

330'

330'

330'

330'

5 AC

5 AC

5 AC

5 AC

660'

5 AC

PROPOSED WELL

5 AC

330'

SEC. 21 T1N R2W

15 AC

15 AC

990'

N.W. CORNER
OF SECT. 21

MICROFILMED
JUN 09 1999

MELMONT RD.

1" = 200'

Ken Tigar

North

Dry Lake
2682

Ken Tieggs

no 2

no 3-

741

KTieg's
DRY Grazing

LOOK

Well W.
273/

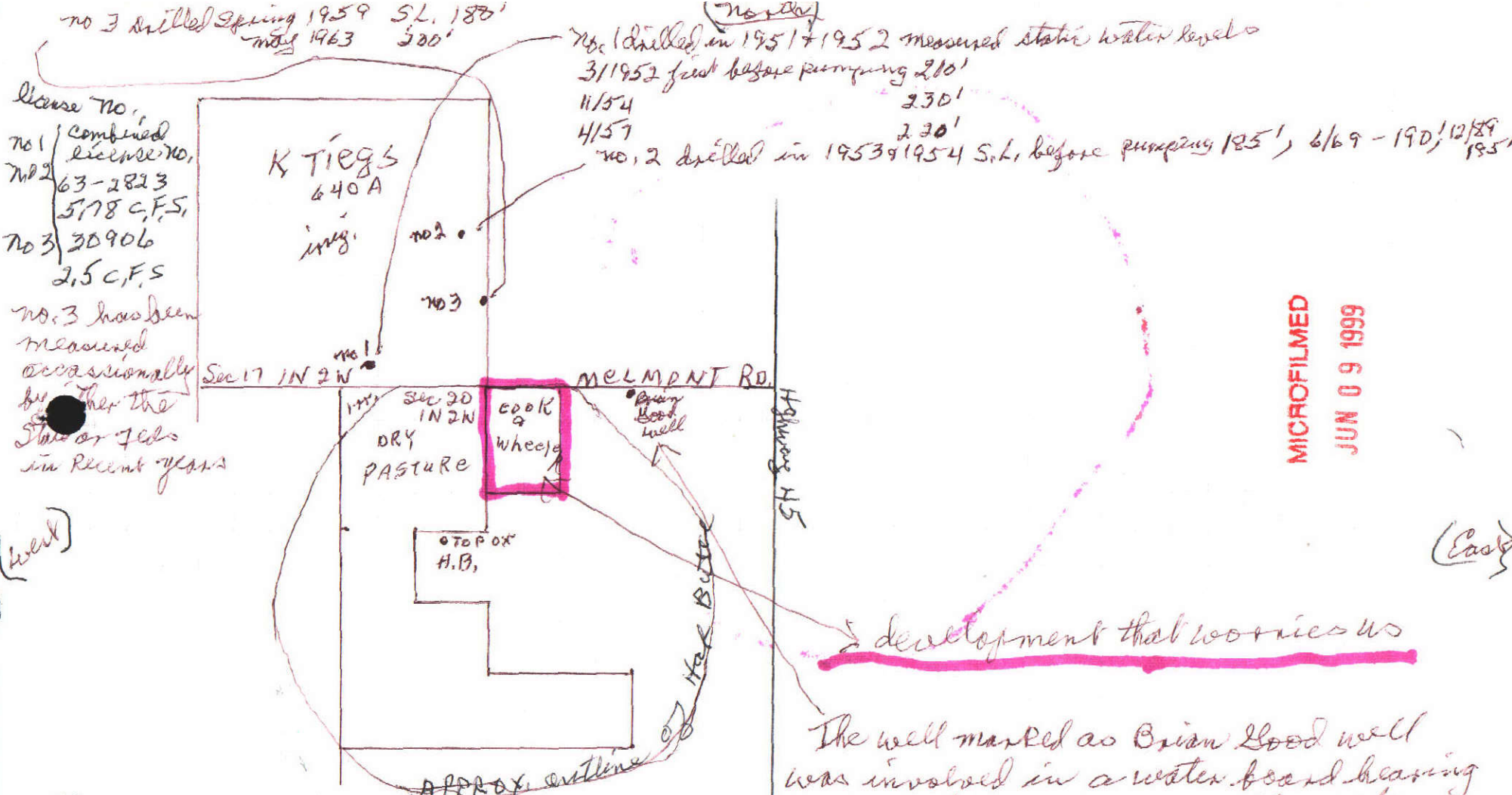
Handwritten: 2000

5/15 Hwy

H A I T I B U T

outline of Steeper part of Har Butte

MICROFILMED
JUN 9 9 1993



MICROFILMED

JUN 09 1999

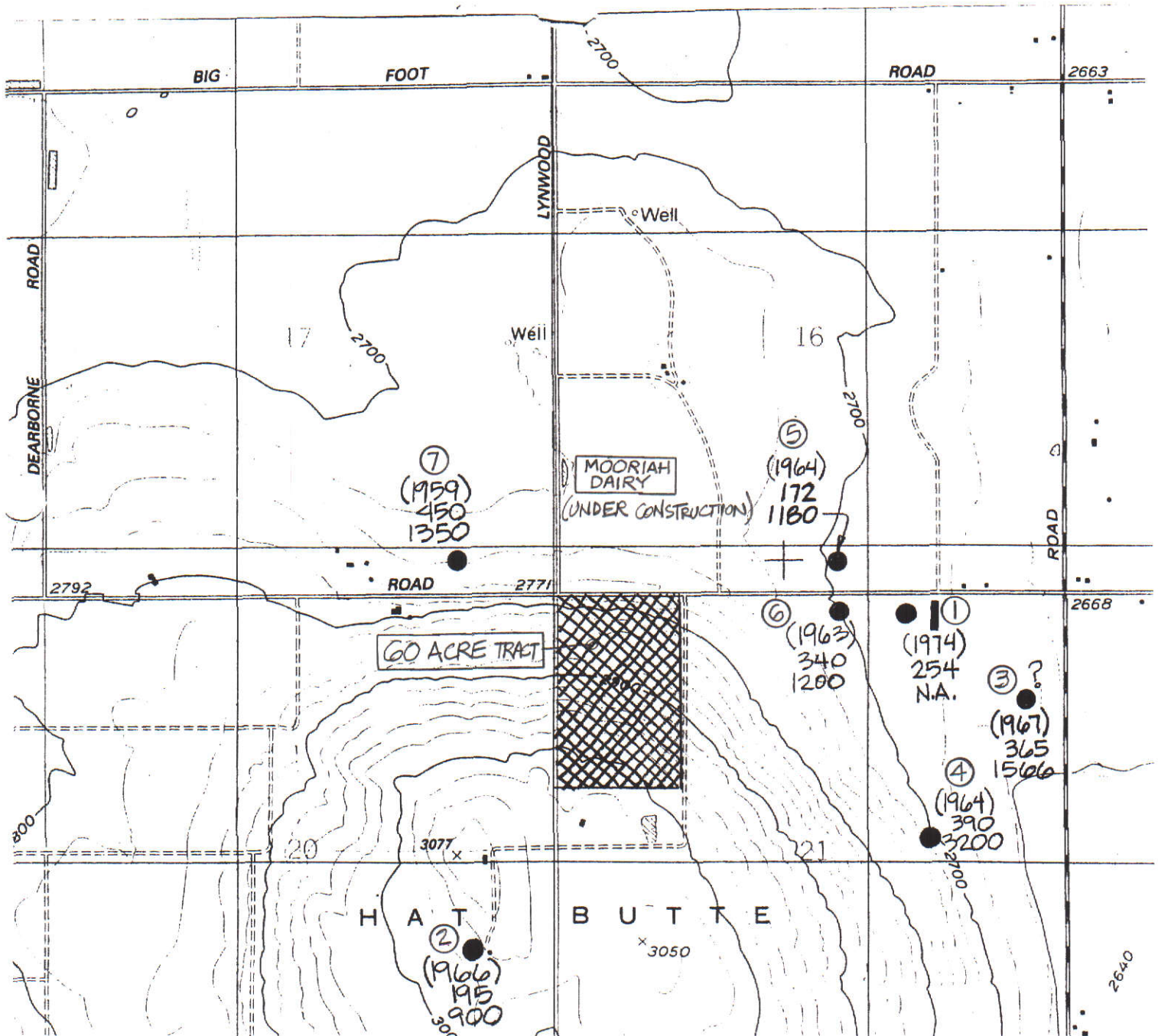
development that worries us

The well marked as Brian Good well was involved in a water board hearing in 1964 V.S. my no. 3 well. after a detailed water study it was determined from the hearing that the Brian G well had a definite effect on my no. 3 well - The ruling was the B. G. well must be throttled down to where I could get my Proved up water from no. 3. This proves this is not a new shortage of water, it's been going on for some 35 years. Now we're expected to share our livelihood with the 2 land speculators, (South) Cook & Wheeler or Horizon development

I feel that Static water levels are an indicator. But where the rubber really hits the road on these wells; is where the draw-down levels are in late July thru late Sept, after all the wells have worked all summer long. The aquifer has time to refill & restore itself over winter again.

*Ken Tiegs

WELL LOCATIONS ON ADJACENT LAND



LEGEND :

- WELL SITE
(1964) YEAR WELL COMPLETED
172 DEPTH OF WELL (FT.)
1180 YIELD OF WELL (GPM)

MICROFILMED
JUN 09 1999



MELMONT RD.

JUN 9 9 1999

MICROFILMED

PROPOSED WELL

NOTE:
LOTS TO BE SERVED
BY PROPOSED WELL
SHOWN CROSS-HATCHED

NW CORNER
OF SEC. 21

1" = 200'

990'

15 AC

15 AC

NW NW

SEC. 21 T1N R2W

330'

5 AC

5 AC

1/4-1/4 line

660'

5 AC

5 AC

5 AC

5 AC

SW NW

330'

330'

330'

330'

RECEIVED

APR 13 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12504

Name(s) of Permit Holder: JOHN M. COOK

Address: 15977 COUGAR LN. City SANTA ROSA State CA Zip 95409

Telephone No. 707 538 2868 Date Proof is Due: MAY 1, 2000.

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

- 1) WELL HAS BEEN DRILLED & CASED.
- 2) TRENCHES HAVE BEEN DUG & PIPING INSTALLED.

Costing \$ 60,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

DEVELOPMENT PROCESS TAKES MUCH LONGER THAN 1 YEAR. WE APPARENTLY
MISUNDERSTOOD THAT 5 YEARS COULD HAVE BEEN REQUESTED WITH ANOTHER 5 YEARS
EXTENSION PRIOR TO "PROOF OF THE EXTENT OF BENEFICIAL USE" BEING DUE. WE HAVE
NEEDED TO PLAST TO INSTALL TRENCHING & ROAD. WE THEREFORE REQUEST 9 YEAR EXTENSION -
4 REMAINING YEARS THAT SHOULD HAVE BEEN INITIALLY REQUESTED, PLUS 5 YEAR EXTENSION WHICH COULD
HAVE THEN BEEN REQUESTED.

Permit holder(s) request an extension to MAY 1, 2009

John Merte Cook
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be
APPROVED and the time within which to submit proof of beneficial use is extended
to May 1, 2005.

Signed this 19th day of April, 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

MICROFILMED

APR 14 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12504

Proposed Priority: December 2, 1998 Maximum Diversion Rate: 0.16 CFS

This is to certify, that JOHN M COOK
2329 SIERRA DR
NAMPA ID 83686

has applied for a permit to appropriate water from: GROUNDWATER

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

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

DOMESTIC	01/01 to 12/31	0.16 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 21, Township 01N, Range 02W
CANYON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

01N 02W 21 NWNW SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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 needed for salmon migration purposes. The amount of water required 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 permit.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. Irrigation use under this right is authorized only in connection with a domestic use.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted lot upon which a home has been constructed.
8. Domestic use is for 4 homes.
9. Water bearing zone to be appropriated is from 300 to 400 feet.

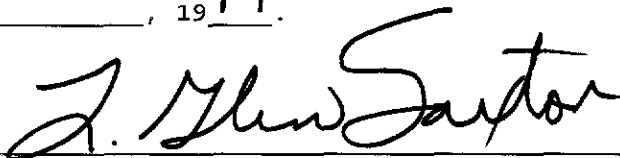
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12504

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

26th day of April, 1999.


for Karl J. Dreher, Director



MICROFILMED

1/89 RECEIVED

APR 19 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-12504

RECEIVED

DEC 02 1998

WATER RESOURCES
WESTERN REGION

1. Name of Applicant JOHN M. Cook Phone 465 7729
Post Office address 2329 SIERRA DR. VAMPA ID 83686
2. Source of water supply GROUNDWATER which is a tributary of —
3. Location of point of diversion is SE 1/4 of NW 1/4 of NW 1/4, Govt. Lot —
Sec. 21 Township 1N Range 2W B.M. CANYON County; additional points of
diversion if any: NONE
4. Water will be used for the following purposes:
Amount 16 0.2 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
- * 5. Total quantity to be appropriated is (a) 0.2 16 and/or (b) 20
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP & PIPING TO 4 LOTS
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 8 inches; proposed depth of well is 600 feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? —; Drilling firm —;
Well was drilled for (well owner) —
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (If irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. —
b. Stockwatering; list number and kind of livestock. —
c. Municipal; show name of municipality. —
d. Domestic; show number of households. 4
e. Other; describe fully. —

MICROFILMED

JUN 09 1999

(received)
per attached 1/19/99 response letter: l

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	2W	21					D	D											

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? JOHN M. COOK

b. Who owns the land to be irrigated or place of use? JOHN M. COOK

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

* 12. Remarks: WATER BEARING ZONE TO BE APPROPRIATED IS FROM 300 TO 400 FEET.
APPLICANT AGREES TO MITIGATE CONSUMPTIVE USE IN THE FUTURE AS NECESSARY.

ALSO SEE D'BASE COMMENTS, ATTACHED.

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John M. Cook
 (Applicant)

MICROFILMED
 JUN 8 9 1999

Received by RLH Date 12/2/98 Time 10:53 Preliminary check by _____
 Fee \$ 50.00 Receipted by RLH # W-24627 Date 12/2/98
 Publication prepared by RLH Date 1-27-99 Published in Press Tribune
 Publication approved _____ Date 2/25/99 2-4-11-99

* W-6-306 per 4/1/99 call from Applicant. Future mitigation from 1/19/99 Request to process form. These items - normally posted in legal notice - were inadvertently left out in ad. This is "nonfatal" error & should not require re-ad. D'base updated 4/12/99. -82

Ident. No. 63-12504

Comments: Date: 1/26/1999 User-ID: STAYLOR

Subject: Use

Domestic use is for four homes.

Comments: Date: 4/ 2/1999 User-ID: SLESTER

Subject: APPLICANT'S ADDITIONAL INFORMATION

Per original IDWR reviewer: intent is to provide up to 2 acres of yard irrigation within domestic use, total use include .10 cfs for in-house plus .06 cfs for yards.

MICROFILMED

JUN 05 1993

330'

330'

330'

330'

5 AC

5 AC

5 AC

5 AC

660'

5 AC

PROPOSED
WELL

5 AC

330'

SEC. 21 T1N R 2W

15 AC

15 AC

990'

MICROFILMED

N.W. CORNER
OF SECT. 21

MELMONT RD.

1" = 200'



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN M COOK
5977 COUGAR LN
SANTA ROSA CA 95409

RE: PERMIT NO. 63-12504

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **May 1, 2005**. Please note that the department granted the extension based on due diligence. It is very important that you work diligently towards completion of your project since the department **may not** be able to grant future extension requests.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. I see a different address on the Extension of Time than what was filed on the Permit. Therefore, I have updated your information on your permit. Please contact me if my change to your information is not correct.

Please contact me, if you have any questions regarding this matter.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Regional Office

MICROFILMED
APR 16 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 63-12504 Reviewed by D. Ellis Date 4/14/00

BASIC INFORMATION

4/13/00 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
Yes Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
No Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Approve extension to 5/1/2005, based on due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address 5977 Cougar Ln., Santa Rosa, CA 95409
Change Proof Due Date 5-1-2005
Change Priority Date No

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0048621

Date:

Time: 4/13/2000
14:51:01

Received

From: COOK JOHN M

Type of Payment

Program A cct

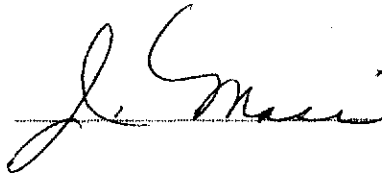
Amount

EXTENSIONS, #63-12504	56103	229 31 1155	50.00
-----------------------	-------	-------------	-------

Total	4	50.00
-------	---	-------

CHECK	1037
-------	------

Region: STATE

Signature: 

MICROFILMED

APR 18 2000

February 28, 2000

JOHN M COOK
2329 SIERRA DR
NAMPA ID 83686

PROOF DUE NOTICE

RE: PERMIT NO. 63-12504

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

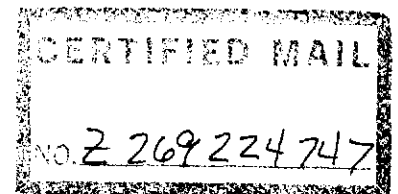
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

APR 18 2000



IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat _____ Long _____

1. WELL TAG NO. D 9906

DRILLING PERMIT NO. 63-99-W-0552-000

Other IDWR No. 63-12504 (Water Right Permit)

2. OWNER:

Name John Merle Cook

Address 2329 Sierra Drive

City Nampa State ID Zip 83686

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Map showing well location on a grid. Twp. 1 North or South Rge. 2 East or West Sec. 21 NW 1/4 NW 1/4 NW 1/4 Gov't Lot County Canyon Lat. Long. Address of Well Site Melmont Road, 7/8 mile west of Hwy 45 City Melba

west of Hwy 45

City Melba

Lt. Blk. Sub. Name

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other 4 homes

5. TYPE OF WORK: check all that apply

(Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES:

Seal/Filter Pack	AMOUNT	METHOD
Material From To Sacks or Pounds		
Bentonite 0 300 2000 lbs Pour		

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 618

Was drive shoe seal tested? ☒ Y ☐ N How? Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	618	375	Steel	☒	☐	☒	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS:

☒ Perforations Method Punch
☐ Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
330	350	.25x1	500			☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

300 ft. below ground Artesian pressure MICROFILM

Depth flow encountered 330-730 ft. Describe access port or control

devices: Cap

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
100	600	600	4 hours

Water Temp. 80

Bottom hole temp.

Water Quality test or comments:

Depth first Water Encounter 330

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Water
12	0	2	Top Soil	
12	2	10	Brown Lava	
12	10	210	Black Lava	
12	210	250	Brown Clay	
12	250	330	Black Lava	
12	330	340	Broken Lava	X
12	340	350	Gravel	X
8	350	600	Sand & Blue Clay	
8	600	730	Blue Clay	
8	730	738	Cracks in blue clay	X
8	738	840	Blue Clay	
8	840	920	Blue Clay & Sand strips	X

RECEIVED

SEP 22 1999

Department of Water Resources

RECEIVED

SEP 20 1999

WATER RESOURCES
WESTERN REGION

Completed Depth 840

(Measurable)

Date: Started 7/20/99

Completed 8/30/99

13. DRILLER'S CERTIFICATION:

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

Company Name Treasure Valley Drilling

Firm No. 560

Firm Official and

Date 9/9/99

Driller or Operator

Date 9/9/99

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1999

JOHN M COOK
2329 SIERRA DR
NAMPA ID 83686

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12504

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

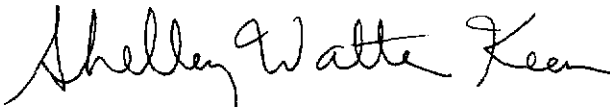
Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit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

MICROFILMED

JUN 9 1999

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

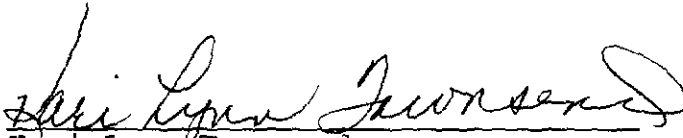
JUN 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12504

JOHN M COOK
2329 SIERRA DR
NAMPA ID 83686


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 8 9 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 03 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

JUN 09 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 63-12504 Name: Cook Date: 4/22/99 Ad OK? ☒ Gvmt Lts: ☒AREA OF CONCERN: - No/Yes: BRD Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - P23

In Basin 347 - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)

Supp. irr. + uses - 100-101

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)

≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22-P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER - R37 (BLM/USFS); NA

MINING - 054(req) - 081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

> 1 in rest. area - 071-070

FIRE PROTECTION - 071

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 100

42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust -

Non-Trust (1) - 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

0070 mod 02/01/4
1/1 2000

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
APR 19 1999
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: Ly DATE: 1/13/99 APPLICATION: 63-12504

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. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

to do ADVERTISE REMARK(S)
(Reviewer identify which remarks)

ADDITIONAL INFORMATION

to do T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium: exempt
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Bull trout impact area, IDFG letter needed
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☐ Mitigation plan: Check any that apply.
☐ immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ 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

Mitigation request form and excessive
cfs justification, valid plat map

Date Requested 1/13/99 Date Response Received 1/19/99

PROCESSING

APP. NO. 63-

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: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

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:
☐ ☐ Final date for protest 2-22-99

☐ ☒ Protests received.

☒ ☐ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: see memo dated 4/15/99

See below for additional information

Recommended Date or Priority 12/2/98

Recommended by: Bayes

Date: 4/16/99

ADDITIONAL INFORMATION:

P/M overlap - surface water 63-02388

MEMORANDUM

To: File nos. 63-12500, Bradley Wheeler; & 63-12504, John Cook
From: Gary Spackman *BS*
Date: April 15, 1999

Re: Conditions of Approval

I reviewed information submitted by John Cook and nearby ground water users objecting to application nos. 63-12500 and 63-12504. Bradley Wheeler did not submit any information.

Cook submitted well logs, a map, some computations comparing domestic water use to irrigation and dairy water use, and a letter alleging wrong-doing by and hypocrisy of the objectors. The computations are not helpful because they attempt to compare existing water uses to a proposal for a new water right. The prior appropriation doctrine does not justify approval of a later in time water right simply because it may be significantly smaller than an earlier priority water right. Allegations about the motives or activities of the objectors also carry no weight in this recommendation.

Flows measured at the time of drilling for wells in the area are recorded on the well logs submitted by Cook. The recorded flows establish that the ground water aquifers in the area are productive. The well logs do not establish whether there is sufficient water for the proposed appropriations.

The objectors submitted information to show that a lot split for the applicants' property was revoked by Canyon County. The applicants stated to me on the telephone, however, that the dispute with Canyon County is not resolved, and there may be litigation pending.

Kenneth Tiegs submitted a one page, handwritten document. Tiegs asserts that a water board hearing in 1964 determined that the "Brian Good well" had a "definite effect" on a well owned by Tiegs. I searched the water right database and found water right no. 63-03289 that was associated with the name Brian Goode. I read the microfilm at the regional office, but because of its poor quality, I consulted the paper file in the vault. Kenneth Tiegs protested the proof of beneficial use that was filed for water right no. 63-03289, but I can't find a decision that affected the water right. There is a reference to a board decision in the inside flap of the file cover, but I don't know where to find the decision.

Water level information gathered by the Tressure Valley Hydrologic Study shows that ground water levels in the area have been increasing. The area of declining water levels south of Lake Lowell are several miles north of the proposed points of diversion.

MICROFILMED

JUN 09 1999

The applicants could obtain domestic drilling permits for drilling individual wells to provide water to the proposed homes. The community wells proposed will better protect the aquifers than individual wells.

We have some information showing that the water supply is sufficient for the purpose sought. I do not believe that diversion of the small amount of water sought will injure other water users.

I recommend that we approve application nos. 63-12500 and 63-12504 with the following conditions:

1. (046)
2. (120)
3. (041)
4. (071)
5. Irrigation under this domestic use shall not exceed $\frac{1}{2}$ acre upon which a home has been constructed.

MICROFILMED
JUN 05 1962



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

✓
FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE:

4/6/99

TO:

John Cook

FROM:

Steve Lester

fax 463-1198

DOCUMENT DESCRIPTION:

MUD-RIAH DAIRY -

DAIRY USE COVERED BY APPROVAL TRANSFER #5255. SOME
IRRIGATION UNDER 2 RIGHTS RETIRED TO PROVIDE WATER FOR
DAIRY USE. SINCE DECISION ALREADY MADE, COMMENT ETC
PROCESS IS N/A. ANALYSIS SHOWS NO EXPANSION OF USE.

TOTAL PAGES SENT:

04

+ COVER SHEET

CONTACT:

MICROFILMED

JUN 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

RECEIVED

SEP 24 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: BERT DE WINKLE
TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02824 :			
IRRIGATION	03/15 to 11/15	3.49 CFS	* 1615.1 AF
STOCKWATER	01/01 to 12/31	0.30 CFS	59.6 AF
COMMERCIAL	01/01 to 12/31	0.30 CFS	7.8 AF
Priority: 07/24/1950			
SUBTOTAL:		3.79 CFS	1682.5 AF
Right No. 63-03054 :			
IRRIGATION	03/15 to 11/15	2.12 CFS	* 1030.2 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	36.5 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	4.8 AF
Priority: 06/24/1955			
SUBTOTAL:		2.30 CFS	1071.5 AF
TOTAL:		** 6.09 CFS	** 1723.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 16, Township 01N, Range 02W
NWSW , Sec. 16, Township 01N, Range 02W
CANYON County

MICROFILMED

JUN 05 1999

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 02W 16	SWNE 40.0	SWNW 39.0	SENW 40.0	
	NESW 40.0	NWSW 5.9	SWSW 37.0	
	SESW 39.0	NESE 39.0	NWSE 40.0	
	SWSE 39.0			358.9

Total number of acres irrigated: * 358.9

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>	
01N 02W 16	NWSW

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 02W 16	SWNE	SWNW	SENW
	NESW	NWSW	SWSW
	SESW	NESE	NWSE
	SWSE		

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 8. The total instantaneous diversion of water from all points of diversion under Transfer 5255 shall not exceed 6.09 cfs, nor a total combined annual volume of 1723.8 af.
- * 9. Rights 63-02824 and 63-03054 when combined shall not exceed a total annual maximum diversion volume of 1615.1 af at the field headgate for the irrigation of 358.9 acres.

MICROFILMED

JUN 15 1993

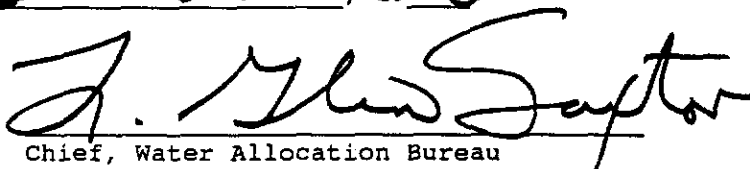
TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

CONDITIONS OF APPROVAL AND REMARKS

10. Commercial use under Rights 63-02824 and 63-03054 is for a dairy.
11. The water used for commercial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for dairy purposes as authorized by these water rights.
12. Two points of diversion are located within NWSW, S16, T01N, R02W.

Dated this 22nd day of

September, 1998


Chief, Water Allocation Bureau

MICROFILMED

JUN 09 1998

MEMORANDUM

TO: Files 63-02824 & 63-03054
FROM: Pam Skaggs/State Office *CS*
SUBJECT: Transfer 5255
DATE: September 9, 1998

Transfer 5255 adds a point of diversion, and changes the nature and season of use under a portion of Rights 63-02824 and 63-03054. The applicant is adding a third well to the system and building a dairy on-site.

SRBA field investigation found a maximum of 390 irrigated acres under these rights instead of the licensed 400 acres. The dairy requires a reduction of 31.1 acres to provide water for commercial and stockwater uses, leaving 358.9 remaining irrigated acres. Commercial use includes the dairy barn site and all irrigated quarter-quarters for land application of wastewater from the dairy.

Season of use was adjusted to year round use at the dairy, and diversion volume was identified as current standards. Recommended conditions include drilling permit requirements, water quality, irrigation overlap, multiple points of diversion/measuring devices, combined right limits, land application limits and standard transfer conditions.

Change in Nature of Use Evaluation

				Div. Vol/C.U. Vol.
Licensed: 63-02824	3.79 cfs	IRR	400.0 acres	1800.0 afa/1400.0 afa
63-03054	<u>2.30 "</u>	IRR	<u>400.0 "</u>	<u>1117.7 "/1117.7 "</u>
	6.09 cfs	IRR	400.0 acres	1800.0 afa/1400.0 afa
Confirmed:	6.09 cfs	IRR	390.0 acres	1755.0 afa/1365.0 afa
Transfer: 63-02824	3.49 cfs	IRR	358.9 acres	1615.1 afa/1256.2 afa
	0.30 "	COM	-----	7.8 " / 7.8 "
	<u>0.30 "</u>	STOCK	-----	<u>59.6 " / 59.6 "</u>
	3.79 cfs	IRR	358.9 acres	1682.5 afa/ 1323.6 afa
63-03054	2.12 cfs	IRR	358.9 acres	1030.2 afa/1030.2 afa
	0.18 "	COM	-----	4.8 " / 4.8 "
	<u>0.18 "</u>	STOCK	-----	<u>36.5 " / 36.5 "</u>
	2.30 cfs	IRR	358.9 acres	1071.5 afa/ 1071.5 afa
Combined	5.61 cfs	IRR	358.9 acres	1615.1 afa/1256.2 afa
	0.48 "	COM	-----	12.6 " / 12.6 "
	<u>0.48 "</u>	STOCK	-----	<u>96.1 " / 96.1 "</u>
	6.09 cfs	IRR	358.9 acres	1723.8 afa/1364.9 afa

& DAIRY

MICROFILMED

SEP 9 1998



CANYON COUNTY

DEVELOPMENT SERVICES DEPARTMENT

Canyon County Courthouse • 1115 Albany Street • Caldwell, Idaho 83605
(208) 454-7458 • Fax (208) 454-6633

RESCISSION AND CANCELLATION OF LOT SPLIT APPROVALS/ CEASE AND DESIST ORDER

1. DSD (P&Z) CASE NO. 987188D21-1N-2W (Parcels 1/4) Assessor's Account No. - Part of R28536
2. DSD (P&Z) CASE NO. 951336D21-1N-2W (Parcels 2/3) Assessor's Account No. - Part of R28537
3. DSD (P&Z) CASE NO. 988247221-1N-2W (Parcels 5/6) Assessor's Account No. - Part of R28536
4. DSD (P&Z) CASE NO. 951335D21-1N-2W (Parcels 7/8) Assessor's Account No. - Part of R28536

March 12, 1999

Brad Wheeler
3611 Wheeler Circle
Nampa, Idaho 83686
Via Facsimile (208)468-8759 and U.S. Mail

John Merle Cook
2329 Sierra Drive
Nampa, Idaho 83686

Re: Eight (8) Lot Land Division, as shown by Record of Survey of a part of the Northwest Quarter of Section 21, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho Prepared by Earl & Associates, Inc., and dated September 30, 1998 (Horizon Development)

Dear Mr. Wheeler and Mr. Cook:

As Executive Director of the Development Services Department, I have reviewed the administrative lot-splitting process and the boundary adjustment process utilized for the above described properties represented by that survey. For a copy of the survey, see Exhibit "1", attached hereto and made a part hereof. Upon review, I have determined that Horizon Development was only eligible for four (4) lots, and not eight (8) lots, through the splitting process, because the applicant had only an original fifty (50) and an original ten (10) parcel for consideration under the lot-splitting procedures provided by Canyon County Code

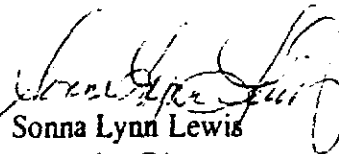
Letter to Mr. Wheeler and Mr. Cook
March 12, 1999
Page Two

of Ordinances, Section 07-12-07(8)3.

Therefore, through the power vested in me as the Executive Director of the Development Services Department, and in compliance with the provisions of Section 07-11-01 of the Canyon County Code of Ordinances, I hereby, effective this 12th day of March, 1999, hereby revoke the Development Services Department approval of the eight (8) lot splits, as shown by the attached record of survey (Exhibit "1"), having determined that Horizon Development is only entitled to four (4) lots rather than eight (8) lots. Horizon Development is further directed to cease and desist from all development for the eight (8) lot land division.

It is further directed that Horizon Development shall forthwith confer with representatives of the Development Services Department to arrange for a four (4) lot development. Please contact our office to set up a meeting to discuss your development at your earliest convenience.

Sincerely,



Sonna Lynn Lewis
Executive Director
Development Services Department

Attachment 1: Record of Survey, as stated above.

MICROFILMED
JUN 05 1999

March 26, 1999

Mr. Karl J. Dreher
Director of Dept. of Water Resources
2735 Airport way,
Boise, Idaho 83705

Water shortage in Hat Butte area.

We the undersigned, respectfully petition for the establishment of a ground water management area in which new well drilling would not be allowed. We further request that immediate restrictions on new domestic well drilling be enforced while this petition is being studied and considered.

We feel our immediate area (Hat Butte area) is a critically short underground water area; and we need some protection from further new drilling that isn't done under old proven water licences.

Respectfully yours:

Lauretta Borman

~~Lauretta Borman~~

Brian J. Gogal

~~Brian J. Gogal~~

Kenneth W. Cole

Beth Cole

Michael Christensen

Carolyn Moon

~~Carolyn Moon~~

Carolyn Moon

Carolyn Moon

Cynthia Shogley

Heather Hale

Tina DeWinkle

~~Tina DeWinkle~~

Kenneth W. Cole

Beth Cole

Ken Tieg

~~Ken Tieg~~

Mike McShane

~~Mike McShane~~

Julie McShane

~~Julie McShane~~

CAROLYN MOON

CAROLYN MOON

Sandra Koppberg

MICROFILMED

JUN 14 1999

April 07, 1999

RECEIVED

APR 09 1999

WATER RESOURCES
WESTERN REGION

SL
Mr. Steve Lester
Water Rights Supervisor
IDWR
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Dear Mr. Lester,

This letter is in response to your letter to us of 4/2/99, regarding the Cook and Wheeler applications for water rights No. 63-12504 and No. 63-12500 respectively.

It was our understanding that due to the moratorium on New Wells (irrigation and community wells) that the only new drilling allowed was for individual domestic wells. When Horizon Development tried to get a subdivision approval with a community well before the Canyon County Development Services Dept. they refused to even consider it unless it was presented with individual wells; because of the moratorium on irrigation and community wells.

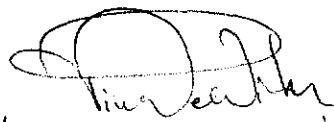
However, regarding the Cook-Wheeler applications which are for 4 homes each, we request you revoke these applications on the basis of the enclosed material from Canyon County Development Services Dept. This information reveals that there are not 4 homesites for each applicant! And at this time they are told to cease and desist on any development on Hat Butte.

There is NO available surface water for irrigation or proved up underground water rights for their (Cook-Wheeler) property. We will enclose other information to you with signatures from farmers of the surrounding Hat Butte area that shows you our concern we all have with the water shortage in our area. Mr Steve Lester we would like to hear from you A.S.A.P. (please, within 2 week) so we can make a decision on where we go from here. Thank you very much.

Sincerely yours,

3438 Lynwood Melba
83641

10305 Melmont, Melba, I
83641


Tim Decker
Ken Siego

MICROFILMED

APR 04 1999

Cook - Wheeler
Horizon Development -

* Brian Good
McShane

Bert DeWinkle

Ken Tiegs

NORTH

Dry Lake
2562

2697

2674

Well W.
2731

Ken Tiegs

no 2

no 3

no 1

Ken Tiegs
DRY Grazing

H A T

2650

Highway 45

2663

2655

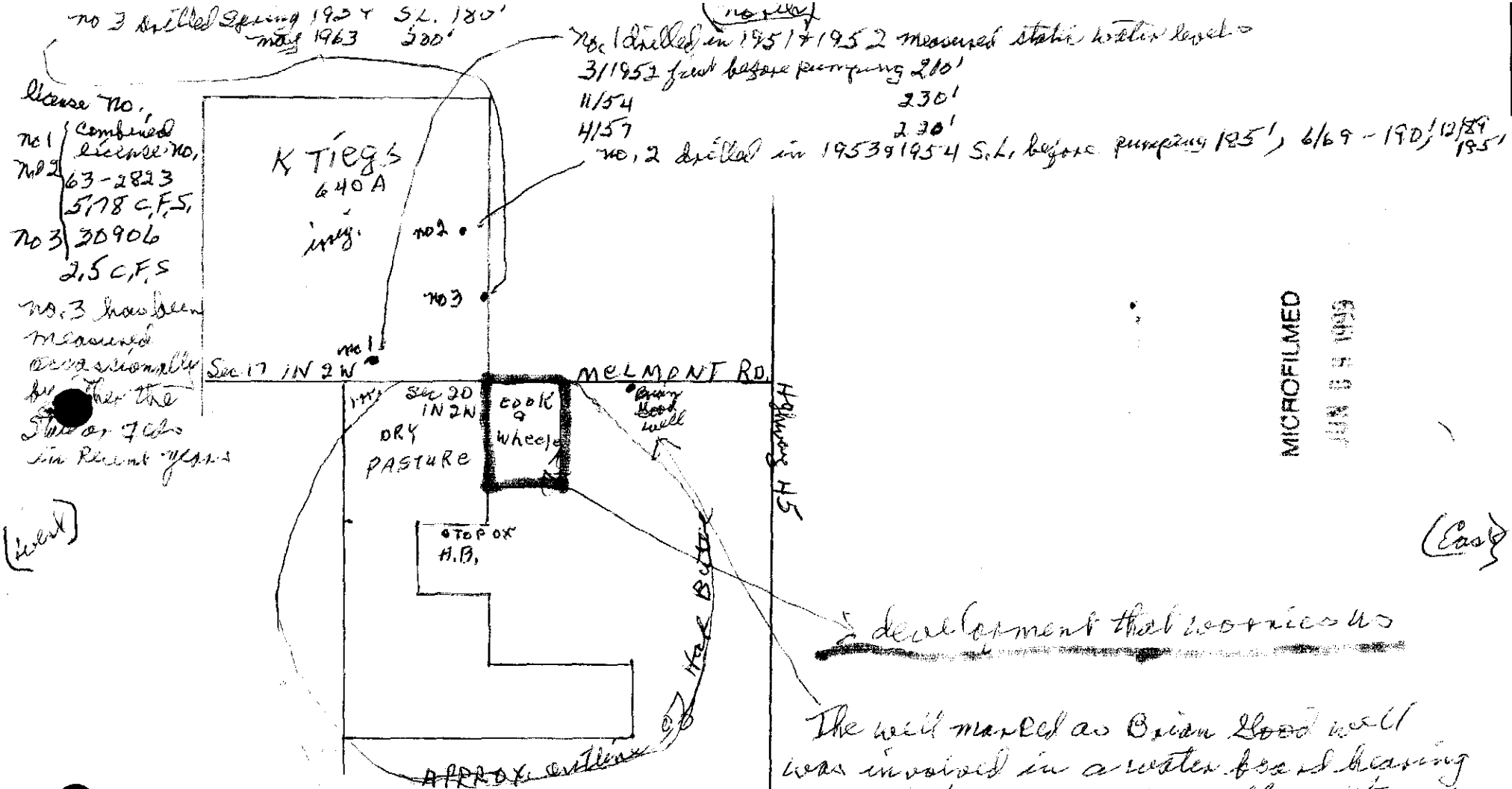
Har Butte
of Steep part 28

MICROFILMED

28

HAT BUTTE
AVENUE

630000
FEET



I feel that static water levels are an indicator. But where the rubber really hits the road on these wells is where the draw-down levels are in late July thru late Sept, after all the wells have worked all summer long. The aquifer has time to refill & restore itself over winter again.

*Ken Tiegs

The well marked as Brian Good well was involved in a water board hearing in 1964 V.S. my no. 3 well. After a detailed water study it was determined from the hearing that the Brian G well had a definite effect on my no. 3 well - The ruling was the B.G. well must be throttled down to where I could get my proved up water from no. 3. This proves this is not a new shortage of water, it's been going on for some 35 years. Now we're expected to share our livelihood with the 2 land speculators, (South) Cook & Wheeler or Horgan development.

RECEIVED

FAX TRANSMITTAL

APR 06 1999

WATER RESOURCES
WESTERN REGION

SL
To: Mr. Steve Lester

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

From: Mr. John M. Cook

2329 Sierra Drive
Nampa, ID 83686
208-463-0099

Date: April 5, 1999
Number of Pages: 19
Phone: 208-334-2190
Fax: 208-334-2348

Remarks:

Please find transmitted herewith my response letter to your letter dated April 2, 1999. Your letter pertained to "Ground Water Concerns in Hat Butte Area."

Also note that the enclosure noted in your letter as "Distribution List" was not enclosed. Please fax to: 463-1198.

The original of my response letter will be mailed out today.

Sincerely,

John M. Cook

John M. Cook

**
this is hand copy; discarded for
cc rec'd 4/5/99 since duplicate.
-SL*

*even corrected
to list provided
to all*

MICROFILMED

JUN 09 1999

April 3, 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

APR 06 1999

WATER RESOURCES
WESTERN REGION

Attn.: Mr. Steve Lester

Re: Response to "Ground Water Concerns in Hat Butte Area" expressed after protest period expired. Regarding applications #63-12500 & #63-12504

Dear Mr. Lester,

At your request we are supplying you with information which is part of the public record pertaining to the groundwater supply in the Hat Butte Area. This is necessitated due to the continued harassment of Mr. and Mrs. Bert & Tryntje De Winkle, Brian Good, Kenneth Tiegs and Lauretta Burman. The De Winkles are a large California operation putting in a dairy with over 2000 cows. Although I personally testified in favor of their dairy at its conditional use permit hearing, I fear that this goodwill has been met with a bully mentality spearheaded at this point by the California-based Mooriah (De Winkle) Dairy.

The answers to the first two questions in your letter are: (1) confirmed and (2) there is no available surface water. This information was previously given in our applications.

I am enclosing a map that shows the 60-acre tract of land, for which well permits are being requested, and the surrounding area. Mr. Wheeler and I own the 60-acre tract. The map shows well locations based upon well logs obtained from your offices. I have been told that these logs are often inaccurate, so adjustments to the locations shown may be warranted. I do not think the exact well locations will have any bearing on the general point of consideration. I am including the well logs from your office so that you may crosscheck my interpretation of the data. Some of the logs are difficult to read.

You will note that the yields for the wells in question vary between 900 and 3200 gpm. The wells were drilled between the years of 1959 and 1974. There may be other wells that have been drilled illegally or whose records I did not find or which are not under your jurisdiction. The wells for which we do have records are not indicative of an area lacking water. No doubt some wells in the area were not originally drilled to sufficient depth or were improperly constructed and, therefore, may have had problems through the years. This does not, however, equate to insufficient water.

The concerns expressed by the "interested" parties are not valid for the reasons listed below:

1. Well logs indicate adequate water.
2. The anticipated water use amounts to less than three (3) acres of croplands.
3. The "interested (hypocritical) parties" themselves are engaged in activities which will require much greater water use than current use.
4. If the joint wells are not approved, then individual wells will be installed. The state, county, applicants and "interested parties" consider individual wells less desirable.

The reasons are self-explanatory to the applicants, but for the benefit of the "interested parties" I will expound upon items 2 through 4.

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JUN 03 1999

Are the local farmers and the California dairy concern really worried about the equivalent water usage of three acres of farmland? Is there perhaps some other agenda being pursued? Please see the enclosed calculations. These are based upon discussions with your department. I am a registered Civil Engineer in the State of Idaho and feel more than qualified to assess this usage. Feel free to verify them. Even if the numbers are contested, the point is not whether the actual number is 3 acres or 10 acres of equivalent usage, but rather the fact that the amount of water to be used by the requested wells is inconsequential to the volumes used annually by the surrounding hundreds of farm acres and the dairies. A little bit of common sense does apply.

On the enclosed map, I have indicated the location of the Mooriah (De Winkle) Dairy that is under construction. The De Winkles admitted at a public hearing that the timing of the construction of the California-based dairy was dictated by their attempts to hinder Mr. Wheeler and myself from developing the 60 acres. They indicated that if they could get their dairy (which will consume much more additional water than a few houses) approved, it would stop any development of Hat Butte. Apparently they will stop at nothing to squelch anything not part of their agenda. Mr. Wheeler and I have received notice of yet another dairy planned to be built near the Mooriah complex. This raises the question of whether there is a true concern for a water shortage in the area. If this were truly a concern, there would be great opposition to such water consumptive ventures. It should be noted, however, that each of the "interested" parties is in full support of the dairy expansionism. Supporters include the De Winkles, Tiegs, Mr. Good and Laurretta Burman. A disinterested party who was given the facts of this situation might think that the so-called "interested parties" do indeed have an interest: an interest in stopping anything not fitting into their agenda. If it does not bring personal gain to them, it must be stopped.

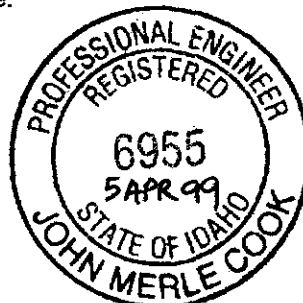
If the current permits are not granted, we will be forced to drill individual wells. Does the Department of Water Resources want individual wells? I must also point out that the complainants have testified at a public hearing their feeling that in a grouping of lots, one common well is preferable to individual wells. We agree. With their continued campaign of harassment, however, it has become obvious that they were only "for" a common well because they knew they could throw up roadblocks through the protest process. A process which, as you correctly noted in your letter, was not followed and is currently being circumvented. The true interest of the complainants is to stop Mr. Wheeler and me from pursuing our rightful effort to put the 60-acre parcel to its best use. It is obvious from their actions that the complainants are not interested in doing what is best for the area or even in following their stated beliefs, but in enriching themselves and in nurturing the "I've got mine, now stay away" mentality.

In summary, the issue at hand is whether to grant permits for two wells that will use a miniscule amount of water when compared to proposed and under construction dairy operations. The records show proof of ample water for the development and no injury will be caused by it. Whatever deficiencies are present, with the current water systems in the area, will continue, with or without, the applied for wells. Logic dictates that the water concern is fabricated, otherwise, dairies (large water consumers) would not be popping up like thistles along a ditch. The De Winkles et al cannot have it both ways. How can they have such a deep concern for water and still build a dairy? There are many other places in the county they could have built a dairy if the water concern were real. Common wells are preferable to individual wells.

Mr. Wheeler and I have been waiting seven months, since September 1998, at considerable expense to obtain the requested permits. Based upon the evidence presented herein I request that you issue the permits as soon as possible.

Sincerely,


John Merle Cook



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JUN 09 1999

Wheeler filed
9/1/98
Cook filed
12/1/98
-gc

60 ACRE TRACT @ HAT BUTTE
WATER USAGE COMPARISON

FARM USE (60 ACRES)

• ALLOWABLE ALLOTMENT = 4.5 ACRE-FT/YR PER ACRE

1 ACRE-FOOT = 325,900 GAL

TOTAL ANNUAL WATER USAGE = $4.5(60)(325,900) = 88,000,000$ GAL.

• AVERAGE ANNUAL WATER USAGE = $\frac{3}{4.5}(88,000,000) = \boxed{58,700,000 \text{ GAL.}}$

RESIDENTIAL USE (8 LOTS)

(HOUSE) • 300 GPD PER 4 BEDROOM RESIDENCE (YEAR ROUND)

(YARD) • 3 HRS/DAY FOR 4 DAYS PER WEEK @ 9GPM (9 MOS./YR)

• CONSERVATIVE ESTIMATE GPD [#] RES. [#] DAYS
OF ANNUAL WATER USAGE = $(300)(8)(365) = 876,000$ GAL.

$+ (8)(3)(60)(9)(4)(\frac{9}{12})(52) = 2,022,000$ GAL.

[#] RES. ^{HRS} DAY ^{MIN} HR ^{GAL} MIN ^{DAY} WK ^{YR} ^{WKS} YR $\boxed{2,898,000 \text{ GAL.}}$

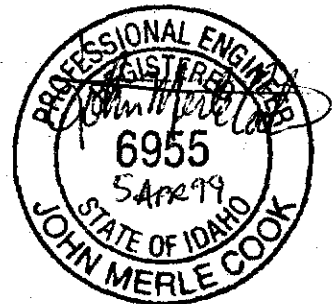
FARM EQUIVALENCY

$\frac{2,898,000}{58,700,000}(60) = 2.96 \text{ ACRES}$

NOTES:

1. FARM USE ALLOTMENT
WAS AS GIVEN BY
MR. ROB WHITNEY OF
IDAHO DEPT. OF WATER RESOURCES 208 334 2190

2. RESIDENTIAL USAGE (HOUSE COMPONENT)
AS GIVEN IN THE
"TECHNICAL GUIDANCE MANUAL"
BY THE SOUTHWEST HEALTH DIST.



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JUN 09 1999

10/24/84

16:14

08 327 7866

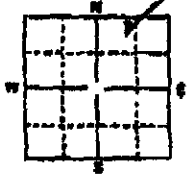
ID WATER RES

004

USE TYPEWRITER OR
BALL POINT PENState of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

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

1. WELL OWNER Name <u>Wilson and Son</u> Address <u>Malheur, Idaho</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>150</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☒ Sucker ☐ Other <table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		Discharge G.P.M.	Draw Down	Hours Pumped																																											
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>8</td><td>0</td><td>9</td><td>Top Soil</td><td> </td><td> </td></tr> <tr><td>11</td><td>9</td><td>7</td><td>Hard Pan</td><td> </td><td> </td></tr> <tr><td>11</td><td>7</td><td>210</td><td>Loam sand</td><td> </td><td> </td></tr> <tr><td>11</td><td>210</td><td>220</td><td>Coarse sand & gravel</td><td> </td><td> </td></tr> <tr><td>11</td><td>220</td><td>230</td><td>Clay</td><td> </td><td> </td></tr> <tr><td>11</td><td>230</td><td>254</td><td>Sandy clay</td><td> </td><td> </td></tr> </tbody> </table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	8	0	9	Top Soil			11	9	7	Hard Pan			11	7	210	Loam sand			11	210	220	Coarse sand & gravel			11	220	230	Clay			11	230	254	Sandy clay		
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other		10. LOCATION OF WELL Sketch location must agree with written location. <u>103</u>  County <u>CANYON</u> <u>NW 1/4 NE 1/4 Sec 31 T. 1 N. R. 2 W. 1</u>																																															
5. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>254</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td><u>0.50</u> inches</td><td><u>8</u> inches</td><td><u>0</u> feet</td><td><u>18</u> feet</td></tr> <tr><td><u>1.50</u> inches</td><td><u>6</u> inches</td><td><u>18</u> feet</td><td><u>254</u> feet</td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>3/8</u> inches by <u>1/2</u> inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td><u>500</u> perforations</td><td><u>193</u> feet</td><td><u>254</u> feet</td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>18</u> feet Material used in seal ☒ Cement grout ☐ Fudding clay		Thickness	Diameter	From	To	<u>0.50</u> inches	<u>8</u> inches	<u>0</u> feet	<u>18</u> feet	<u>1.50</u> inches	<u>6</u> inches	<u>18</u> feet	<u>254</u> feet																	Number	From	To	<u>500</u> perforations	<u>193</u> feet	<u>254</u> feet							11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>Kenneth W. H.</u> 35 Driller's or Firm's Name <u>Coldwell, Idaho</u> <u>Kenneth W. H.</u> 9/22/84							
Thickness	Diameter	From	To																																														
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FRANK B. WILSON

P.W. SUPPLY

7-10-84

MICROFILMED

OCT 9 1984

RECEIVED
JAN 25 1977

REPORT OF WELL DRILLER
State of Idaho

Department of Conservation

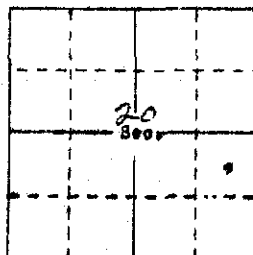
State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Wm. J. Dutton
Address Box 4, Pocatello, Idaho
Owner's Permit No. _____
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: irrigation
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____ (explain)
CASING SCHEDULE: Threaded _____ Welded ☒
"Diam. from 4 1/2 ft. to 6 ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
Thickness of casing: 2 1/2 Material: _____
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of perforator used: _____
Size of perforations: _____ " by _____ "
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name _____
Type _____ Model No. _____
Diam. Slot size Set from _____ ft. to _____ ft.
Diam. Slot size Set from _____ ft. to _____ ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel _____ Gravel placed from _____ ft. to _____ ft. Surface seal provided? Yes ☒ No ☐ To what depth? 6.6 ft. Material used in seal: Water Clay
Did any strata contain unusable water? Yes ☐
No ☒ Type of water: _____
Depth of strata _____ ft. Method of sealing strata off: _____

Surface casing used? Yes ☒ No ☐
Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County Sanjoy
NE 1/4 Sec. 20 T. 1 N. R. 2 W.

Size of drilled hole: 6 Total depth of well: 173 Standing water level below ground: _____ Temp. Fahr. _____ Test delivery: 900 gal or _____ cfs Pump? ☒ Ball ☐
Size of pump and motor used to make test: 2 1/2 hp. 1/2 hp. 1/2 hp.
Length of time of test: 2 hrs. 2 min.
Drawdown: _____ ft. Artesian pressure: ft. above land surface Give flow cfs or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☐

DEPTH FROM TO FEET FEET	MATERIAL	WATER YES OR NO
0 2	Cap block	No
2 3	Cap block	No
3 195	Cemented sand	No
195 2	Gravel	No

Work started: 12-10-73
Work finished: 1-12-74
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: _____
Address: Caldwell, Idaho
Signed by: William E. Doby
License No. 154 Date: 3-12-77

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Use other side for additional remarks

NOV 14 1995

APR 1 1964

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF TEST: PER ICAAO STATUTE 48-230

Leads and the solution

100%	50%
50%	50%

Size of dotted hole 16

Total depth of well 376'

Give depth to standing water from the ground 173 Water temp. 110 C.

Test delivery was 3240 g.p.m. or c.f.s. Drawdown was 6.1 feet. Pump? ☒ No. 1? ☐ _____

Size of pump and motor used to make test 10 1/2 hp 12 to 15 gpm 400 H.P. 12 gpm

Length of time of test *27* hours minutes.

If flowing well, give flow g.p.m. or g.p.m. and of shut off pressure

If flowing well, described control works

Water will be used for *fish & game*

TYPE AND SIZE OF VALVE: EYE 1

Weight of saving per lineal foot

Thickness of casing 1/4" Casing material 4 1/2"

1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 2644-2645, 2646-2647, 2648-2649, 2650-2651, 2652-2653, 2654-2655, 2656-2657, 2658-2659, 2660-2661, 2662-2663, 2664-2665, 2666-2667, 2668-2669, 2670-2671, 2672-2673, 2674-2675, 2676-2677, 2678-2679, 2680-2681, 2682-2683, 2684-2685, 2686-2687, 2688-2689, 2690-2691, 2692-2693, 2694-2695, 2696-2697, 2698-2699, 2700-2701, 2702-2703, 2704-2705, 2706-2707, 2708-2709, 2710-2711, 2712-2713, 2714-2715, 2716-2717, 2718-2719, 27

Diameter, length and location of casing

(CASING 16 IN DIAMETER OR LESS, GIVE INSIDE DIAMETER
CASING OVER 16 IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASINO RECORD

Diam. Casing	From Foot	To Foot	Length	Remarks—seals, g. outing, etc.
16"	0	14'		lost in water

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of well Jan 1 1964 Date of completion of well Feb 25 1964

MICROFILMED

JUN 20 1999

WELL LOG

From Foot	To Foot	Type of Material	Remarks
0	8	top soil	NO
8	21	broken black lava	"
21	62	solid black lava	"
62	73	red sandstone	"
73	77	black lava	"
77	93	red sandstone	"
93	169	broken black lava	"
169	173	solid gray lava	"
173	174	solid black lava	"
174	192	broken black lava	YES
192	202	solid black lava	NO
202	206	broken black lava	YES
206	212	solid black lava	NO
212	223	broken black lava	NO
223	270	pyrite soil	NO
270	271	fine gravel	YES
271	283	coarse gravel	NO
283	302	pyrite soil	NO

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed F. J. Howell

By _____

Dated 2nd Nov 1964

License No. 252

Well Driller's helper _____

MICROFILMED

11/11/64

Wm Owen *Librarian of Congress*

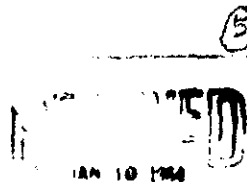
13271 ✓ 3/

Web Location: [www.usmc.mil](#)

From Foot	To Foot	Type of Material	
322	326	gray sand - chert layer	NO
326	328	porphyritic soil	II
328	329	very hard black sand	II
329	329.5	fine sand	yes
329.5	329.7	hard black sand	NO
329.7	329	porphyritic soil	NO
329	331	sand - chert layer	II
331	333	porphyritic soil	II
333	346	black sand (small chert at 342-4")	yes
346	357	hard - chert layer	NO
357	360	porphyritic soil	yes
360	363	yellow clay	no
363	396	blue shale	no

199 199 199

Well Log Form 1
3-2-63

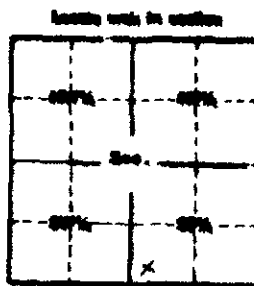


DEPARTMENT OF AGRICULTURE

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

SHALL BE FILLED IN SO SOON AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 48-230

Owner KENNETH CASPER
Address 2100 N. 10th St.
City FLOYD HONELL
Address 1000 N. 10th St.
Well location SE 1/4 NE 1/4 Sec 16, T. 1, R. 2, S. 2, W. 1/2
Size of drilled hole _____
Total depth of well _____



Water level in casing water from the record 123 feet below ground surface
Test delivery was 1180 g.p.m. at _____ c.f.t. drawdown was 23 feet. Pump _____ hp
Size of pump and motor used to make test _____
Length of time of test _____ hours _____ minutes
If flowing well, give flow _____ c.f.t. at _____ g.p.m. and at shut off pressure _____
If flowing well, describe control valve _____
Water will be used for irrigation Weight of casing per lineal foot _____ lb.
Material of casing _____ Casing material _____
(STEEL, CONCRETE, WOOD, ETC.)
Diameter, length and location of casing _____
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Depth Feet	From Foot	To Foot	Length	Remarks—casing, grouting, etc.
10	0	10		

Number and size of perforations _____ feet to _____ feet from ground

Date of commencement of well Nov 20 63 Date of completion of well Jan 9 64

MICROFILMED

1964 1 9 64

WELL LOG

From Foot	To Foot	Type of Material	Remarks
0	16		NO
168	172		YES

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed [Signature]

By _____

Date JAN 9 19 64

License No. 5

Well Driller's Helper _____

MICROFILMED

100 3 8 1969

6

**WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO**

Permit No. G-30474 Well No. 4 County Canyon
 Owner Kenneth Casper
 Address Rt. #3 Box 251 Nampa, Idaho
 Driller Russel Cove Drilling Co.
 Address Boise, Idaho
 Well location NW 1/4 SE 1/4 Sec. 21, T.1N N/3, R. 2 West
 Size of drilled hole 16"

Locate well in section

SW 1/4	NE 1/4
SW 1/4	SE 1/4

X well

Total depth of well 340
 Give depth to standing water from the ground 190' Water temp. 58 °Fahr.
 On "Pumping Test" delivery was 1200 g.p.m. or c.f.s. Drawdown was 10 feet.
 Size of pump and motor used to make test 12" Bowles 150 H.P. GEC Diesel
 Length of time of test 4 hours 20 minutes.
 If flowing well, give flow c.f.s. or g.p.m. and of shut off pressure

If flowing well, described control works
 (TYPE AND SIZE OF VALVE, ETC.)
 Water will be used for irrigation Weight of casing per lineal foot 53 lbs
 Thickness of casing 1/2" Casing material steel
 (STEEL, CONCRETE, WOOD, ETC.)
 Diameter, length and location of casing 16" casing 8' to lava rock
 (CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
 CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Foot	To Foot	Length	Remarks—seals, grouting, etc.

Number and size of perforations located feet to feet from ground

Date of commencement of well June 5, 1963 Date of completion of well July 23, 1963

MICROFILMED

JUNE 13 1963

WELL LOG

From Foot	To Foot	Type of Material
0	8	hard pan
8	183	gray lava
183	220	broken lava and cinders water bearing
220	340	clay brownish

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief

Signed *Russell Lowe*

By _____

Dated _____ 19____

License No. 65

MICROFILMED

JAN 15 1965

**WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO**

Form No. G-25710 Unit No. 33 County Canyon
 Owner Kenneth Tings
 Address Melba, Ida. Route 1
 Driller A. E. Hosack & Son
 Address 707. 6th Ave. So., Nampa, Ida
 Well location SE 1/4 SE 1/4 Sec. 17, T. 1 N N. 3, R. 2 W E. 1/4
 Size of drilled hole 20" to 370" N" from 370 to 450
 Total depth of well 450

Locate well in section

NE 1/4	SE 1/4
SW 1/4	NW 1/4

Give depth to standing water from the ground 178 Water temp. 64 Fahr.

On "Pumping Test" delivery was 1350 g.p.m. or c.f.s. Drawdown was feet.

Size of pump and motor used to make test 8" columns 12" bowls

Length of time of test 24 hours minutes.

If flowing well, give flow c.f.s. or g.p.m. and of shut off pressure

If flowing well, described control works

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation

Weight of casing per lineal foot 64

Thickness of casing 5/16 Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 16" 0 to 370' 4"

(CASING 12 IN. DIAMETER OR LESS, GIVE INSIDE DIAMETER.
CASING OVER 12 IN. DIAMETER, GIVE OUTSIDE DIAMETER.)

CASING RECORD

Diam. Casing	From Foot	To Foot	Length	Remarks—seals, grouting, etc.
16"	0	370' 4"	370' 4"	

Number and size of perforations 16 - 4 x 5 located 20 feet to 370 feet from ground

Date of commencement of well May 7, 1959 Date of completion of well June 20, 1959

MICROFILMED

APR 15 1965

WELL LOG

From Foot	To Foot	Type of Material		
0	6	Top soil + hand pan	NO	
6	122	Lava	NO	Yes
122	125	Cinders		
125	190	Lava		
190	192	Black cinders		
192	195	Lava		
195	220	Black lava + cinders		
220	247	Brown clay + lava		
247	270	Lava cinders + gravel		
270	316	Sand		
316	320	Brown clay		
320	333	Brown muddy silt		
333	340	Gravel	Yes	
340	360	Gravel + Brown clay	NO	
360	367	Sand + Blue clay	NO	
367	432	Blue shale	NO	
432	450	Clay with stringers	Yes	

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed

G. E. Horack

By

Dated June 26, 1963

License No.

27

MICROFILMED

1963 10 10

[illegible]

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

By _____

Letter No. 27

2009 9 8 10:00

MEMORANDUM

TO: GARY SPACKMAN

FROM: STEVE LESTER 

DATE: APRIL 14, 1999

RE: HAT BUTTE GROUND WATER CONCERNS

Two ground water applications, each for four homes and yards in the Hat Butte area, are attached. Several people in that area are worried about new well drilling and the water supply for the area. These people have discussed the general topic with regional staff over the last few months.

Wheeler filed application 63-12500 in late September, 1998. Cook filed application 63-12504 in early December, 1998. Both filings were advertised by early February of this year but were not protested. Initial processing was somewhat delayed by Western's top priority given to field work for the latter half of 1998.

Western Region hosted a meeting for the concerned parties early last month. Unfortunately, the connection between the applications and the citizens was not noted until later in March. This oversight was addressed in my letter of April 2 sent to all the parties. The March meeting was after the protest deadline for the two applications.

My April 2 letter requested additional information from all the parties. Information from the applicants was received on April 6 - see Cook's letter dated April 3. The applicants confirmed that correct 1/4-1/4 data were used. Also, they stated that no other water is available at the proposed P/U. They also provided information about water availability etc.

The concerned parties replied with an April 7 letter. They also petitioned the director to establish a GWMA around Hat Butte and requested an immediate prohibition for any well drilling while the petition is reviewed by IDWR.

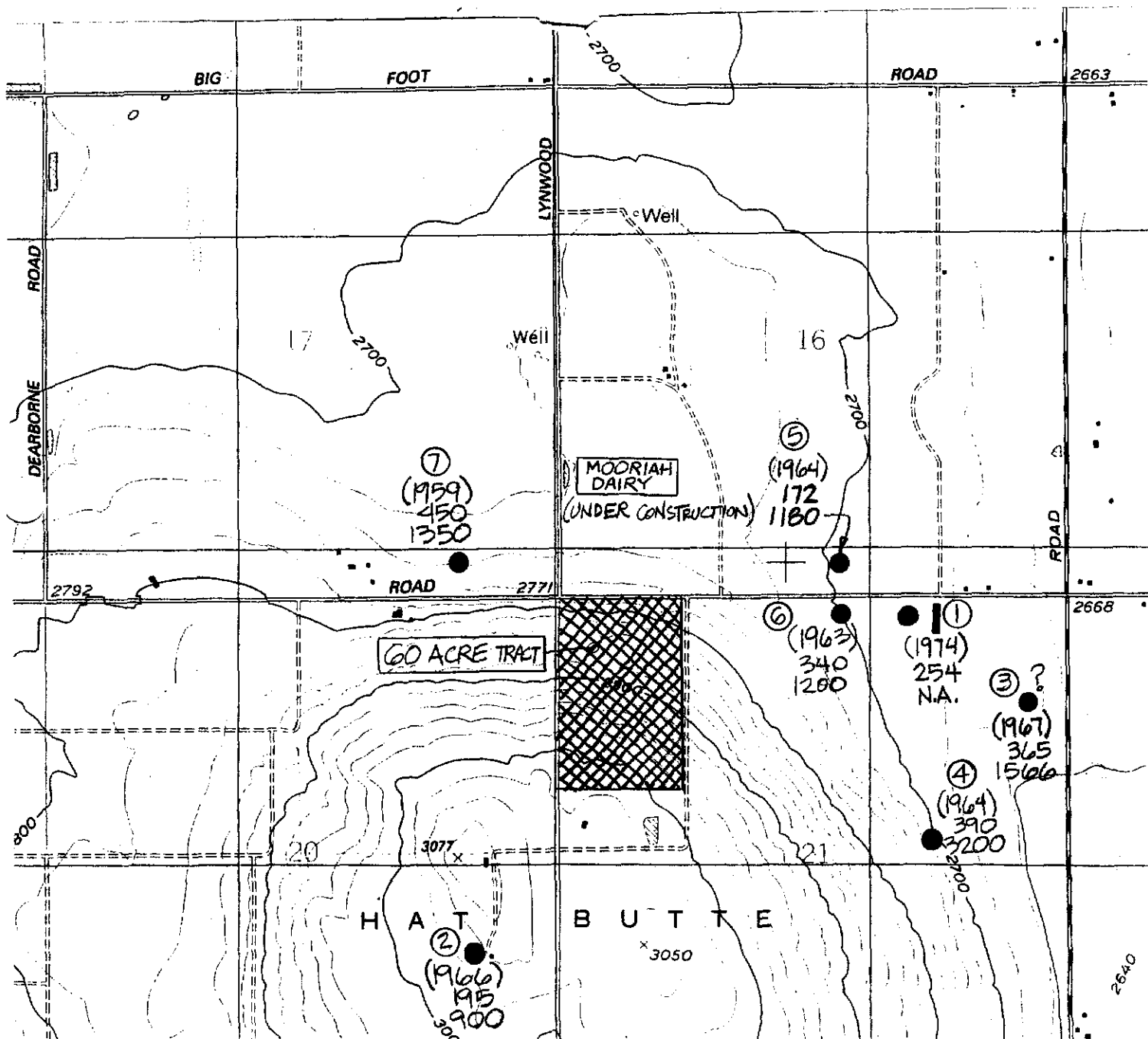
The Hat Butte area is southeast of the Dry Lake area ("South County?") being considered for GWMA designation - I'm not sure of the status of the Dry Lake proposal. Shane Bendixsen and Helen Harrington, who attended the early March meeting with me, might have an update on well data for the Dry Lake and/or Hat Butte areas.

Kathy Gale has a "wordperfect" mailing list for this situation.

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JUN 09 1999

WELL LOCATIONS ON ADJACENT LAND



LEGEND :

- WELL SITE
- (1964) YEAR WELL COMPLETED MICROFILMED
- 172 DEPTH OF WELL (FT.)
- 1180 YIELD OF WELL (GPM)



JUN 04 1999



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

April 2, 1999

To: Distribution List

Re: Ground Water Concerns in Hat Butte Area

Dear Applicants and Interested Parties:

This letter involves two applications for permit to establish new water rights plus concerns raised by several residents in the Hat Butte area. The applications are #63-12500 in the name of Bradley F. Wheeler and #63-12504 in the name of John M. Cook. Each application proposes a well to serve four homes and yards. Each filing proposes up to .16 cfs (about 72 gpm) to be developed. The applications describe land in the NW 1/4 of Section 21, T1N, R2W, which is in the Hat Butte area.

The applications were filed in September and December, 1998. Legal notices were posted in the local newspaper in early February, 1999. The deadline for protests against the applications was February 22, 1999. Protests were not filed.

Interested Parties requested a meeting with the Idaho Department of Water Resources (IDWR) to discuss ground water concerns in the Hat Butte area. IDWR held a meeting with them on March 2. This office did not notice the connection between the applications and the interested parties until later in March. On behalf of IDWR, I want to express my dismay at this oversight. Although IDWR is not required to make the link between water right applications and related concerns, this office tries to be forthcoming with public information whenever possible. Sometimes these connections are missed.

The applications cannot be protested at this late date. However, water appropriation procedures place a burden on applicants to supply more information in such situations. The following steps should be completed.

Applicants

- ✓ 1. Confirm that Wheeler's filing covers the west half of the

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JUN 04 1999

April 2, 1999
Page 2 of 2

site (parcels 1, 4, 5 and 6) and that Cook's filing relates to the east half (parcels 2, 3, 7 and 8).

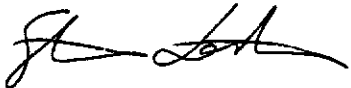
- ✓ 2. Identify any available surface water for irrigation use at the site.
- ✓ 3. Provide information addressing the issues of injury to other water rights, sufficiency of water available for the development, and local public interest.

Interested Parties

- ✓ 1. Provide information related to the above and/or to the issues raised in my March 4 letter to you.

The applicants deserve an IDWR decision on the applications without undue delay. With that in mind, please provide your replies by April 12, 1999. Please contact this office at 334-2190 if you need more information about this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Distribution List

MICROFILMED

JUN 09 1999

MAILING
DISTRIBUTION LIST
HAT BUTTE

LURETTA BURMAN
8460 MELMONT RD
MELBA ID 83641

TINA DEWINKLE
3438 LYNWOOD
MELBA ID 83641

BRIAN GOOD
9751 MELMONT RD
MELBA ID 83641

KEN TIEGS
10305 MELMONT RD
MELBA ID 83641

BRADLEY WHEELER
3611 WHEELER CIRCLE
NAMPA ID 83686

JOHN COOK
2329 SIERRA DR
NAMPA ID 83686

MICROFILMED

JUN 09 1993

4/1/99

Steve ✓

I spoke to John Cook on the phone -
he bent my ear for about 30 minutes
I told him we would send the
letter to him & objectors tomorrow
asking for a response from both
by Monday April 12.

Information should relate to
injury, sufficiency of water and local
public interest.

I told him I would personally
review & hand deliver apps to the
SO with recommendations.

Thanks.

Ben

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JUN 09 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12500

WHEELER, BRADLEY F
3611 WHEELER CIRCLE
Nampa, ID 83686

Source: GROUNDWATER

Diversion Pt: NWNW Sec 21 T 01N R 02W in CANYON County.

Use: DOMESTIC (0.160 CFS)

Total Diversion (0.160 CFS)

Date Filed: 9/23/1998

In: CANYON County

T01N R02W S21 NWNW SWNW

Water bearing zone to be appropriated for four homes and yards is from 300 to 350 feet. Applicant agrees to mitigate consumptive use in the future as needed.

63-12504

COOK, JOHN M
2329 SIERRA DR
Nampa, ID 83686

Source: GROUNDWATER

Diversion Pt: SENWNW Sec 21 T 01N R 02W in CANYON County.

Use: DOMESTIC (0.160 CFS)

Total Diversion (0.160 CFS)

Date Filed: 12/ 2/1998

In: CANYON County

T01N R02W S21 NWNW SWNW

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 FEBRUARY 22, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

February 4, 11, 1999

8324

RECEIVED

FEB 17 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED

JUN 09 1999

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)
County of Canyon) SS.

Karol Stoltey

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

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Twice

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

4. That said notice was published the following dates:

February 4 and 11, 1999

RECEIVED

FEB 17 1999

WATER RESOURCES
WESTERN REGION

Karol Stoltey

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 11th day of February
in the year of 1999, before me, a Notary
Public, personally appeared Karol Stoltey
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he/she
executed the same.

MICROFILMED

JUN 09 1999

Jeanne Lusk
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21st, 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

John M. Cook
2329 Sierra Dr
Nampa ID 83686

RE: APPLICATION FOR PERMIT

Dear Applicant:

You have filed the above referenced application for permit to appropriate water for a consumptive use. If the appropriation is completed as described in the application, it may result in some reduction in flows in the Snake River. As you are undoubtedly aware, various actions are being taken throughout the Snake River and Columbia River Basins to protect endangered and threatened anadromous fish. These actions include the acquisition of water supplies to maintain or enhance streamflows during migration periods.

Federal funds are being used to obtain the rights to both natural flow and stored water to augment flows in order to meet flow targets in the Snake and Columbia Rivers. While the necessity and value of flow augmentation has not yet been established, the State of Idaho has cooperated with the other states in the Pacific Northwest and with federal agencies to allow limited flow augmentation on a trial basis while additional data are gathered to determine the most appropriate way to stabilize and enhance fish populations.

Under Idaho law, an application to appropriate water cannot be granted unless the six criteria listed in Section 42-203A, Idaho Code, are satisfied. One of these criterion is that the proposed use must be in the "local public interest" where the local public interest is defined as "the affairs of the people in the area directly affected by the proposed use." If granting an application to appropriate would reduce flows in the Snake River such that additional water would have to be secured from other sources for flow augmentation, it may be difficult to show that granting the application would be in the local public interest. As a result, the Idaho Department of Water Resources (IDWR) has delayed processing applications which, without mitigation, may deplete flows in the Snake River.

Proposed appropriations of water, such as that described in your application, may also have value with respect to the local public interest and should be given consideration, provided salmon recovery efforts would not be affected and the appropriation would not result in additional flow augmentation being required. Consequently, IDWR is processing applications to appropriate water when the applicant either:

- (1) can 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;

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JUN 15 1999

- (2) proposes adequate mitigation (or make-up water) as part of the proposed appropriation to offset anticipated depletions to flows in the Snake River during periods of anadromous fish migration; or
- (3) agrees to provide mitigation as needed in the future if it is determined that not mitigating depletions caused by the applicant's appropriation would result in additional water being required from other sources to augment flows during migration periods of anadromous fish.

The purchase or rental of storage water, which can be used for flow augmentation, may be the most available form of mitigation that could be used for mitigation, should mitigation be necessary. Under alternative 3 above, mitigation is not required when the application is processed, but may be required in the future based upon a finding by IDWR that depletions to Snake River flows resulting from appropriations made under permits issued after January 1, 1998 have increased the amounts of water required from other sources to augment flows for migrating anadromous fish. This alternative would entail including the following condition of approval if the application for a permit to appropriate water is approved:

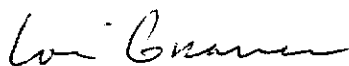
The Director retains jurisdiction over this permit and any subsequent license to require the right holder to provide purchased or leased water from natural flow or storage, or other mitigation acceptable to the Director, to offset depletion of Lower Snake River flows needed for migrating anadromous fish. 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 permit and any subsequent license.

For applications where one of the three conditions listed above is met, and the application is otherwise of proper form, IDWR will process the application. Alternatively, an applicant may choose to have IDWR continue to delay processing an application for permit until a later date. In that case, IDWR can hold your application pending changes in salmon recovery strategies, such as the potential elimination of flow augmentation requirements, and corresponding changes in IDWR policies. The priority date (seniority) of the proposed appropriation is protected for applications held because of IDWR policies. If you choose to have IDWR continue to hold your application at this time, you do not need to reply to this letter.

Also, please include an explanation for the .20 cfs proposed for the 4 domestics. IDWR standards allows for .10 cfs for 4 domestics, which is equivalent to 45 gallons per minute. Please be aware that the 4 lots are limited to 1/2 acre irrigation per lot for external domestic use.

Please contact me if you have any questions about your application.

Sincerely,



Lori Graves
Water Agent

MICROFILMED

JUN 19 1999

RECEIVED

JAN 19 1999

REQUEST TO PROCESS

WATER RESOURCES
WESTERN REGION
**COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW**

Name of Applicant

JOHN MERLE COOK

Mailing Address

3529 SIERRA DR

NAMPA, ID 83686

Application No.
(if known)

 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.

☒ 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

John Merle Cook

Date

15 JAN 99

Please return this form to:

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

MICROFILMED

JAN 19 1999

SEC. 21 FZ Q2W

January 14, 1999

State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705
Attention: Lori Graves

Re: Application for Permit

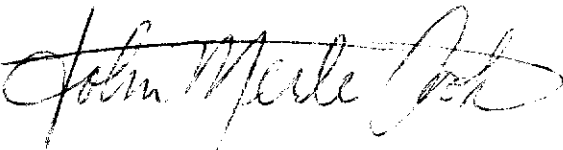
Dear Ms. Graves:

I am in receipt of your correspondence, dated January 13, 1999, regarding our application for a well permit. The well will provide in-house use and one-half acre per lot yard irrigation. I understand that the IDWR standards allow up to .10 cfs for in-house use for four homes plus up to .06 cfs for irrigation of the maximum area for four homes (2 acres). Under dual uses, the maximum right would be .16 cfs instead of the .20 cfs in our application.

Find enclosed the completed "request to process" form and a copy of our map indicating the four parcels to be served by the requested well. Please note the revised well location.

We hope this information will allow the prompt processing of our application. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script, reading "John M. Cook".

John M. Cook
2329 Sierra Drive
Nampa, Idaho 83686

Encl

MICROFILMED

JUN 03 1999

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, ID 83705

20 JAN 99

RECEIVED

JAN 21 1999

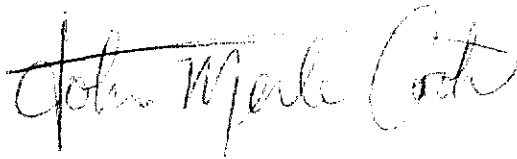
WATER RESOURCES
WESTERN REGION

ATTN: LORI GRAVES

DEAR MS. GRAVES,

PLEASE FIND ENCLOSED THE REQUESTED
RECORD OF SURVEY. CALL IF YOU HAVE
QUESTIONS.

SINCERELY,



JOHN MERLE COOK
2329 SIERRA DR.
NATIMA, ID 83686
208 465 7729

MICROFILMED

JUN 09 1999

December 1, 1998
John M. Cook
2329 Sierra Drive
Nampa, ID 83686

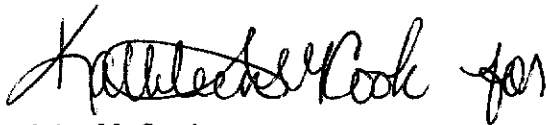
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

To whom it may concern:

Please find enclosed an application for permit to appropriate public waters. This application is for domestic use for four (4) households.

A check for fifty dollars is enclosed for the application.

Sincerely,

A handwritten signature in cursive script that reads "John M. Cook for". The signature is written in dark ink and is positioned above the printed name.

John M. Cook

MICROFILMED

JUN 24 1999

63-12504

COOK, JOHN M
2329 SIERRA DR
NAMPA, ID 83686

Source: GROUNDWATER

Diversion Pt: SENWNW Sec 21 T 01N R 02W in CANYON County.

Use: DOMESTIC	(	0.160 CFS)
Total Diversion:	(	0.160 CFS)

Date Filed: 12/ 2/1998

In: CANYON County		
T01N R02W S21	NWNW	SWNW

MICROFILMED

JUN 05 1999