49	48	46	45	[illegible]	[illegible]	40	38	35	33	31	28	24	20	15									
		20	50	49	47	46	44	43	41	[illegible]	[illegible]	35	32	30	27	23	19	13											
		30	49	47	46	44	42	41	[illegible]	37	34	32	29	26	22	18	12												
		40	47	45	44	42	40	38	[illegible]	34	[illegible]	29	25	22	17	11													
		50	45	44	42	40	38	36	[illegible]	[illegible]	28	25	21	16															
		60	43	42	40	38	36	33	31	28	24	20	15																
Shut-off PSI			170	161	152	144	135	126	118	109	100	92	83	74	66	57	48	40	31	23									

Horsepower Range 5-10, Recommended Range 10 – 50 GPM, 60 Hz, 3450 RPM

Pump Model	HP	PSI	Depth to Water in Feet/Ratings in GPM (Gallons per Minute)																										
			50	100	150	200	250	300	350	400	450	500	550	600	650	700	750	800	850	900	950	1000	1050	1100	1150	1200	1250	1300	1350
33GS50	5	0		50	48	46	44	41	38	35	31	27	20	11															
		20	50	48	46	44	41	38	35	32	27	21	11																
		30	49	47	45	43	40	37	34	30	25	17																	
		40	48	46	44	41	39	36	32	27	21	12																	
		50	47	45	43	40	37	34	30	25	18																		
		60	46	44	42	39	36	32	28	22	13																		
Shut-off PSI			264	242	220	199	177	156	134	112	91	69	47	26															
33GS75	7½	0				50	48	47	46	44	42	40	38	36	33	31	27	23	19	14									
		20			50	49	47	46	44	42	41	38	36	34	31	28	24	19	14										
		30		50	49	48	46	45	43	42	40	37	35	32	29	26	22	17	12										
		40		50	49	47	46	44	43	41	39	36	34	31	28	24	20	15											
		50		49	48	47	45	43	42	40	38	35	33	30	26	22	17	12											
		60	50	49	47	46	44	43	41	39	37	34	31	28	24	20	15												
Shut-off PSI			415	393	371	350	328	306	285	263	241	220	198	176	155	133	111	90	68	47									
33GS100	10	0						50	49	49	48	47	46	44	43	42	40	38	36	34	31	28	24	21	17	14			
		20					50	50	49	48	47	46	44	43	42	40	38	36	34	31	28	25	21	18	14	10			
		30					50	49	48	47	46	45	44	42	41	39	37	35	33	30	27	23	20	16	12				
		40				50	50	49	48	47	46	45	43	42	40	38	36	34	31	28	25	21	18	14	10				
		50				50	49	48	47	46	45	44	43	41	39	37	35	33	30	27	23	20	16	12					
		60			50	50	49	48	47	46	45	43	42	40	39	37	34	32	29	25	22	18	14	10					
Shut-off PSI			550	528	506	485	463	441	420	398	377	355	333	312	290	268	247	225	203	182	160	138	117	95	73	52			

37 GPM.

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OCT 0 2 2002

63-31200

238(4)-1
5/93

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. **DRILLING PERMIT NO:** UNKNOWN **OTHER APPLICABLE NO:** 63-31206

2. **OWNER:** Lance R. Herold Phone: 4-20-1995
Address: 14023 OASIS RD., Caldwell, ID. 83607 LT. 4

3. **WELL LOCATION:** Twp 5N, Rge. 3W, Sec. 2, NW 1/4 NW 1/4
County Canyon (Provide sketch map and photo on reverse.)

4. **DRILLER:** Bill Doty Well Drilling Lic. No. 42
When Drilled? 10-24-1980

5. **WELL CONSTRUCTION:**
Casing Diameter 6 inches Water tight cap? [X] Yes [ ] No Access Port: [ ] Yes [X] No
Casing ≥ 12 inches above ground? [X] Yes [ ] No - Describe
Depth of Casing UNKNOWN ft. Method Drilled UNKNOWN
Condition of Well Casing: [X] Good [ ] Fair [ ] Poor Describe
Control Valve? [X] Yes [ ] No Pressure Gauge: [X] Yes [ ] No
Condition of Piping and Valving GOOD
Auger to a depth of — 0 — ft. Evidence of Annular Seal [ ] Yes [X] No
Are there obvious constuction problems that may be a source for contamination or waste of water?
[ ] Yes [X] No (Describe in Remarks and Attach Photo - On Reverse)

6. **HYDROLOGIC INFORMATION:**
Depth to Static Water UNKNOWN ft. Water Temperature UNKNOWN °F
Flowing Artesian [ ] Yes [X] No Pressure: UNKNOWN (psi)
Water Sample Taken? [ ] Yes [X] No If yes, describe purpose
Water Quality Measurements/Observations (Describe)

7. **WELL USE:**

[X] Domestic	[X] Irrigation	[ ] Stock
[ ] Test	[ ] Municipal	[ ] Industrial
[ ] Abandoned	[ ] Waste Disposal/Injection	[ ] Not Used
[ ] Other:		

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OCT 0 2 2002

63-31206

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? [ ] Yes [X] No

If yes, is there a check-valve present? [X] Yes [ ] No

Is there a possible source of contamination nearby? [ ] Yes [X] No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** This well looks to be Good condition.

Daniel A. Nelson - Senior Agent — 7-8-02

Signature of Dept. Representative & Title — Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

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OCT 22 2002

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. 63-31206





These are photos of the well. There is an old well on site that has never been used. The old well has a sealed casing & cap and it's ~~above~~ 12" above ground, but it is not connected to power. The new well is the only well used. It was drilled pre-1986

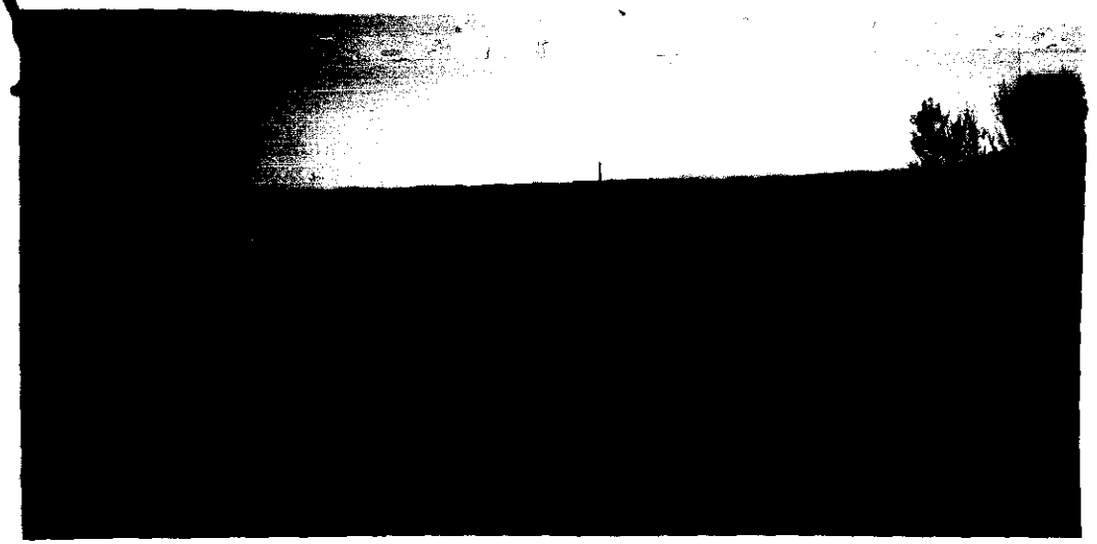
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OCT 0 2 2002

63-31206

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. AND LEGAL DESCR. 63-31206 7-8.02





These are PHOTO'S OF THE MAINLINE and SPRINKLERS

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. 63-31206 7-8-02



These are Photos of the SPRINKLERS and MAINLINE



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OCT 02 2002

63-31206

MICROFILMED
2007 2 4 003

PHOTOGRAPHER AND DATE OF PHOTOS Daniel A. Nelson

FILE NO. AND LEGAL DESCR. 63-31206 7-B-02



These are Photo's OF The YARD That are Covered under Domestic water Right 63-30229

FIELD NOTES

PERMIT NUMBER 63-30229

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

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OCT 0 2 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-30229

WATER RIGHT NUMBER: 63-30229

Owner Type	Name and Address
Current Owner	EVA HEROLD 14023 OASIS RD CALDWELL, ID 83607 (208) 455-9671
Original Owner	JOSEPH W ROBERTS 15032 HOLLOW RD CALDWELL, ID 83605 (208)459-2022
Current Owner	LANCE R HEROLD 14023 OASIS RD CALDWELL, ID 83607 (208) 455-9671

Priority Date: 10/24/1980

Basis: Decreed

Status: Active

[redacted]

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	Total Diversion:	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 2, Twp 05N, Rge 03W, B.M.

CANYON County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03W	2						X											

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03W	2						X											

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OCT 0 2 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-30229

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 8R036350000040 STOCKWATER, 15 RANGE CATTLE, 5 HORSES PROPERTY ALSO KNOWN AS LOTS 4 & 6 HILL RIDGE ESTATES.

Comments:

1. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

2. cbridge 7/31/2001 Ownership Change
Comment: Ownership changed to Herolds on Adjudication Recommendation after PD issued, therefore current owners were updated on the water right. Water right applies to Lot 4, Hill Ridge Estates.

Dates and Other Information:

Licensed Date:
Decreed Date: 5/26/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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OCT 22 2002



Form 238 1-78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

7

1. WELL OWNER

Name CARL POST

Address CALDWELL

Owner's Permit No.

2. NATURE OF WORK

[X] New well [ ] Deepened [ ] Replacement
[ ] Abandoned (describe method of abandoning)

3. PROPOSED USE

[X] Domestic [ ] Irrigation [ ] Test [ ] Municipal
[ ] Industrial [ ] Stock [ ] Waste Disposal or Injection
[ ] Other (specify type)

4. METHOD DRILLED

[X] Rotary [X] Air [ ] Hydraulic [ ] Reverse rotary
[ ] Cable [ ] Dug [ ] Other

5. WELL CONSTRUCTION

Casing schedule: [X] Steel [ ] Concrete [ ] Other

Thickness		Diameter		From		To	
.250	inches	6	inches	+ 2	feet	247' 2"	feet
	inches		inches		feet		feet
	inches		inches		feet		feet
	inches		inches		feet		feet

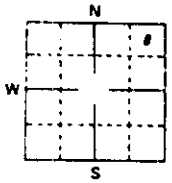
Was casing drive shoe used? [X] Yes [ ] No
Was a packer or seal used? [ ] Yes [X] No
Perforated? [ ] Yes [X] No
How perforated? [ ] Factory [ ] Knife [ ] Torch
Size of perforation inches by inches

Number		From	To
	perforations	feet	feet
	perforations	feet	feet
	perforations	feet	feet

Well screen installed? [ ] Yes [X] No
Manufacturer's name
Type Model No.
Diameter Slot size Set from feet to feet
Diameter Slot size Set from feet to feet
Gravel packed? [ ] Yes [X] No [ ] Size of gravel
Placed from feet to feet
Surface seal depth 20 Material used in seal: [ ] Cement grout [X] Puddling clay [ ] Well cuttings
Sealing procedure used: [ ] Slurry pit [ ] Temp. surface casing [X] Overbore to seal depth
Method of joining casing: [ ] Threaded [X] Welded [ ] Solvent Weld [ ] Cemented between strata
Describe access port

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name
Lot No. Block No.
County CANYON
N.E. ¼ N.E. ¼ Sec. 2 T 5 N R. 3 [X] W.

7 WATER LEVEL

Static water level 151 feet below land surface
Flowing? [ ] Yes [X] No G P M flow
Artesian closed in pressure p s i
Controlled by [ ] Valve [ ] Cap [ ] Plug
Temperature °F Quality

8 WELL TEST DATA

[ ] Pump [ ] Bailer [X] Air [ ] Other

Discharge G P M	Pumping Level	Hours Pumped
75		2

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
8"	0'	1'	top soil		X
8"	1'	20'	sand with some clay layers		X
6"	20'	160'	clay with some sand layers		X
6"	160'	200'	sand & clay layers	X	
6"	200	240'	sand stone with some clay layers & sand streaks		X
6"	240'	252'	sand stone	X	
6"	252'	254'	sand	X	
6"	254'	260'	sand stone	X	
6"	260'	261'	sand	X	
6"	261'	280'	sand stone	X	
6"	280'	284'	sand	X	

OCT 6 [illegible]
Water [illegible]

10.

Work started 10-21-80 finished 10-24-80

11. DRILLERS CERTIFICATION

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

Firm Name BILL DOTY WELL DRILLING Firm No. 42

Address RT.#7-BX.-311 CALDWELL Date 12-11-80

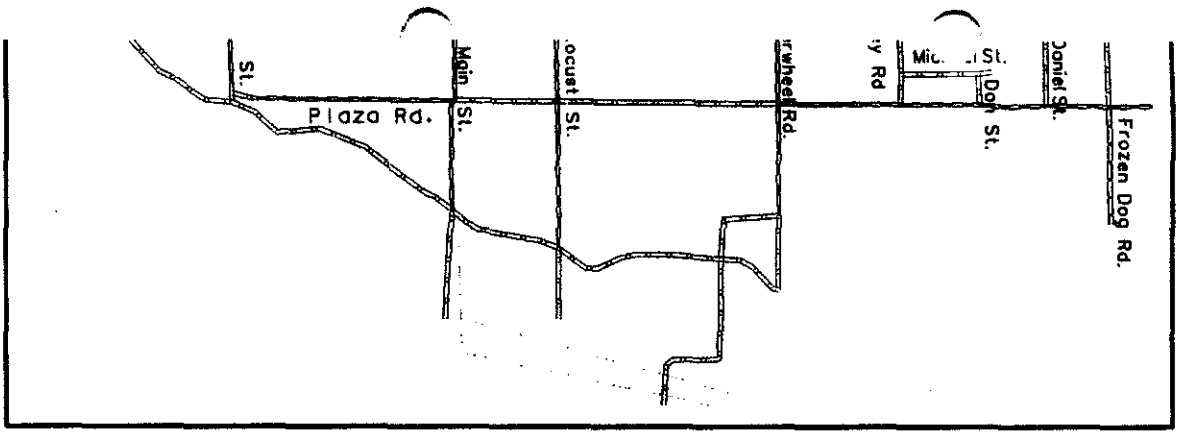
Signed by (Firm Official) Bill Doty

and

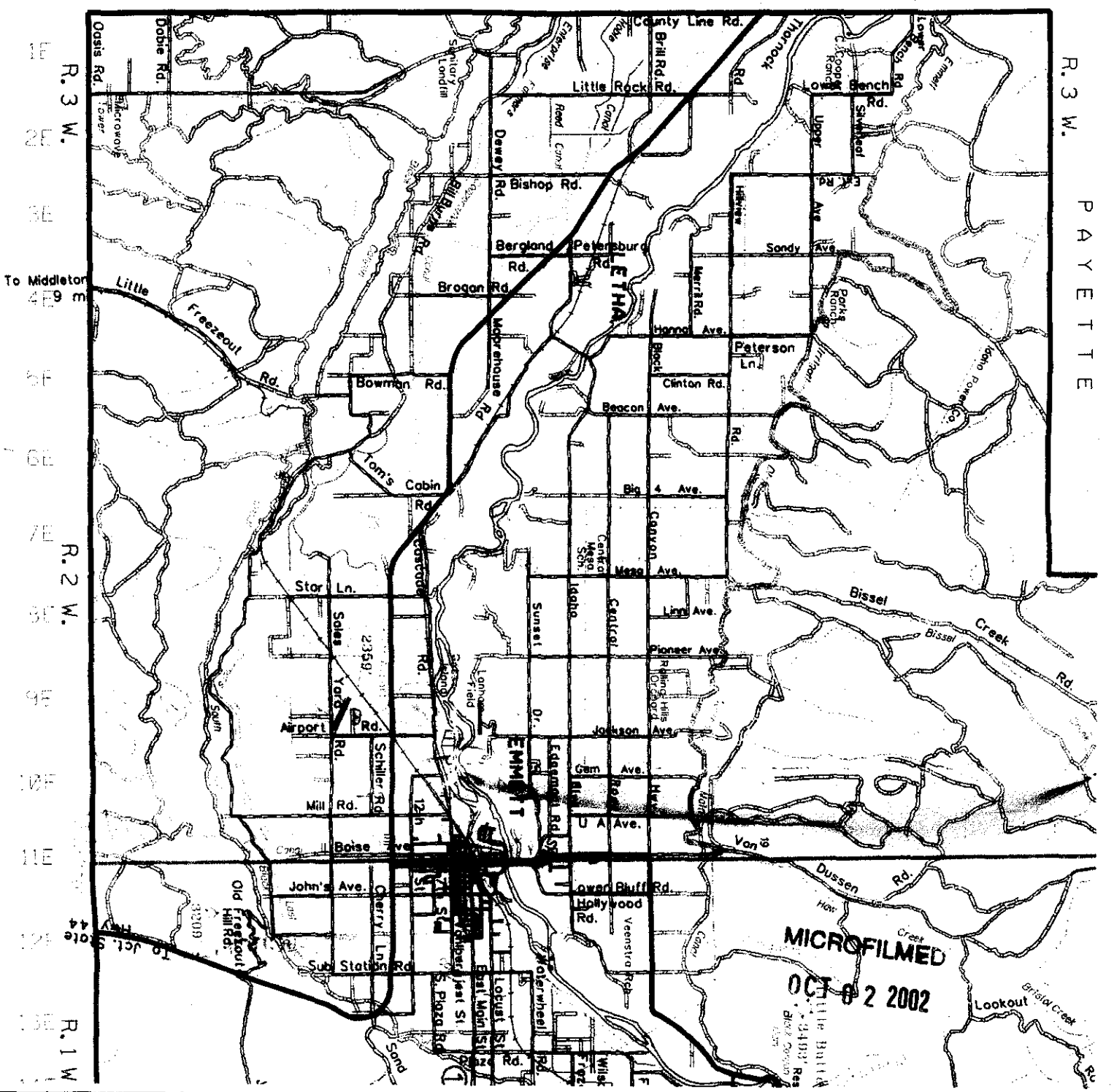
(Operator) Bill Doty

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

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OCT 02 2002



PAYETTE COUNTY



MICROFILMED
OCT 0 2 2002

NO Evidence of
Bondonite

3FT above 448.8 (51.5 gpm
.115 CFS.

GROUND

WATER TIGHT CAP

5.15 gpm

,5

50gpm

.11CFS

3 HP. PUMP
40 00 600FT

30 PSI 3HP

336S30 pump

Code 6782 1543

MICROFILMED
OCT 0 2 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

April 5, 2002

LANCE R HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-31206

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office (w/encl.)

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JUN 2 4 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31206 Reviewed By: dgibson Date: April 4, 2002

	Yes	No		Yes	No
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	W018993, C060623		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		03/13/2002
Date proof due	-	06/15/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	04/20/1995
New priority date	=	04/20/1995

Deficiencies of Actions Items

Acknowledge proof.

MEMORANDUM

TO: FILE 63-31206

FROM: VAULT DATE: 3/22/2002

RE: VIDEO TAPE

The video tape for the application for permit for water right 63-31206 is located in the hearing tape drawer in the vault.

Contacts:

Lance and Eva Herold
14023 Oasis Road
Caldwell, Id 83607

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JUN 2 4 2002

State of Id. .o
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

LANCE R HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

RE: Permit No. 63-31206

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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MAR 2 - 2002

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 2 4 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31206

LANCE R HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83607

Kari Lynn Townsend
Secretary

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JUN 24 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by ~~Sharla Curtis~~ on CBC

No. 63-31206 Name: LANGE & ESHA HEROD Corp. Officers _____ Ad ok ✓ Govt Lots 4

AREA OF CONCERN: ~~N~~/Yes DROUGHT Moratorium N/A GWMA ~~TRUST/NON-TRUST~~
BASIN 63 (PRE-1987)

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT
- All wells - 046(P23) EXISTING
- Basin 34 - 084 (if necessary)
- Irr. w/in WD - P05
- WMD - North/East/West
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 067
- ~~WMD~~
- Supp irr (irr = only use) - 065-104
- Supp irr (+ other uses) - 100-105
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 01M

SURFACE WATER: (✓Flow Chart)
- F&G contacted - Yes/No Response _____
- In/Above MSF - WB9
- PLANNING REVIEW/RESPONSE _____
- In-stream development - P52
- WD - R04 (WD# _____)
- ≤ 0.20 cfs/others - 01H(P01), 01P or No MD
- > 0.20 cfs - 01J(P08)

SPRINGS/SINK; INACTIVE WD & REST OF STATE
- ≤ 0.24 cfs/5 acres - No MD
- >0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)
- Snake R (01) - W22(P04), N/A
- (02,03) - 007 (w/ remark WB9 if above Weiser)
- Payette R (65) - 047(P04) (Payette Lake)
- Salmon R (70's) - 029 (fish screens)
- Weiser R (67) - 086-087

LOCATION:
- Boise Front LoGeo - 058 (<85 GW)
- ~~Mitigation~~ - ~~121~~
- 42-248 Area - P84
- Swan Falls Flag - _____
- Trust - 051(P74) (consumptive uses)
- Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:
- STORAGE - 18A-01H(P01),01P-18B(P09)-NA
- ~~IRR ≤ 5 ac~~ - R66/R67/R68/R69 (0.03 cfs/ac)
- > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
- STOCKWATER - R37 (BLM/USFS)
- MINING - 054-106(P10)
- FISH PROP - 029(70'S only)-007-042-106 (P10)
- HEAT/COOL - R07(injection well)
- FIRE PROT. - 077

USES:
- POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
- MUNICIPAL
- Restricted area - 022,075
- Irr., GW supp to SW - 102
- DOMESTIC
- Surface water - WB5 (Big Wood or Boise above Star Bridge) 27A (Payette R)
- >1 in restricted area - 070-071-075(no parks/common areas, etc)
- Irr use listed separate - WB5
- Moratorium approvable - W03 (2500 gpd – meets domestic definition i.e. D/convenience store)

BENEFICIAL USE DUE: 7 / 01 / 02

MISC CONDITIONS/REMARKS:
- Protested - 020-W19
- Development Period
- ≤ 1 yr - P16
- > 1 yr - 26A(P17)
- Ownership - 004
- Non-consumptive - 027
- Water Quality - 106-R07

- Multiple pd's per ¼¼ - W32
- ~~Split Int. (GW)~~ - ~~W39~~
- ~~Split Int. (SW)~~ - ~~W40~~
- Use definitions - W02 example – S/50 range
- ~~Pre-1987 development~~ - ~~068-074~~(allow 120 days for proof due)
- Single p/d intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map) IRR VOLUME/ACRE 3.5/4.5

OTHER CONDITIONS/REMARKS LOT 4 OF HILL RIDGE ESTATES

COMMENTS SHAPEFILE CREATED.

MEMORANDUM

To: File 63-31206

From: Cynthia Bridge Clark

Date: March 6, 2002

Re: Telephone Conversation

I spoke with Lance and Eva Herold to explain the status of their application. I explained my review findings, and noted that the proposed permit was being forwarded for final review and signing. I also explained that the permit would be issued as a preliminary order so he would have the opportunity to comment within the defined period. The Herolds were reminded that irrigation of a total of 3.1 acres would be covered on the property under both domestic use right 63-30229 and permit no. 63-31206 for 0.5 acres and 2.6 acres respectively. Finally, I pointed out that proof of beneficial use must be submitted by the date defined on the permit (7/1/02). I noted that this date is typically 120 days after the permit is issued for those permits approved based on pre-1987 development.

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MEMORANDUM

To: File 63-31206

From: Cynthia Bridge Clark CBC

Date: February 13, 2002

Re: Office visit, supplemental documentation, and application review

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Eva and Lance Herold visited the office today to submit additional information documenting pre-1987 development of water use on their property. In previous correspondence I indicated that 2.4 acres of their 5-acre parcel of land could be approved for irrigation under their application for permit based on available documentation of pre-1987 development. The Herold's brought current photographs and video footage of the property to demonstrate that additional land was irrigated and developed prior to 1987.

The following outlines the history of water use on the property corresponding to the above referenced application (Lot 4 of the Hill Ridge Estates), as well as recommendations for approval of the permit. Review is based on discussions with the Herolds, the original applicant, Joseph Roberts, and information available in the file (see also Review Memorandum dated June 21, 2001).

- Ownership: Carlos Post owned Lot 4 in 1980 through at least 1987. The property was later purchased by Mr. Joseph Roberts who filed an application for permit for a water right on April 20, 1995 for irrigation of Lots 4 and 6 of the Hill Ridge Estates. The Herolds purchased Lot 4 in 2000, and the Department received an Assignment of Application for Permit on January 29, 2001.

- Property: Lot 4 consists of a House surrounded by lawn and trees in the Southwest corner of the lot, a corral that is not irrigated in the Northwest corner, pasture in the center of the property, and several rows of trees including pine and poplar on the eastern portion of the developed lot. To the east of the trees, there is a utilities and irrigation easement with a steep berm paralleling the Black Canyon Irrigation District canal. Part of Lot 4 appears to be located to the east of the canal and is not accessed by the Herolds. The Herolds stated that the house was built in 1977.

- Irrigation System: The existing well was drilled in 1980 by Carlos Post. The Herolds noted that it was a replacement and the original well was abandoned. The Herolds and Mr. Roberts reported that the existing irrigation system was installed by Posts in 1980. Documentation shows that there is a buried irrigation mainline on Lot 4 running east west parallel to the property line between Lots 4 and 6. The mainline includes four outlets from which irrigation lateral lines are attached for service of the entire property. The Herolds noted that the original piping for the lateral lines was acquired with the property and are still used today.

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- Development: Affidavits from Mr. Post were submitted by both Joseph Roberts and the Herolds stating that Lots 4 and 6 were both irrigated, trees and pasture had been planted, and the irrigation system installed prior to 1987. Both parties also noted that the Posts planted rows of trees on the eastern portion of the lot to support a tree farm.

  FSA Aerial photography from 1984, 1985, and 1986, as well as infrared photography for the years of 1980, 1983, 1987, 1994 and 2000 were used during review. The later two were used only for the purpose of comparison. Though land around the house on the western portion of the property was irrigated consistently, the total amount of irrigated land appears to have varied distinctly during the years represented in the photographs. The applicants were notified in correspondence dated June 20, 2001, that a total of 2.4 acres was determined to have been developed prior to 1987. This included area around the house and land clearly irrigated in the 1987 NAPP photography.

  The applicants expressed concern that the areas identified did not include all of the area developed for the tree farm or the meadow used for pasture in the center of the property. Additional information was submitted during an office visit by the applicants on February 13, 2002. The documentation included current photography, a 1996 and 2002 video of the property, and a plat map identifying the locations of the lateral connections along the mainline for the irrigation system. The applicants pointed out that the size of the pine and poplar trees planted for the tree farm documents that activity was taking place under the Posts ownership prior to 1987. They also noted that the youngest trees line the eastern portion of the tree farm, but that they were told that the Posts began planting trees in 1979.

  The documentation identifies the layout of the irrigation system with two of the lateral connections adjacent to the treed area, one adjacent to the center of the pasture, and one in the corner of the lawn surrounding the house. The applicants suggested that the system was arranged to specifically provide irrigation water to the meadow and treed areas. The Herolds also stated that the Posts designed the system to provide for an agreement with the owner of the Lot 6 to irrigate the adjacent pasture for the Post's stock.

  The Herolds noted that the road on the west side of the property was not constructed as shown on the plat, therefore the lengths of the property boundaries do not correspond to the boundaries identified on the aerial photography.

- Review and Recommendations:

  The existing pine trees do appear to be very well developed in the provided photographs and video. I was unable to verify the time of year the FSA photographs were flown, and the trees are not identifiable in any of these aerial photographs. Some of the land east of the notably developed trees in the 1987 photography does not appear to be irrigated. However, recent aerial photography from 1994 and 2000 indicates the trees are situated much closer to the berm than was identified in the 1987 photography. The Herolds verified that the eastern most trees are the youngest, therefore it is possible that the trees were recently planted, small and less identifiable in 1987. Based on discussions, additional documentation and further clarification of the development of the trees, particularly in the area adjacent to the berm,

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more land appears to have been developed than was previously accounted for in the 2.4 acres.

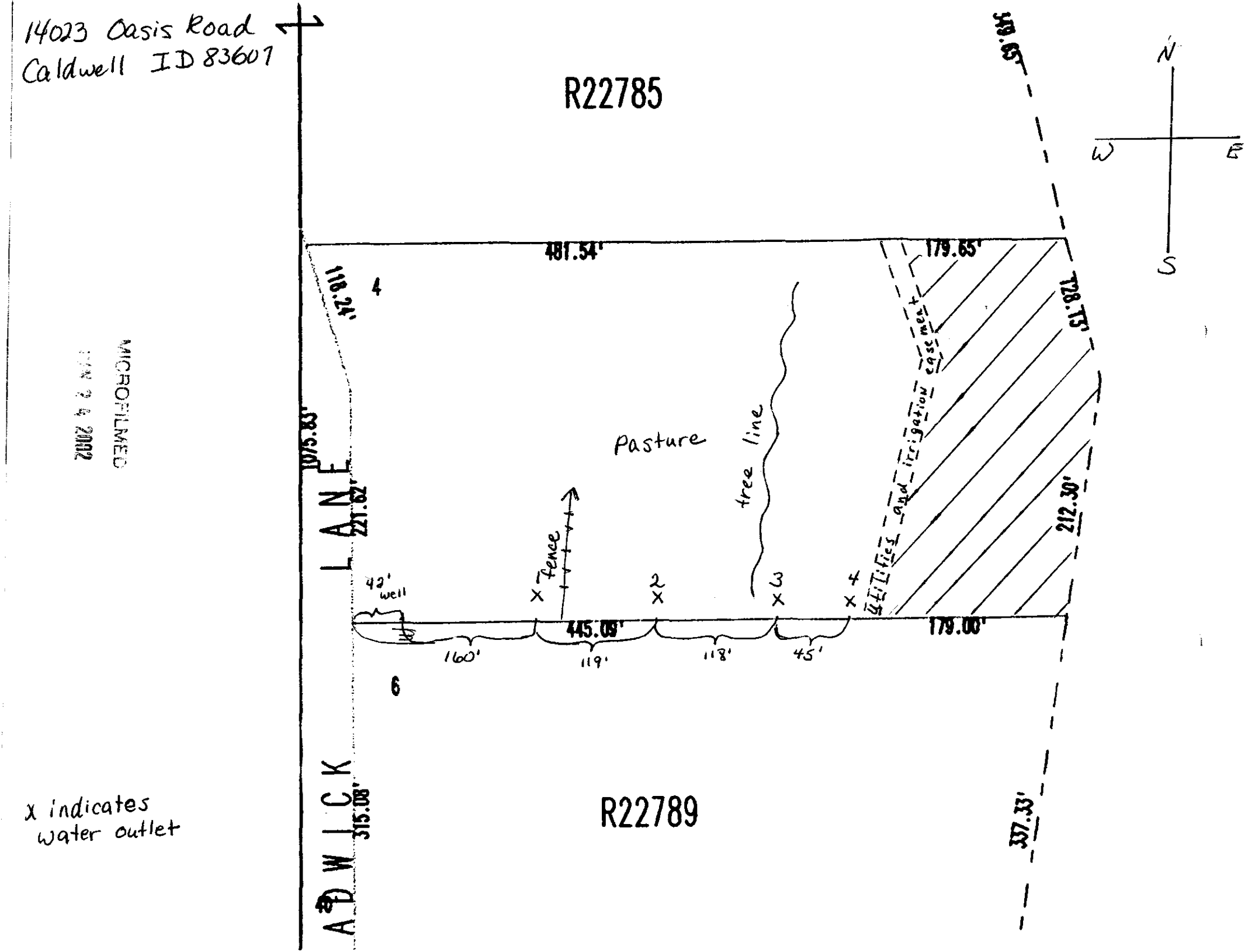
Part of the pasture area in the center of the property is green in some of the FSA photographs, however it is difficult to determine whether it was actually being irrigated. The layout of the irrigation system does imply, however, that it was designed to support irrigation of the meadow. Further review of the area around the house and the treed area indicates that a total of approximately 3.1 acres was irrigated prior to 1987, however there is insufficient information to document development of the entire pasture area.

It was demonstrated that a total of 3.1 acres on Lot 4 of the Hill Ridge Estates were developed prior to November of 1987. The Herolds also own water right 63-30229 for domestic and stockwater use with the same point of diversion as application for permit no. 63-31206. Under domestic use, this water right accounts for 0.5 acres of the total 3.1 acres developed. I therefore recommend that application for permit no. 36-31206 be approved for 2.6 acres of irrigation and a diversion rate of 0.08 cfs, at 0.03 cfs per acre, for a total of 3.1 acres of irrigation when both rights are combined.

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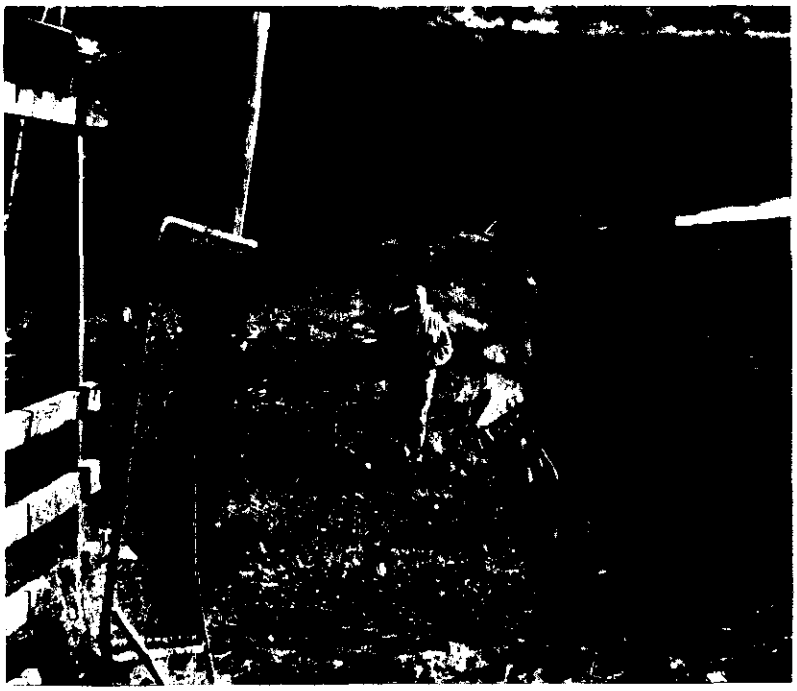
JUN 2 4 2002

14023 Oasis Road
Caldwell ID 83607



x indicates water outlet

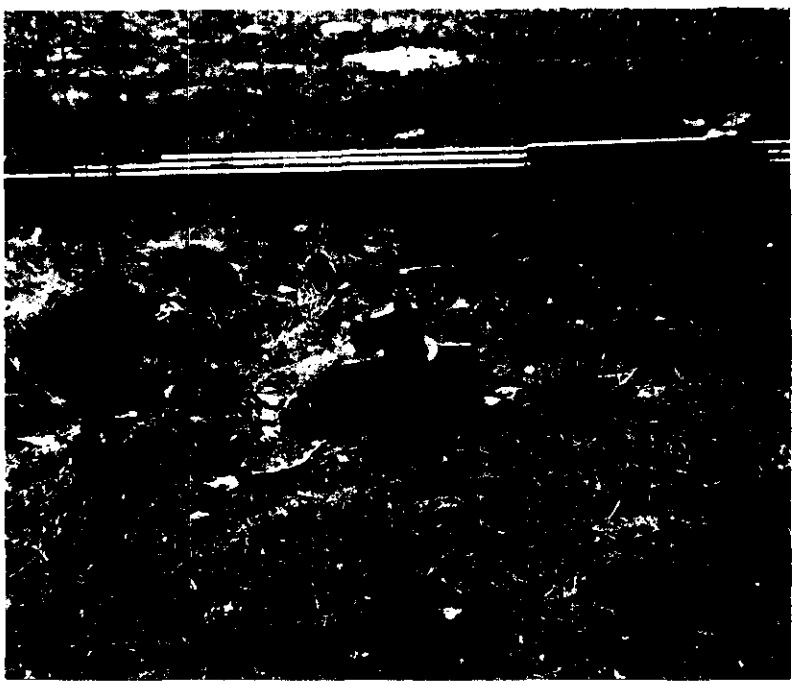
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2002



This picture was taken beside the fence that runs between the house and the pasture. It shows Lance at the water outlet in the middle of the pasture.



This is a closer view of the same outlet.



This is another closeup of the water outlet.



This is a long distance view of the third water outlet. This outlet is about 118 feet from the second outlet.

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This the third water outlet with Lance standing beside the fourth outlet.



This is a closer view of the third water outlet.



This is a view of the fourth water outlet. This outlet is about 45 feet from the third outlet.



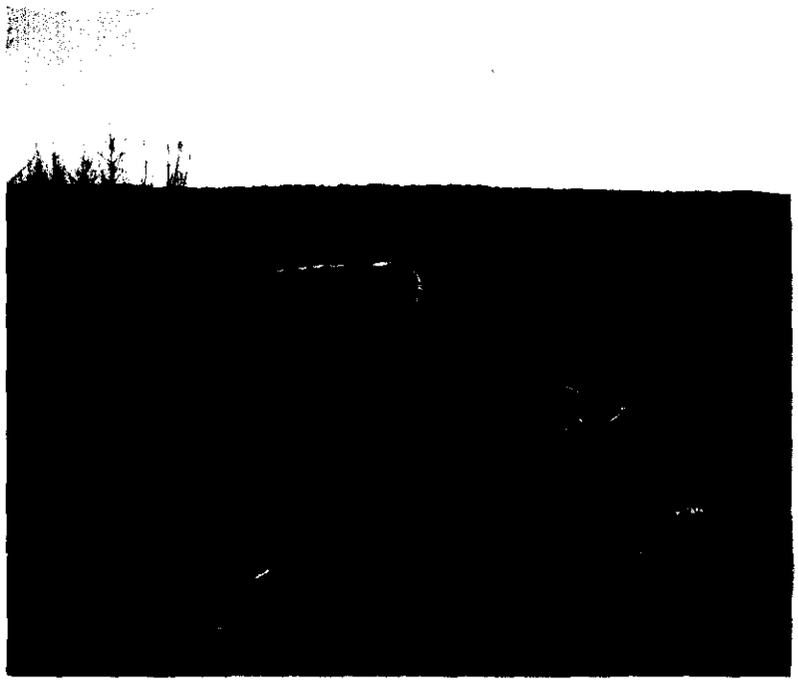
This is a view of the line coming from the fourth water outlet. It is taken looking toward the west.

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2002

14023 Oasis Road
Caldwell, ID 83607



This is the well. It is located on the southern edge of our property between the potting shed and the shop. It is approximately 42 feet from the western property line and about 40 feet from the southern property line.



Lance is standing beside the irrigation water outlet about 160 feet from the western property line. We don't use this, but Carl Post turned it and used it to water the property south of ours.



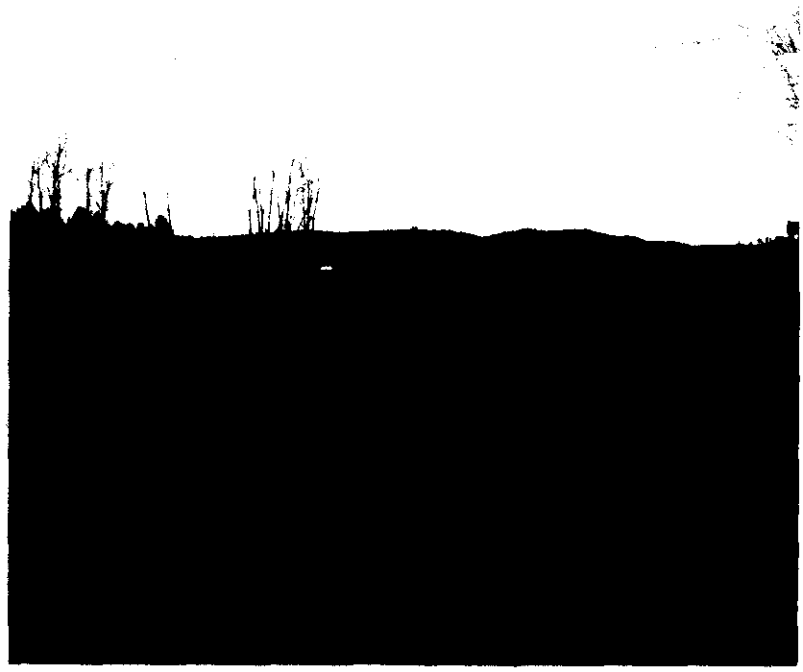
This is a closer view of the water outlet. In the distance Lance is standing beside the water outlet in the middle of the pasture. This outlet is about 119 feet from the first outlet.

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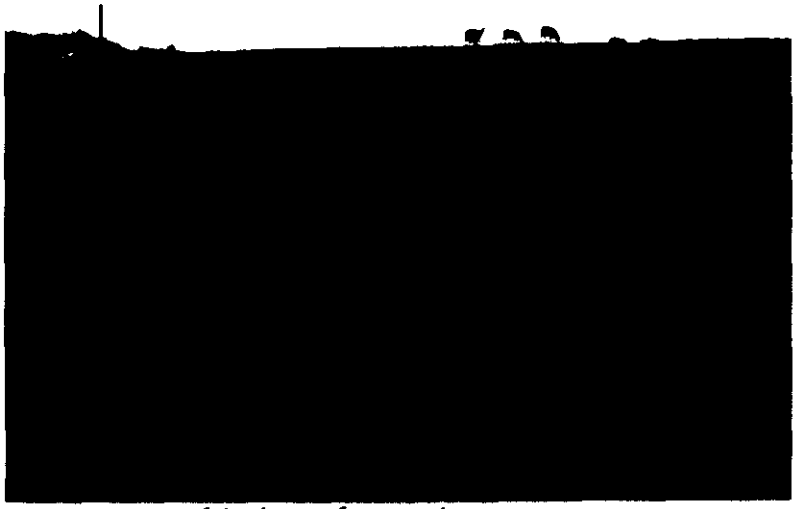
14023 Oasis Road
Caldwell, ID 83607



This pictured was taken from the northern property line looking south. That's Lance in the distance. This is our pasture.



This is the view a little further to the east.

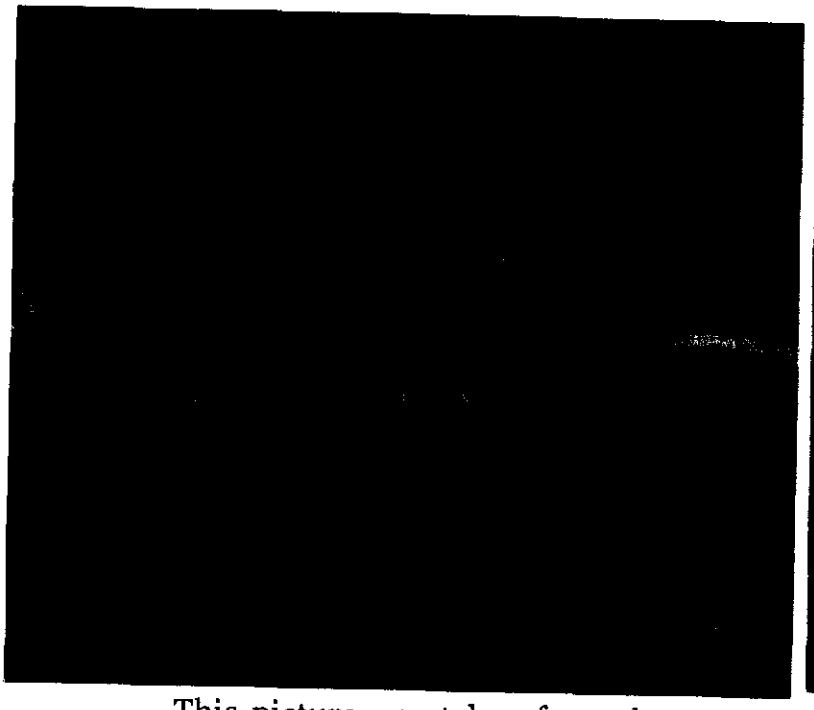


This is a closer view.

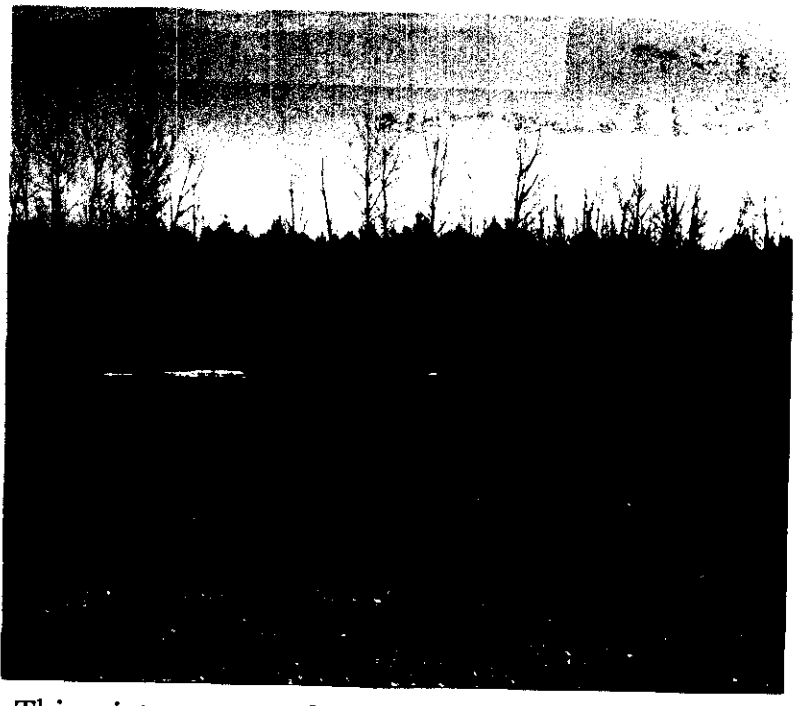


This is Lance standing beside the water outlet that we use for watering the pasture.

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2002



This picture was taken from the water outlet in the middle of the pasture looking toward the house in the west.



This picture was taken standing in front of the trees in the previous picture looking eastward.



That's Lance standing beside the trees along the eastern edge of the pasture.



This shows the size of the pine trees on the eastern border.

MICRO

JUN 2 4 2002

State of Idano
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 25, 2002

LANCE HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83605

RE: Permit Application No. 63-31206, Water Right 63-30229

Dear Mr. and Mrs. Herold:

I received your letter dated January 1, 2001, regarding the above referenced water rights. As requested, I would like to clarify the status of the application for permit referenced above, and discuss the options for processing it based on previous development.

As you know, in 1992, the Director issued a moratorium order prohibiting further development of consumptive uses in the area. Application for permit for a water right no. 63-12198 was filed on April 20, 1995. The department sent a letter, dated July 3, 1995, to the original Applicant, Joseph Roberts, addressing the moratorium. It explained that development of new consumptive use water rights (irrigation is considered to be consumptive) was prohibited as of May of 1992 due to drought conditions and concerns about local water supply. Though the drought moratorium was withdrawn in May of 1997, new consumptive use applications are still being held due to continued concerns regarding the local water supply in Basin 63. One exception to the processing hold is use developed prior to November of 1987.

Please note that new appropriations of ground water have required a water right permit since March 25, 1963. According to Idaho Law, initiating water use from a well for irrigation purposes after this date is illegal unless a water right has been obtained or the use is exempt. Therefore, given the concerns regarding water supply and the statutory protocol for establishing a water right, the department must be very thorough in evaluating and accepting proof for uses established prior to November, 1987.

As you know, application 63-12198 was split when the property was sold. Your portion of the right is now represented by number 63-31206. Let me first review the information the department has regarding the history of water use on your property, and secondly review the type of information helpful in verifying development of irrigated acreage prior to November, 1987. Letters from previous owners, Carl and Laura Post, were provided by both you and Mr. Roberts. The affidavits state that the Posts lived on Lot 4, and watered Lots 4 and 6 of the

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JUN 2 4 2002

Hillridge Estates from a well on Lot 4 prior to 1987. The Posts also note that a buried mainline was installed between the two lots for irrigation purposes. You provided a letter documenting that the well and delivery pipes used to irrigate Lots 4 and 6 are located on your property (Lot 4).

Research by Department staff indicates that this well was drilled on October 24, 1980. In an effort to substantiate the Post's affidavits and to establish how much land was irrigated prior to 1987, the department located FSA photographs of the property from 1984, 1985, and 1986. We have also reviewed infrared aerial photography for the years of 1980, 1983, and 1987. As we discussed during telephone conversations, in person, and through correspondence, the infrared aerial photography is used by the department to identify land that is being irrigated. Healthy vegetation is highly infrared-reflective and appears red on the photographs. When vegetation begins to die, it is less infrared-reflective.

In a letter dated June 20, 2001, I explained that the department was prepared to issue a permit on the above referenced application, but I wanted you be aware that based on available evidence, only 2.4 acres of the five described on the application were irrigated prior to 1987. A copy of 1987 NAPP infrared aerial photography was sent with the letter with two hatched shapes identifying the recognized irrigated area. We later discussed over the telephone, in a letter to you dated July 9, 2001, and during an office visit on July 17, 2001, whether additional land had been irrigated. You stated that a row of well-developed irrigated trees close to the canal, and a field between the two hatched shapes were both irrigated with laterals installed prior to 1987. By expanding the computer generated shape over the 1987 NAPP photography to include these areas and checking it against the property dimensions you brought to our July meeting, we identified approximately 0.5 additional acres that could have potentially been irrigated.

As we discussed during the meeting, the additional area could not be verified based on the available infrared photography (1980, 1983, and 1987). The property had not been developed in 1980 (the year the well was drilled), 1983 photography has an overall red haze rendering it unreliable, and the additional area did not appear to be irrigated in the 1987 photograph. Land that appears to be irrigated in the FSA photography varies distinctly over the years represented (1984, 1985, 1986). The only area that is consistently irrigated is defined by the western hatched shape on the 1987 NAPP photograph discussed above. The time of year the FSA photographs were taken was unavailable and the trees are not identifiable in any of the aerial photographs. Therefore, the only evidence that can be used at this time to quantify the number of acres irrigated prior to November, 1987 is that highlighted in the 1987 NAPP photograph.

During our meeting on July 17, 2001, we discussed additional documentation you could provide to verify the amount of development and to supplement the Post's affidavits. It was my understanding that you intended to provide me with as much of this material as possible. This information included a sketch of the dimensions of the areas that had been historically irrigated (a copy of the dimensions you brought to our meeting), photographs of the older trees and the corresponding irrigation line, photographs of the irrigation system feeding the field area between the two hatched shapes, any information on the installation of the water lines and laterals (i.e. receipts or design documentation), and any additional affidavits that could be obtained to corroborate the Post's irrigation activities.

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JUN 2 4 2002

Your application has since been held pending the receipt of this information. On December 27, 2001 I spoke with you regarding the status of your permit application, and explained that I had not yet received any of the information we had discussed during our meeting and that I could not approve additional irrigated acreage until supplementary documentation of additional development prior to 1987 was provided.

Considerable effort has been made by the department to review your application, and we understand that proof of historical use can be difficult to provide. However, because the original user did not follow the statutory procedure in filing for a water right, the department is obligated to substantiate our evaluation with reasonable evidence that water was put to beneficial use. We appreciate your efforts to provide additional information, and I hope this helps clarify the type of information needed to further our review.

As for the change of ownership of water right 63-30229, I have attached a water right report documenting that the change has been processed. Additionally, you will be receiving a change of ownership acknowledgment letter in the mail referencing the water right.

I understand you are anxious to conclude the processing of application 63-31206, therefore if I do not hear from you within thirty (30) days, I will forward the permit application for approval of 2.4 acres of irrigated land when combined with all other water rights. Please contact me at 208-327-7898 if you have any questions about the issues discussed.

Sincerely,

Cynthia Bridge Clark
Associate Engineer
Water Right Permits Section

Enclosure

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JUN 2 4 2002

14023 Oasis Road
Caldwell, ID 83607
January 1, 2002

RECEIVED
JAN - 3 2002
Department of Water Resources

Cynthia Clark
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Permit Application No. 63-31206

Dear Ms. Clark:

We have been working to get the above irrigation rights for quite some time. We are anxious to get this matter settled as quickly as possible. We have talked to several different people in both the Airport Way and North Orchard Street offices. We have been keeping a log of the people we have talked to and the letters that we have received and it is getting quite large.

We want to know exactly what the Idaho Department of Water Resources needs in order to get this matter straightened out and for us to receive the irrigation rights for the amount of acreage for which we originally applied.

In addition, we submitted a Notice of Ownership Change form 1 for water right no. 63-30229. We sent a $25 check in September 2001 and were told by your office that the check would be fowarded to the correct office. The check has been cashed, but we have not received our paperwork.

Any information, forms, or progress reports that you could send us would be greatly appreciated.

Thank you.

Sincerely,

Lance R. Herold

Eva Herold

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JAN 24 2002

MEMORANDUM

To: File 63-31206

From: Cynthia Bridge Clark

Date: December 27, 2001

Re: Telephone Conversation

I returned a phone call from Lance Herold regarding the status of permit application no. 63-31206. I explained to Mr. Herold's wife, Eva Herold, that their application is still being held due to the moratorium in Basin 63. During their visit to the State office on July 17, 2001, we discussed portions of their property that they felt had been developed prior to 1987 but were not represented in the total acreage described in my letter dated July 9, 2001. Specifically, they stated there are well-developed trees close to the canal, and a meadow between the orchard and the house that should have been included in the approved developed acreage. During their visit to the office, I explained that they should provide further proof of development of those areas such as affidavits from neighbors or previous owners, and photographs of the existing trees or sprinkler systems. They said they would look into locating additional information.

During our telephone conversation, I repeated that I had not received this information and was holding the application. Eva stated that she would have Lance Herold call me next Monday, December 31, 2001, but that they would like to have written documentation of the department requirements for approval of their permit. I told her they should send a letter requesting this information and specifically describing the land that had been developed, with all available documentation or proof of development prior to 1987. I explained that I could better respond to their questions if I had all of the available information.

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State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2001

LANCE HEROLD
EVA HEROLD
14023 OASIS RD
CALDWELL ID 83605

RE: Permit Application No. 63-31206

Dear Mr. and Mrs. Herold:

After our conversation on June 21, 2001, I reviewed some of the questions you had about the letter I sent dated June 20, 2001. First, you observed the two hatched shapes labeled as the total area of irrigated land on the 1987 NAPP Infrared aerial photograph attached to the letter. You said you were concerned that the narrow strip of land between these two shapes is actually lined with a row of older trees (possibly 30 years old). You mentioned that these trees have been irrigated with an existing water line installed before the house was built (prior to 1987).

The red areas on the infrared photography identify land that is being irrigated. The strip of land you acknowledged is not red, however, because the resolution of the 1987 Infrared photography is not clear enough at this range to identify specific objects, I reviewed aerial photography from 1994 and 2000.

As you know, the total irrigated acreage must be determined based on the 1987 photography, however the images from these later years make it possible to identify the row of trees you described to the east of the house. In comparing each of these photographs, it appears that the described row of trees are within the boundaries of the 2.4 acres of irrigated land defined on the 1987 photograph. I have enclosed copies of the photographs for your review.

Secondly, you asked whether the half-acre of irrigated land associated with the domestic and stockwater right no. 63-30229 is included in the 2.4 acres of irrigated land described above. As you know, no new consumptive use water right permits can be processed at this time unless the land was irrigated prior to 1987. Since no new land can be irrigated after 1987, the total number of irrigated acres must be no more than 2.4 acres when all water rights are combined. Based on our conversation, you plan to change the ownership of water right no. 63-30229 to your name, which will allow a half-acre of irrigation according to Idaho Code 42-111. Your application for permit will therefore be approved for 1.9 acres, for a total of 2.4 irrigated acres when the two rights are combined.

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Finally, water right no. 63-30229 has been partially decreed in the Snake River Basin Adjudication court. To change ownership of the water right to your name you will need to submit the Notice of Ownership Change form I enclosed with the previous letter. Since the partial decree was issued prior to July 1, 2000, you are not required to pay the $25 processing fee. The filing instructions describe the proof of ownership documentation you are required to submit with the form. Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change.

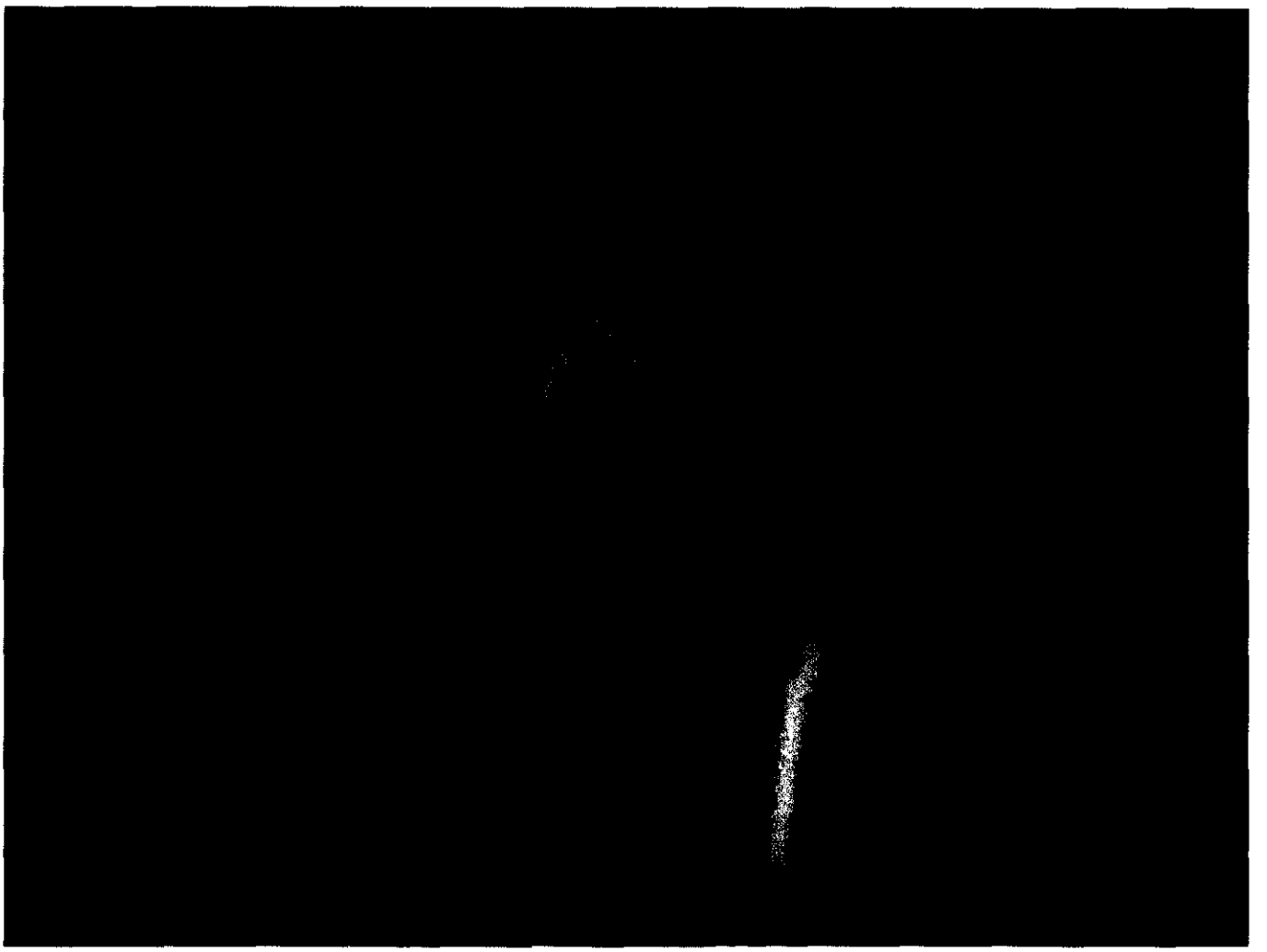
If I do not hear from you within ten (10) days, I will assume you agree with our assessment of your application, and I will forward the permit for approval. Please give me a call at 208-327-7898 if you have questions.

Sincerely,

Cynthia Bridge
Associate Engineer
Water Right Permits Section

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JUN 24 2002

1987 NAPP Photography



0.1 0 0.1 0.2 Miles

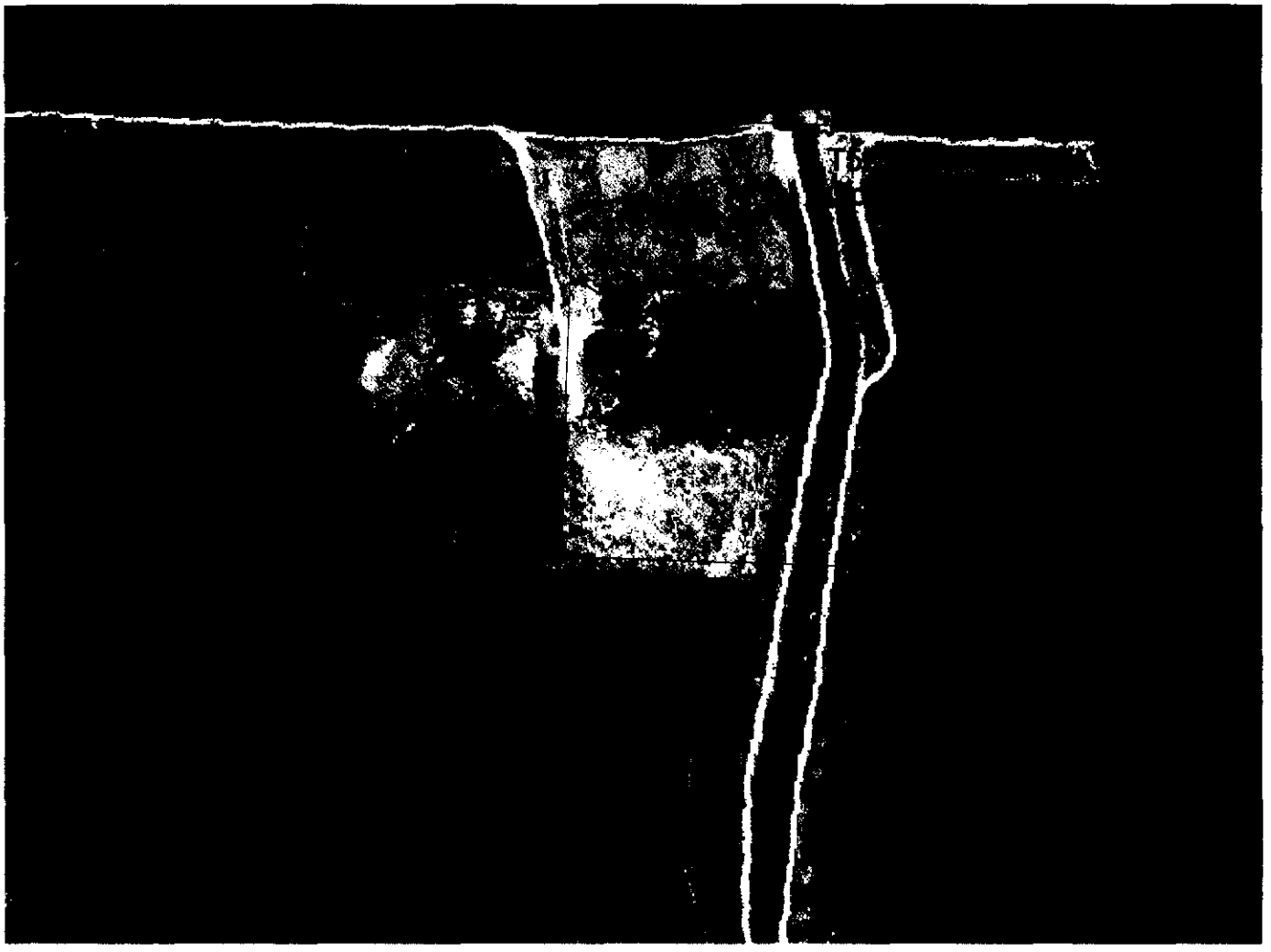
Permit Application Point of Diversion

Permit Application Place of Use

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N

1994 Aerial Photography

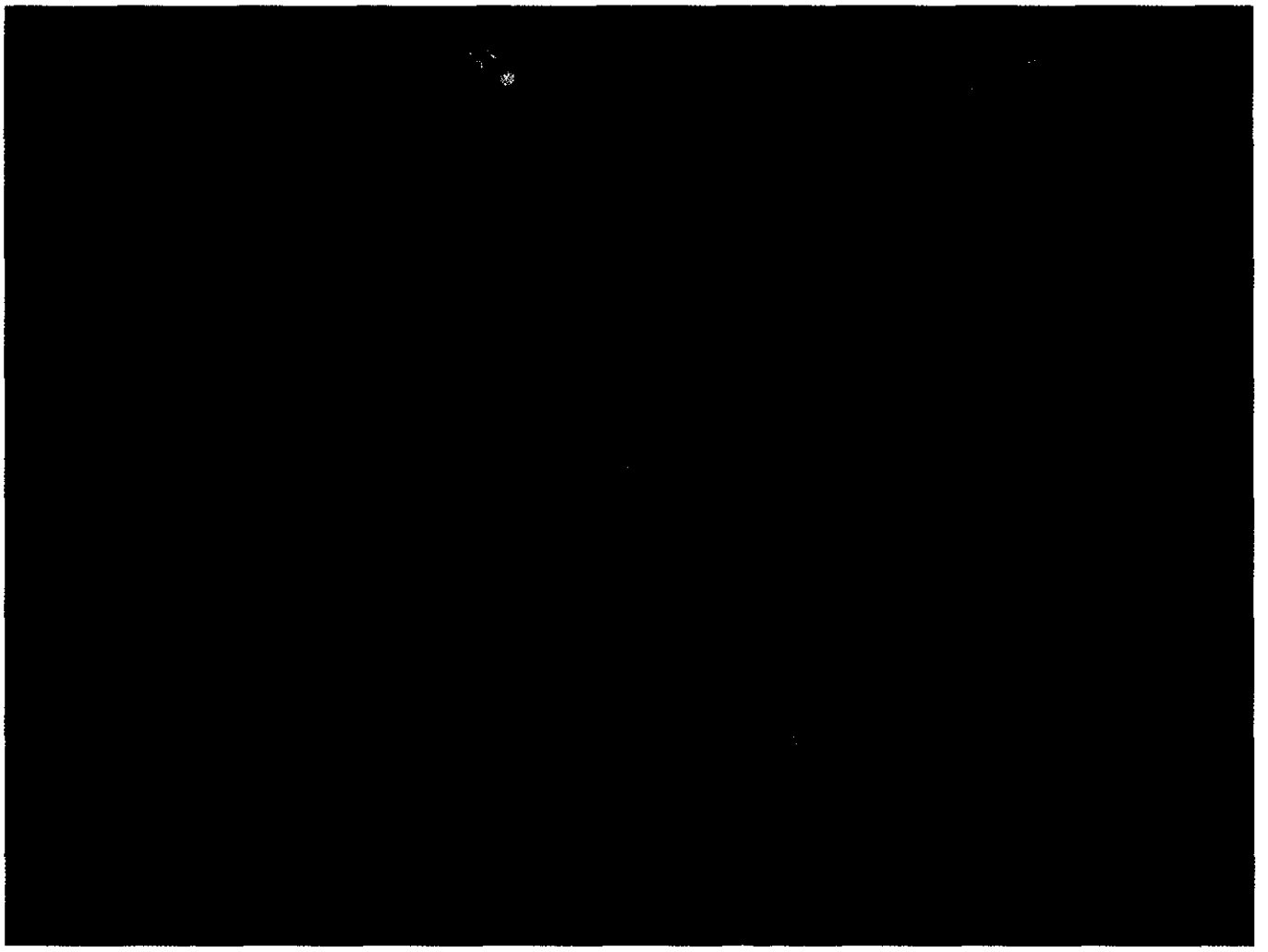


0.09 0 0.09 0.18 Miles

N

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2000 Aerial Photography



0.09 0 0.09 0.18 Miles

N

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SRBA
PARTIAL DECREE 63-30229

Issued on 05-26-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	JOSEPH W ROBERTS 15032 HOLLOW RD CALDWELL, ID 83605			
SOURCE:	GROUNDWATER			
QUANTITY:	0.06 CFS THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.			
PRIORITY DATE:	10/24/1980			
POINT OF DIVERSION:	T05N R03W S02	NWNW	Within Canyon County	
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE		PERIOD OF USE	QUANTITY
	Domestic 1 HOME		01-01 TO 12-31	0.04 CFS
	Stockwater		01-01 TO 12-31	0.02 CFS
PLACE OF USE:	Stockwater			Within Canyon County
	T05N R03W S02	NWNW		
	Domestic			Within Canyon County
	T05N R03W S02	NWNW		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Return to SRBA Home Page

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JUN 2 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 20, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LANCE & EVA HEROLD
14023 OASIS RD
CALDWELL ID 83605

RE: Permit Application No. 63-31206

Dear Mr. & Mrs. Herold:

The department is ready to issue a permit on the above referenced application. Before we do so, however, I want you to be aware of a couple of issues pertaining to your water rights.

First, the number of acres being recommended for permit approval is less than the number of acres identified in the application and advertised in the paper.

The reduction is due to our review of aerial photography for determination of the development that occurred prior to November of 1987. Although your application was held due to a moratorium prohibiting processing of any new consumptive use permits, we are able to process your application because the development occurred before the moratorium was put in place. The aerial photos we collected indicate that as much as 2.4 of the 5 acres identified on your application were irrigated prior to 1987. Based on this information, I am able to recommend approval of the permit for 2.4 acres (see enclosed copy of 1987 NAPP Photography). If I do not hear from you within ten (10) days, I will assume you agree with our assessment, and I will forward the permit for approval.

Second, in reviewing the application referenced above, I found that Water Right 63-30229, for Domestic and Stockwater use, is for the same point of diversion and place of use as your application for permit. This water right is in the name of Joseph W. Roberts. If you acquired this water right with the purchase of your property, you will need to file a Notice of Change of Water Right Ownership form (copy enclosed) with the Department. Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change.

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If you have any questions regarding these matters, please call me at 208-327-7898.

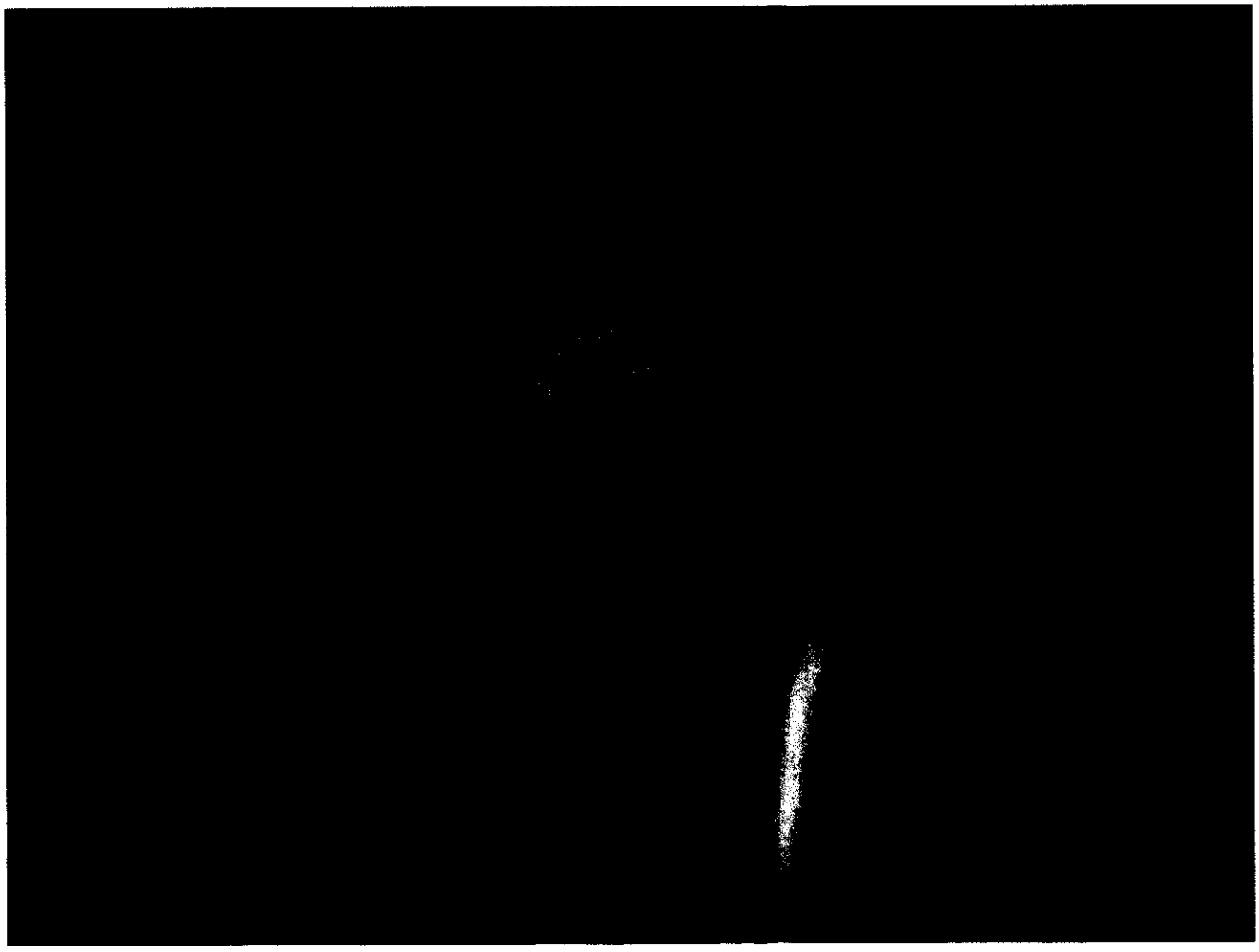
Sincerely,

Cynthia Bridge
Associate Engineer
Water Right Permits Section

CB:klt
Enclosures

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1987 NAPP Photography



0.1 0 0.1 0.2 Miles

Permit Application Point of Diversion

Permit Application Place of Use

N

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JUN 2 4 2002

MEMORANDUM

To: Files 63-31206 & 63-31208

From: Cynthia Bridge

Date: June 21, 2001

Re: Review Application for Permit

History

- April 5, 1995, Joseph W. Roberts filed an application for permit no. 63-12198 for irrigation of 10 acres with groundwater (place of use in Lots 4 and 6 of the Hill Ridge Estates, and the point of diversion in the same Lot 4). The well was drilled in 1980 for the original owner Carl Post, and a mainline was buried between the two lots shortly thereafter according to staff comments.

- Given the moratorium processing hold on new consumptive use applications, additional information was requested by the applicant to prove pre-1987 development. The applicant submitted an ASCS photo from 1987, and an affidavit from Carl Post, dated July 27, 1995, asserting that Lot 6 was irrigated with through the mainline in 1987.

- The application was advertised, moved to the state office for review and held at the state office due to concerns about pre-1987 development and the processing hold.

- On January 29 and February 15, 2001, assignment of application for permit forms were received from Joseph Roberts for the Herolds and Mr. Odiaga respectively. Mr. Roberts sold the northern 5 acres (Lot 4) to Lance and Eva Herold, and the southern 5 acres (Lot 6) to Francisco Odiaga.

- On February 9, 2001, the department received an affidavit, sent by Eva Herold, written by Carl and Laura Post stating that Lots 4 and 6 of the Hillridge Estates were irrigated for trees and pasture before 1987.

- On March 28, 2001, a letter from Lance Herold was received by the department stating that the well and buried main line are on his property, but that he and Mr. Odiaga have a verbal agreement that Mr. Odiaga can use the system to irrigate the southern property.

- Mr. Odiaga purchased the property in 1997 and currently operates with an additional well and home on his property.

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Review

- Application for permit no. 63-12198: 0.02 cfs for irrigation on 10 acres for Joseph Roberts. The permit was split into two five-acre parcels (Lots 4 & 6).
- Assignment of Application for permit no. 63-31206: 0.01 cfs for irrigation on 5 acres for Herold.
- Assignment Application for permit no. 63-31208: 0.01 cfs for irrigation on 5 acres for Odiaga.

- Review of pre-1987 development (photos attached):
    1. 1980 USGS U2 NHAP infrared aerial photography indicates there was no irrigation on either Lot at the time the photograph was taken. This was the year the well was drilled.
    2. June 7, 1983 USGS U2 NHAP infrared aerial photography has a red haze over the entire photo so it is difficult to distinguish between areas that may have been slightly irrigated versus those that were not.
    3. FSA slides from 1984, 1985, and 1986 were acquired to supplement the 1983 infrared aerial photography. They document a varying amount of irrigated area in Lot 4 (less than 5 acres) with no irrigation in Lot 6.
    4. NAPP 1987 infrared aerial photography from the database shows less than 5 acres (approximately 2.4 ac.) of development in Lot 4. There is a large defined black area extending through Lot 6, and much further south and west of Odiaga's property. This area appears to be a burn.
    5. Treasure Valley 1994 infrared aerial photography indicates further development in Lot 4 but still no irrigation in Lot 6.
    6. Treasure Valley 2000 infrared aerial photography indicates irrigation occurring in both lots, though neither appears to be irrigating the full five acres requested in the applications. There are new buildings in Lot 6.
    7. Affidavits were submitted by Carl Post stating that both lots were irrigated prior to 1987.
    8. Joseph Roberts phoned on (6/12/01) and stated that Mr. Post informed him he irrigated trees/orchard in Lot 4 and irrigated Lot 6 for graze land for his cattle.

- Water right 63-30229 in the name of Joseph Roberts: 0.2 cfs for stockwater and 0.6 cfs for domestic. The original house is in Lot 4, therefore the owner name should be changed to Herold.

- POU Comparison: There is no overlap, however Black Canyon Irrigation District water is accessible to both Lots. In a phone conversation with Joseph Roberts (6/12/01) he said he did not use Black Canyon water. An agent comment in the file notes that Mr. Roberts told another agent that he was diverting Black Canyon water to the southern portion of the land (Lot 6).

- Mr. Odiaga has phoned several times inquiring about the status of his application and has been informed that at this time I cannot approve the application due to lack of evidence of

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JUN 24 2002

irrigation prior to 1987. I told him I would send him a letter explaining the situation along with the photographs we are using to make our decision.

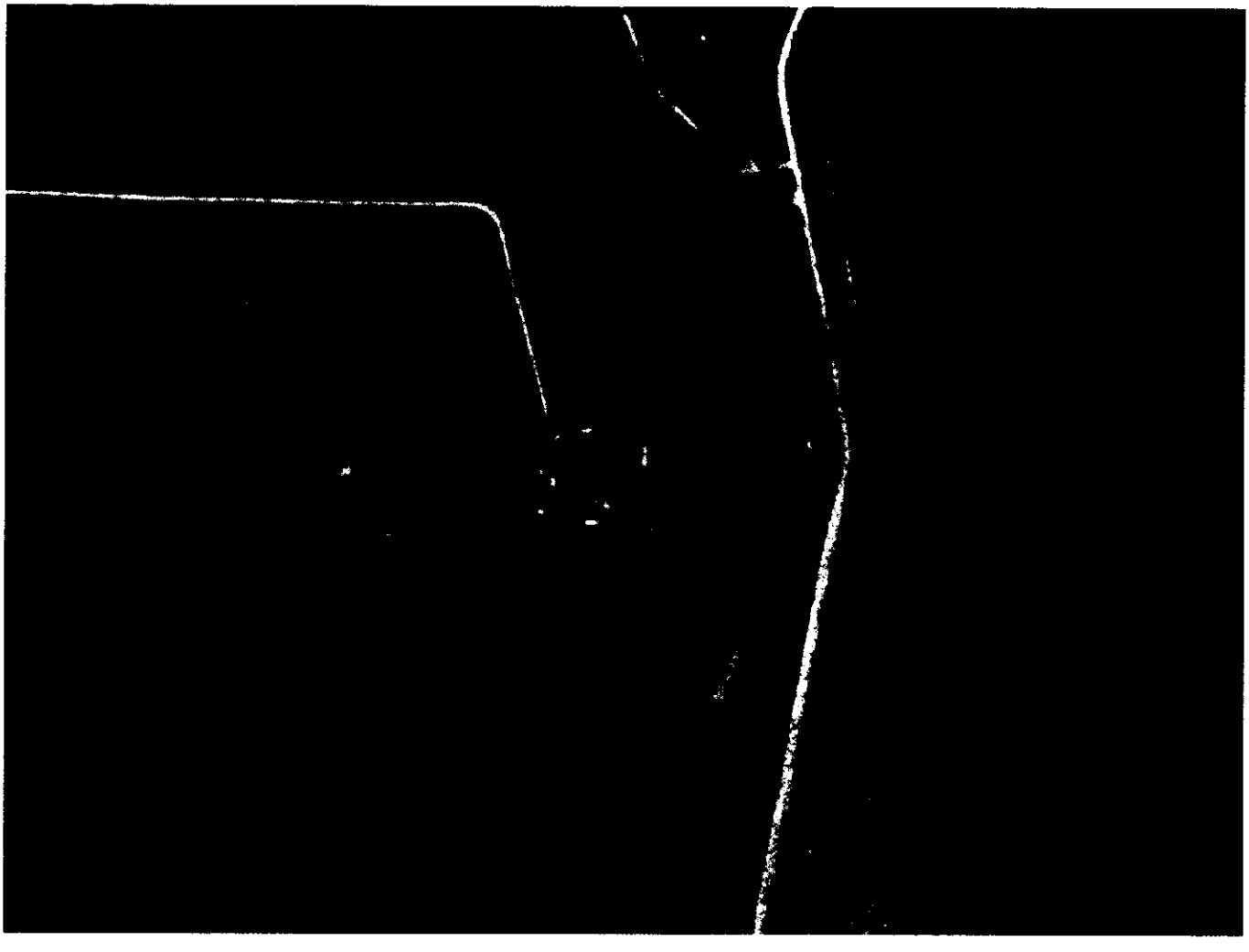
Recommendations

- 63-31206:
  - The aerial photography documents that irrigation took place on the Herold's property (Lot 4) prior to 1987. A shapefile has been created using the NAPP 1987 aerial photography in the database. The measured irrigated area in Lot 4 is 2.4 acres.
  - The Herold's should file a Notice of Change of Ownership for water right no. 63-30229 for domestic and stockwater use.
  - A letter was sent June 20, 2001 informing the Herolds of the reduction in the requested acreage, and of water right no. 63-30229. The 1987 aerial photography with the identified 2.4 irrigated acres, along with a Notice for Change of Ownership form were enclosed.

- 63-31208:
  - Though the affidavit submitted by the original owner, Mr. Post, states that a water distribution system was in place and used to irrigate Lot 6 prior to 1987, the aerial photographs from the period between 1980 and 1987 document that there was no consistent irrigation occurring in Lot 6.
  - A letter was sent June 21, 2001 informing Mr. Odiaga that the application for permit would be denied. It also notified him of his option to file a claim to a domestic and stockwater water right. The claim form and the FSA and NAPP aerial photographs were enclosed.

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FSA Photograph, 1984
Pre-1987 Development
63-31206 & 63-31208



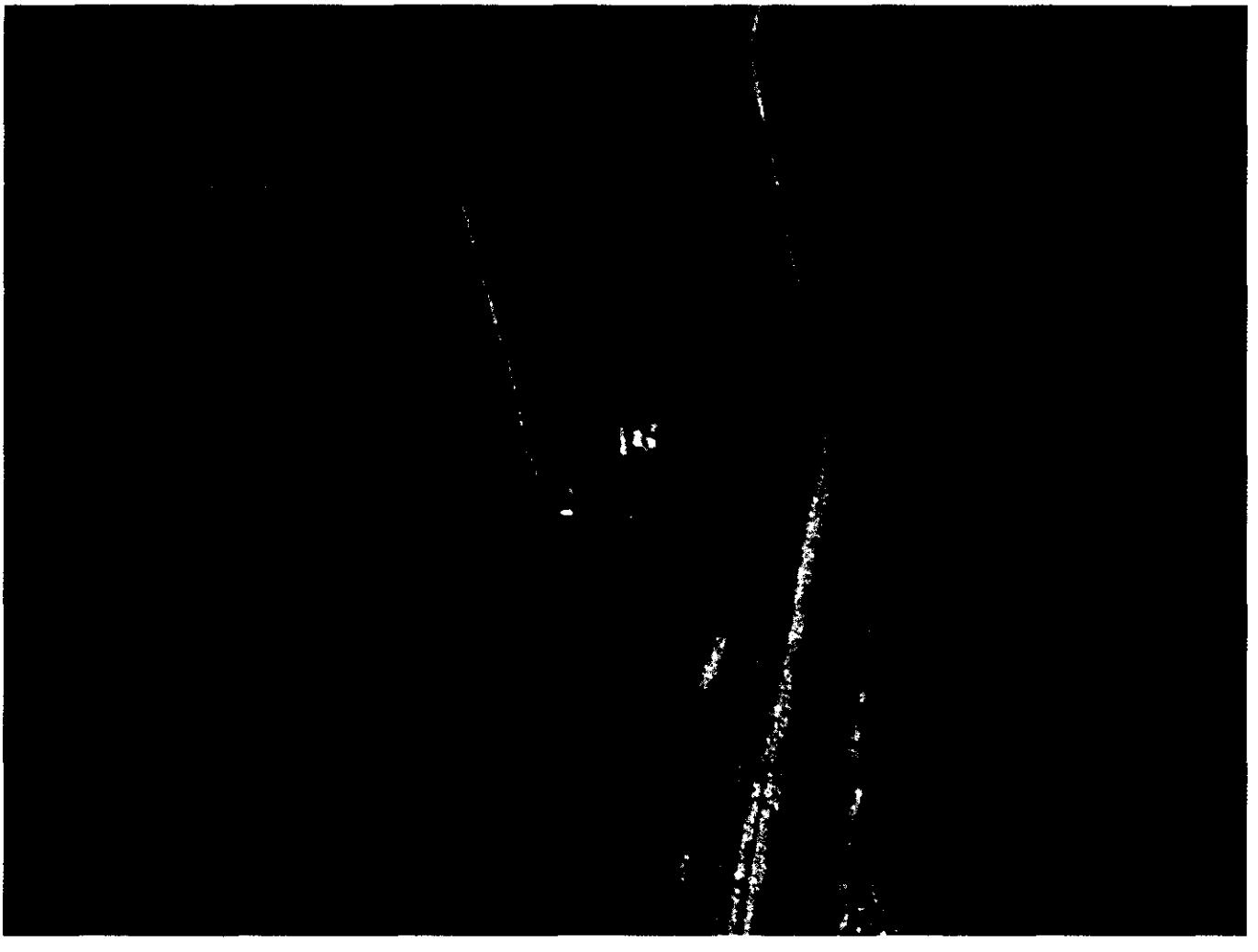
30 0 30 60 Miles

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JUN 2 4 2002

REVIEW

FSA Photograph, 1985
Pre-1987 Development
63-31206 & 63-31208



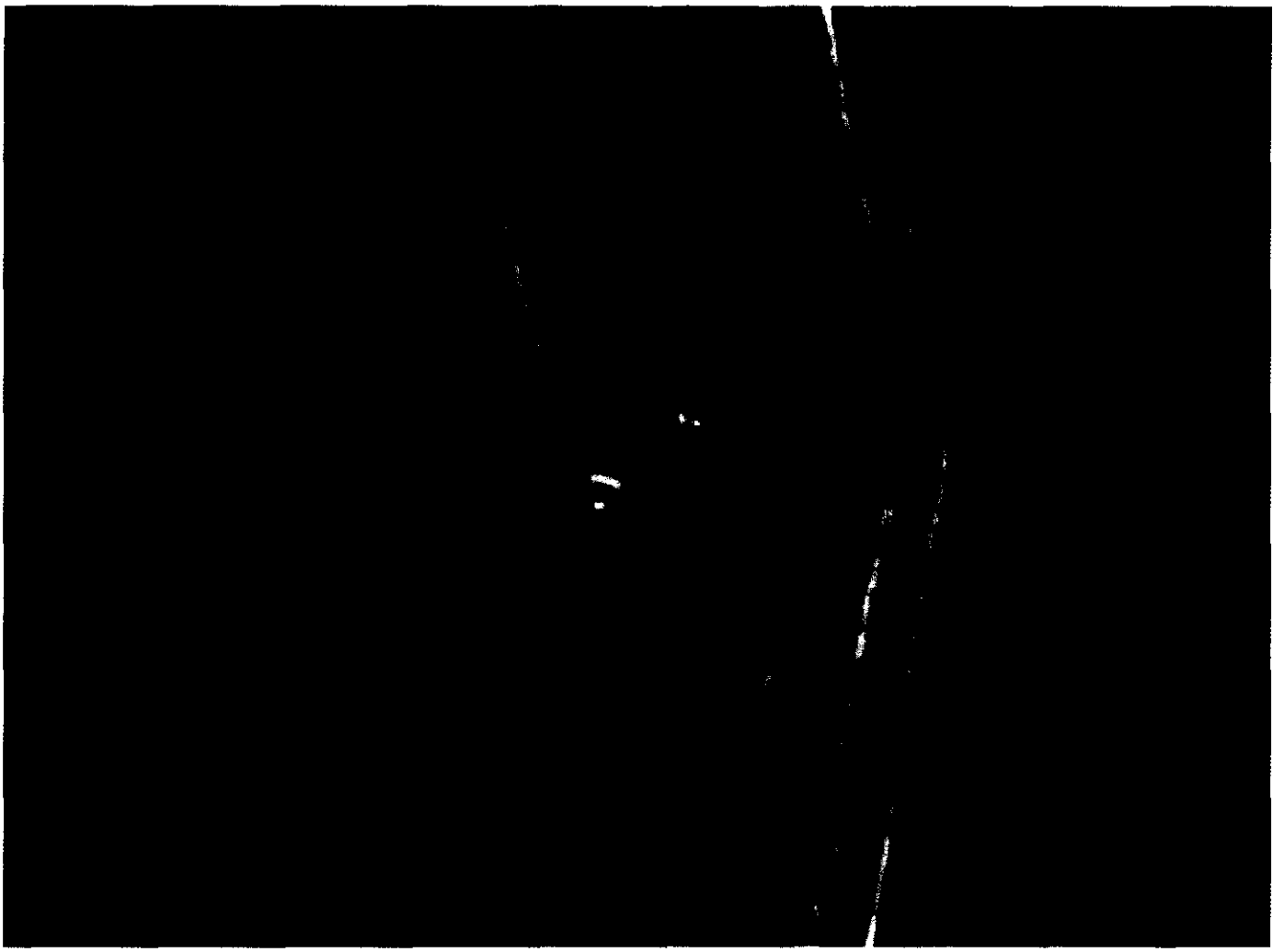
30 0 30 60 Miles

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JUN 2 4 2002

REVIEW

FSA Photograph, 1986
Pre-1987 Development
63-31206 & 63-31208



40 0 40 80 Miles

N

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JUN 2 4 2002

REVIEW

MEMORANDUM

RECEIVED
APR 12 2001
Department of Water Resources

TO: FILE

FROM: DANIEL A. NELSON SENIOR AGENT DAN

DATE: 4/10/2001

SUBJECT: APPLICATION FOR PERMIT 63-12198 SPLIT OF RIGHT

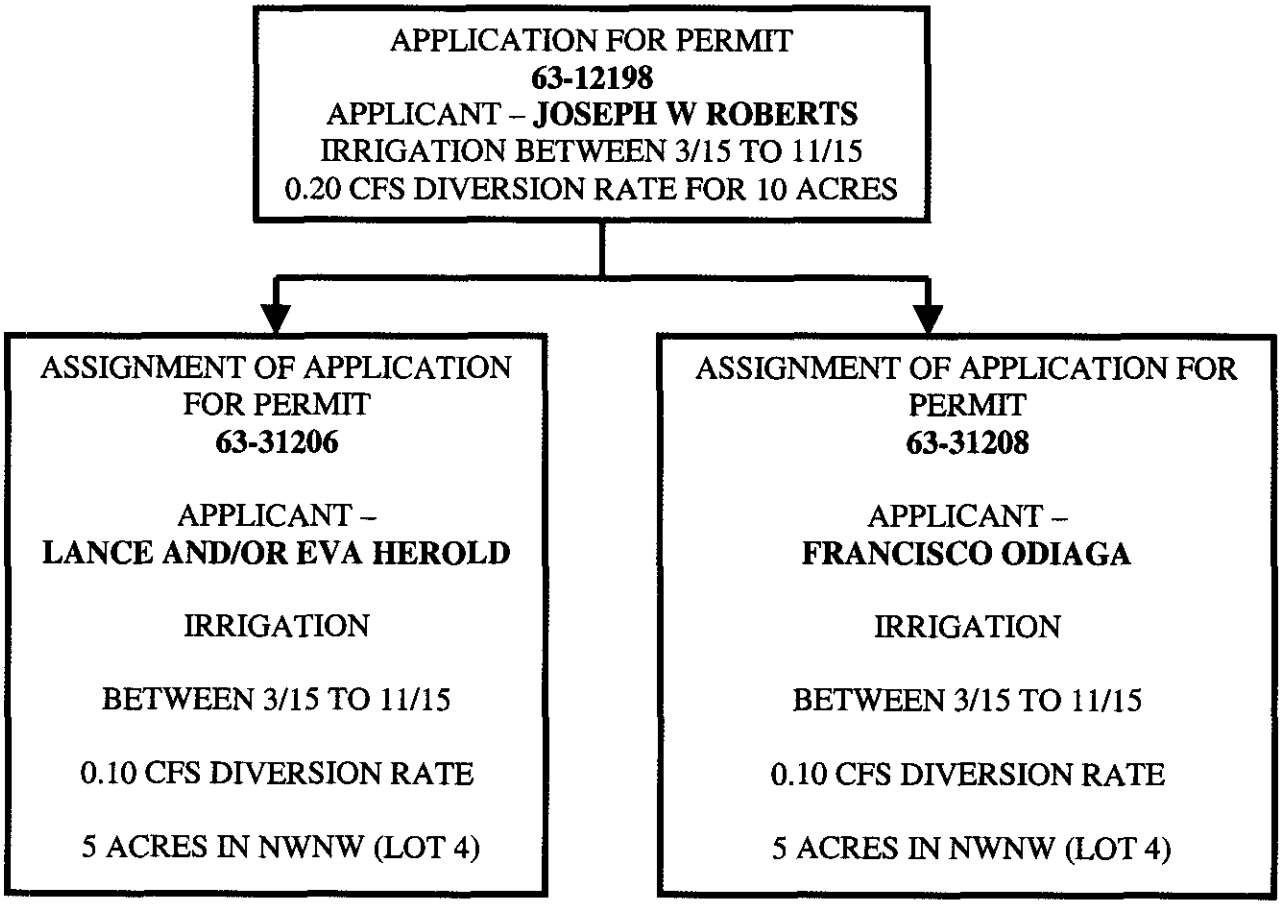
On 2/14/2001 Lance and/or Eva Herold and Francisco Odiaga filed Assignments of Application for Permit on application number 63-12198. I review of this application and discovered that it was being held at the State Office to resolve a question concerning the pre-1987 development. Apparently not all of the 10 acres associated with this application were irrigated in 1987. Therefore, this application has been held since 1995. The new applicant's are trying to revive this application, because they are still using the water associated with this application. They want this application to be approved to make sure they are not illegally diverting their water. The following information has been submitted to initiate another review of this application.

1.) Assignment of Application for Permit for Lance and/or Eva Herold.(attached to original application)
2.) Assignment of Application for Permit for Francisco Odiaga. (attached to original application)
3.) A letter from Lance Herold stating that he and Mr. Odiaga have a verbal agreement to use the well he owns to irrigate both lots. (attached to this memo)
4.) 3-1987 Aerial photos showing the irrigation of 7.11 acres, 4.06 acres for Mr. Herold and 3.05 acres for Mr. Odiaga. (attached to this memo)
5.) A Notarized letter from Carl L. and Laura E. Post who lived on the property and stated that they irrigated the property prior to 1987. (attached to this memo)
6.) 2-Profile reports showing the new water rights created by the Assignment of Application for Permit, Herolds = 63-31206 and Odiaga = 53-31208. (attached to this memo)

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DISCUSSION OF THE SPLIT:

I spoke with Shelley Keen concerning this application for permit and how to do the split in the new Workflow system. Shelley told me to create two new water rights and mention the reason for the split in the comments. I was also told not charge any additional fees for the split, since it was based on the original right in 1995. Since this application was advertise in 1995 and no new acres or points of diversion were requested, we did not re-advertise this permit. Below is a diagram of the split of the original application for permit 63-12198:



There has been no expansion of the original right from the split caused by the assignment of application for permit. Therefore there should be no problem as far as the split is concerned.

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JUN 24 2002

PRE-1987 DEVELOPMENT REVIEW

I reviewed this application concerning the pre-1987 development of the right. The Herolds and Mr. Odiaga supplied additional information to prove that this water right was developed before November 1987. They supplied a notarized letter from Carl L and Laura E Post who previously owned the property. Taking this information and the well log that showed the well was drilled on 10/24/1980, I was instructed to research this information more closely. The original owner of the application supplied an ASCS aerial photo of the property, which suggests that it was irrigated. I then went into Arcview and brought up our 1987 NAPP aerial photos and looked to see if there was irrigation of the right. I have included copies of these aerial photos with this memo. From my photos it looks as though a total of 7.11 acres had been irrigated at one time. There is a definite outline of a field in the upper portion and trees in the lower portion. Therefore, I would recommend that the 7.11 acres marked on the map be licensed. This 7.11 acres should be split between the two applicants with Herold getting 4.06 acres (the top portion) and Odiaga getting 3.05 acres (the bottom portion).

RECOMMENDATIONS

I recommend that these two applications be approved as follows:

APPLICATION FOR PERMIT - 63-31206

APPLICANT –LANCE AND/OR EVA HEROLD

FOR IRRIGATION BETWEEN 3/15 TO 11/15

AT A DIVERSION RATE OF 0.08 CFS

FOR 4.06 ACRES IN NWNW (LOT 4)

AND

APPLICATION FOR PERMIT - 63-31208

APPLICANT – FRANCISCO ODIAGA

FOR IRRIGATION BETWEEN 3/15 TO 11/15

AT A DIVERION RATE OF 0.06 CFS

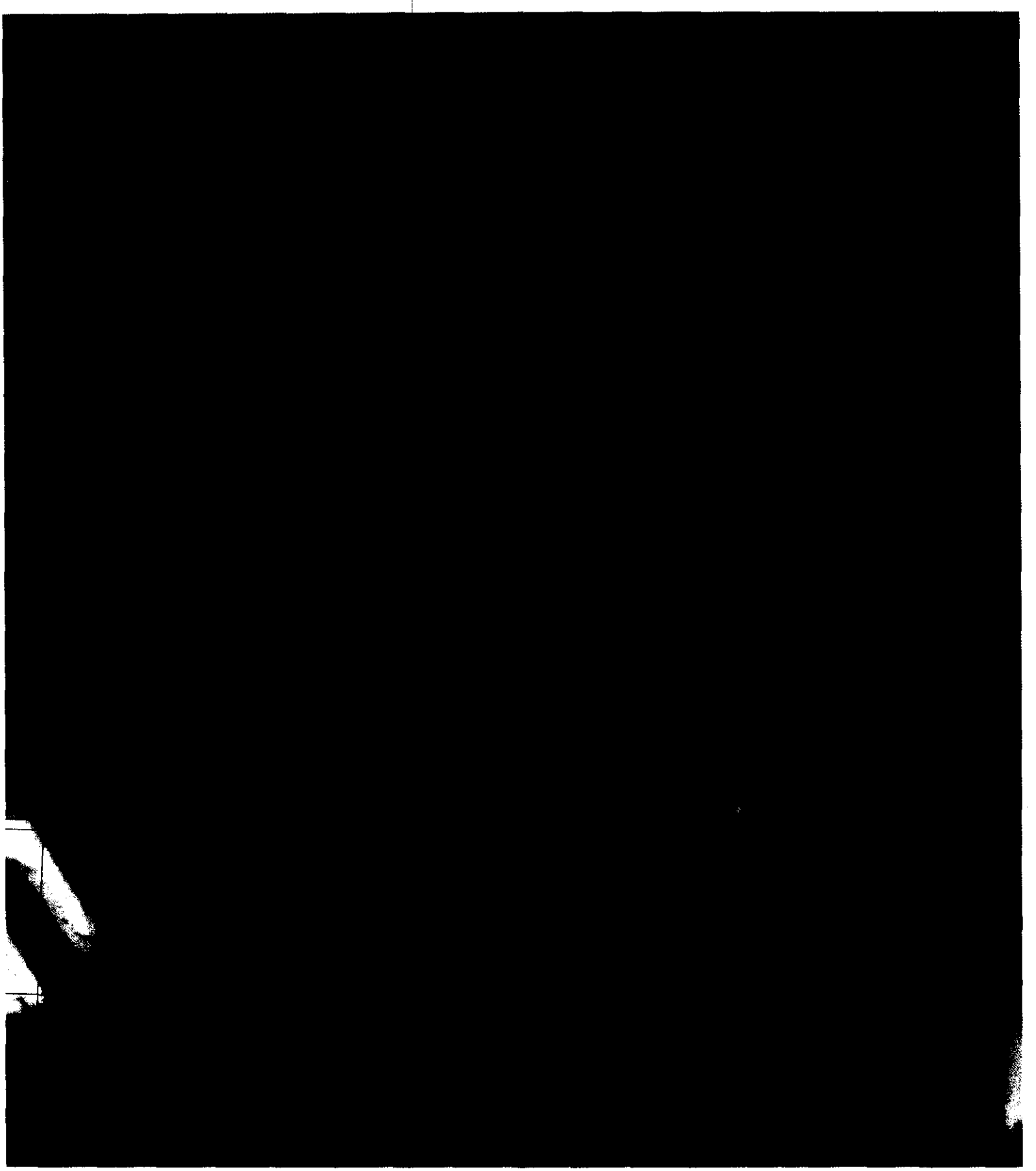
FOR 3.05 ACRES IN NWNW (LOT 4)

ALL OTHER STANDARD CONDITIONS SHOULD BE APPLIED TO THE APPROVALS OF THESE APPLICATIONS.

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JUN 24 2002







IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

WA[redacted]

Owner Type	Name and Address
Current Owner	EVA HEROLD
Current Owner	LANCE R HEROLD
	14023 OASIS RD
	CALDWELL, ID 83605
	(208) 455-9671

Priority Date: 04/20/1995
Status: Active

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.1 CFS		
Total Diversion			0.1 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWNW Lt 4 Sec. 02 Township 05N Range 03W CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	03W	2	4	NWNW	5									

Total Acres: 5

Comments:

Author	Date	Subject	Comment
unknown	4/20/95	general remarks original application	Application does not propose irrigation of new acres. Point of diversion within Lot 4, Hill Ridge Estates. Place of use within Lots 4 and 6, Hill Ridge Estates.
Ron Howerton	4/20/95	comments	System existing prior to 1987 allows processing under moratorium. Well drilled in 1980 for Carl Post and system developed shortly after. Attached ASCS photography (1987?) supports existing use. Claim A63-30229 filed for domestic and stockwater uses, same well.
Dan Nelson	4/10/01	General Analysis and comments	Joseph Roberts originally filed this application on 4/20/1995. Mr. Roberts claimed that this permit was developed prior to 1987 and provided proof of pre 1987 development. State Office personnel due to questions on the pre-1987 development did not approve this application. On Jan. 29, 2001 we received an assignment of permit splitting the original application into Lance and/or Eva Herold and Francisco Odiaga. This application is a portion of that split Mr. Odiagas portion is 63-31208. This portion of the split is for Lot 4 Hill Ridge Estates. Mr. Odiaga owns Lot 6 of Hill Ridge Estates. The well and the 1/2 of the place of use are on the applicants lot. Review of the lands of the application using 1987 NAPP aerial photos reveal that 4.06 acres of the 5 acres of this lot were irrigated in 1987. 3.05 acres were irrigated on Mr. Odiaga portion of the right. Therefore, I recommend that this application be approved for 4.06 acres of irrigation.
Dan Nelson	4/10/01	Legal Remarks	Applicant agrees to mitigate consumptive use in the future as needed. Water Bearing Zone to appropriated 151 to 284 feet. Development completed by November 1987.

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Dates:

Date Application Received: 04/20/1995
Date Application Denied:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W018993
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Application Type: New Appropriation
Applicant Remarks: The original application for permit was 63-12198, which was split through an assignment of application for permit into this application and 63-31208. The original applications remarks were application does not propose irrigation of new acres. The previous application was a pre 1987 development application. The point of diversion is located in Lot 4, Hill Ridge Estates. The place of use on the original application was in Lots 4 and 6, Hill Ridge Estates. This portion of the original right is for the portion known as Lot 4 of Hill Ridge Estates. The well is located on this property. There is a verbal agreement between the applicant and the new owner of the other portion of this right to share the use of this well for irrigation. The water bearing zone is between 151 and 284 feet. The well was drilled on 10/24/1980.
Other Water Rights: Original application 63-12198 was split into 2 portions through assignment of application for permit into this application and application for permit 63-31208.
Time to Complete Works: 1
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

WATER [redacted]

Owner Type	Name and Address
Current Owner	FRANCISCO ODIAGA 14035 OASIS ROAD CALDWELL, ID 83607

Priority Date: 04/20/1995
Status: Active

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.1 CFS		
Total Diversion			0.1 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWNW Lt 4 Sec. 02 Township 05N Range 03W CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	03W	2	4	NWNW	5									

Total Acres: 5

Comments:

Author	Date	Subject	Comment
Unknown	4/20/95	General Remarks from original application	Application does not propose irrigation of new acres. Point of diversion within Lot 4, Hill Ridge Estates. Place of use within Lots 4 and 6, Hill Ridge Estates.
Ron Howerton	4/20/01	Comments	System existing prior to 1987 allows processing under moratorium. Well drilled in 1980 for Carl Post and system developed shortly after. Attached ASCS photography (1987?) supports existing use. Claim A63-30229 filed for domestic and stockwater uses, same well.
Dan Nelson	4/10/95	Comments and General Analysis	Joseph Roberts originally filed this application on 4/20/1995. Mr. Roberts claimed that this permit was developed prior to 1987 and provided proof of pre 1987 development. State Office personnel due to questions on the pre-1987 development did not approve this application. On Jan. 29, 2001 we received an assignment of permit splitting the original application into 2 portions for Lance and/oor Eva Herold and Francisco Odiaga. This application is Mr. Odiagas split of that original application. This portion of the split is for Lot 6 of Hill Ridge Estates. The Herolds own Lot 4 of Hill Ridge Estates where the well is located. The original application was for 10 acres that was evenly split between the two owners. However, current aerial photography shows that only 7.11 acres were actually irrigated in 1987. Mr. Odiagas portion of those acres is 3.05 acres. The Herolds portion is 4.06 acres. There is a letter in the file from both the Herolds and Odiaga stating that they have a verbal agreement to use the well for irrigation.
Dan Nelson	4/10/01	Legal Remarks	Applicant agrees to mitigate consumptive use in the future as needed. Water Bearing Zone to be appropriated is 151 to 284 feet. Development completed by November 1987.

MICROFILM
JUN 2 4 2002

Dates:

Date Application Received: 04/20/1995
Date Application Denied:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W018993
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Application Type: New Appropriation

Applicant Remarks: The original application for permit was 63-12198, which was split through an assignment of application for permit into this application and 63-31206. The original applications remarks were application does not propose irrigation of new acres. The previous application was a pre-1987 development application. The point of diversion is located in Lot 4, Hill Ridge Estates. The place of use on the original application was in Lots 4 and 6, Hill Ridge Estates. This portion of the original right is for the portion known as Lot 6 of Hill Ridge Estates. The well is located on Lot 4 Hill Ridge Estates. The applicant has a verbal agreement with the owner of Lot 4 to use the well for irrigation. The water bearing zone is between 151 and 284 feet. The well was drilled on 10/24/21980.

Other Water Rights: Joseph Roberts originally filed this right under water right number 63-12198. This application is a result of a split of that water right. The other portion of that split 63-31206 in the name of Lance and Eva Herold also uses the same well.

Time to Complete Works: 1
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

MICRO
JUN 2 4 2002

14023 Oasis Road
Caldwell, ID 83607
March 27, 2001

RECEIVED
MAR 28 2001
WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Permit 63-12198

Dear Mr. Nelson:

Enclosed is the signed Request to Process forms from myself and my neighbor, Mr. Odiaga.

Mr. Odiaga and I have an oral agreement for him to use the well located on my property to irrigate his land as needed. The well, the buried water lines, and water outlets for attaching irrigation pipes are all located on my property. The water outlets swivel to allow the pipes to be used on both Mr. Odiaga's property and mine.

My wife and I greatly appreciate you asking for this matter to be expedited. Please feel free to telephone us if you need any additional information.

Thank you.

Sincerely,

Lance R Herold

Lance Herold

MICROFILMED
APR 2 4 2002

RECEIVED
FEB 0 9 2001
WATER RESOURCES
WESTERN REGION

14023 Oasis Road
Caldwell, ID 83607
February 8, 2001

Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Notice of Claim To A Water Right No. 63-12198

Dear Mr. Lester:

Enclosed is the notarized letter sent to us by the original owners of our property regarding the irrigation of our property and the property adjacent to us. Please contact us if you have any questions or need any additional information.

Thank you.

Sincerely,

Eva Herold

Eva Herold

MICROFILMED
JUN 2 4 2002

CIRCLE P RANCH
1267 SO CRANE ROAD
MIDVALE, IDAHO 83645
1-208-355-4800

RECEIVED
FEB 0 9 2001
WATER RESOURCES
WESTERN REGION

Tuesday, January 16, 2001

Dear Sir,

My husband and I lived on the property: Section 2, Township 5 North, Range 3 West, Canyon County, Lot 4 of the Hillridge Estates. We watered Lot 4 and Lot 6 of the Hillridge Estates. We had trees and pasture in the ground before the year of 1987 and irrigated them.

Sincerely yours

Carl L. Post
Laura E. Post

JANET S. MEYER NOTARY PUBLIC STATE OF IDAHO

MICROFILMED
JUN 2 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

March 22, 2001

LANCE OR EVA HEROLD
14023 OASIS RD
CALDWELL ID 83605

RE: APPLICATION FOR PERMIT 63-12198

COPY

Dear Mr. and Ms. Herold:

I discussed this letter with you in our telephone conversation on 3/23/2001. In order to continue processing your application we will need you to complete the enclosed Request to Process form and a letter from you describing the arrangement that you have with Mr. Odiaga for the ownership and use of the well for this permit. I have already discussed the Request to Process form with you, and you felt that the third choice ("Will agree to mitigate in the future") would be the best choice for you at this time. I will need to receive a Request to Process form from both parties before I can continue with the processing.

After we receive the above information, I will split the permit application and assign a new water right number for each portion of the current application. I will then send this information to our State Office for final review. I will request that this application be expedited since it has been some time since it was applied for.

If you have any questions please contact me at the above address. Please return the above information to our office C/O Dan Nelson.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED
JUN 2 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

March 22, 2001

FRANSISCO ODIAGA
14035 OASIS RD
CALDWELL ID 83607

COPY

RE: APPLICATION FOR PERMIT 63-12198

Dear Mr. and Ms. Herold:

I discussed this letter with Mr. Herold in a telephone conversation on 3/23/2001. In order to continue processing your application we will need you to complete the enclosed Request to Process form and a letter from you describing the arrangement that you have with Mr. Herold for the ownership and use of the well for this permit. I have already discussed the Request to Process form with Mr. Herold, and he felt that the third choice ("Will agree to mitigate in the future") would be the best choice for you and him at this time. I will need to receive a Request to Process form from both parties before I can continue with the processing. You may want to discuss this with Mr. Herold to form a combined plan of action for the application.

After we receive the above information, I will split the permit application and assign a new water right number for each portion of the current application. I will then send this information to our State Office for final review. I will request that this application be expedited since it has been some time since it was applied for.

If you have any questions please contact me at the above address. Please return the above information to our office C/O Dan Nelson.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED
JUN 2 4 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 7, 2001

JOSEPH W ROBERTS
3543 N COLE RD APT 104
BOISE ID 83704

Re: Assignment of Application for Permit No. 63-12198

Dear Mr. Roberts:

Mr. Herold called this office on February 5, 2001, to inform me of a misspelling in the recent submittal of an assignment of the above referenced application. He said *Adiago* is spelled *Odiaga*.

Also, the form used to assign part of the application to Mr. Odiaga was not the correct form. Enclosed is the original form you used, which is for changes to a *permit* instead of an *application*. The form used to assign the other part of the application to Herolds was correct. It is easy to mistake one form for the other, and this office probably gave you the incorrect form. Please excuse the error on our part.

Because the assignment form is a notarized document, department staff cannot make corrections to the form without your written approval. I thought it best to use a fresh form to correct the Odiaga portion of the assignment. Please complete the enclosed *assignment of application for permit* form to grant part of the application to Mr. Odiaga. Return it to me at your earliest convenience. You do not need to return the *assignment of permit* form since it is not applicable.

Thank you for your attention to these matters.

Sincerely,

Steve Lester

Steve Lester
Water Rights Supervisor

MICROFILMED
JUN 24 2002

Enclosure

Eva Herrold called
1-5-01 Asking if there
was a problem w/ 63-12198.

She thinks Mr. Odiaga said
that it never got approved,
but she may have mis-
understood him because he's
basque & hard to understand
at times...

So she wants this checked
out ASAP, and someone to
call & let them know what
is happening

MICROFILMED
JUN 2 4 2002

1-5-01

Lance Herrold called 1-3-01
w/ correct irrigation rt #.
63-12198. It's for 10
acres, they bought 5. He'll
tell the neighbor (Mr. Odiaga?)
to change the other 5 into his
name also.
63-30229 is the D+S right
for house that Herrold's
bought. Herrold's DONOT
own any part of A63-07885C.

MICROFILMED
JUN 2 4 2002

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12198

Proposed Priority: April 20, 1995 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **JOSEPH W ROBERTS**
15032 HOLLOW RD
CALDWELL ID 83605
has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 2, Township 05N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
05N	03W	2	Lot 4(NWNW)	10.0			10.0

Total number of acres irrigated: 10.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1996.**
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Point of diversion is located within Lot 4, Hill Ridge Estates.
7. Place of use is located within Lots 4 & 6, Hill Ridge Estates.
8. This permit does not authorize the development and irrigation of new land not previously irrigated.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

_____ day of _____, 19____.

MICROFILMED
JUN 2 4 2002

Karl J. Dreher, Director

10/3/95

Per Jim, don't split off pre-1987 developed SA; hold application in total pending processing of Basin 63 consumptive use applications.

MICROFILMED
JUN 2 4 2002

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W ROBERTS 15032 HOLLOW RD CALDWELL ID 83605 (208) 459-2022	04/20/1995	IRRIGATION	03-15	11-15	0.200 CFS	
				TOTAL DIVERSION:		0.200 CFS	

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T05N R03W S02 Lot 04(NWNW) CANYON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
05N	03W	2						04-10											10.0
																	TOTAL ACRES		10.0

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:
63-12198

Other Water Rights Listing Overlapping Place(s) of use:
63-12198

Conditions of Approval:

01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

065 - The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks: Point of diversion is located within Lot 4, Hill Ridge Estates.
Place of use is located within Lots 4 & 6, Hill Ridge Estates.
This permit does not authorize the development and irrigation of new land not previously irrigated.

Dates: App. Received: 04/20/1995 Priority Date: 04/20/1995
Proof Due Date: 10/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 63 Field Exam Fee:

Comments: Date: 04/20/1995 User-ID: RHOWERTO Subject: EXISTING SYSTEM
System existing prior to 1987 allows processing under moratorium.
Well drilled in 1980 for Carl Post and system developed shortly after; attached ASCS photography (1987?) supports existing use.
Claim A63-30229 filed for domestic/stock uses, same well.

Audit: 09/28/95 CZIMMERM

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 63-12198 **Name:** Roberts **Date:** 9/28/95 **Ad OK?** ✓
Correct Fee? ✓ **Receipt #:** W018993 **Priority:** 4/20/95 ✓ **Gvmt Lts:** ✓

AREA OF CONCERN? Pre 1987 use No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - 26A-**P17**
GROUNDWATER: <√ *FLO-CH*>
+ 0.2 cfs - 01M
=/- 0.2 cfs - ~~No MD~~
=/+ 5 a. - ~~01M~~, ~~045~~(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. ___-___-__-_____-____, **P99**
No WD permit? - 046-46B-**P23** (post 7/1/87)
irr. in WD - **P05** (new well)
SURFACE WATER <√ *FLO-CH*>(Surface water that *doesn't sink* is regulated):
Water District(~~dom~~) - 005 (*req*) WD #_____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-**P08**
=/- 0.2 cfs - 028(may report)-01H(lock dev)-**P01** or No MD
=/+ 5 a. irr. - 028(may report)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-**P04**, NA
(02/03) - 007-**P07** (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-**P04**(Payette Lake), NA
USE:
Domestic *(surface)* - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(*rq*)-010/06A/09E(WQ)-**P10**;044(N 1000 Spr)
Irr <*POU*> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - ~~03~~A (0.02 cfs/A)
Mining - 054 (*req*) & 06A/010/09E-**P10**
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-**P18**; 17G(FERC) or 17M(~~FERC~~); 18B-**P09**
Storage(✓ *3 compo.*) - 18A(multi MD in WD), 18B-**P09** (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (~85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: - _____ _____ _____
STANDARD REMARKS: - ① W06 _____
_____
BENEFICIAL USE DUE: - 10-1-1996
COMMENTS: - _____

Form No. 202a

RECEIVED
SEP 25 1995
Department of Water Resources

ok to advertise

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: _____ DATE: 7/3/95 APPLICATION: 63-12198

REQUIRED INFORMATION

- Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- Address:
- Source: (See USGS Quad for names of water sources)
- Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- County:
- Quantity: (flow and/or volume)
- Period of use:
- Nature of proposed use: (Include description of use)
- Description of diverting works:
- Time required for beneficial use of water:
- Place of use or acres irrigated:
- Map: (show T, R, S, QQ &/or QQQ)
- Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- Fee:
- Yes ____ No* In form to receipt:

Gov't. Lots:
4 P/D
4 P/U

ADDITIONAL INFORMATION

YES	NO	
✓		Overlapping place of use: (Describe source & relationship to present application on the back.)
	✓	Overlapping point of diversion:
		Field check required: Field check by: _____
		Field report attached:
	✓	Critical groundwater area:
		Groundwater management area:
*		1992 moratorium:
		Copy to SCA staff: (perennial stream, non-pump diversion)
		Copy to Dam Safety staff: (for any storage)
		Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
		Send power requirement letter:
		Send fish farm requirement letter:
		Power residency affidavit:
		Power efficiency form:
		Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
✓		*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: 7-5-95

✓ Additional information on reverse side:

*See next pg - can advertise, can approve 5 ac. @ .10 cfs, split Appl. & Ag/Ag (mountain blankets) other 5 ac. @ .10 cfs.

PROCESSING APPLICATION . 63-12198

YES NO

- ✓ ___ In form for advertising:
- ___ ✓ Statewide advertising: (> 10 cfs &/or 1000 af)
- ✓ ___ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES	NO		YES	NO	
___	✓	I.D. Health and Welfare	___	✓	U.S. BLM
___	✓	I.D. District Health	___	✓	U.S. Forest Svc.
___	✓	I.D. Fish and Game	___	✓	Water Dist. # ___
___	✓	I.D. Lands	___	✓	Other ___
___	✓	Adjudication Bureau			

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ✓ ___ Affidavit of publication received:
- ✓ ___ Application published correctly: If not, record action taken.

___

___

___

- ___ ✓ Publication dates and paper recorded on application:
- ___ ✓ Protests received. Final date for protest 9-5-95
- ___ ✓ Protest dates, resolution of protest recorded on application:
- ___ ✓ Recommendations attached: Approve, DW
- ___ ✓ Measuring device required:
- ___ ___ Measuring port required:
- ___ ✓ Water delivered by water master? District #___
- ___ ✓ Special conditions of approval or cover letter:___

___

___

___

- ___ ✓ See below for additional information

Recommended Date or Priority 4/20/1995

Recommended by: DW Date 9/20/95

STATE OFFICE REVIEW

___

___

___

___ See below for additional information. By ___ Date ___

ADDITIONAL INFORMATION - same well as A63-30229 (O/S only).

Overlap - not shown in d'base but Black Canyon Irr Dist. water available for at least some of land - see attached notes by CJH; also confirmed by 1987 irrig shown in some of the area in ASCS + NAPP photos.

Per CJH's review notes p/w 7/27 response from applicant (affidavit), appears e 5 ac. irrig by well ≤ 1987. Rec'd approval of south 5 acres, then split appl. to rel'g approval on north 5 acres (roughly, subd. Lot 6 & Lot 4, respectively). Then need 2nd "wait letter" sent e 5 Acres cannot process now.

63-12198 Notes for consideration @ review: CJ4

At filing applicant Stated that all acres under irrigation from well, back to 1980. He brought ASCS photo which defines area as irrigated in 1987 (photo ft. Canyon Co.). 1987 version

However, applicant subsequently told Ron H. that he was diverting Black Canyon water to the southern portion of the land. 1987 NAPP indicates that the southern 5ac were previously irrigated as part of a larger area, but not in 1987. Area around house irrigated in 1987.

My suspicion is that well has only been used on 3-5 acres, around house. Field check/additional info required? (over)

P.S. this is the one Sand Hollow Roberts family that had the illegal well last year, ie domestic well used for 15ac irrigation.

MICROFILMED
JUN 24 2002



NAPP W-55-SE
7-14-87

SN 3W 5.2

63-12198

NWNW

MICROFILMED
JUN 2 4

Bldgs. shown & bldgs. & few acres south of bldgs. but not north of bldgs.

Date Filed: 2/24/1993
In: CANYON County
T05N R03W [illegible] SWNE SENE NWSE SWSE
4[illegible] IES TOTAL

63-12007

JOHNSON III, MIERS C
400 TANOAK CIRCLE
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SWNE Sec 10 T 02N R 03W In CANYON County.
NWSE Sec 10 T 02N R 03W In CANYON County.
Use: IRRIGATION (3.200 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (3.400 CFS)
Date Filed: 4/14/1993
In: CANYON County
T02N R03W S10 SWNE SENE NESE NWSE
SWSE SESE
160.0 ACRES TOTAL
Water bearing zone to be appropriated is 300 to 500 feet.

63-12027

ATWOOD, A C
ATWOOD, LINDA JOY
18224 ALLENDALE RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWNESW Sec 31 T 04N R 04W In CANYON County.
Use: IRRIGATION (0.700 CFS)
Total Diversion: (0.700 CFS)
Date Filed: 6/14/1993
In: CANYON County
T04N R04W S31 NESW Lot 3(NWSW) Lot 4(SWSW) SESW
NWSE SWSE
35.0 ACRES TOTAL
Water bearing zone to be appropriated is 250 to 400 feet.

63-12050

SNETHEN, R L
SNETHEN, W E
6670 CAN-ADA RD
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversion Pt: NWNE Sec 17 T 05N R 03W In CANYON County.
Use: IRRIGATION (0.420 CFS)
Total Diversion: (0.420 CFS)
Date Filed: 8/31/1993
In: CANYON County
T05N R03W S17 NENE NWNE
21.0 ACRES TOTAL
Water bearing zone to be appropriated is 150 to 300 feet.

63-12198

ROBERTS, JOSEPH W
15032 HOLLOW RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: LOT 4 (NWNW) Sec 2 T 05N R 03W In CANYON County.
Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 4/20/1995
In: CANYON County
T05N R03W S02 Lot 4 (NWNW)
10.0 ACRES TOTAL
Application does not propose irrigation of new acres.

63-12250

BISHOP, JOHN
10122 LINCOLN RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWNWSW Sec 8 T 05N R 03W In CANYON County.
Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.060 CFS)
Date Filed: 7/21/1995
In: CANYON County
T05N R03W S08 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before SEPTEMBER 5, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
August 16, 23, 1995

MICROFILMED
JUN 2 4 2002

July 27, 1995

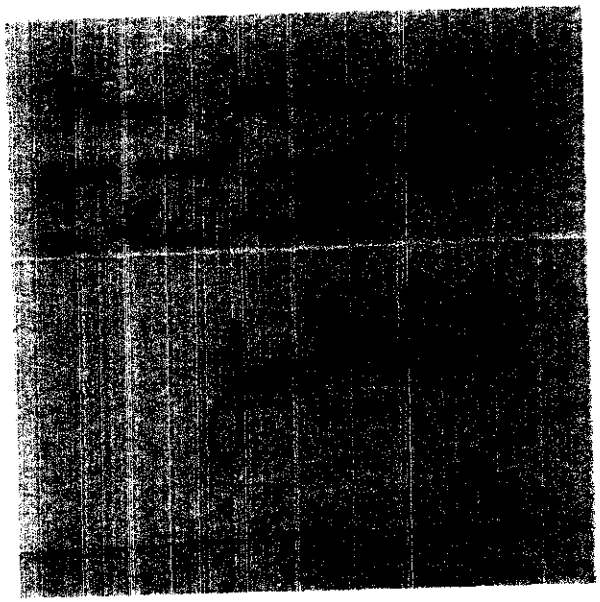
I Carlos L. Post affirm that Lot 6 Hillridge Estate Subdivision, Canyon County Idaho was irrigated by me from the well on Lot 4 in the same subdivision in 1987. The buried mainline was placed by me between the two lots for this purpose.

Carlos L Post
Carlos L. Post

7-27-95
Date

Witness

7-27-95
Date



RECEIVED
AUG 04 1995
WATER RESOURCES
WESTERN REGION

MICROFILMED
JUN 24 2002

State Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

RECEIVED
AUG 04 1995
WATER RESOURCES
WESTERN REGION

Joseph W. Roberts
15032 Hollow Road
Caldwell, ID 83605

RE: APPLICATION FOR PERMIT NO. 63-12198

Dear Mr. Roberts:

The above-referenced application for water right permit to irrigate ten acres from an existing well has been initially reviewed but not yet advertised in the local newspaper. Your application describes a use developed prior to November of 1987 for which you now seek water right protection under a valid water right.

Due to concerns about water supplies and existing water rights in the local area, the Director of this agency declared a drought moratorium on approval of new consumptive use water rights as of May, 1992. Irrigation is a consumptive use. The moratorium was withdrawn in May of 1995 but significant processing delays remain due to a backlog of applications to handle. New consumptive uses or such uses that cannot be verified as starting before November, 1987 face considerable processing delays.

A few (five?) of your ten acres appear to have been irrigated based on 1987 aerial photography. The balance of the acreage did not appear to be irrigated by that date. Therefore, some of the land appears eligible in your filing but lacks evidence that the well in question irrigated the site by 1987. Please provide material within 30 days that verifies irrigation starting before November, 1987. Such evidence could include power records, affidavits, or similar information and should specify the number of acres irrigated by the well at that time.

Application processing will continue if adequate verification is submitted. Otherwise, the application will be held pending reduction of the moratorium backlog (most likely until later this year or early next year). Delays related to department issues as outlined in this letter do not affect the date of priority (water right seniority) of your filing.

Please contact me at your earliest convenience if you need assistance.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED
JUN 24 2002

State o. . aho
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Sincerely,

Steve Lester
Water Rights Supervisor

* yes Lot 6 of subd.
no Lot 4 of

-SL

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JUN 2 4 2002

AJ0729NP
No. A63-30229

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/
PAGE:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W ROBERTS 15032 HOLLOW RD CALDWELL ID 83605 (208) 459-2022	10/24/1980	STOCKWATER	01-01	12-31	0.02 CFS	
			DOMESTIC	01-01	12-31	0.04 CFS	
				TOTAL DIVERSION:		0.06 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL US

Point(s) of Diversion: T05N R03W S02 NWNW CANYON County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
05N 03W 2						S										

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
05N 03W 2						D										

POU County: CANYON

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 15 RANGE CATTLE, 5 HORSES

Other Rights: NONE

Remarks: LOTS 4 & 6 HILL RIDGE ESTATES.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Same well as appl. 63-12198 (irrig 10 Acres)

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JUN 24 2002

63-12198

ROBERTS, JOSEPH W
15032 HOLLOW RD
CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: LOT 4 (NWNW) Sec 2 T 05N R 03W in CANYON County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 4/20/1995

In: CANYON County
T05N R03W S02 Lot 4(NWNW)

10.0 ACRES TOTAL

Application does not propose irrigation of new acres.

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JUN 2 4 2002