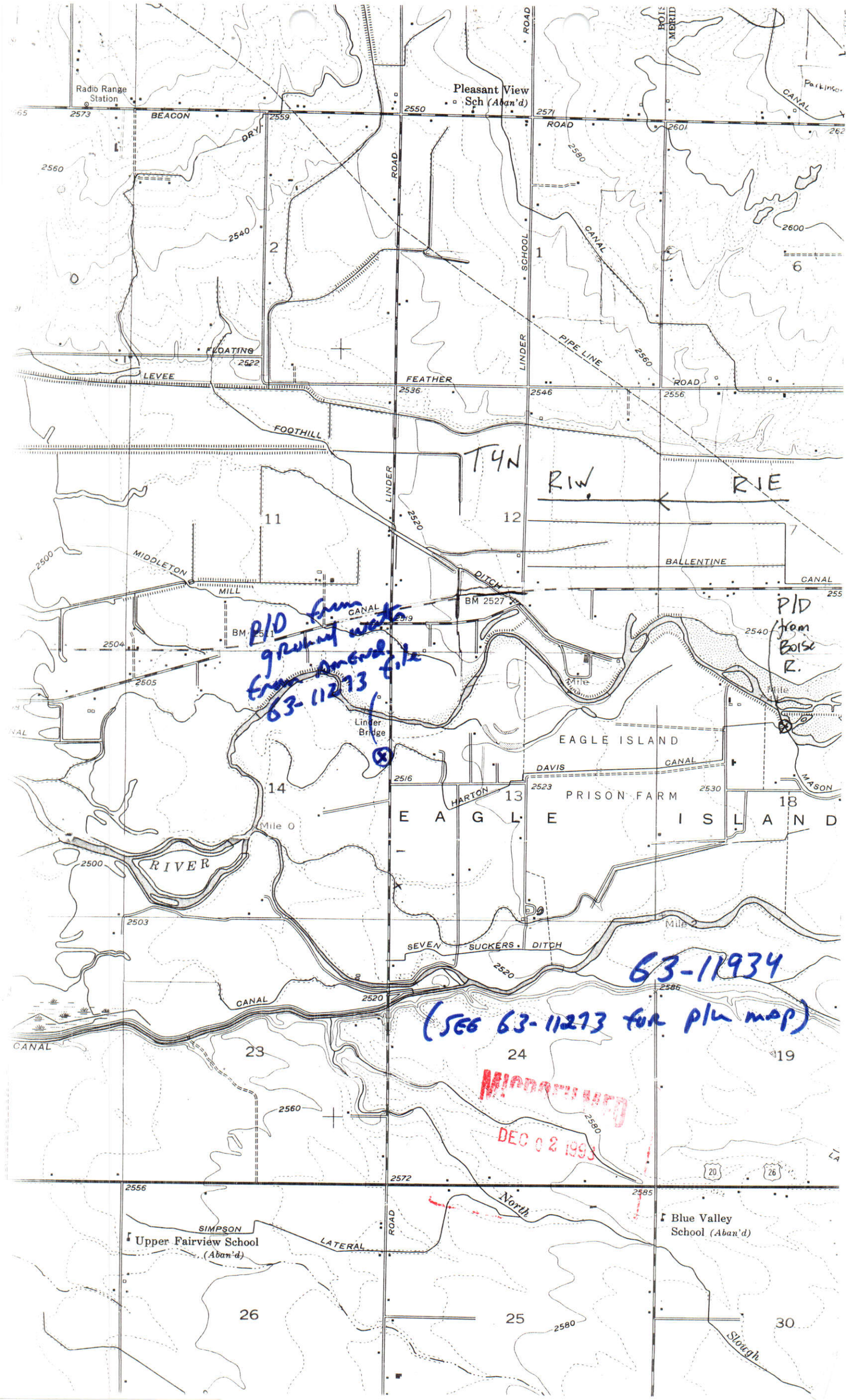
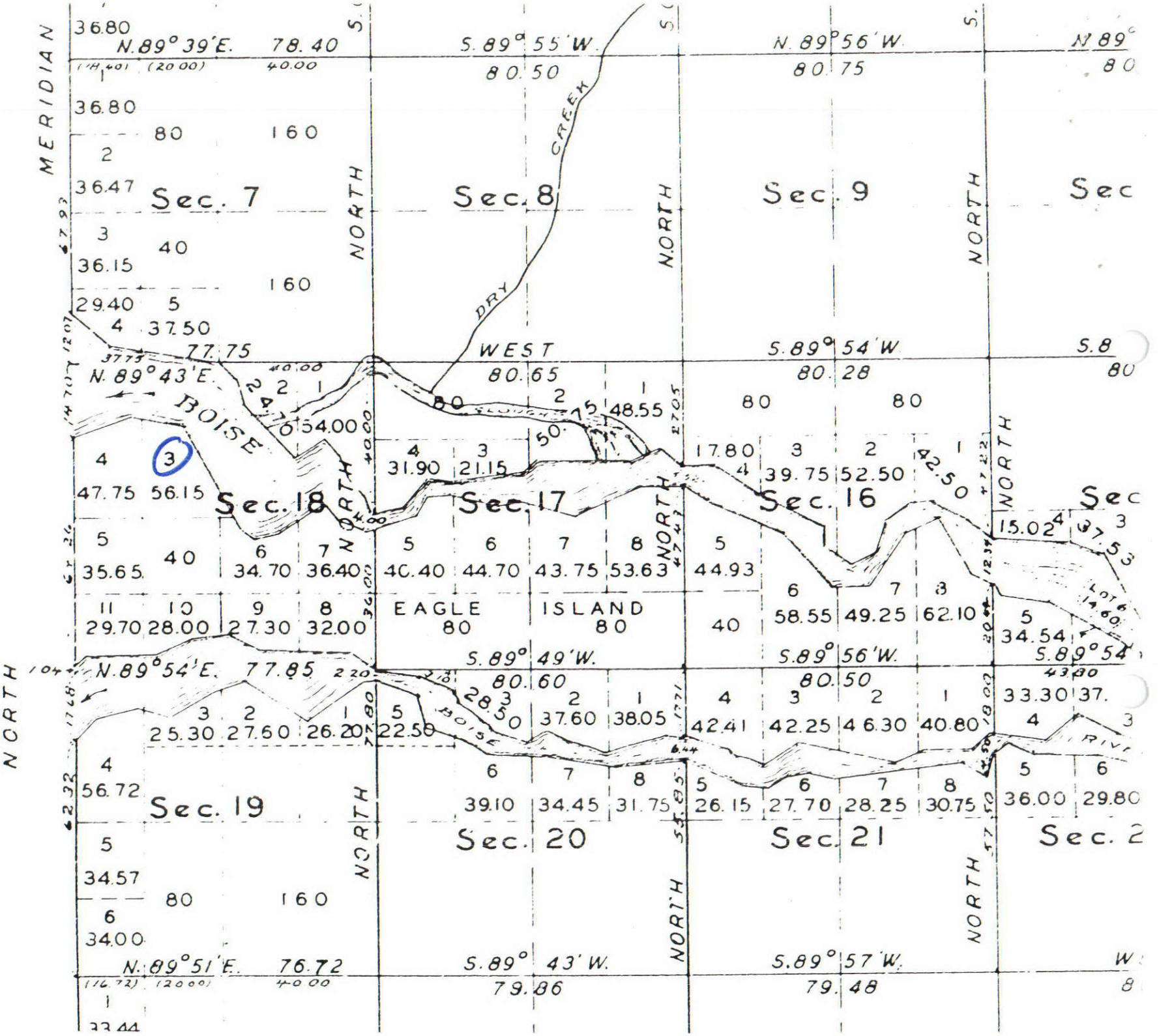
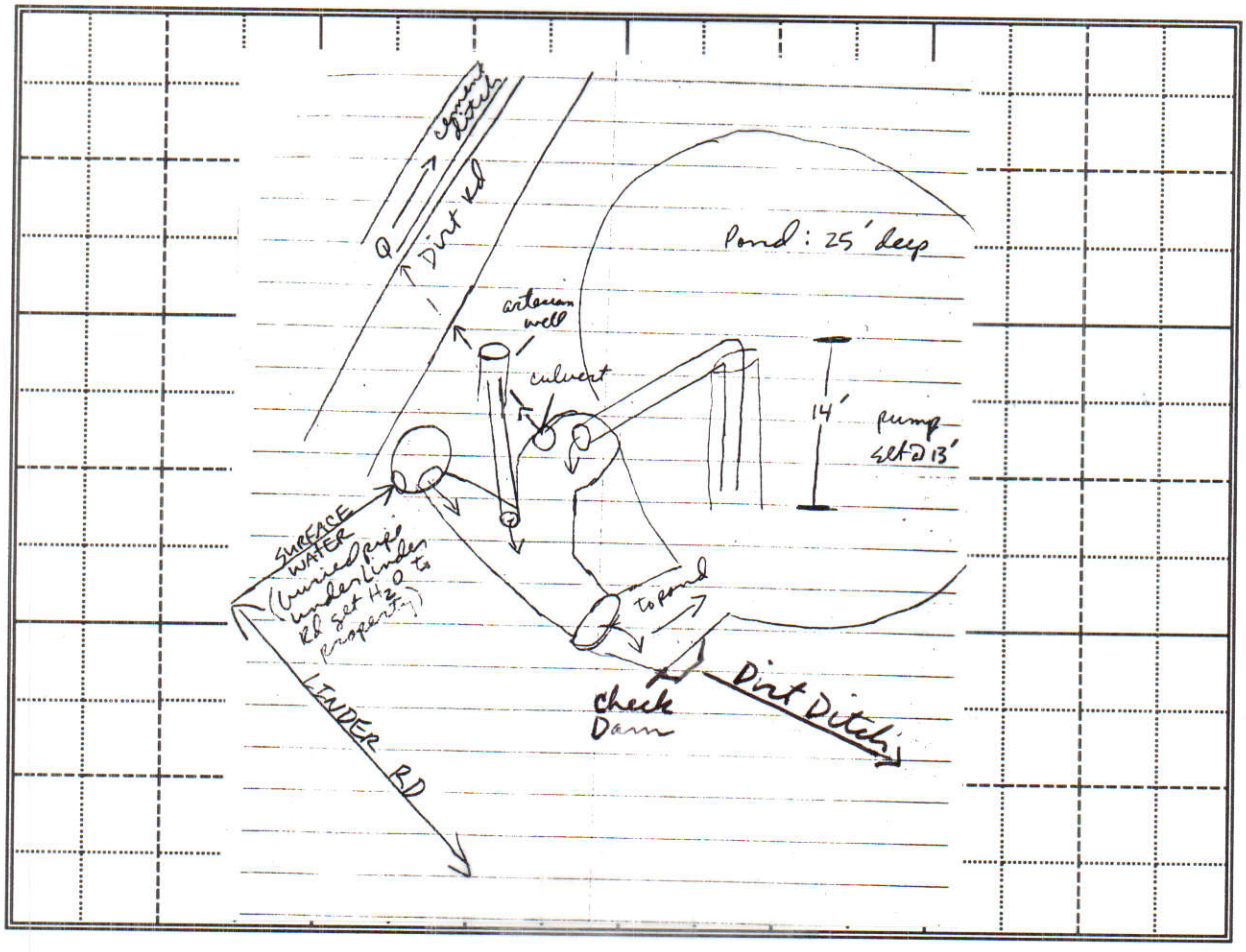

Radio Range Station
Pleasant View Sch (Aban'd)
BEACON
DRY
ROAD
SCHOOL
LINDER
CANAL
PIPE LINE
FEATHER
LEVEE
FLOATING
FOOTHILL
T4N
R1W.
R1E
MIDDLETON
MILL
BALLENTINE
DITCH
BM 2527
BM 2511
P/D from ground water from Amend. file 63-11273
P/D from Boise R.
Linder Bridge
EAGLE ISLAND
DAVIS
HARTON
PRISON FARM
MASON
RIVER
SEVEN SUCKERS DITCH
63-11934
(SEE 63-11273 for p/u map)
RECEIVED
DEC 02 1993
Upper Fairview School (Aban'd)
SIMPSON LATERAL
North Slough
Blue Valley School (Aban'd)
Mile 0
Mile 1
Mile 2



4N
1E
5.18
L3

DEC 02 1993

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

✓ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** _____

F. FLOW CALCULATIONS _____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

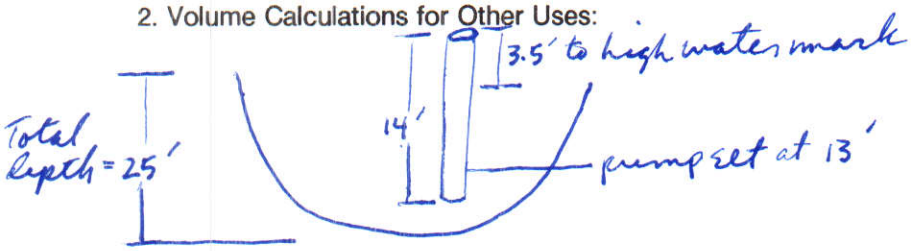
1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

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

2. Volume Calculations for Other Uses:



13' - 3.5' = 9.5' pumping range

325' x 320' x 9.5' = 22.7 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irr. Storage	1/1	12/31		20
Irr for Storage	3/15	11/15		20
		Totals:		20 afa

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

✓ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Lori Cramer Date 5/7/97

Reviewer _____ Date _____ SEAL

T4N R1W SEC 14
P/D : SENE, GOV LT 12
(POND + WELL)
T4N R1E SEC 18
: SENW, GOV LT 3
(HART DAVIS DITCH)

10 1.3
8 40 15
30 30
1 2

GRAVEL PIT/POND AREA
ARTESIAN WELL
P/D

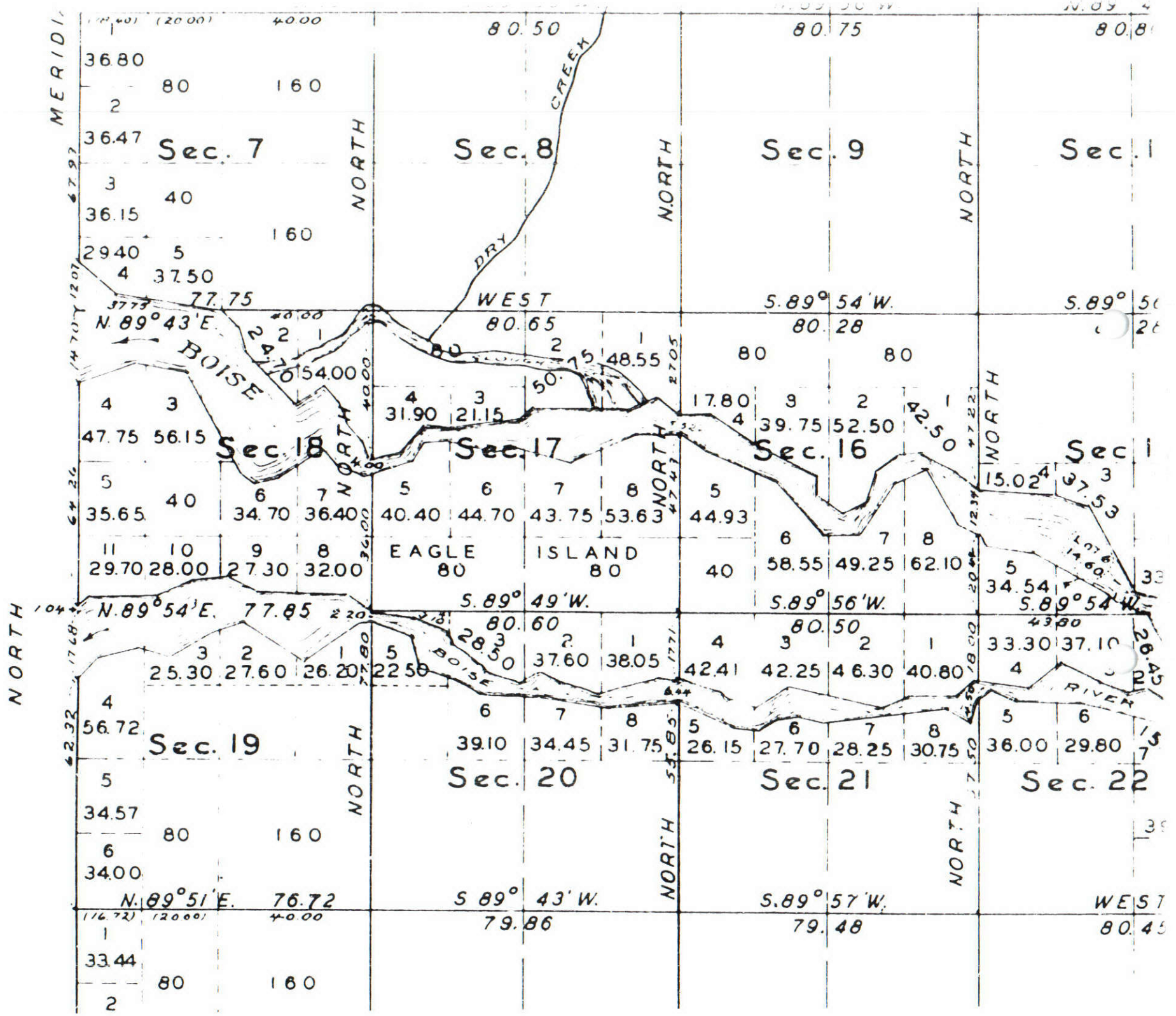
MIDDLETON MILL CANAL
PALMER
LINDER
CANAL
BM 2527
BM 2511
BM 2488
Linder Bridge
HARTON
DAVIS CANAL
MASON - CATLIN CANAL
EAGLE ISLAND
PRISON FARM
E A G L E I S L A N D
(EAGLE)
RIVER
SEVEN SUCKERS DITCH
EUREKA CANAL
PHYLLIS CANAL
SIMPSON LATERAL
Upper Fairview School
(Aban'd)
North ROAD
MC MILLAN
SUBLATERAL
SUBLATERAL
LATERAL
ROAD
ROAD
LEMP
Fairview Church
CANAL

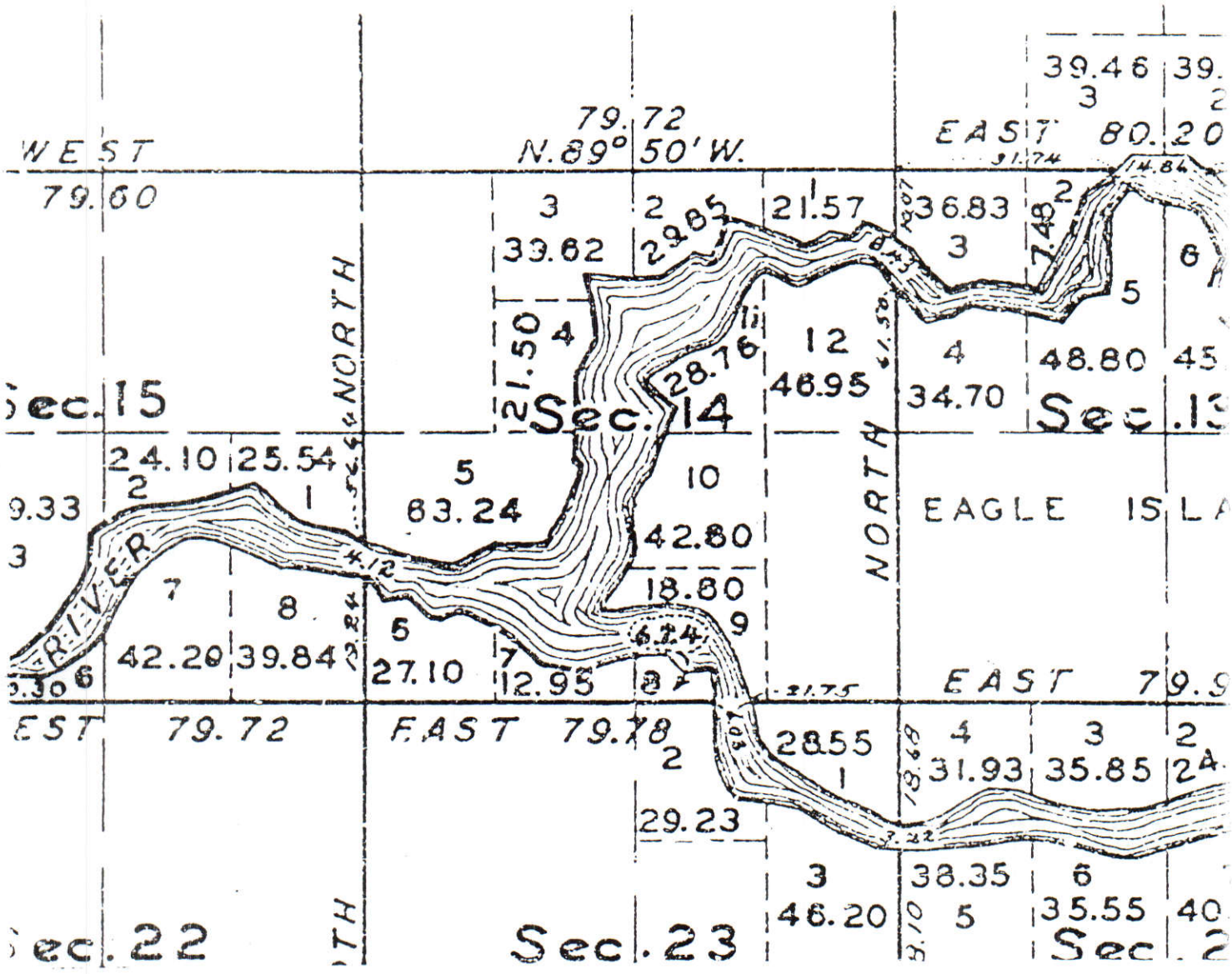
10 11 12 13 14 16 18 22 23 24 25 26 27 28

2500 2503 2504 2505 2516 2519 2520 2523 2530 2538 2539 2540 2554 2556 2560 2572 2586

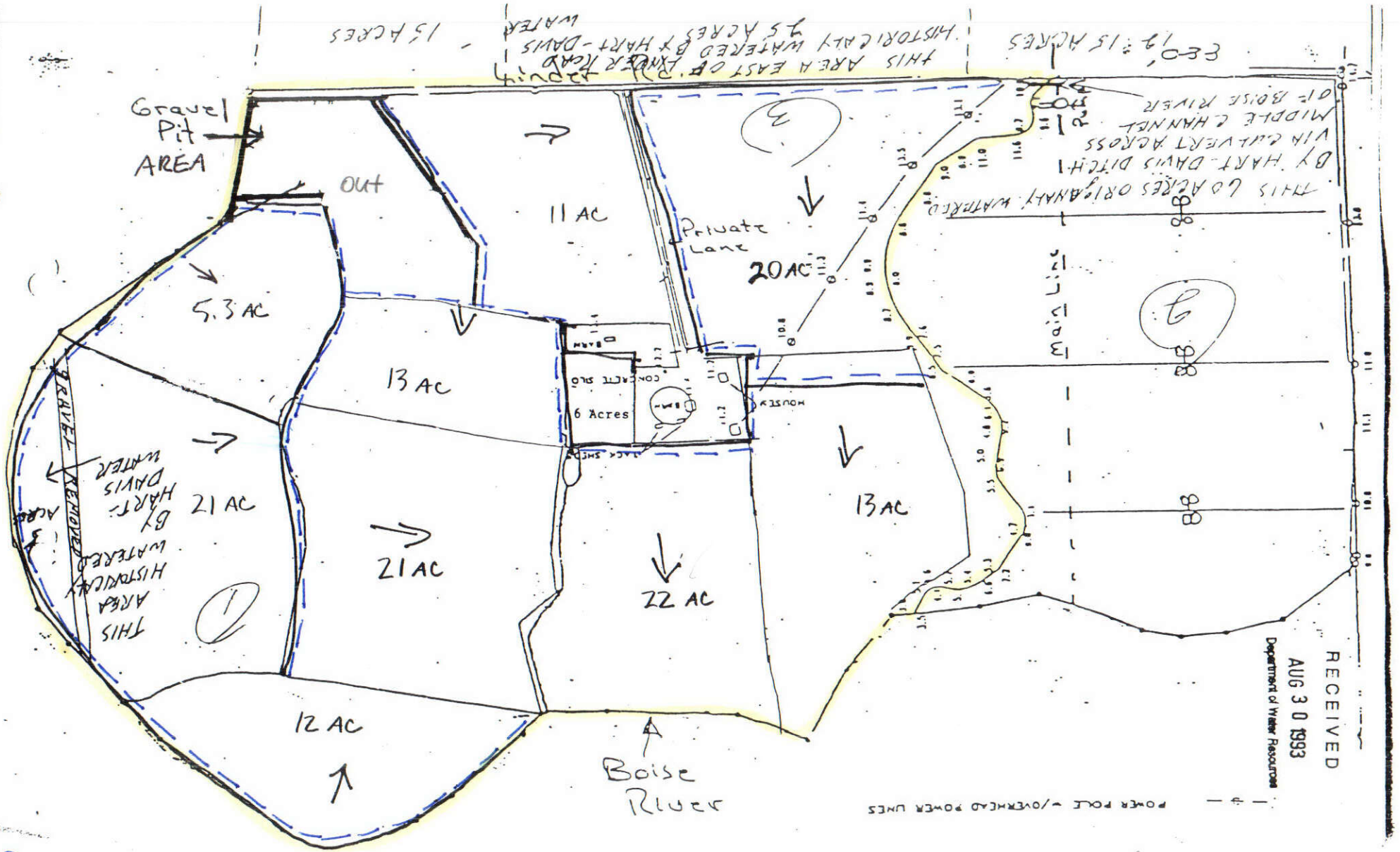
63-11934


T547
T2139
T6120
T3
NHEL
HEL
PC
NW
FW
63-11934


MERIDIAN
Sec. 7
Sec. 8
Sec. 9
Sec. 1
Sec. 18
Sec. 17
Sec. 16
Sec. 19
Sec. 20
Sec. 21
Sec. 22
NORTH
DRY CREEK
BOISE
EAGLE ISLAND
BOISE RIVER
N. 89° 43' E.
N. 89° 54' E. 77.85
N. 89° 51' E. 76.72
S. 89° 54' W.
S. 89° 49' W.
S. 89° 56' W.
S. 89° 43' W.
S. 89° 57' W.
WEST
80.50
80.75
80.65
80.28
80.60
80.50
79.86
79.48
80.45
36.80
36.47
36.15
29.40
37.50
77.75
54.00
48.55
31.90
21.15
17.80
39.75
52.50
42.50
15.02
37.53
47.75
56.15
35.65
34.70
36.40
40.40
44.70
43.75
53.63
44.93
58.55
49.25
62.10
34.54
29.70
28.00
27.30
32.00
25.30
27.60
26.20
22.50
28.50
37.60
38.05
42.41
42.25
46.30
40.80
33.30
37.10
56.72
34.57
34.00
39.10
34.45
31.75
26.15
27.70
28.25
30.75
36.00
29.80
33.44
80
160
40
63-11434


WEST
79.60
79.72
N.89° 50' W.
EAST 80.20
39.46
NORTH
Sec. 15
Sec. 14
Sec. 13
24.10
25.54
63.24
42.80
18.80
RIVER
EAGLE IS
42.20
39.84
27.10
12.95
EAST 79.72
EAST 79.78
28.55
31.93
35.85
29.23
38.35
46.20
35.55
Sec. 22
Sec. 23
Sec.

63-11934



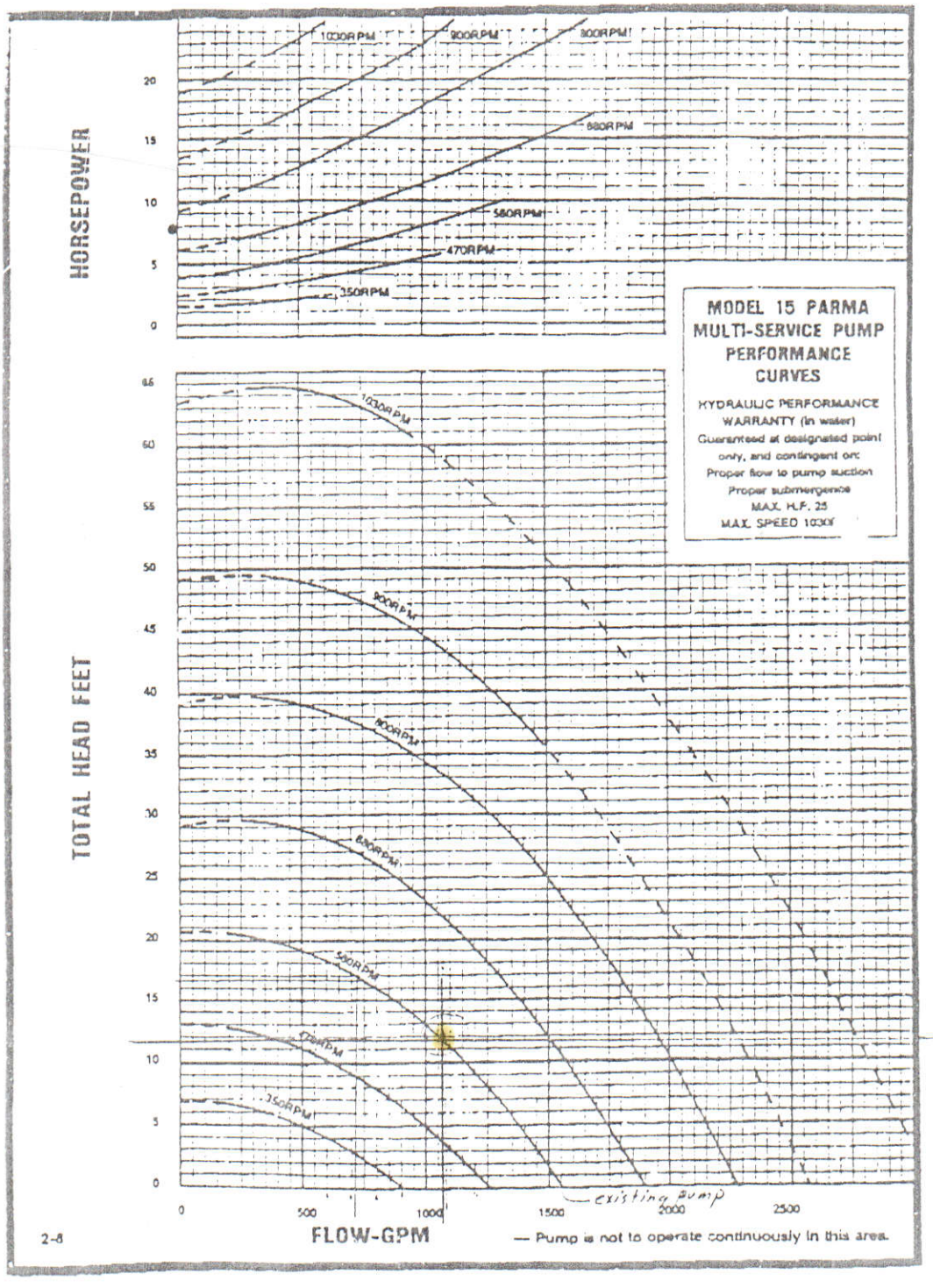
ARROWS = Direction of gravity flow

---LINE = Ditch System

137.3 TOTAL IRRIGATED ACRES

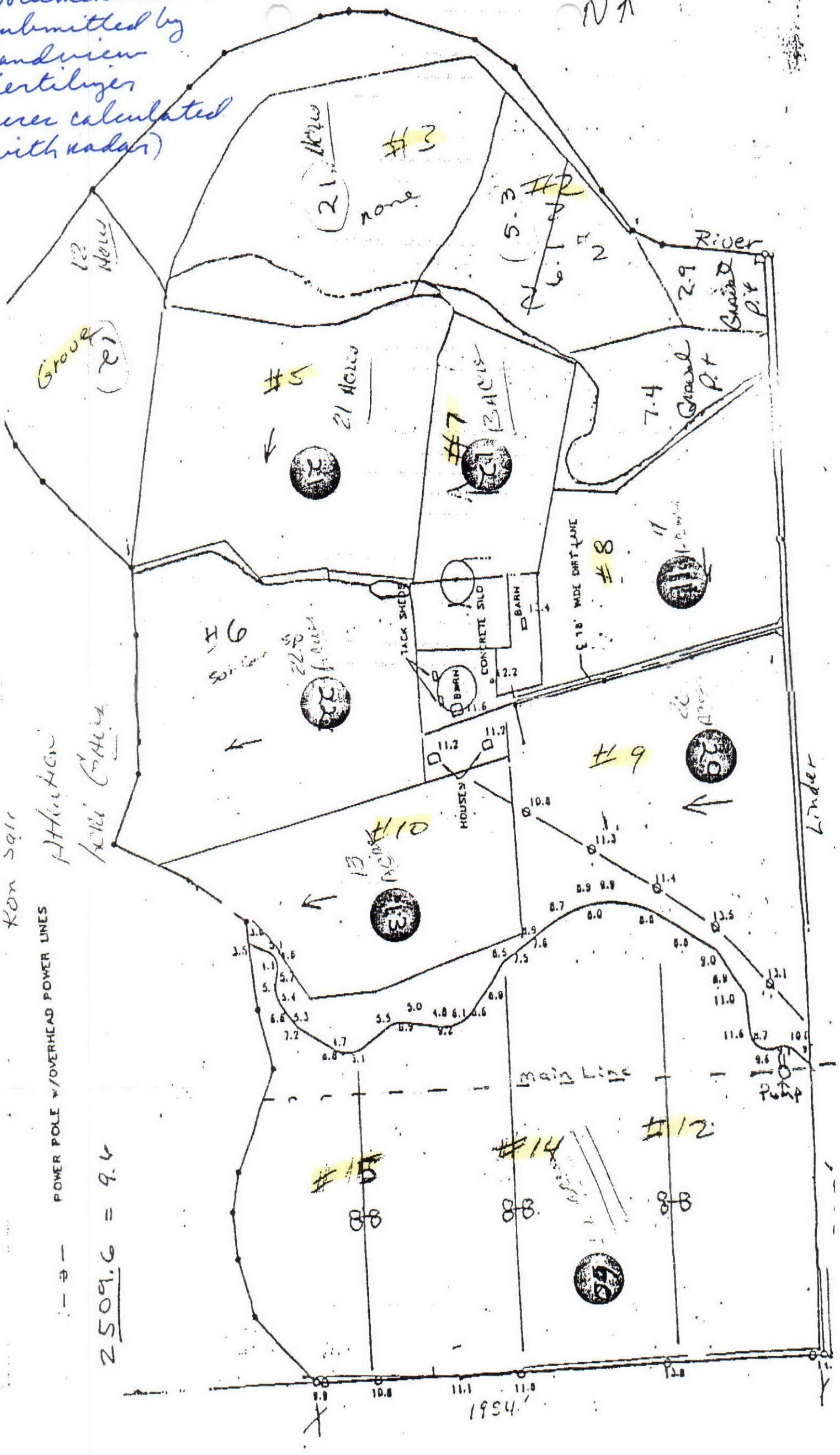
63-11934

PUMP CURVE FOR 15HP
SUMP PUMP



63-11934

Documentation submitted by landowner Fertilizer (acres calculated with radar)



Field	AC	Field	AC	Field	AC
#9	= 20	#6	= 22	#3	= 21
10	= 13	8	= 11	2	= 5.3
		7	= 13		
		5	= 21		
		Grove	= 12		

#12, 14, 15 = 52 N/A

63-11934



8" artesian well

LINDER RD



Culvert that receives Hart Davis Ditch waters from the East

63-11934

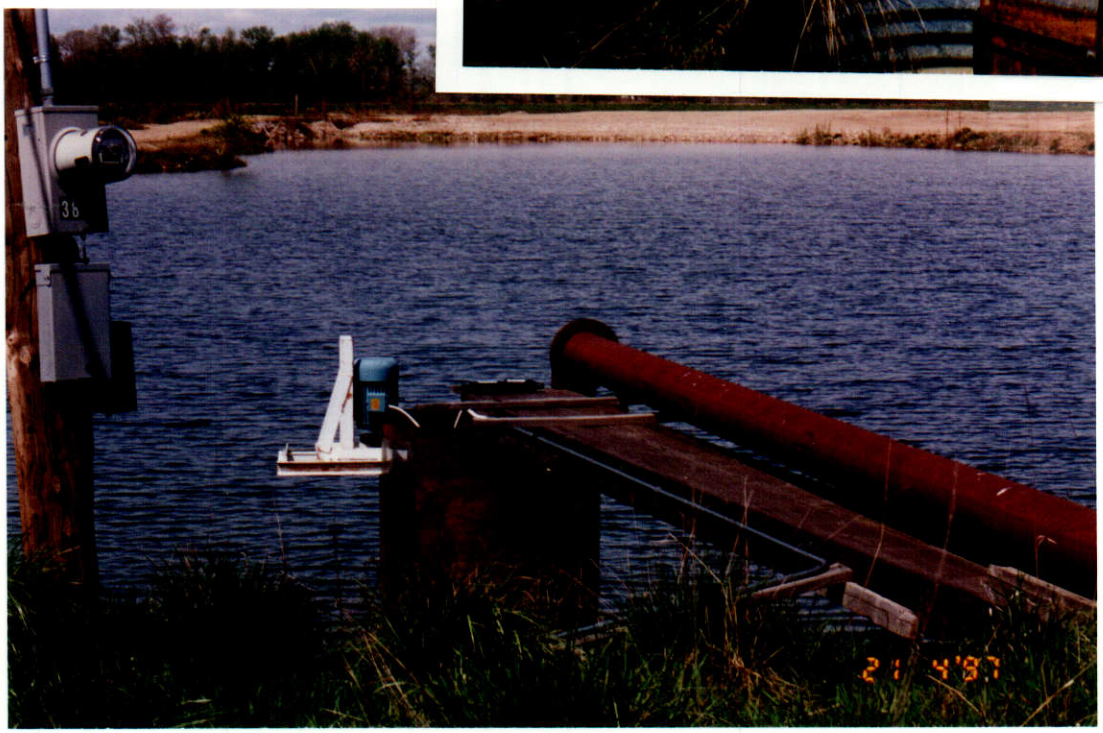


1994

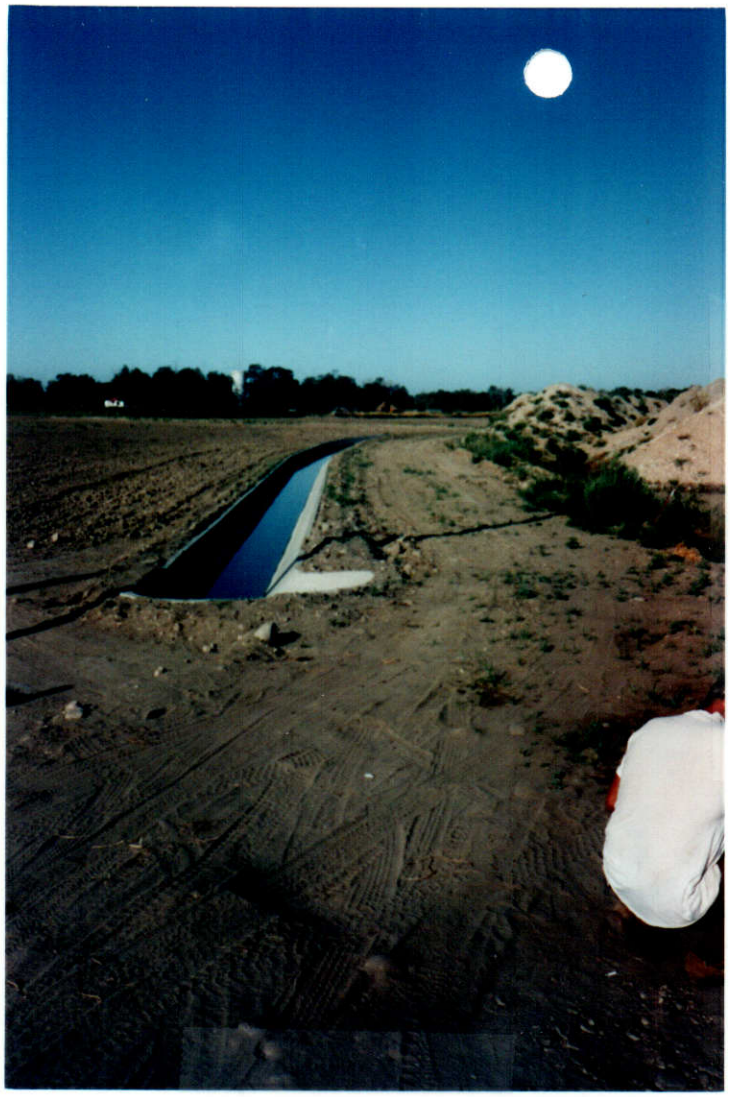
POND + CONTROLLING WORKS

1997





63-11934



1994 ↗ ↘

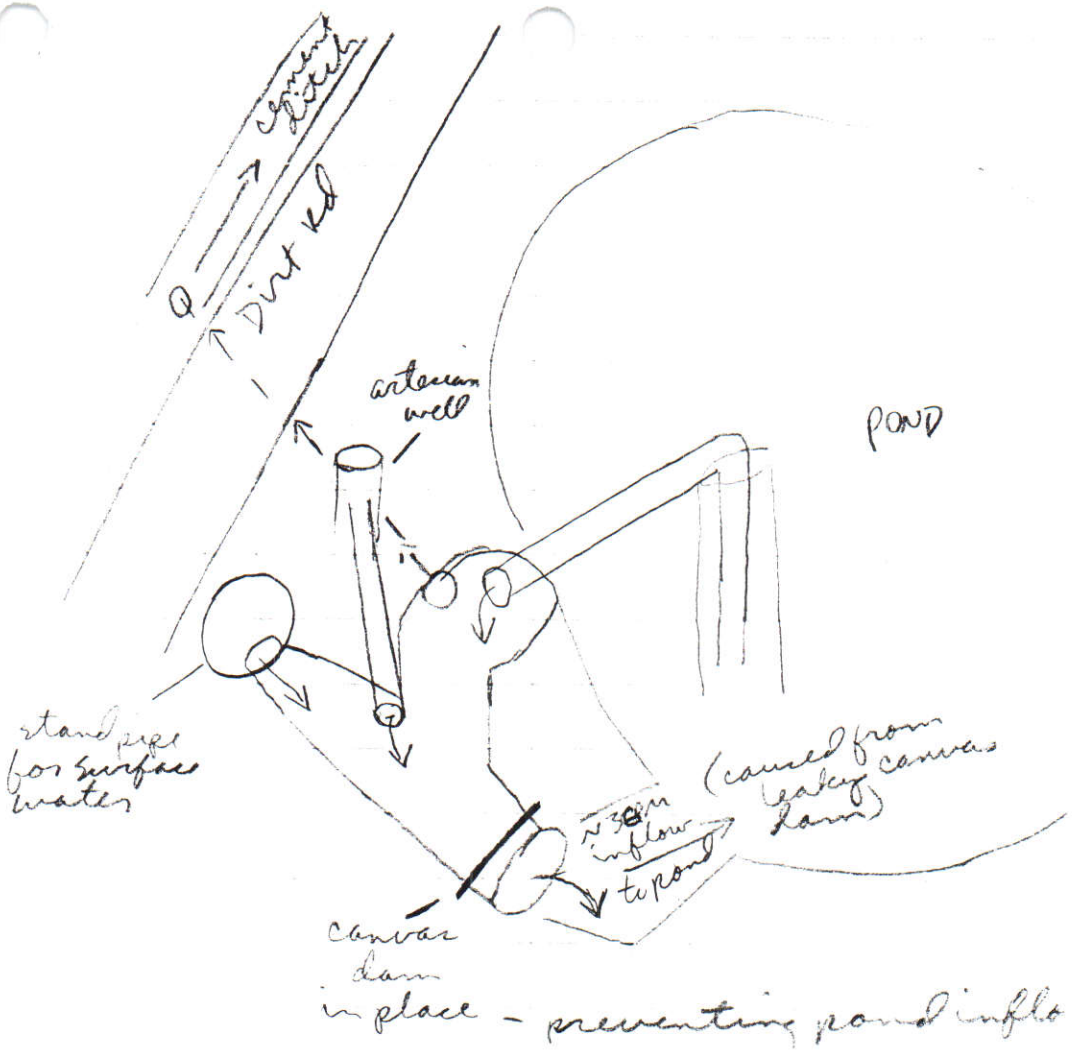
SAME DITCH



1997 ↖



63-11934



ORIGINAL diagram is photos KEPT in Region files for post 1994 irrig season analysis
—SR

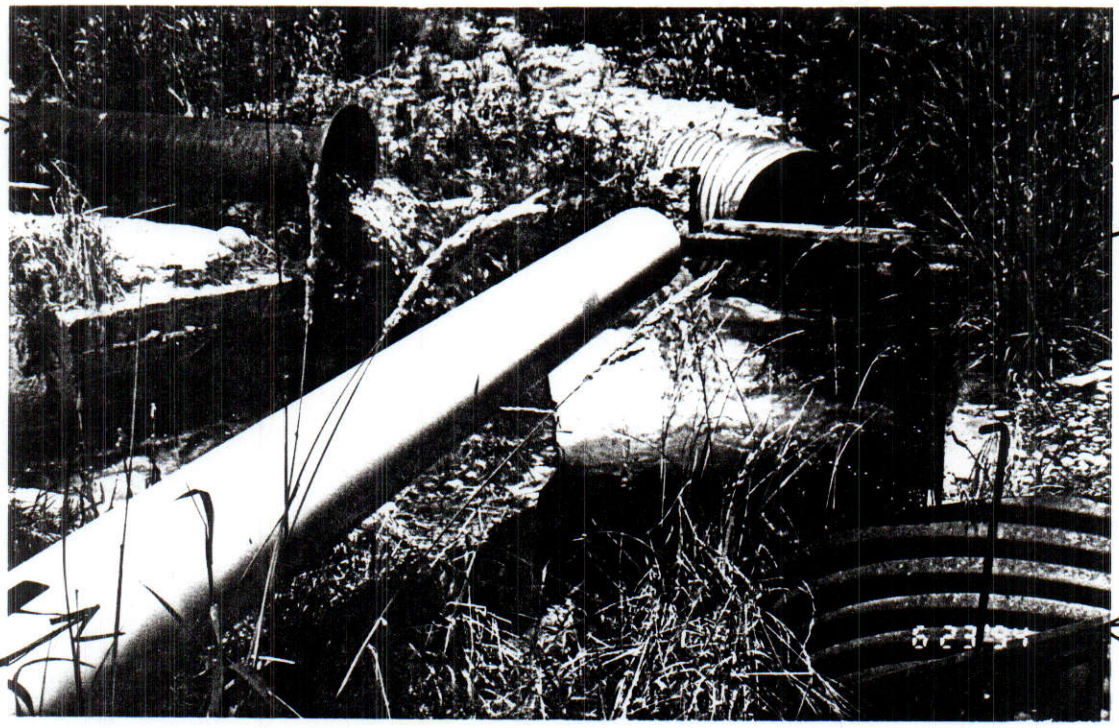
DEC 14 1994



Dam in place - preventing inflow to pond

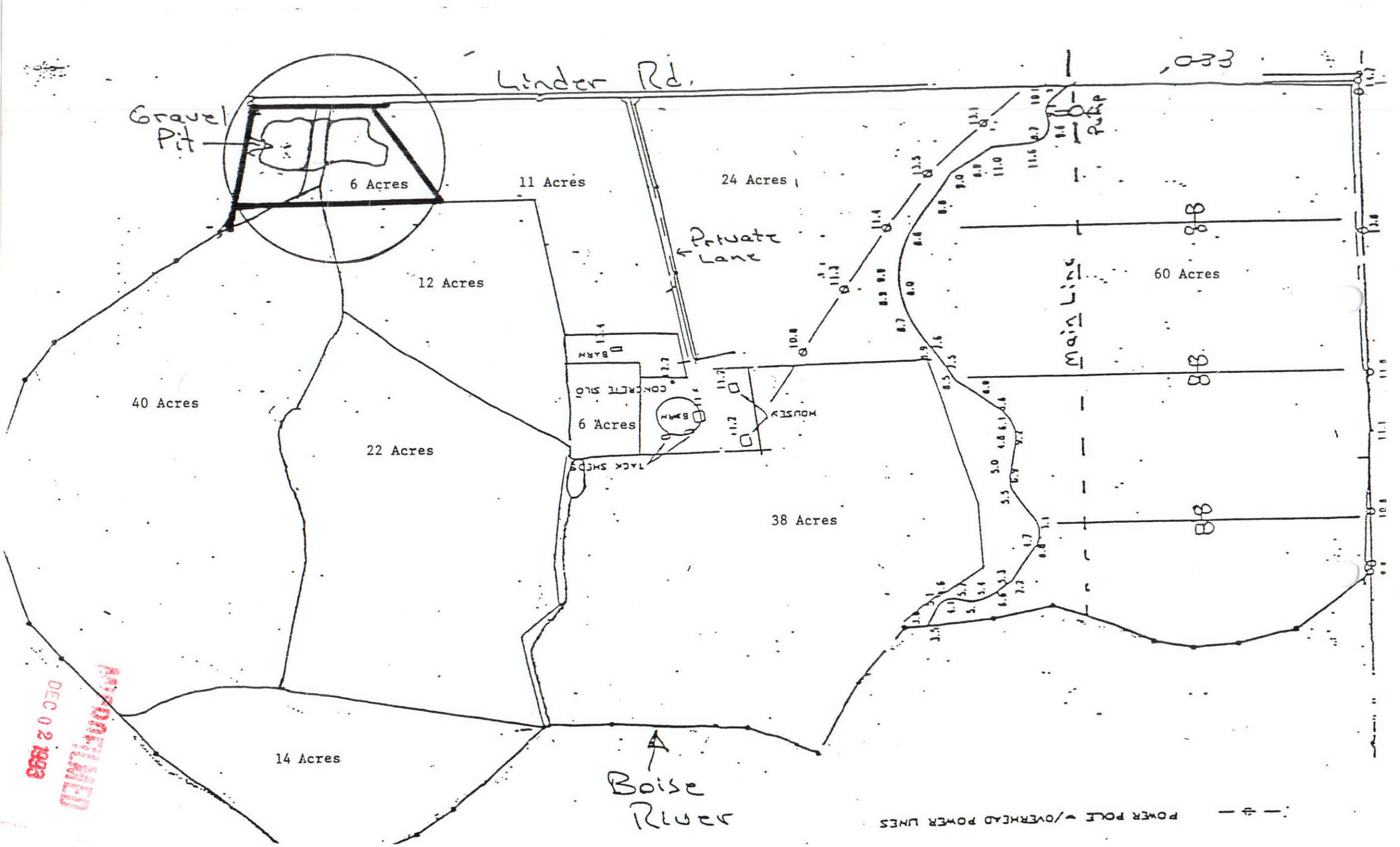


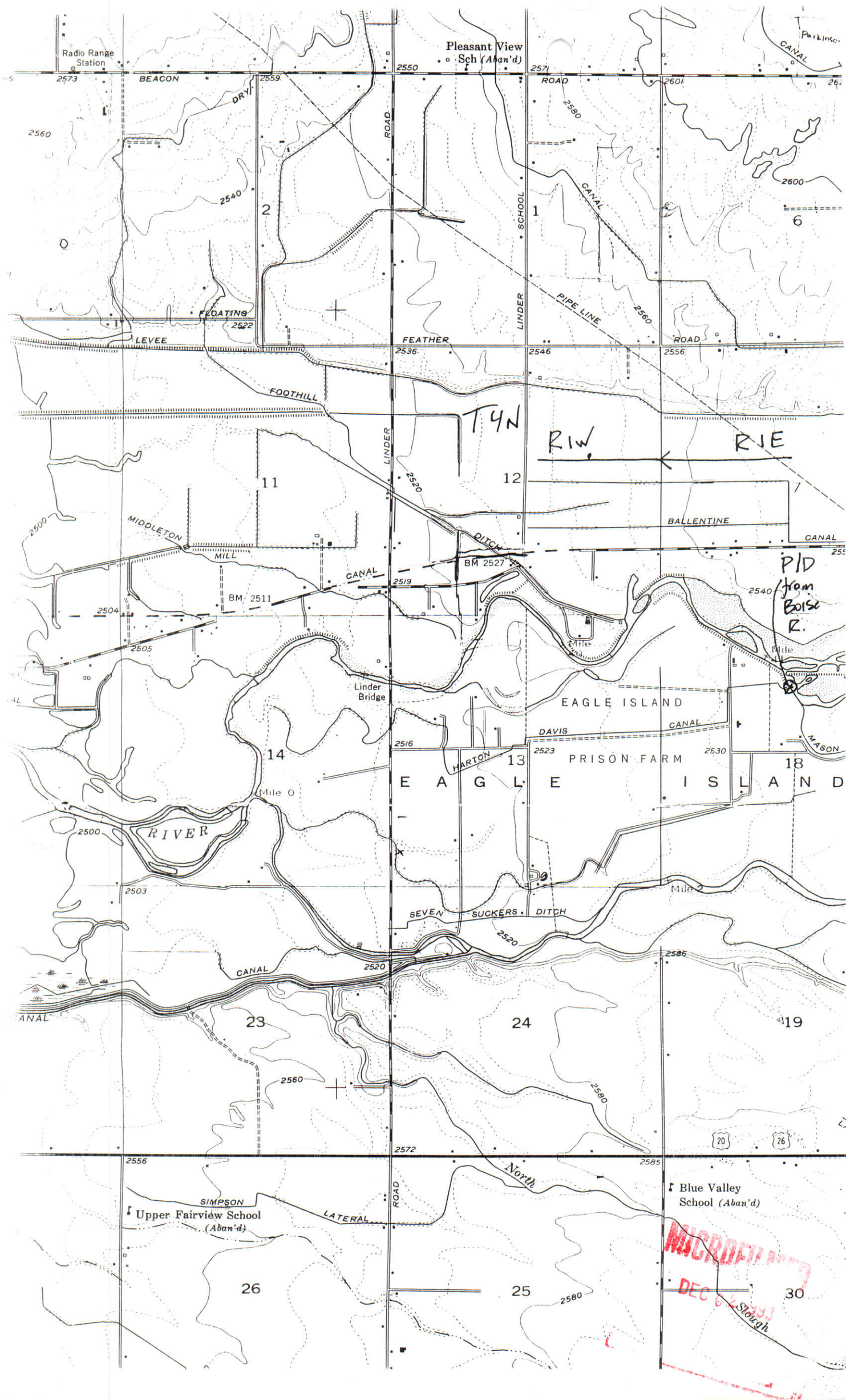
Inflow to pond - (~3 GPM from leaky dam)

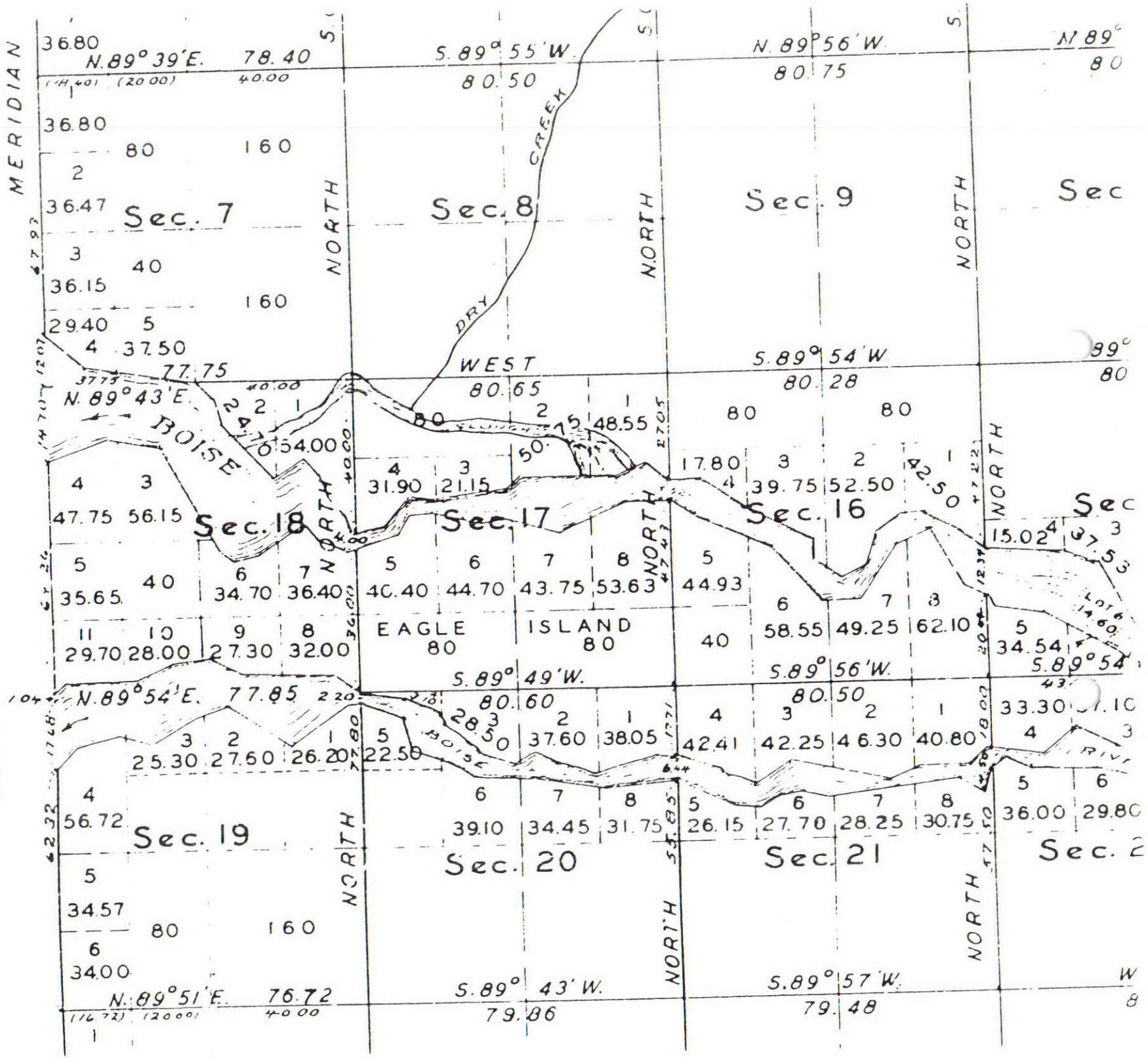

culvert
pond inf
Dam
Surfac
H2O cont
structur
20 being
impact
com well


irrigation

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Linder Rd.
Gravel Pit
6 Acres
11 Acres
24 Acres
Private Lane
12 Acres
60 Acres
Main Line
40 Acres
6 Acres
22 Acres
38 Acres
14 Acres
Boise River
BARN
CONCRETE SILO
HOUSE
TACK SHED
POWER POLE W/OVERHEAD POWER LINES


Radio Range Station
BEACON
DRY
Pleasant View Sch (Aban'd)
ROAD
CANAL
SCHOOL
LINDER
PIPE LINE
FLOATING
LEVEE
FEATHER
FOOTHILL
T4N
R1W.
R1E
MIDDLETON
MILL
DITCH
BM 2527
BM 2511
BALLENTINE
P/D from Boise R.
Linder Bridge
EAGLE ISLAND
DAVIS
HARTON
PRISON FARM
MASON
RIVER
SEVEN SUCKERS DITCH
Mile 0
Mile 1
Mile 2
Upper Fairview School (Aban'd)
SIMPSON
LATERAL
North
Blue Valley School (Aban'd)
Slough
20
26


MERIDIAN
Sec. 7
Sec. 8
Sec. 9
Sec. 18
Sec. 17
Sec. 16
Sec. 19
Sec. 20
Sec. 21
NORTH
WEST
BOISE
DRY CREEK
EAGLE ISLAND
N. 89° 39' E.
S. 89° 55' W.
N. 89° 56' W.
N. 89° 43' E.
S. 89° 54' W.
N. 89° 54' E.
S. 89° 49' W.
S. 89° 56' W.
N. 89° 51' E.
S. 89° 43' W.
S. 89° 57' W.
80
160
40
80.50
80.75
80.65
80.28
80.60
80.50
79.86
79.48
DEC 02 1993

Form No. 217
7/94

FOR OFFICE USE ONLY
Amt. of Fee $: 50.00
Receipt No. W018306
Receipt By: VR
Date Receipted: 10-28-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 28 1994
WATER RESOURCES
WESTERN REGION

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11934 Telephone No. 3444224

2. Name(s) of Permit Holder(s): Ron Sali

3. Mailing Address: 1272 Candleridge, Boise Id. 83702

4. Source of Water: reservoir If GROUNDWATER (well), Date Drilled: mo.____ / yr.____

a. Well Driller: n/A Drilling Permit Number: ____ - ____ - ____ - ____

b. ***OPTIONAL:***
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

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NOV 01 1994
Department of Water Resources

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): ____ Stockwater (No. and type of stock): ____

Irrigation (No. of acres): 120 Other: ____

6. Total rate of diversion and/or volume for which proof is submitted: .20 cfs OR 20 acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No X
Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: $ ____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ron Sali Telephone Number: 344 4224

Address: 1272 Candleridge, Boise Id. 83702

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ron Sali Date: 9-26-94
(Include your title, if on behalf of company of organization)

DEC 14 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11934

Proposed Priority: September 29, 1992 **Maximum Storage Volume:** 20.0 AF

This is to certify, that **RON SALI**
1020 MAIN ST #420
BOISE ID 83702
has applied for a permit to appropriate water from:

GROUNDWATER tributary of **BOISE RIVER**
BOISE RIVER tributary of **SNAKE RIVER**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION STORAGE	01/01 to 12/31		20.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		20.0 AF
	Totals		20.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SENW), Sec. 18, Township 04N, Range 01E
Lot 12(SENE), Sec. 14, Township 04N, Range 01W
ADA County

PLACE OF USE: IRRIGATION FROM STORAGE

TWN	RGE	SEC	ACRES		ACRES		ACRES	TOTAL
04N	01W	14	Lot 11(SWNE) 45.2	Lot 12(SENE) 47		NESE	39	
			Lot 10(NWSE) 42.8					174
				Total number of acres irrigated:				174

CONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

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

3RD day of NOVEMBER, 1993.

R. Keith Higginson, Director

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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR AMENDMENT OF PERMIT NO.)
63-11273 AND APPLICATION FOR) **FINAL ORDER**
PERMIT NO. 63-11934 IN THE)
NAME OF RON SALI)
)

On September 15, 1993, the Idaho Department of Water Resources (department) issued a recommended order in the above captioned matter. On October 6, 1993, the applicant filed exceptions to the recommended order. The department has reviewed the exceptions and responds to each as follows:

The department should not change Condition of Approval No. 3. as suggested by the applicant since "divert and/or impound" is not intended to mean "appropriate".

The department has added the language "during the irrigation season" to the end of Condition of Approval No. 3. as requested by the applicant.

The department has changed Condition of Approval No. 4. by adding the word "appropriate" as requested by the applicant. The department should not, however, change the condition by replacing the word "impoundment" with the word "appropriation" for the same reason described above in connection with Condition of Approval No. 3.

The department should not change Condition of Approval No. 5.a) as the applicant suggests, since the intent of parts a) and b) of the condition is to insure that the applicant does not divert more water from the pond than he has placed in the pond. This could occur since the pond naturally fills with shallow ground water and seepage even if water is not being injected into the pond.

The department should not change Conclusion of Law No. 12., since there was testimony from the applicant's expert which described the "flat" cone of depression in the area and that shallow ground water and/or Boise River water would be intercepted by the pond. With respect to prior water rights, all water rights which are earlier in time than the filing of the applicant's amendment are prior to any appropriation which would have been represented under the amendment.

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Based on the record and his understanding of the law, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Final Order:

FINDINGS OF FACT

1. On July 13, 1990, the department issued permit no. 63-11273 to Ron Sali (applicant) authorizing the diversion of 3.48 cubic feet per second (cfs) of ground water from two (2) proposed wells located in lots 10 and 12, Section 14, T4N, R1W, B.M. for the irrigation of 174 acres in Section 14, T4N, R1W, B.M. A condition of approval of the permit required the submittal of proof of construction of works and application of water to beneficial use on or before August 1, 1992.

2. The applicant has constructed one (1) well in lot 12, Section 14, T4N, R1W, B.M. The well is artesian and flows about 500 gallons per minute. The applicant has not constructed a well in lot 10.

3. On June 22, 1992, the applicant submitted Proof of Beneficial Use (proof) to the department for permit no. 63-11273 showing that he has diverted and applied 1.1 cfs of water to a beneficial use from an artesian well located in lot 12, Section 14, T4N, R1 E, B.M. The license examination fee submitted with the proof was based on 1.1 cfs of water.

4. On August 20, 1992, the applicant submitted to the department an application for amendment proposing the addition of a third point of diversion for permit no. 63-11273. The proposed third point of diversion is an existing pond created by the excavation of a gravel pit (pond) located in Lot 12, Section 14, T4N, R1W, B.M.

5. On September 29, 1992, the applicant submitted application for permit no. 63-11934 to the department proposing the storage of 20 acre feet (AF) of water in the excavated gravel pit. The sources of water applied for are the Boise River and ground water.

6. The department published notice of both the application for amendment and application for permit. The applications were protested by the following parties:

Robert W. Tannehill
Bill and Mary Rode
Ronald and Elaine Rippey
Bruce Healy
Kevin and Jill Devereaux
Esther Marshall
Heather and Gary Mingus
Earnest Rogers

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Glenn O. Sawyer
Lorna Hibbard
Steven and Yvonne Campbell
Tawnja S. Elison
Robert Marshall

7. The protestants' objection was that withdrawal of ground water from the pond by the applicant would lower the water table with the result of less sub-irrigation of the land and would cause an adverse effect upon artesian wells in the area. During the hearing, the protestants stipulated that the financial ability of the applicant to complete the project was not an issue.

8. On July 8, 1993, the department conducted a hearing in the contested matter. The applicant was present and was represented by Bruce Smith. Protestants Robert W. Tannehill, Earnest Rogers, Bob Marshall, Lorna Hibbard and Bruce Healey were present and represented themselves. The other protestants did not appear at the hearing.

9. Exhibits of the applicant admitted as a part of the record include the following:

a. Exhibit R-1 - Copy of an ortho-photo quadrangle sheet entitled Star, Idaho, 1981.

b. Exhibit R-2 - Color aerial photograph of the land owned by the applicant.

c. Exhibit R-3 - Copy of Application for Permit No. 63-11934.

d. Exhibit R-4 - Copy of Permit No. 63-11273.

e. Exhibit R-5 - Copy of Application for Amendment of Permit No. 63-11273.

f. Exhibit R-6 - Copies of two (2) stock certificates showing shares of stock in the Hart-Davis Ditch Company.

g. Exhibit R-7 - Copy of a letter dated September 1, 1992 from Ronald Kinsley to the applicant.

h. Exhibits R-8 through R-12 - Color photos taken from an airplane which show the applicant's property.

i. Exhibit S-1 - Copy of a letter dated September 3, 1992 from Karl Gebhardt to the applicant.

j. Exhibit S-2 - Copy of the Findings of Fact and Conclusions of Law issued by the Ada County Commissioners on September 17, 1992 in connection with a gravel removal

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DEC 02 1993

operation of the applicant.

10. The applicant owns 146 shares of stock in the Hart-Davis Ditch Company (company) for the irrigation of his land. The shares represent about 1/3 of all the shares in the company.

11. The applicant farms about 232 acres west of Linder Road on the west end of Eagle Island. The land is located on the lower end of the Hart-Davis ditch. About 58 acres of the 232 acres are irrigated from the "Middle Channel" using different water rights than the above captioned rights. The fluctuating flows of Boise River water delivered through the Hart-Davis ditch for the irrigation of the applicant's property has been a detriment in the past. Such fluctuating flows have caused siphon tubes to lose their prime and at other times has caused flooding of the applicant's property.

12. The applicant's purpose for filing the applications is to provide a more constant flow of water for the irrigation of his land by pumping from the pond which is supplied with water from three (3) sources: the Hart-Davis Ditch, water flowing from the artesian well in lot 12 and seepage water which naturally accumulates in the pond.

13. There will be two ponds on the applicant's property. The largest pond and the pond which the applicant proposes to use as the central storage facility is the farthest south and is ninety percent (90%) constructed. In June 1992, the applicant placed a pump powered by a 15 horsepower motor in the largest pond for the diversion of water and pumped water from the pond for the irrigation of his land.

14. The applicant has leveled much of his land, has reconstructed some of the existing ditches and has constructed some concrete ditches in order to more efficiently distribute irrigation water for his land.

15. The applicant does not intend to appropriate more water than already allowed under his existing water rights.

16. The delivery of Boise River water through the Hart-Davis ditch recharges the shallow ground water aquifer through seepage and losses from the ditch.

17. The Boise River water sought under application 63-11934 consists of existing shares of water in the company owned by the applicant and would be diverted through the Hart-Davis Ditch to the pond.

18. The existing artesian well is about 50 feet from the pond.

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19. Water which naturally accumulates by seepage in the pond is hydraulically connected to the Boise River.

20. The acreage irrigated before the land leveling and ditch reconstruction activity by the applicant is approximately equal to the acreage after the land leveling and reconstruction activity.

21. The applicant's means of applying water to crops are reasonably efficient and are consistent with the conservation of water resources within Idaho.

CONCLUSIONS OF LAW

1. Sec. 42-203A(5), Idaho Code, states in part as follows:

> The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Section 42-211, Idaho Code, states in part as follows:

> Whenever a permit has been issued pursuant to the provisions of this act, and the permit holder desires to change the place, period or nature of the intended use, or make other substantial changes in the method of diversion or proposed use or uses of water, he shall file an application for amendment upon forms to be furnished by the department of water resources together with the statutory fee for filing and recording same, and upon receipt thereof it shall be the duty of the department of water resources to examine same and if approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of

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the department of water resources shall approve said application and return an approved copy to the permit holder.

3. Section 42-217, Idaho Code, states in part as follows:

On or before the date set for the beneficial use of waters appropriated under the provisions of this chapter, the permit holder shall submit a statement that he has used such water for the beneficial purpose allowed by the permit. ...

Such written proof as may be required to be submitted by such user shall be upon forms furnished by the department of water resources and shall include fees as provided in subsection K of section 42-221, Idaho Code, or a field examination report prepared by a certified water right examiner.
Upon receipt of such proof and the fee as required in Section 42-221, Idaho Code, by the department of water resources the department shall examine, or cause to be examined:

1. The place where such water is diverted and used, and, if the use is for irrigation, he shall ascertain the area and location of the land irrigated and the nature of all the improvements which have been made as a direct result of such use.

2. The capacities of the ditches or canals or other means by which such water is conducted to such place of use, and the quantity of water which has been beneficially applied for irrigation or other uses. (Emphasis added).

4. The applicant is not entitled to divert more water than the amount being diverted when the applicant filed proof of beneficial use on June 22, 1992.

5. Water which accumulates in the pond, whether it is water from the Boise River, from natural seepage to the pond or from the shallow ground water system is separated from the artesian aquifer by clay layers. Pumping from the pond will have no effect upon artesian pressures but may affect water levels in the shallow ground water aquifer and flows to the Boise River.

6. The applicant should not be allowed to pump from the pond unless water from the Hart-Davis ditch or from the artesian well is being injected into the pond. An exception would be when the applicant can show that the water to be diverted is water which has previously been impounded in the pond from the Hart-Davis ditch or from the artesian well.

7. The protestants' water rights will not be injured by approval of the application to impound water if the application is properly conditioned.

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8. The water supply is sufficient for the purposes intended since the applicant is not seeking an appropriation of water over that rate or volume of water which has already been diverted.

9. The application for permit was made in good faith and not for delay or speculative purposes.

10. The application for permit does not conflict with the local public interest.

11. The application for permit is not contrary to conservation of water resources within the state of Idaho.

12. The application for amendment, if approved, would appropriate shallow ground water and Boise River water and will adversely affect prior water rights.

13. The amount of beneficial use under permit no. 63-11273 can not be increased over that which existed when the proof was filed on June 22, 1992.

14. The protests of those parties who did not appear at the hearing should be set aside and not further considered in the matter.

15. The department should approve the application for permit to authorize storage of existing water rights with certain conditions and limitations and should deny the application for amendment.

ANALYSIS

The applicant should have the opportunity to make his irrigation system more reliable, such as building a pond to reduce fluctuations in the amount of water available for use. The applicant should not, however, be allowed to appropriate additional water for his land or to continue with additional development such as increasing the rate of diversion or increasing the volume diverted under permit no. 63-11934. Continued development by the applicant after proof submittal and/or after the field examination by the department would not allow a water right to ever be quantified in terms of beneficial use by which all water rights are defined and limited.

Diversion and use by the applicant of water which naturally accumulates in the gravel pit adjacent to the Boise River will reduce the amount of water available to senior rights from the Boise River. Such a diversion would be considered a new appropriation and should not be allowed. On the other hand, the applicant should be allowed to use the pond for the impoundment of existing water rights in order to minimize fluctuations in the water available to him and to thus improve his water distribution

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system.

Approval of the application for amendment would allow the applicant to divert and use Boise River water which naturally accumulates in the pond through seepage even though such use is not the intent of the applicant. Denial of the amendment does not prevent the applicant from using the pond as a point of rediversion as intended to remove the fluctuations in water delivery to his crops.

ORDER

IT IS THEREFORE, hereby ORDERED that the protests of the parties who did not appear at the hearing are **SET ASIDE** and will not be further considered by the department.

IT IS FURTHER, hereby ORDERED that Application for Amendment of Permit No. 63-11273 is **DENIED.**

IT IS FURTHER hereby ORDERED that Application for Permit No. 63-11934 is **APPROVED** subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.

2. Approval of the application does not authorize the appropriation of any ground water or surface water in addition to the water which the applicant already has a right to divert and use.

3. Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights during the irrigation season.

4. The water authorized for impoundment in the pond consists of the ground water from the well authorized under right no. 63-11273 and the existing shares of Boise River water owned by the applicant which is delivered through the Hart-Davis Ditch. The applicant is not authorized to otherwise appropriate or divert water from the Boise River to the pond under this approval.

5. The right holder is authorized to redivert water from the pond when:

   a) The right holder is simultaneously injecting water from the Hart-Davis ditch and/or from the artesian well into the pond, or when

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b) The right holder can show that the water in the pond was previously injected into the pond from the Hart-Davis ditch or from the artesian well during the irrigation season.

6. The right holder shall not divert a volume of water from the pond in excess of the volume of water the right holder has injected into the pond.

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

Signed this 3rd day of NOVEMBER, 1993.

R. KEITH HIGGINSON
Director

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 3rd day of November, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Final Order to the following:

Ron Sali

1020 Main St #420
Boise, ID 83702

Robert W Tannehill

1591 Artesian Rd
Eagle, ID 83616

Bruce Healy

400 S Linder Rd
Eagle, ID 83616

Earnest Rogers

614 N 31st
Boise, ID 83702

Lorna Hibbard

2256 N Pawnee
Boise, ID 83704

Robert Marshall

4633 Hatchery Rd
Eagle, ID 83616

Bruce Smith

1221 W Idaho
Boise, ID 83702

Ronald and Elaine Rippey

1401 Trout Rd
Eagle, ID 83616

Bill & Mary Rode

1755 Artesian Rd
Eagle, ID 83616

Kevin & Jill Devereaux

1320 Linder Rd
Eagle, ID 83616

Ester Marshall

1624 Artesian Rd
Eagle, ID 83616

Glen O Sawyer

1300 Artesian Rd
Eagle, ID 83616

Heather & Gary Mingus

2077 Trout Rd
Eagle, ID 83616

Steve & Yvonne Campbell

1200 Artesian Rd
Eagle, ID 83616

Tawnja S Elison

1200 Artesain #41
Eagle, ID 83616

Karen L. Gustafson
Senior Secretary

DEC 02 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11273 AND APPLICATION FOR PERMIT NO. 63-11934 IN THE NAME OF RON SALI

RECOMMENDED ORDER

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for permit and protested amendment of a permit, the department having held a conference and a hearing in the matter, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On July 13, 1990, the department issued permit no. 63-11273 to Ron Sali (applicant) authorizing the diversion of 3.48 cubic feet per second (cfs) of ground water from two (2) proposed wells located in lots 10 and 12, Section 14, T4N, R1W,BM. for the irrigation of 174 acres in Section 14, T4N, R1W,BM. A condition of approval of the permit required the submittal of proof of construction of works and application of water to beneficial use on or before August 1, 1992.

2. The applicant has constructed one (1) well in lot 12, Section 14, T4N, R1W,BM. The well is artesian and flows about 500 gallons per minute. The applicant has not constructed a well in lot 10.

3. On June 22, 1992, the applicant submitted Proof of Beneficial Use (proof) to the department for permit no. 63-11273 showing that he has diverted and applied 1.1 cfs of water to a beneficial use from an artesian well located in lot 12, Section 14, T4N, R1 E,BM. The license examination fee submitted with the proof was based on 1.1 cfs of water.

4. On August 20, 1992, the applicant submitted to the department an application for amendment proposing the addition of a third point of diversion for permit no. 63-11273. The proposed third point of diversion is an existing pond created by the excavation of a gravel pit (pond) located in Lot 12, Section 14, T4N, R1W,BM.

5. On September 29, 1992, the applicant submitted

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application for permit no. 63-11934 to the department proposing the storage of 20 acre feet (AF) of water in the excavated gravel pit. The sources of water applied for are the Boise River and ground water.

6. The department published notice of both the application for amendment and application for permit. The applications were protested by the following parties:

Robert W. Tannehill
Bill and Mary Rode
Ronald and Elaine Rippey
Bruce Healy
Kevin and Jill Devereaux
Esther Marshall
Heather and Gary Mingus
Earnest Rogers
Glenn O. Sawyer
Lorna Hibbard
Steven and Yvonne Campbell
Tawnja S. Elison
Robert Marshall

7. The protestants' objection was that withdrawal of ground water from the pond by the applicant would lower the water table with the result of less sub-irrigation of the land and would cause an adverse effect upon artesian wells in the area. During the hearing, the protestants stipulated that the financial ability of the applicant to complete the project was not an issue.

8. On July 8, 1993, the department conducted a hearing in the contested matter. The applicant was present and was represented by Bruce Smith. Protestants Robert W. Tannehill, Earnest Rogers, Bob Marshall, Lorna Hibbard and Bruce Healey were present and represented themselves. The other protestants did not appear at the hearing.

9. Exhibits of the applicant admitted as a part of the record include the following:

a. Exhibit R-1 - Copy of an ortho-photo quadrangle sheet entitled Star, Idaho, 1981.

b. Exhibit R-2 - Color aerial photograph of the land owned by the applicant.

c. Exhibit R-3 - Copy of Application for Permit No. 63-11934.

d. Exhibit R-4 - Copy of Permit No. 63-11273.

e. Exhibit R-5 - Copy of Application for Amendment of Permit

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No. 63-11273.

f. Exhibit R-6 - Copies of two (2) stock certificates showing shares of stock in the Hart-Davis Ditch Company.

g. Exhibit R-7 - Copy of a letter dated September 1, 1992 from Ronald Kinsley to the applicant.

h. Exhibits R-8 through R-12 - Color photos taken from an airplane which show the applicant's property.

i. Exhibit S-1 - Copy of a letter dated September 3, 1992 from Karl Gebhardt to the applicant.

j. Exhibit S-2 - Copy of the Findings of Fact and Conclusions of Law issued by the Ada County Commissioners on September 17, 1992 in connection with a gravel removal operation of the applicant.

10. The applicant owns 146 shares of stock in the Hart-Davis Ditch Company (company) for the irrigation of his land. The shares represent about 1/3 of all the shares in the company.

11. The applicant farms about 232 acres west of Linder Road on the west end of Eagle Island. The land is located on the lower end of the Hart-Davis ditch. About 58 acres of the 232 acres are irrigated from the "Middle Channel" using different water rights than the above captioned rights. The fluctuating flows of Boise River water delivered through the Hart-Davis ditch for the irrigation of the applicant's property has been a detriment in the past. Such fluctuating flows have caused siphon tubes to lose their prime and at other times has caused flooding of the applicant's property.

12. The applicant's purpose for filing the applications is to provide a more constant flow of water for the irrigation of his land by pumping from the pond which is supplied with water from three (3) sources: the Hart-Davis Ditch, water flowing from the artesian well in lot 12 and seepage water which naturally accumulates in the pond.

13. There will be two ponds on the applicant's property. The largest pond and the pond which the applicant proposes to use as the central storage facility is the farthest south and is ninety percent (90%) constructed. In June 1992, the applicant placed a pump powered by a 15 horsepower motor in the largest pond for the diversion of water and pumped water from the pond for the irrigation of his land.

14. The applicant has leveled much of his land, has reconstructed some of the existing ditches and has constructed some concrete ditches in order to more efficiently distribute irrigation

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water for his land.

15. The applicant does not intend to appropriate more water than already allowed under his existing water rights.

16. The delivery of Boise River water through the Hart-Davis ditch recharges the shallow ground water aquifer through seepage and losses from the ditch.

17. The Boise River water sought under application 63-11934 consists of existing shares of water in the company owned by the applicant and would be diverted through the Hart-Davis Ditch to the pond.

18. The existing artesian well is about 50 feet from the pond.

19. Water which naturally accumulates by seepage in the pond is hydraulically connected to the Boise River.

20. The acreage irrigated before the land leveling and ditch reconstruction activity by the applicant is approximately equal to the acreage after the land leveling and reconstruction activity.

21. The applicant's means of applying water to crops are reasonably efficient and are consistent with the conservation of water resources within Idaho.

CONCLUSIONS OF LAW

1. Sec. 42-203A(5), Idaho Code, states in part as follows:

> The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a

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permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Section 42-211, Idaho Code, states in part as follows:

Whenever a permit has been issued pursuant to the provisions of this act, and the permit holder desires to change the place, period or nature of the intended use, or make other substantial changes in the method of diversion or proposed use or uses of water, he shall file an application for amendment upon forms to be furnished by the department of water resources together with the statutory fee for filing and recording same, and upon receipt thereof it shall be the duty of the department of water resources to examine same and if approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application and return an approved copy to the permit holder.

3. Section 42-217, Idaho Code, states in part as follows:

On or before the date set for the beneficial use of waters appropriated under the provisions of this chapter, the permit holder shall submit a statement that he has used such water for the beneficial purpose allowed by the permit. ...

Such written proof as may be required to be submitted by such user shall be upon forms furnished by the department of water resources and shall include fees as provided in subsection K of section 42-221, Idaho Code, or a field examination report prepared by a certified water right examiner.
Upon receipt of such proof and the fee as required in Section 42-221, Idaho Code, by the department of water resources the department shall examine, or cause to be examined:

1. The place where such water is diverted and used, and, if the use is for irrigation, he shall ascertain the area and location of the land irrigated and the nature of all the improvements which have been made as a direct result of such use.

2. The capacities of the ditches or canals or other means by which such water is conducted to such place of use, and the quantity of water which has been beneficially applied for irrigation or other uses. (Emphasis added).

4. The applicant is not entitled to divert more water than the amount being diverted when the applicant filed proof of beneficial use on June 22, 1992.

5. Water which accumulates in the pond, whether it is water

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from the Boise River, from natural seepage to the pond or from the shallow ground water system is separated from the artesian aquifer by clay layers. Pumping from the pond will have no effect upon artesian pressures but may affect water levels in the shallow ground water aquifer and flows to the Boise River.

6. The applicant should not be allowed to pump from the pond unless water from the Hart-Davis ditch or from the artesian well is being injected into the pond. An exception would be when the applicant can show that the water to be diverted is water which has previously been impounded in the pond from the Hart-Davis ditch or from the artesian well.

7. The protestants' water rights will not be injured by approval of the application to impound water if the application is properly conditioned.

8. The water supply is sufficient for the purposes intended since the applicant is not seeking an appropriation of water over that rate or volume of water which has already been diverted.

9. The application for permit was made in good faith and not for delay or speculative purposes.

10. The application for permit does not conflict with the local public interest.

11. The application for permit is not contrary to conservation of water resources within the state of Idaho.

12. The application for amendment, if approved, would appropriate shallow ground water and Boise River water and will adversely affect prior water rights.

13. The amount of beneficial use under permit no. 63-11273 can not be increased over that which existed when the proof was filed on June 22, 1992.

14. The protests of those parties who did not appear at the hearing should be set aside and not further considered in the matter.

15. The department should approve the application for permit to authorize storage of existing water rights with certain conditions and limitations and should deny the application for amendment.

ANALYSIS

The applicant should have the opportunity to make his irrigation system more reliable, such as building a pond to reduce fluctuations in the amount of water available for use. The

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applicant should not, however, be allowed to appropriate additional water for his land or to continue with additional development such as increasing the rate of diversion or increasing the volume diverted under permit no. 63-11934. Continued development by the applicant after proof submittal and/or after the field examination by the department would not allow a water right to ever be quantified in terms of beneficial use by which all water rights are defined and limited.

Diversion and use by the applicant of water which naturally accumulates in the gravel pit adjacent to the Boise River will reduce the amount of water available to senior rights from the Boise River. Such a diversion would be considered a new appropriation and should not be allowed. On the other hand, the applicant should be allowed to use the pond for the impoundment of existing water rights in order to minimize fluctuations in the water available to him and to thus improve his water distribution system.

Approval of the application for amendment would allow the applicant to divert and use Boise River water which naturally accumulates in the pond through seepage even though such use is not the intent of the applicant. Denial of the amendment does not prevent the applicant from using the pond as a point of rediversion as intended to remove the fluctuations in water delivery to his crops.

ORDER

IT IS THEREFORE, hereby ORDERED that the protests of the parties who did not appear at the hearing are **SET ASIDE** and will not be further considered by the department.

IT IS FURTHER, hereby ORDERED that Application for Amendment of Permit No. 63-11273 is **DENIED.**

IT IS FURTHER hereby ORDERED that Application for Permit No. 63-11934 is **APPROVED** subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date shown in the final order.

2. Approval of the application does not authorize the appropriation of any ground water or surface water in addition to the water which the applicant already has a right to divert and use.

3. Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water

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rights.

4. The water authorized for impoundment in the pond consists of the ground water from the well authorized under right no. 63-11273 and the existing shares of Boise River water owned by the applicant which is delivered through the Hart-Davis Ditch. The applicant is not authorized to otherwise divert water from the Boise River to the pond under this approval.

5. The right holder is authorized to redivert water from the pond when:

a) The right holder is simultaneously injecting water from the Hart-Davis ditch and/or from the artesian well into the pond, or when

b) The right holder can show that the water in the pond was previously injected into the pond from the Hart-Davis ditch or from the artesian well during the irrigation season.

6. The right holder shall not divert a volume of water from the pond in excess of the volume of water the right holder has injected into the pond.

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

Signed this 15th day of September, 1993.

L. Glen Saxton

L. GLEN SAXTON
Hearing Officer

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that on thie 16th day of September, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Recommended Order to the following:

Ron Sali

1020 Main St #420
Boise, ID 83702

Robert W Tannehill

1591 Artesian Rd
Eagle, ID 83616

Bruce Healy

400 S Linder Rd
Eagle, ID 83616

Earnest Rogers

614 N 31st
Boise, ID 83702

Lorna Hibbard

2256 N Pawnee
Boise, ID 83704

Robert Marshall

4633 Hatchery Rd
Eagle, ID 83616

Bruce Smith

1221 W Idaho
Boise, ID 83702

Ronald and Elaine Rippey

1401 Trout Rd
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1755 Artesian Rd
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Kevin & Jill Devereaux

1320 Linder Rd
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Eagle, ID 83616

Tawnja S Elison

1200 Artesain #41
Eagle, ID 83616

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

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SEP 29 1992
Department of Water Resources
Western Regional Office

Ident. No. **63-11934**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RON SALI 208-343-5042
   Address: 1020 MAIN ST. #420
   BOISE ID 83702

2. Source: GROUNDWATER Trib. to: BOISE RIVER
   BOISE RIVER SNAKE RIVER
3. Location of Point of Diversion: Lot 3(SENW), Sec. 18, Township 04N, Range 01E
   Lot 12(SENE), Sec. 14, Township 04N, Range 01W
   ADA County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION STORAGE	01/01	12/31			20.00
IRRIGATION FROM STORAGE	03/15	11/15			20.00

5. Total quantity to be appropriated is:
   CFS (and/or) 20.00 AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   HART DAVIS DITCH FROM THE BOISE RIVER; POND EXPOSES GW.
   b. Height of storage dam * feet; active reservoir capacity 20.00 acre-feet; total reservoir capacity 20.00 acre-feet; period of year when water will be diverted to storage: * to * inclusive.
   c. Proposed well diameter is * inches; proposed depth of well is * feet.
   d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.

8. Description of proposed uses:

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9. Place of Use: IRRIGATION FROM STORAGE

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	01W	14	Lot 11(SWNE)	45.2	Lot 12(SENE)	47	NESE	39	
			Lot 10(NWSE)	42.8					174

Total number of acres irrigated: 174

* N/A See GA + Comments

FC 10/13/92

10. Describe any other water rights used for the same purposes.

11. a. Who owns the property at the point of diversion?
GW-APPLICANT, SW-EXIST DITCH
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:
Sources for this right are Groundwater, tributary to the Boise River, and the Boise River, tributary to the Snake River.

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

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

T _____
Applicant

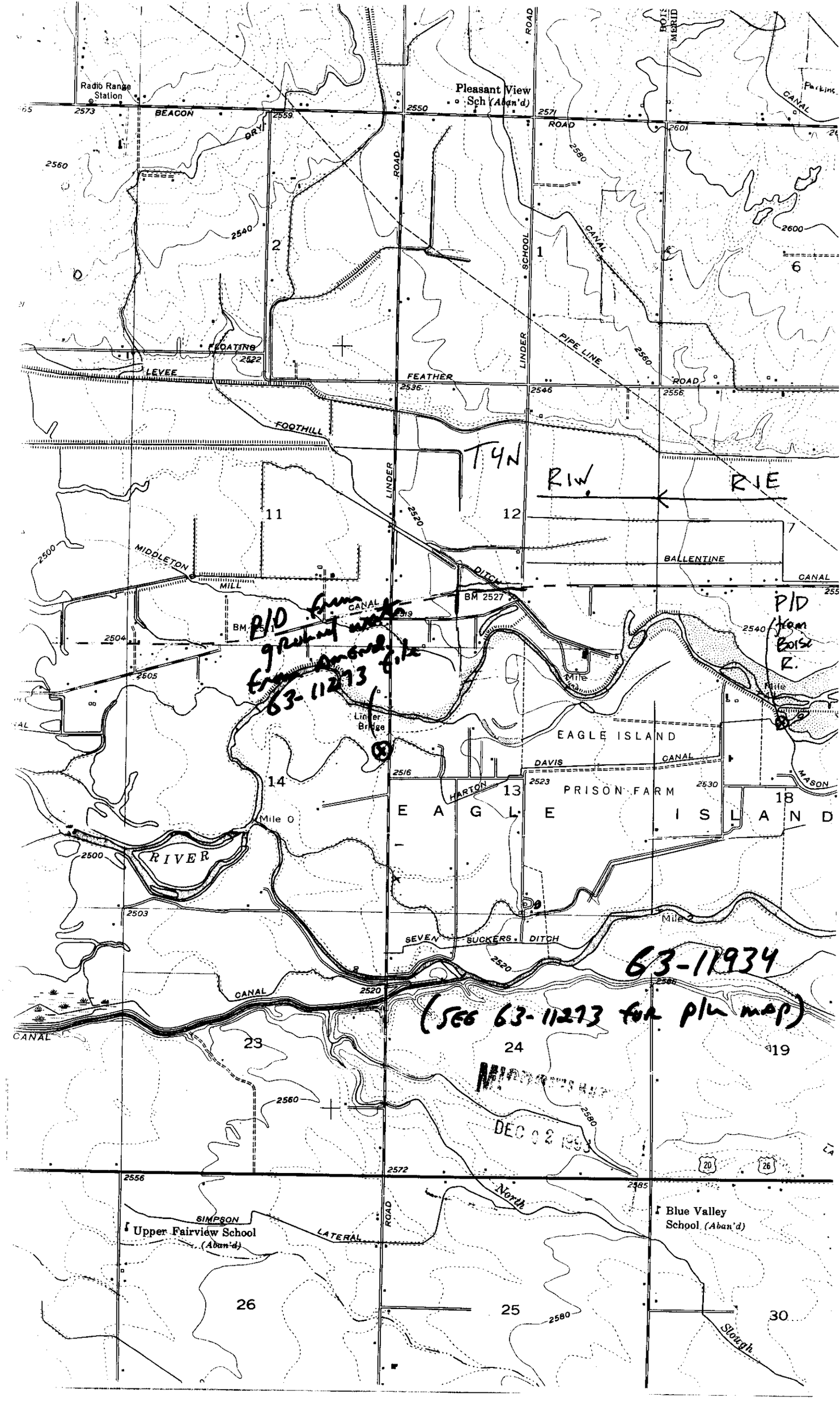
Received by MM Date 9-29-92 Time 10:46 Preliminary check by _____

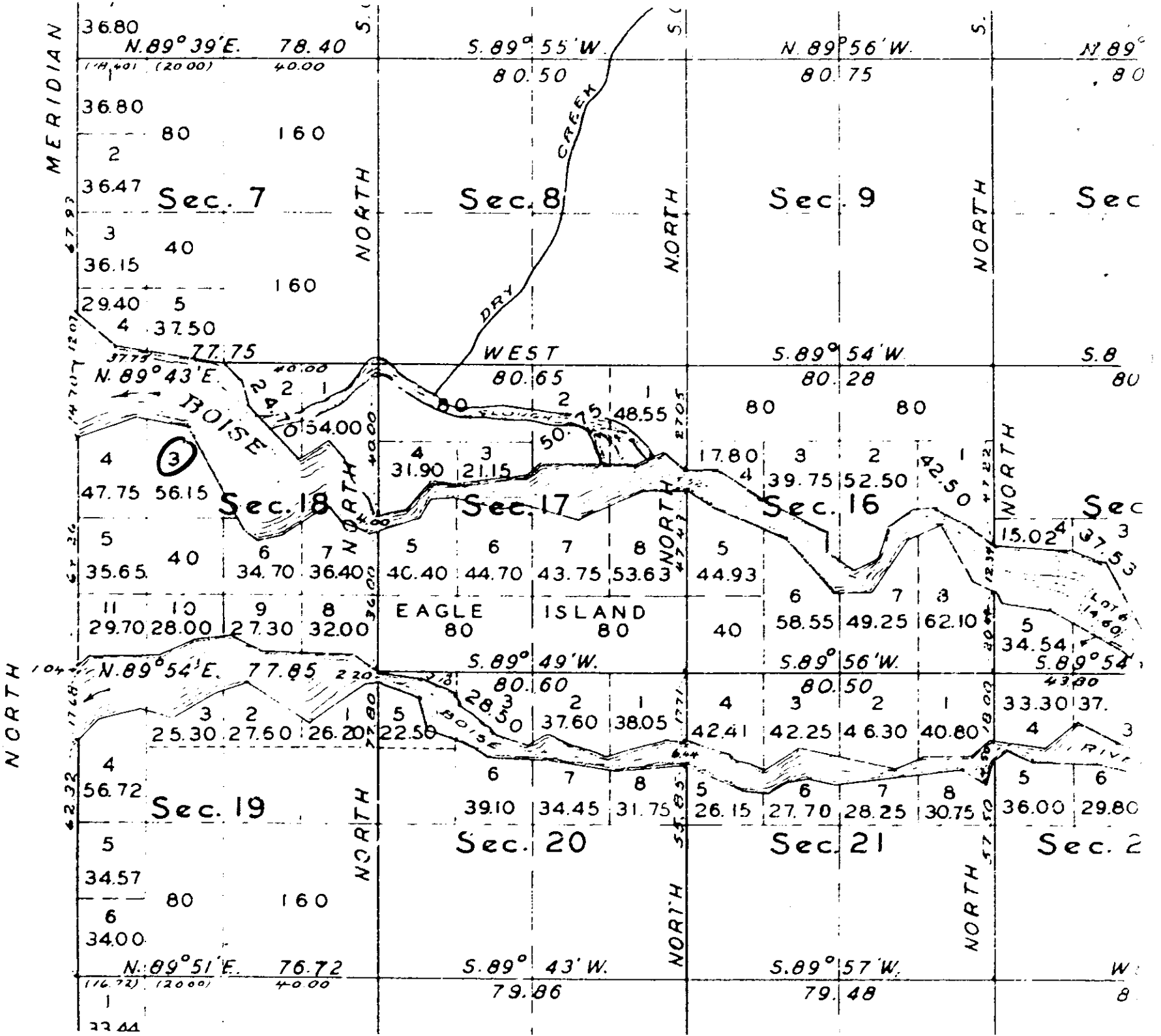
Fee $ 30.00 Receipted by _____ # W010468 Date 9-29-92

Publication prepared by GG Date 10/28/92 Published in Idaho Statesman 11/5 & 11/12/1992

Publication approved _____ Date 11-30-92

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Radio Range Station
Pleasant View Sch (Aban'd)
BEACON
DRY
ROAD
SCHOOL
LINDER
CANAL
PIPE LINE
FLOATING
LEVEE
FEATHER
FOOTHILL
MIDDLETON
MILL
DITCH
BALLENTINE
BM 2527
BM 2511
Linder Bridge
EAGLE ISLAND
DAVIS
HARTON
PRISON FARM
MASON
Mile 0
RIVER
SEVEN BUCKERS DITCH
Upper Fairview School (Aban'd)
SIMPSON
LATERAL
North
Blue Valley School (Aban'd)
Slough
T4N
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2580
2600
2560
2540
2522
2536
2546
2556
2520
2500
2504
2505
2516
2523
2530
2503
2572
2585
P/D from Boise R.
63-11273 (SEE 63-11273 for plan map)
63-11934
DEC 02 1993


MERIDIAN
NORTH
Sec. 7
Sec. 8
Sec. 9
Sec. 18
Sec. 17
Sec. 16
Sec. 19
Sec. 20
Sec. 21
DRY CREEK
BOISE
EAGLE ISLAND
N.89° 39'E. 78.40
S.89° 55'W.
N.89° 56'W.
N.89° 43'E.
WEST
S.89° 54'W.
N.89° 54'E. 77.85
S.89° 49'W.
S.89° 56'W.
N.89° 51'E. 76.72
S.89° 43'W.
S.89° 57'W.
80.50
80.75
80.65
80.28
80.60
80.50
79.86
79.48
36.80
36.47
36.15
29.40
37.50
77.75
54.00
48.55
31.90
21.15
17.80
39.75
52.50
42.50
47.75
56.15
35.65
34.70
36.40
40.40
44.70
43.75
53.63
44.93
29.70
28.00
27.30
32.00
58.55
49.25
62.10
34.54
25.30
27.60
26.20
22.50
28.30
37.60
38.05
42.41
42.25
46.30
40.80
33.30
56.72
34.57
34.00
39.10
34.45
31.75
26.15
27.70
28.25
30.75
36.00
29.80
33.44
160
80
40
4N
1E
5.18
L3
DEC 02 1993

SD-0420-2 Idaho Department of Water Resources Date: 10/02/92
MODIFY RECORD Modify Comment Time: 11:21:58

Water Right Number: 63-11934

Comment Date: 10/ 2/1992 User ID: TUTHILL

Subject: Other Water Rights

This storage application is intended to provide a storage water component for an irrigation system that consists of direct flow of Boise River water via the Hart (or Harton) Davis Ditch,* and a direct flow groundwater right, no. 63-11273. The 20AF pond is larger than what we would normally consider to be a 24 hour fill regulating facility.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

* Thus, diversion to storage not included in this appl. for surface water - already exists in right(s) for the ditch - & N/A for ground water.

JC 10/13/92

MICROFILMED
DEC 2003

Form 219
6/92

RECEIVED
MAY 2 8 1997
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-11934

1. Owner: Ron Sali Phone No. 344-4224

Current Address: PO Box 488 Boise 83701

2. Accompanied by: Ron EXAM DATE: 5/1/97

Address: Phone No.

Relationship to Permit Holder:

3. Source: Ground Waters Boise R tributary to Boise R Snake R

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-05173, 63-11273 63-00134/63-00134A, 63-00187/63-00187A

2. Other water rights with the same point of diversion: 63-11273

C. DIVERSION AND DELIVERY SYSTEM

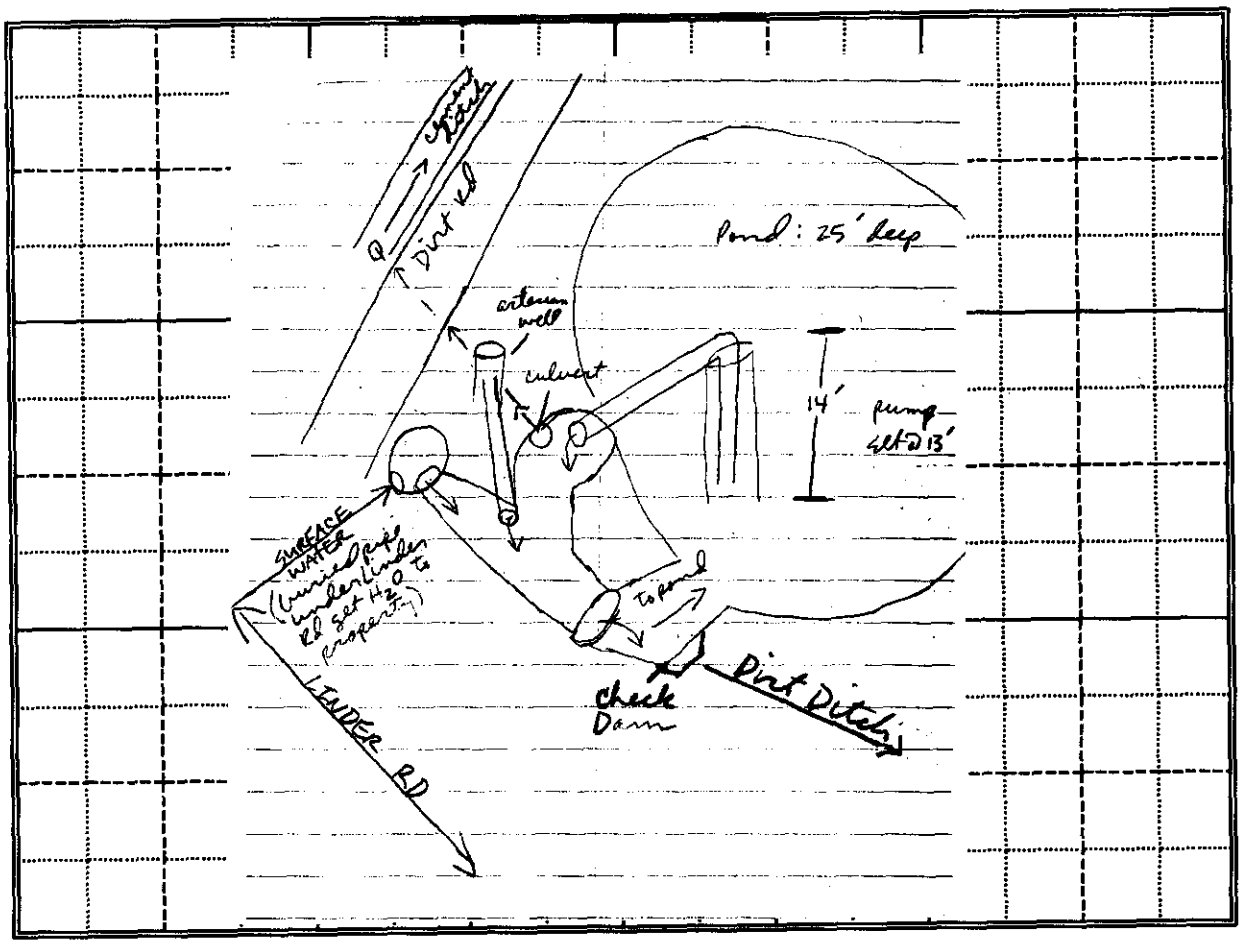
1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
POND/WELL	12		SE	NE	14	4N	1W	Ada	USGS Quad CFSA photo
HART DAVIS	3		SE	NW	18	4N	1E	Ada	" " " "

2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	14	1.3	10	40 (4 11)	15 (4 12)				8 (4 11)					30	30 (4 10)	1 (4 9)	2	137.3

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** _____

_____

_____

REMARKS
63-11934 & 63-11273

A 15 HP pump lifts water from a pond to a ditch system for irrigation of 137.3 acres. The pond is supplied water from three sources: Hart-Davis Ditch, artesian well, and natural seepage water which is hydraulically connected to the Boise River. The pond helps minimize available water fluctuations, thus providing a more reliable irrigation system.

Two ponds were found at the time of the field exam, however only one was being utilized. The north pond was not being beneficially used. No water was being injected into the pond and no water could be taken out. The water that the pond contained was Boise River seep water. The north pond is the result of gravel excavation and is not physically connected to the south pond. Recommendations have been solely based on the south pond.

The total volume of the south pond is 60 af (325′ X 320′ X 25′). The available volume from the existing system is 22 af because the pump intake setting only allows for 9.5′ drawdown in the total pool. I recommend 20 af as listed on permit 63-11934.

The 8" artesian well was not and usually does not discharge a full pipe, which made a polysonic measurement not possible. Fortunately, Chuck Davis made a orifice measurement at the time the well was drilled 5/31/1991. He measured the flow at 450 GPM (see enclosed documentation). Steve Lester decided this measurement was sufficient. I recommend 1.0 cfs for permit 63-11273.

137.3 acres can be irrigated with the system. The exact acreage was calculated with the use of a radar acre counter by Landview Fertilizer Company in 1995. The CFSA 1987 map shows 135.2 acres irrigated, however it was planimetered prior to the pond developments and prior to an additional development of ~12 acres of wetland area. I recommend 137.3 acres irrigation for both permits.

Documentation was submitted for the 1996 irrigation season and appears to satisfy the conditions (i.e. No. 5 & 6) of the final order. The permit holder provided calculations based on Idaho Power records for the sump pump and personal log records for the artesian well. The information was based on 1200 gpm capacity for the sump pump, which coincides with the pump curve and 450 gpm capacity for the artesian well, which coincides with the driller's measurement. If the calculations are questioned in the future, a totalizing flowmeter may be necessary for the artesian well.

Overlaps consist of 63-00134/A63-00134A & 63-00187/A63-00187A which represent the permit holders 146 shares of stock in the Hart Davis Ditch Company. Statutory claim No. 63-05173 also overlaps a portion of the property but was not claimed in the SRBA.
No other water rights are used.

E. NARRATIVE/REMARKS/COMMENTS

Have conditions of permit approval been met? ✓ yes ___ no

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

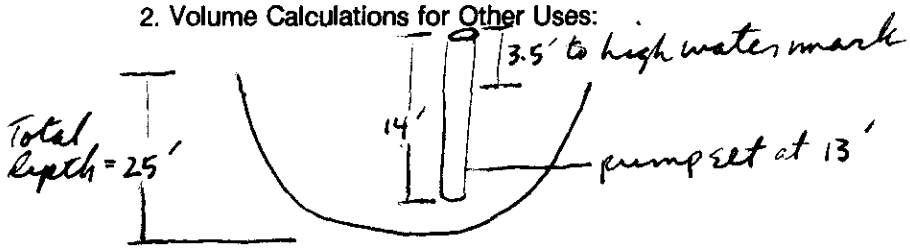
1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

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

2. Volume Calculations for Other Uses:



13' - 3.5' = 9.5' pumping range

325' x 320' x 9.5' = 22.7 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irr & Storage	1/1	12/31		20
Irr for Storage	3/15	11/15		20
		Totals:		20 afa

2. Recommended Amendments

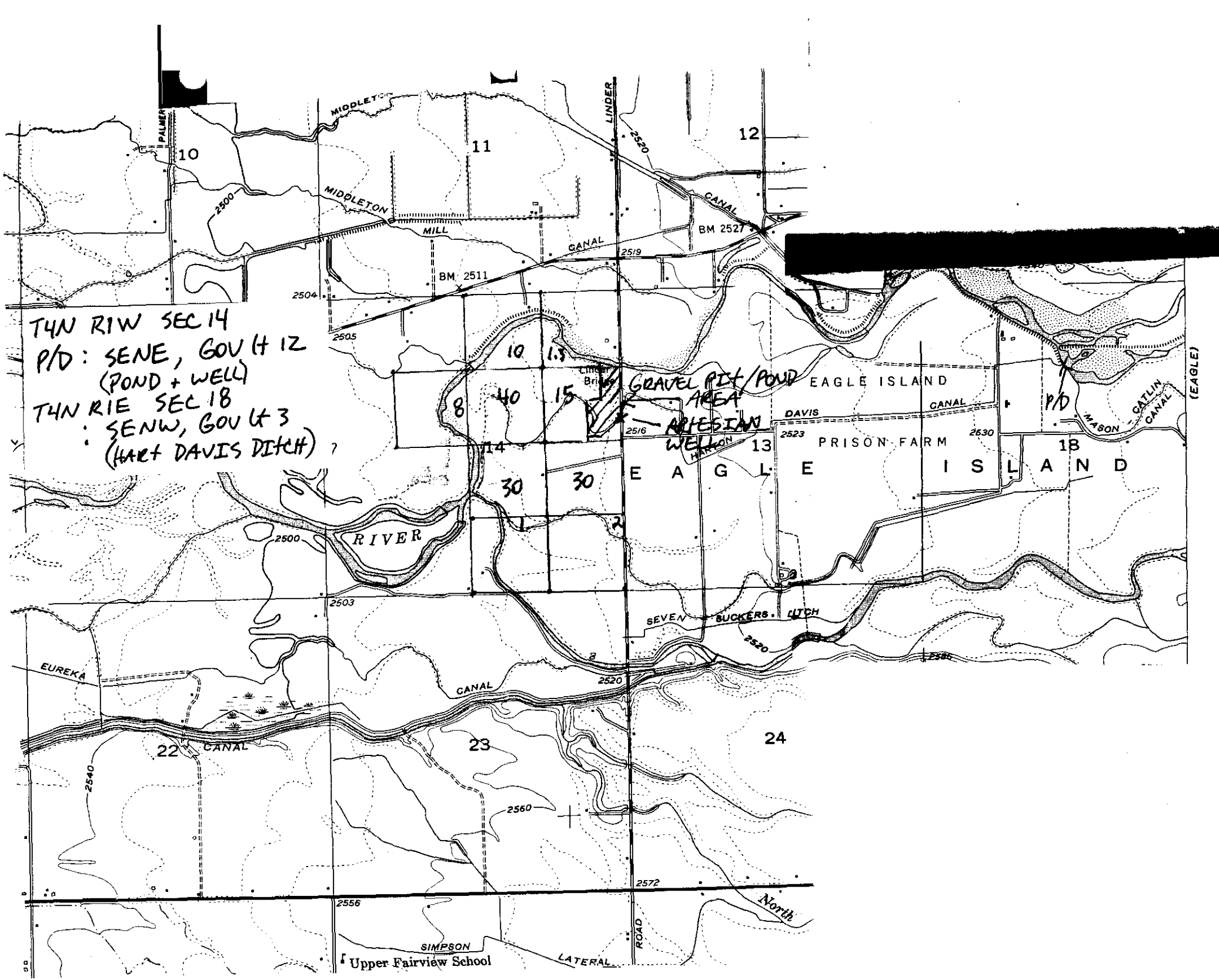
___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

✓ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

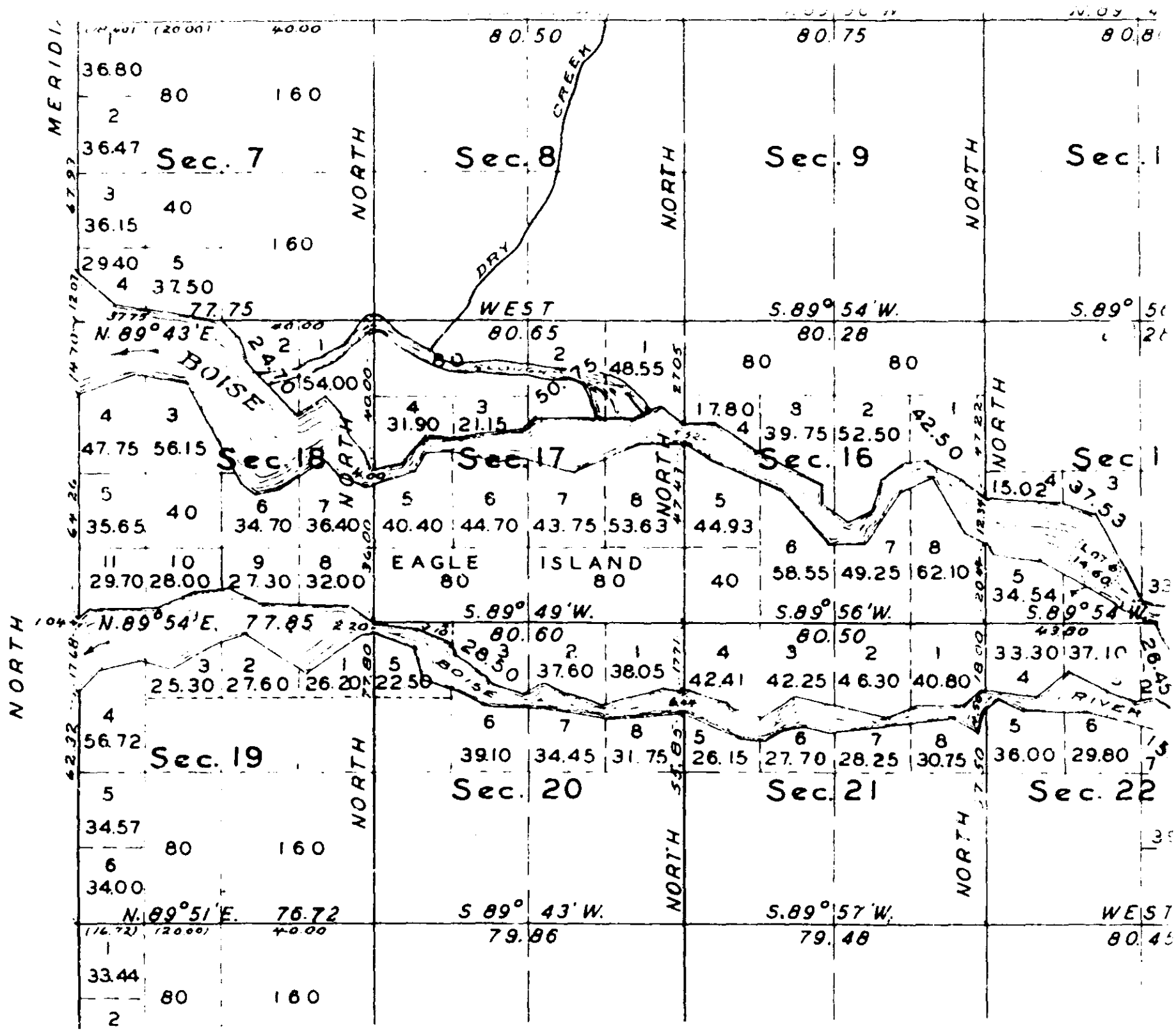
I. AUTHENTICATION

Field Examiner's Name Lori Cramer Date 5/7/97

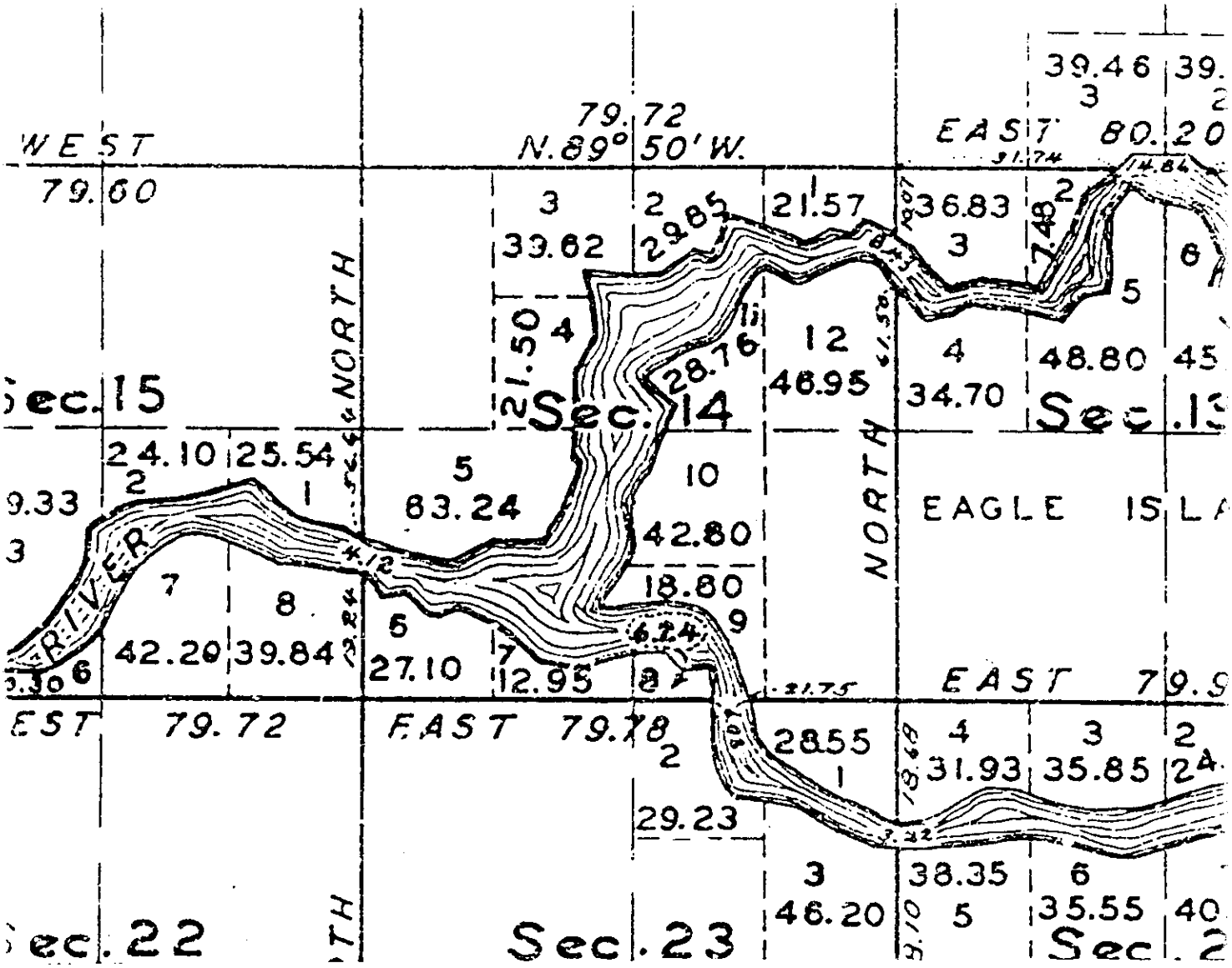
Reviewer _____ Date _____ SEAL


T4N R1W SEC 14
P/D: SENE, GOV LT 12
(POND + WELL)
T4N R1E SEC 18
: SENW, GOV LT 3
(Hart DAVIS DITCH)
GRAVEL PIT/POND AREA
ARTESIAN WELL
EAGLE ISLAND
PRISON FARM
E A G L E I S L A N D
P/D
RIVER
MIDDLETON MILL CANAL
DAVIS CANAL
MASON
GAITLIN CANAL
(EAGLE)
SEVEN BUCKERS DITCH
EUREKA CANAL
BM 2527
BM 2511
LINDER ROAD
SIMPSON LATERAL
North
Upper Fairview School
10
11
12
13
14
18
22
23
24
30
2500
2503
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2572
2630


T5N
T2381
T2139
T3
HEL
NHEL
PC
NW
FW
63-11934

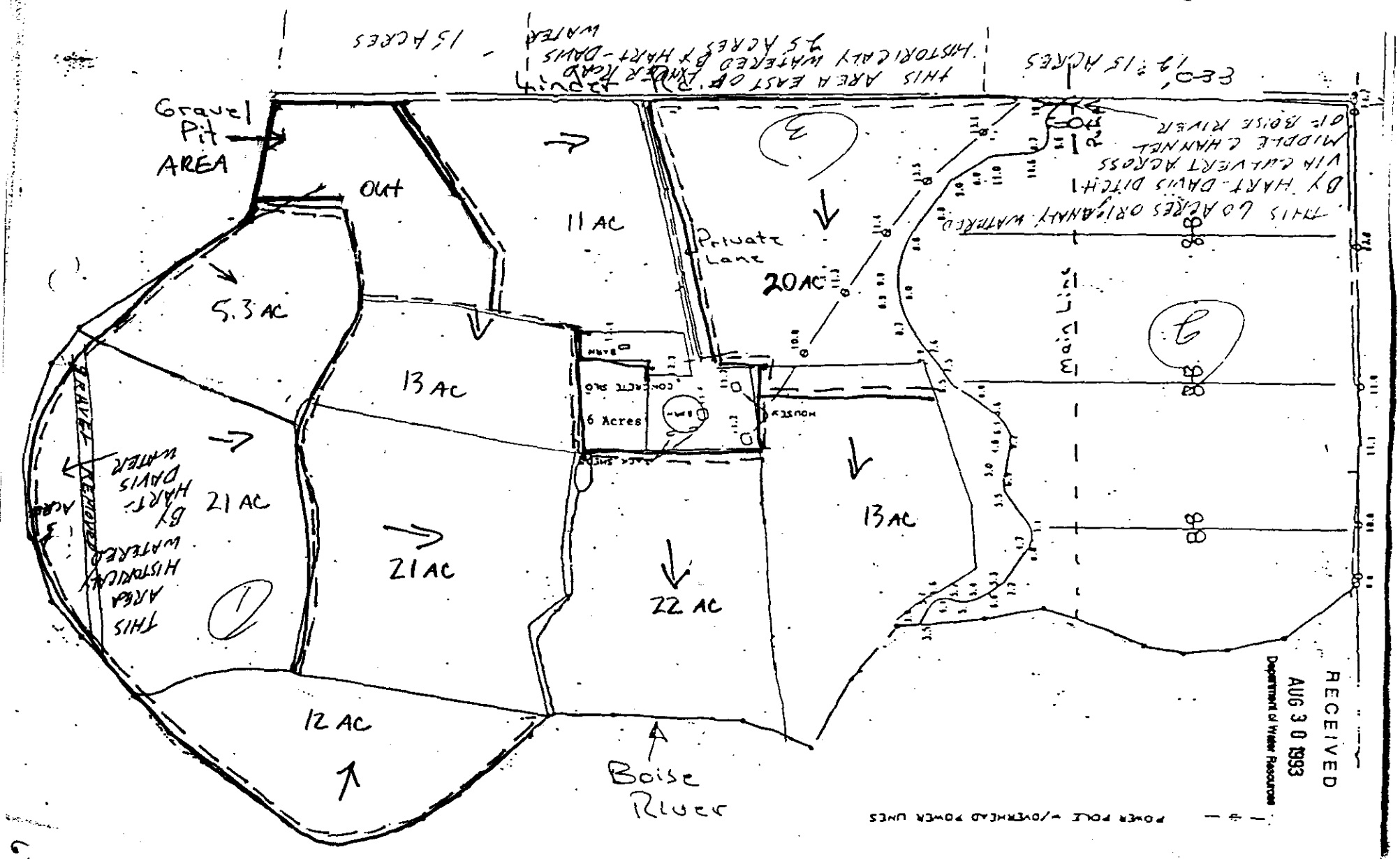

Sec. 7
Sec. 8
Sec. 9
Sec. 18
Sec. 17
Sec. 16
Sec. 19
Sec. 20
Sec. 21
Sec. 22
DRY CREEK
BOISE
EAGLE ISLAND
BOISE RIVER
NORTH
WEST
N. 89° 43' E.
S. 89° 54' W.
N. 89° 54' E. 77.85
S. 89° 49' W.
S. 89° 56' W.
N. 89° 51' E. 76.72
S 89° 43' W.
S. 89° 57' W.

63-11934



63-11934

[redacted]



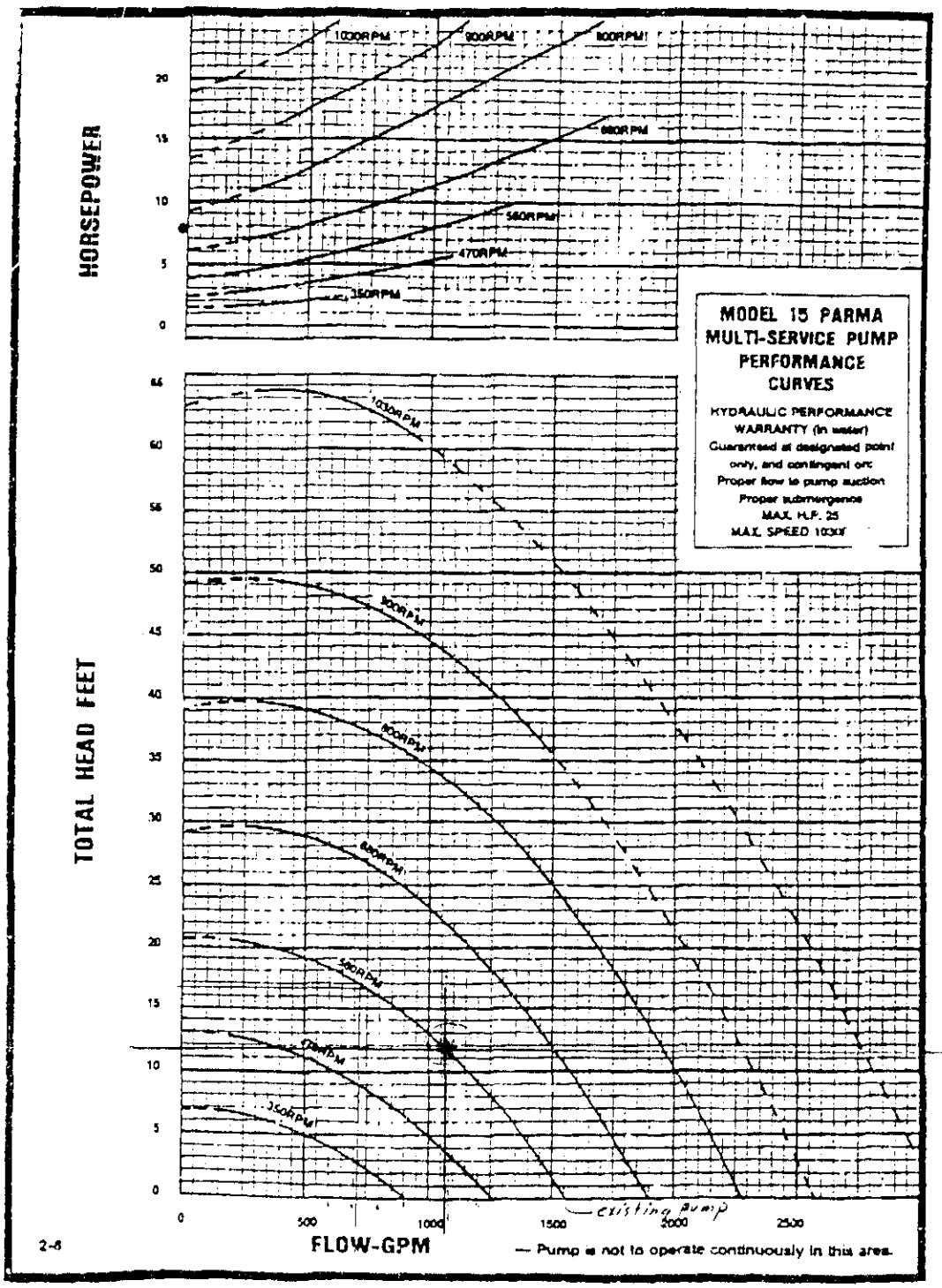
ARROWS = Direction of gravity flow

--- LINE = Ditch System

137.3 TOTAL IRRIGATED ACRES

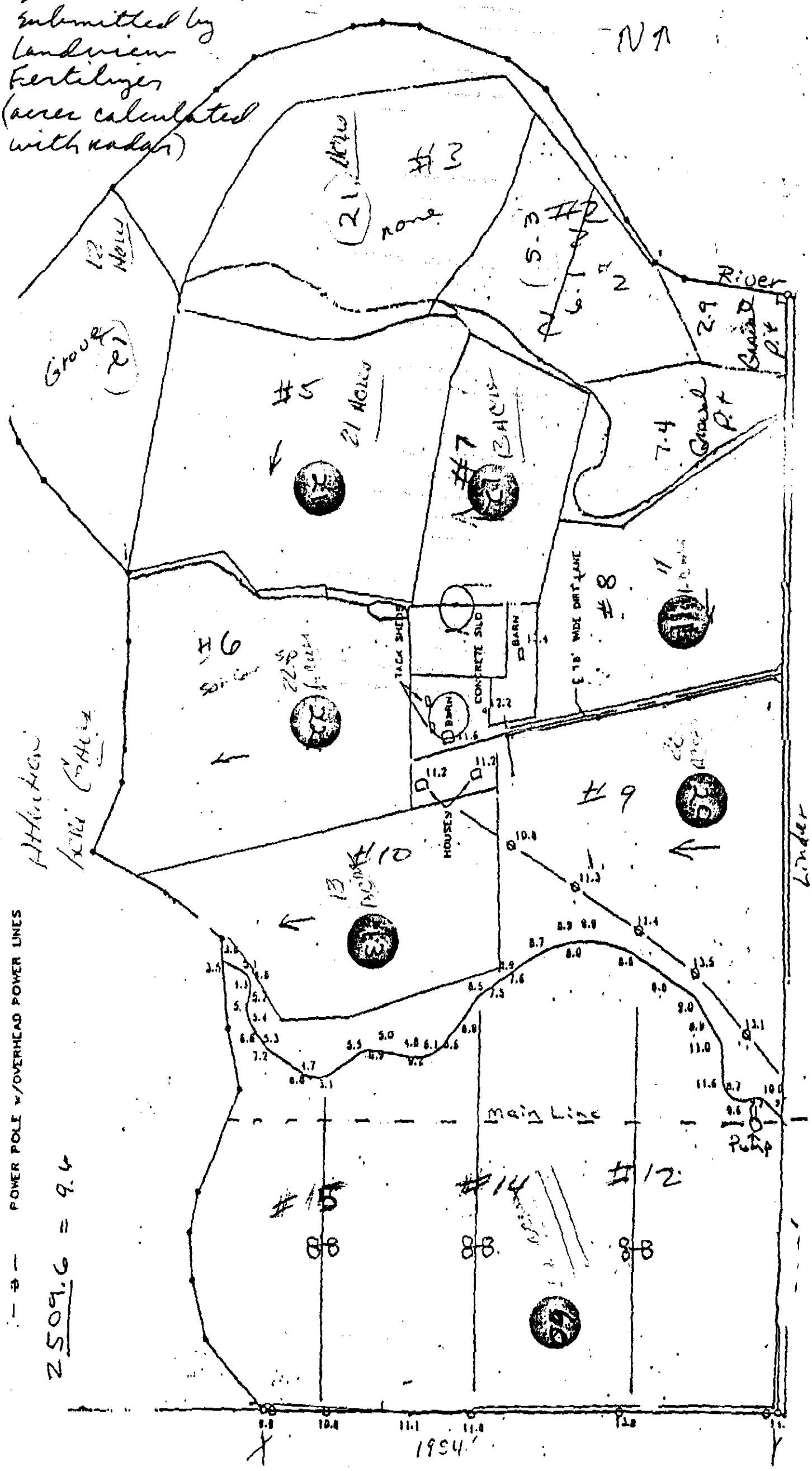
63-11934

PUMP CURVE FOR 15HP
SUMP PUMP



63-11934

Documentation submitted by Landview Fertilizer (acres calculated with radar)



— ⊕ — POWER POLE W/OVERHEAD POWER LINES

Kon soil

Field	AC	Field	AC	Field	AC
#9	= 20	#6	= 22	#3	= 21
10	= 13	8	= 11	2	= 5.3
		7	= 13		
		5	= 21		
		Grove	= 12		

#12, 14, 15 = 52 N/A

334 - 2348

DAVIS WELL & PUMP CO.
WELLS — PUMPS — TRENCHING
415 N. Pitt Lane — Nampa, Idaho 83651
Chuck Davis — Phone (208) 466-5765 or 466-6119

RECEIVED
MAY 0 8 1997
WATER RESOURCES
WESTERN REGION

May 6, 1997

Department of Water Resources
2735 Airport Way
Boise, Idaho
83705

To Whom It May Concern:

Concerning the Ron Sali well---Permit # 63-91-W-173.

Great caution was taken to not interfere with the flow of the neighboring well by casing through that aquifer as to not disturb the existing well flow and going on to the next aquifer.

The measurement of the Sali well was done with a 5" orfice. We measured 450 GPM on 5-31-91.

Yours truly,

Charles Davis

Charles Davis
Davis Well Drilling

63-11934

238(4)-1
5/93

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

63-11273

1. DRILLING PERMIT NO: 63-91-W-173 OTHER APPLICABLE NO: 63-11934

2. OWNER: Ron Sali Phone: 344-4224
Address: PO Box 488 Boise Id 83701-0488

3. WELL LOCATION: Twp 4N, Rge. 1W, Sec. 14, Se 1/4 Ne 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: Davis Lic. No. 101
When Drilled? 5/31/91

5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? [ ] Yes [ ] No Access Port: [ ] Yes [ ] No
Casing ≥ 12 inches above ground? [X] Yes [ ] No - Describe
Depth of Casing 170 ft. Method Drilled Rotary Air
Condition of Well Casing: [X] Good [ ] Fair [ ] Poor Describe
Control Valve? [X] Yes [ ] No Pressure Gauge: [ ] Yes [ ] No
Condition of Piping and Valving good
Auger to a depth of ____ ft. Evidence of Annular Seal [ ] Yes [ ] No
Are there obvious constuction problems that may be a source for contamination or waste of water?
[ ] Yes [X] No (Describe in Remarks and Attach Photo - On Reverse)

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

7. WELL USE:

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

[ ] Other:

8. **POSSIBLE CONTAMINATI[illegible] SOURCES:**

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

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** _____

_____

_____

_____

_____

_____

_____

G

Signature of Dept. Representative & Title

4/21/97

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Form 238-7
8/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

5" orifice

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

1. WELL OWNER

Name Ron Sali
Address 1020 Main St. Suite 420
Boise, Idaho 83702
Drilling Permit No. 63-91-W-173
Water Right Permit No.

2. NATURE OF WORK

(x) New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

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

4. METHOD DRILLED

(x) Rotary (x) Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: (x) Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.250 inches	8 inches	3 feet	120 feet
inches	inches	feet	feet
inches	inches	feet	feet
inches	inches	feet	feet

Was casing drive shoe used? (x) Yes ☐ No
Was a packer or seal used? ☐ Yes (x) No
Perforated? ☐ Yes (x) No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

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

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

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name
Lot No. Block No.
County Ada
NW ¼ SE ¼ Sec. 14 T. 4 N S R. 1 E W

7. WATER LEVEL

Static water level feet below land surface.
Flowing? (x) Yes ☐ No G.P.M. flow 450
Artesian closed-in pressure p.s.i.
Controlled by: (x) Valve ☐ Cap ☐ Plug
Temperature °F. Quality
(Describe artesian or temperature zones below)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
	0	2	Top soil/hard pan		x
	2	47	Sand/gravel	x	
	47	64	Sand	x	
	64	70	Sandy clay		x
	70	79	Sand	x	
	79	83	Yellow clay		x
	83	133	Sand	x	
	133	149	Yellow clay		x
	149	153	Sand (Lower Aquifer)	x	
	153	156	Clay		x
	156	174	Sand	x	
	174	190	Blue clay	x	x
	190		Yellow sand		

RECEIVED
AUG 07 1991
Department of Water Resources

JUL 29 1991
Department of Water Resources
Western Regional Office

10.

Work started 5-30-91 finished 5-31-

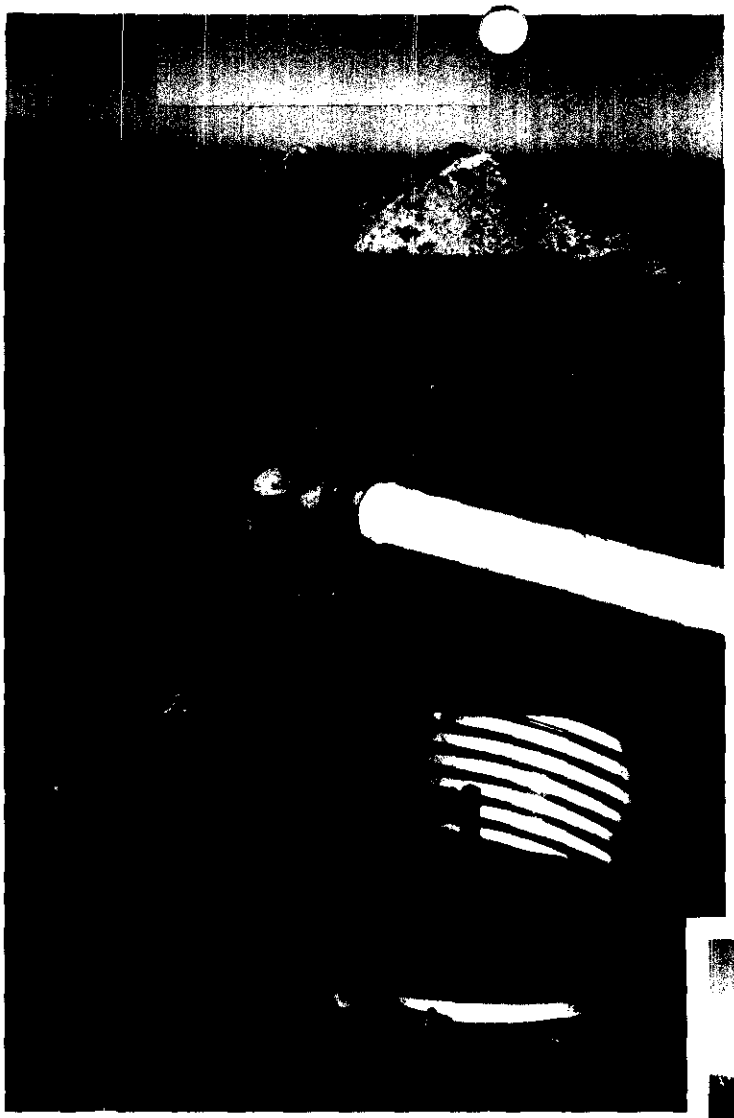
11. DRILLERS CERTIFICATION

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

DAVIS WELL & PUMP CO. Firm No.
415 N. PITT LANE
NAMPA, IDAHO Date 7-1-91
Signed by (Firm Official)
and
(Operator)

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

63-11934



8" artesian well

LINDER RD



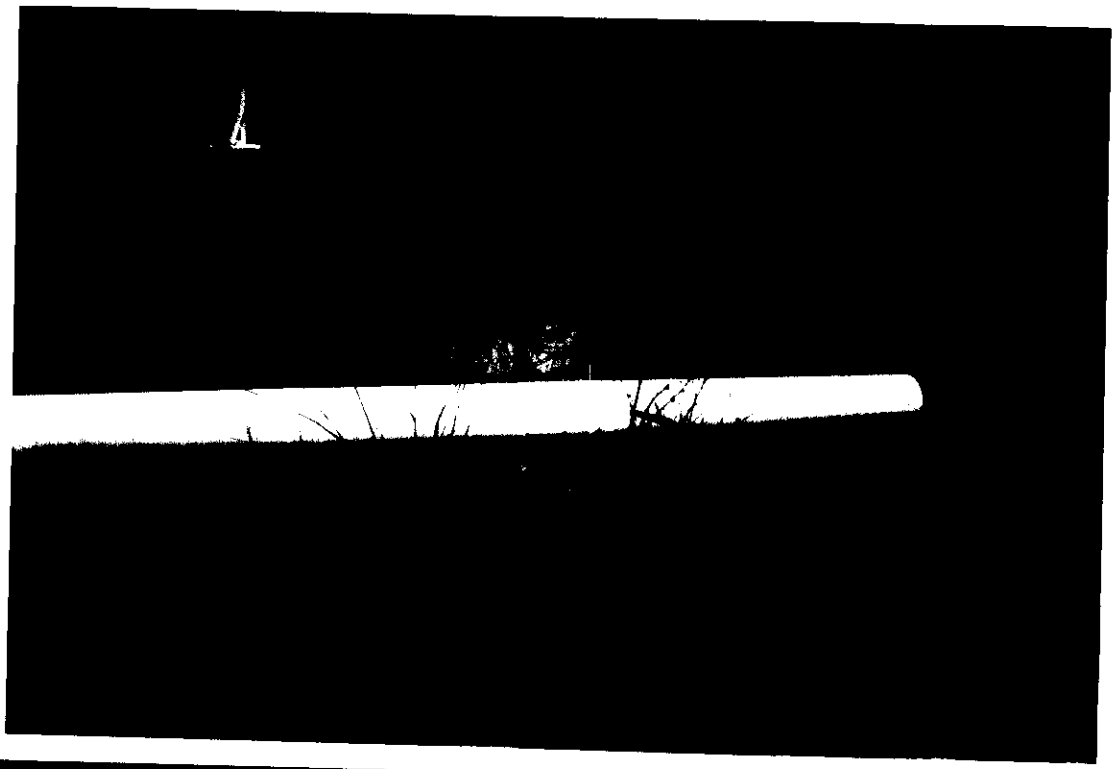
culvert that receives Hart Davis Ditch water from the East

63-11934

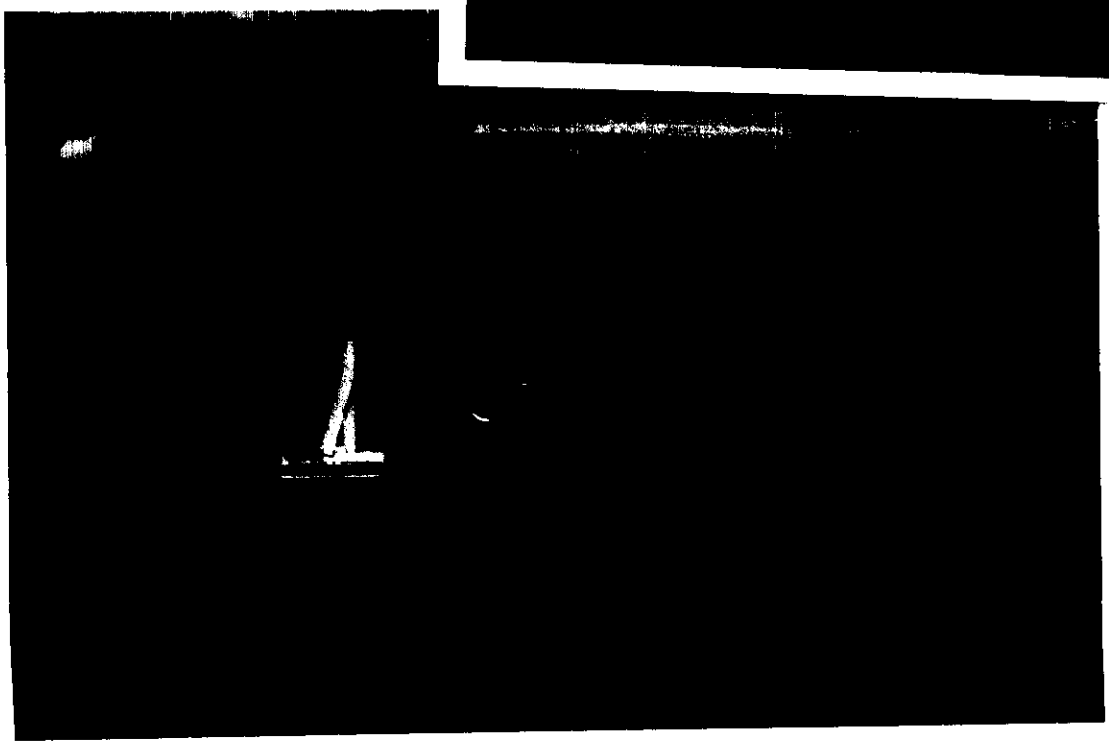


1994

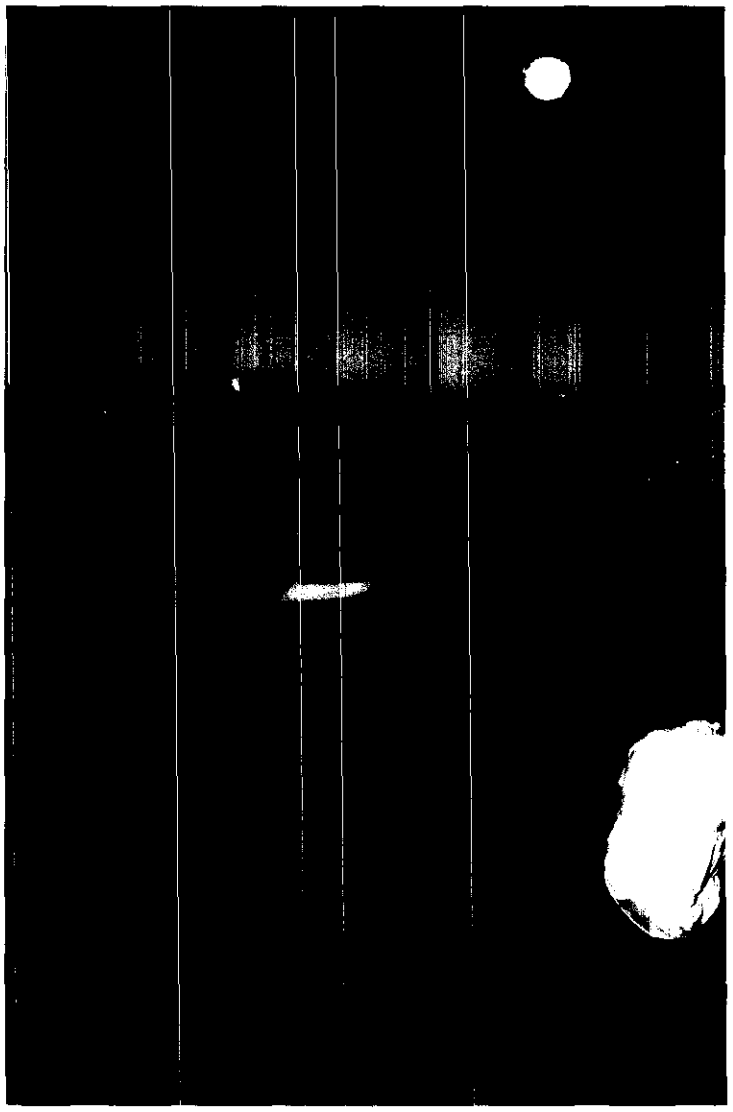
POND + CONTROLLING WORKS

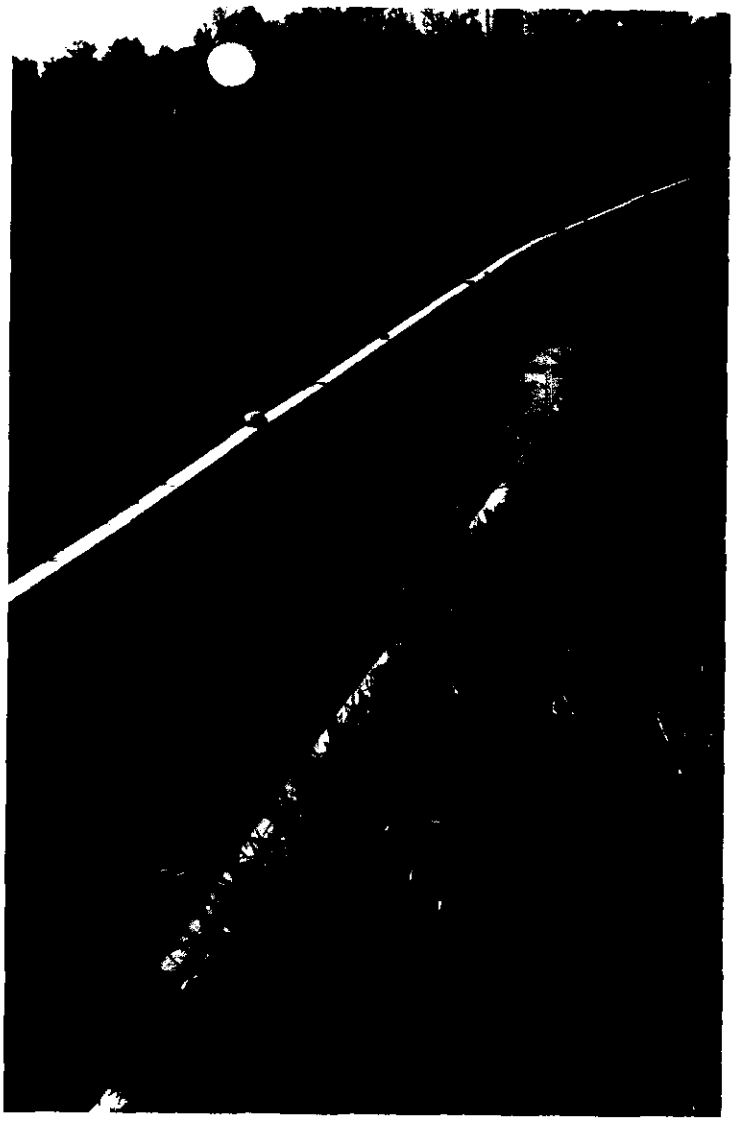


1997



63-11934





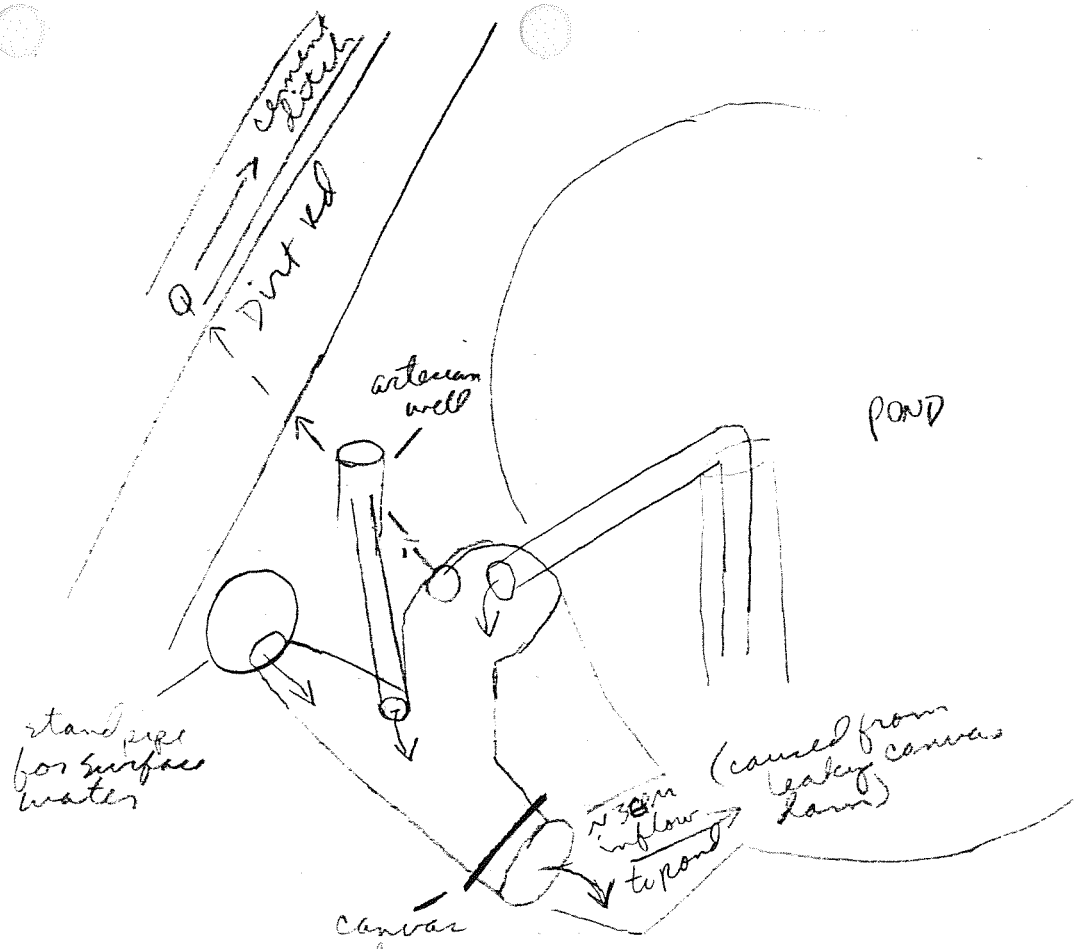
1994 ↗ ↘

SAME DITCH

1997 ↖



63-11934



ORIGINAL diagram is plotus KEPT in Regin files for post 1994 irrig season analysis —SR

DEC 14 1994

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 14, 1997

this is file copy - copier not working today -SL

RON SALI
PO BOX 488
BOISE ID 83701-0488

RE: PERMIT NO. 63-11934

Dear Ron:

I received your additional information regarding the reporting requirement for the above-referenced irrigation permit used on Eagle Island. The information appears to satisfy the condition of approval.

A field examination can now be scheduled. The examination will advance the permit into a water right license. An examiner will contact you during the 1997 field season to follow-up on this matter.

Thank you for your help in this situation. Your efforts will protect your water right.

Sincerely,

Steve Lester
Water Rights Supervisor

RON J. SALI

March 11, 1997

Steve Lester
Deputy Regional Manager
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
MAR 13 1997
WATER RESOURCES
WESTERN REGION

Dear Steve,

The drought obviously ended with the winter of 1994 - 1995.

If I would have known this, I would not have needed this permit or the new pump.

In any event, we did use the pump to supplement my irrigation needs during hot spells or when the canal was low which usually both happened at the same time.

However, the Idaho Power records will show that the pump was only on approximately 50 to 100 hours maximum in any given month in 1995 and only approximately 140 hours for all of 1996.

According to an Idaho Power engineer, that particular pump cost is approximately $1.00 per hour to operate and can pump a maximum of 1200 G.P.M. Therefore, I pumped approximately 25,272,000 gallons of water for all of 1995.

The artesian well records show that the well was diverted into the pond for approximately 1,152 hours. The well free flows, (according to the drillers log) approximately 450 G.P.M. or 27,000 gallons per hour. This amounts to 31,104,000 gallons put into the pond and only 25,272,000 pumped out of the pond.

In 1996 the pump was on much less, only 140 hours total.

I am sure that 1997 will even be less than 1996 given the fact that the river is projected to be flowing at 7,000 C.F.S. through most of the summer due to current snowpack conditions.

Please call if you have any questions.

Best Regards,

Ron Sali

P.O. BOX 488 BOISE, IDAHO U.S.A. 83701
FAX: 208.342.1486 TEL: 208.344.4224

RECEIVED
MAR 1 3 1997
WATER RESOURCES
WESTERN REGION

ARTESIAN WELL LOG 1995
450 G.P.M.

DATE ON	DATE OFF	HOURS
4-15	4-27	288
4-29	4-30	24
5-21	5-22	24
5-28	6-13	408
7-12	7-15	48
8-03	8-05	48
8-30	9-01	48
9-10	9-14	96
9-26	9-30	96
10-08	10-15	72
		1,152

450 G.P.M
x 60
27,000

1,152 hours
x 27,000
31,104,000

Gallons In = 31,104,000 Total Gallons into pond

1,200 G.P.M. pump maximum
x 60 minutes
Gallons Out = 25,272,000 = 72,000 x 351 hours
Per Idaho Power Records

RECEIVED
MAR 13 1997
WATER RESOURCES
WESTERN REGION

1996 PUMP LOG

ON	OFF
May 25	May 28
June 14	June 16
June 28	June 29
July 10	July 11
July 18	July 20

Idaho Power Records = approximately 140 hours

OBROS
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PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME: ON J SALI
SERVICE LOCATION: 3815 HP 10
ACCOUNT NUMBER: 433-019804-0 C
TYPE OF SERVICE: IRRIGATION

ACCOUNT INFORMATION AS OF APRIL 03, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
0166011G	24	301	330			052720	52720	1			1000

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
.00 TOTAL PAYMENTS RECEIVED

ACCOUNT BALANCE 1000

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR		
BILLING PERIOD	KWH BILLED	KWH PER DAY
THIS MONTH THIS YEAR		
THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT: 10.00

ASE ADD $1, $5 OR $10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

CLABLE

'O— REGULAR READING
CR— CREDIT
1— CUSTOMER READING
AV— AVERAGE
2 OR 3— ESTIMATED READING
MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

$10. per MO. is basic service fee
$1. per hr. is approx cost to operate Pump
1200 GPM = Max. pump output.
351 total hrs of operation

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION

ACCOUNT INFORMATION AS OF MAY 03, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	330	501	0	52720	53131	1	8	411	2523

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
10.00CR TOTAL PAYMENTS THANK-YOU

ACCOUNT BALANCE 2523

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	25.23

PLEASE ADD $1, $5 OR $10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

RECYCLABLE

O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

checking

Ranch

RON SALI P

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF JUNE 02, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	501	531	0		53131	54492	1	8	1361	7770

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****

25.23CR TOTAL PAYMENTS THANK-YOU

ACCOUNT BALANCE 7770

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	77.70

PLEASE ADD $1, $5 OR $10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
388-2323 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 C
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF JULY 03, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
0166011G	24	531	629	0	54492	55487	1	8	995	6674

ACCOUNT BALANCE 6674

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
77.70CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0287270 PER KWH
3.5200 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
YS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
66.74

PLEASE ADD $1,$5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0 C	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF AUGUST 02, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
901660116	24	629	731	0	5	548	57743	1	8	2256	10297

ACCOUNT BALANCE 10297

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
66.74CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0287270 PER KWH
3.5200 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	102.97

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 C
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF SEPTEMBER 01, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	7 31	8 30		0	57743	59932	1	8	2189	10147

ACCOUNT BALANCE 10147

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
102.97CR TOTAL PAYMENTS THANK-YOU

UE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL
OT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF
OU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER
FFICE

checking

ALL PROPERTIES, INC
Idaho Powe
ch: Irrigation

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR		
BILLING PERIOD	KWH BILLED	KWH PER DAY
THIS MONTH THIS YEAR		
THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	101.47

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 C
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF OCTOBER 03, 1995

BALANCE FORWARD ▶ 2045

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	8 30	9 29	0	5	99326	60217	1	7	285	2045

ACCOUNT BALANCE 2045

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
101.47CR TOTAL PAYMENTS THANK-YOU

DUE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL NOT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF YOU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER OFFICE

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT 20.45

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

SALI PROPERTIES
Idaho F
anch: Irrigati
Tracking

RMACION SOBRE COBROS

La Compañía Idaho Power revisa su medidor
o dentro de dos o tres días de la misma fecha
nes. Se prepara la cuenta y se le envía a Usted
rreo dentro de siete días de la fecha fijada para
su medidor. Su cuenta se considera vencida 15
spués de enviarle por correo a Usted. Si Usted

PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

IDAHO POWER FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO, MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 C
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF OCTOBER 31, 1995

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	9291030	31			60217	60217	1			10.33

CLOSING BILL ACCOUNT BALANCE 10.33

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
20.45CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0366830 PER KWH

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	10.33

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

'95- Pump Log

3-8- opened artesian well all the way + put all water into the pond.

4-7 Bruce Healy + Ernie Rogers started dewatering their ponds (Ernies existing bass pond, and Bruces new pond on so. pasture. The water was going directly into my pond which was full so Bruce made Ruben shut off my artesian well w/o my permission. Bruce did lv. a msg. on my ~~ch~~ machine. And I returned his call on 4-8-95. B.R. 2000 mtg at 1:00 and the N. channel to look at Little Pioneer Diversion. I will discuss with Dave Tuthill then.

4-27 Bruce + Ernie shut water down in H. Davis to force me to turn my pump on they are dewatering their new gravel pits and my pond is almost full + will soon back up into Bruces pond turned pump on 2:00 4-27 Probably

5-1 River Rising Bruce + Ernie dewatering more. All our water shut of Sat. 4-28- Because of substantial rain fall
Bruce called 4-30 eve. 7:00PM my pond backing up into his ~~Pond~~ Turned our pump on 5-1 AM not irrigating with the pump water only going thru ditch into river.

5-21 stop well into pond started irrig. 11a

5-22 Started Pump wide open
Bruce continues to dewater into my pond approx 500 GPM

6-10 3:00PM Turn on Pump 3/4 open

6-11 ~~8~~ 8:30Am Turned off Pump.

6-12 3:00 No water in Canal all our tubes stopped in 22 + 12

6-~~13~~13 Turned on Pump water Grove 1st time this yr. N-Past planted will water next Hay still down in 11 + 13

6-16 ½" rain Shut off Pump no water going into Pond started irrig Past

6-24-25 Pump on

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 10790 FRANKLIN RD, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 P
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF MAY 03, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011	G24	411	501	20	06021	60217	1			667

ACCOUNT BALANCE 667

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****

.00 TOTAL PAYMENTS RECEIVED

$10.00 CUSTOMER CHARGE, PLUS
0.0366887 PER KWH

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	6.67

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

O– REGULAR READING CR– CREDIT 1– CUSTOMER READING AV– AVERAGE 2 OR 3– ESTIMATED READING MN– MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

RECEIVED
MAR 13 1997
WATER RESOURCES
WESTERN REGION

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 10790 FRANKLIN RD, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF JUNE 04, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	501	531	30	60217	60987	1	8	770	5974

ACCOUNT BALANCE 5974

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
6.67CR TOTAL PAYMENTS THANK-YOU

DUE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL NOT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF YOU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER OFFICE

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR

DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT 59.74

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

'O— REGULAR READING
CR— CREDIT
1— CUSTOMER READING
AV— AVERAGE
2 OR 3— ESTIMATED READING
MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

IDAHO POWER FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10 P
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF JULY 03, 1996

BALANCE FORWARD ▶ 6340

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	531	701	30	60987	61927	1	8	940	6340

ACCOUNT BALANCE 6340

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
59.74CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0265947 PER KWH
3.5500 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	63.40

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O— REGULAR READING 1— CUSTOMER READING 2 OR 3— ESTIMATED READING
CR— CREDIT AV— AVERAGE MN— MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
(208)388-2323 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER 0433-019804-0	TYPE OF SERVICE IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF AUGUST 02, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS	
90166011G	24	701	731	30	0	61927	62668	1	8	741	5811

ACCOUNT BALANCE 5811

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
63.40CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0265947 PER KWH
3.5500 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	58.11

PLEASE ADD $1,$5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O- REGULAR READING
CR- CREDIT
1- CUSTOMER READING
AV- AVERAGE
2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

POWER

FOR ACCOU INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
(208)388-2323 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF SEPTEMBER 03, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS	
90166011G	24	731	829	30	0	62668	62668	1			1000

ACCOUNT BALANCE 1000

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
58.11CR TOTAL PAYMENTS THANK-YOU

$10.00 CUSTOMER CHARGE, PLUS
0.0265947 PER KWH
3.5500 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	10.00

PLEASE ADD $1,$5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

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CR- CREDIT
1- CUSTOMER READING
AV- AVERAGE
2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

IDAHO POWER

FOR ACCOU NQUIRIES CALL OR CONTACT YOUR AL OFFICE AT
(208)388-2323 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF OCTOBER 07, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS	
901660116	24	829	930	30	0	62668	62668	1			813

ACCOUNT BALANCE 813

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
10.00CR TOTAL PAYMENTS THANK-YOU

YOU HAVE THE OPPORTUNITY TO TAKE ADVANTAGE OF AN IRRIGATION PRE-PAYMENT DISCOUNT. PLEASE READ THE ENCLOSED MATERIAL.

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR

DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	8.13

PLEASE ADD $1, $5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O- REGULAR READING
CR- CREDIT
1- CUSTOMER READING
AV- AVERAGE
2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

IDAHO POWER

FOR ACCOU INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER	TYPE OF SERVICE
0433-019804-0	IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF OCTOBER 31, 1996

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS	
90166011G	24	930	1029	30	0	62668	62668	1			250

ACCOUNT BALANCE 250

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
8.13CR TOTAL PAYMENTS THANK-YOU
8.13 OTHER ACCOUNT ADJUSTMENTS

$2.50 CUSTOMER CHARGE, PLUS
0.0342987 PER KWH

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	2.50

PLEASE ADD $1,$5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O- REGULAR READING
CR- CREDIT
1- CUSTOMER READING
AV- AVERAGE
2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL (208)388-2323 OR CONTACT YOUR LOCAL OFFICE AT 1520 W STATE, BOISE

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 HP 10
ACCOUNT NUMBER 0433-019804-0	TYPE OF SERVICE IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF DECEMBER 03, 1996

BALANCE FORWARD ▶ 250

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DAYS	*	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS
90166011G	24	1029	1127	30	0	62668	62668	1		250

ACCOUNT BALANCE 250

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
2.50CR TOTAL PAYMENTS THANK-YOU

DUE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL NOT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF YOU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER OFFICE

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR

DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	2.50

PLEASE ADD $1,$5 OR $10 TO AID THE PROJECT SHARE PROGRAM

RECYCLABLE

*O- REGULAR READING
CR- CREDIT
1- CUSTOMER READING
AV- AVERAGE
2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

RECEIVED

MAR 0 3 1997

Department of Water Resources

CONVERSATION MEMORANDUM

DATE 2/27/97

FILE 63-11934

NAME OF PARTY Ron Sali 344-4224

EMPLOYEE Steve Lofton

RE: INFO FOR COND. OF APPROVAL —

Per his discussions with ID Power, roughly corresponds in his case to

e $1.00/hr. of pumping.

With power records, this Rough coefficient, plus known pump capacity, can estimate Amount of g.w. use with this Right.

Will submit INFO soon to allow field exam scheduling to proceed.

Orig - S.O. file

cc - Regin file

RECEIVED

JAN 24 1997

Department of Water Resources

CONVERSATION MEMORANDUM

DATE 1/16/97

FILE 63-11934
63-12305

NAME OF PARTY Ron Sali 344-4224

EMPLOYEE Steve Lester

RE: Status, Response to my 11/13/96 Letter

63-11934 - LAS 1995 Records completed
- completing 1996 "
- will submit suggest e cond. of Approval.

63-12305 - BCQI, WRS → Protested Appl. held e Regin
- Need written protest withdrawal or will schedule protest conference.
- he will contact protestant (Les Quinn) suggest.

Call up 63-12305 FEB 1-1997 & schedule protest conf. if No withdrawal.

Orig - S.O. Files
cc - Regin files

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

November 13, 1996

RECEIVED
NOV 14 1996
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR RON SALI
PO BOX 488
BOISE ID 83701

RE: PERMIT NO. 63-11934 (ON EAGLE ISLAND) AND PROTESTED APPLICATION FOR PERMIT NO. 63-12305 (MOON LAKE RANCH)

Dear Mr. Sali:

This letter serves to inquire about the status of the above-referenced water right filings.

Permit No. 63-11934 was approved in 1993 to irrigate land on Eagle Island. As you recall, this office had considerable contact with you regarding the conditions of approval for that permit. Adherence to conditions of approval helps maintain a water right in good standing.

Proof of beneficial use for this permit was filed in October, 1994. The licensing field examination is usually conducted after the proof filing. However, in this case another step is needed prior to conducting the field examination.

Enclosed please find copies of your February 23, 1995 letter and the February 27, 1995 response by this office. As you can see, the expectation is spelled out regarding the conditions of approval for 63-11934.

Please provide a copy of the records you have maintained for the 1995 and 1996 irrigation seasons including spot measurements of flows logged from the artesian well as stated in the department's February 27 letter. With a copy of your records in hand, this office can schedule a field examination in 1997 to advance your permit to a license. The integrity of the permit is not secured unless the licensing process is properly completed.

Application for Permit No. 63-12305 involves several water sources for the Moon Lake Ranch Subdivision. The department records indicate that this application remains protested.

Please advise me regarding your intentions to resolve the protest to allow the application process to resume. If you are unable to resolve this matter, this office can schedule a protest conference in an effort to find a workable solution for all of the concerned parties.

Your response within thirty (30) days will be appreciated.

Sincerely,

Steve Lester
Deputy Regional Manager

Enclosure

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 27, 1995

Ron Sali
P.O. Box 488
Boise, ID 83701

RE: Water Right Permit No. 63-11934

Dear Ron:

Steve Lester and I have reviewed your letter dated February 23, 1995, in which you proposed a system for complying with the conditions of approval for the above-referenced permit. We think that the system will be acceptable to satisfy the conditions of the permit, provided that you make spot measurements of the flows that are being logged to ensure that the logs are providing realistic flow rates.

You have requested an outline of the procedure for requesting the Department to become involved in regulating the deliveries of the Hart Davis Ditch to ensure that every user receives his or her fair share. Please find enclosed a copy of Section 42-907, Idaho Code, which describes that disputes between waterusers which cannot be resolved shall be referred to the Department of Water Resources. If our agency receives a written request to resolve a dispute based on this statute, we first hold a meeting in the area to determine the need for our intervention. If we find that we need to be involved in water delivery we (1) require each wateruser to install a measuring device and locking controlling works, and (2) work with the watermaster to appoint someone to monitor water deliveries, at the expense of those who receive water. Due to the high cost to the waterusers when this process is activated, we encourage waterusers to take all reasonable action to avoid the imposition of this process.

Please advise this office regarding the manner in which you would suggest that your flows be measured. I wish you the best in working with the other Hart Davis Ditch users to ensure an equitable delivery of water.

Sincerely,

David R. Tuthill Jr.

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

RON J. SALI

February 23, 1995

RECEIVED
FEB 24 1995
WATER RESOURCES
WESTERN REGION

Dave Tuthill
2735 Airport Way
Boise, ID 83705-5082

RE: Water Right Permit No. 63-11934

Dear Dave,

In response to the letter from Steve Lester dated January 9, 1995, specifically to conditions of approval number 2 through 6.

The gravel pit operation continued through the fall of 1994 and during that process it was necessary for Boise Paving Company to dewater the ponds while they were excavating gravel. As you may know all the necessary permits and approvals from all applicable regulatory agencies were secured prior to any work being started.

The gravel pit operation was completed in December of 1994. 1995 will be the first irrigation season that water usage can be recorded without being skewed by the gravel pit operation.

As I discussed with you today, I will keep a daily log showing the following:

1. Days on which all well water is diverted into pond.

2. Days on which Hart Davis water is diverted into pond.

3. Days on which water is taken out of the pond. This can be backed up with the Idaho Power invoices at the end of each billing period.

Of course, this is only relevant with the assumption that the Hart Davis Ditch Company is delivering all the water that I am entitled to. In that vein I would request a letter from you outlining the procedure if I were to request or petition the I.D.W.R. that the Hart Davis Ditch Company start regulating water deliveries so that every water rite holder receives his or her fair share. I would hope that this does not become necessary. The ponds were always meant only as a back up system when weather demanded high usage on the Hart Davis ditch.

P.O. BOX 488 BOISE, IDAHO U.S.A. 83701
FAX: 208.342.1486 TEL: 208.344.4224

The Hart Davis Ditch Company annual meeting is scheduled for March 6, 1995. If possible your letter outlining the procedure for regulating usage on the canal would be very helpful to all if it could be received prior to that date.

Sincerely,

Ron Sali

RS:ms

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 26, 1995

Mr. Ron Sali
PO Box 488
Boise, ID 83701-0488

RE: Permit No. 63-11934

Dear Mr. Sali:

This letter follows my letter of January 9 and your telephone response on Janauary 17 regarding the conditions of approval of the above-referenced water right permit. Essentially, the conditions address some method of accounting for use of water under the permit to show that neither additional ground water nor surface water are used when compared to earlier rights issued for your land.

I discussed the issues and your recent information with my supervisor. He indicated that this office still needs two items to ensure that approval conditions are being met. These items follow.

1. Please provide some written explanation of how water supplied to your pond from the nearby gravel pit dewatering operation was used in the 1994 irrigation season. Was this water that was added to your system used for irrigation purposes? Was it directly routed to the Boise River? How can it be determined if this water was or was not used for irrigation purposes?

2. Prior to the beginning of the 1995 irrigation season, a management plan should be submitted to this office for approval by the Regional Manager. The plan should address the issue of water accounting to show how water flowing into your pond and diverted from your pond will be monitored. Power records for the pump are not adequate -- additional details are needed to verify compliance with the water right permit.

Please provide your written response by March 15 in anticipation of the typical Boise River deliveries starting in early to mid April. Thank you for your attention to this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 9, 1995

Mr. Ron Sali
PO Box 488
Boise, ID 83701-0488

RE: Water Right Permit No. 63-11934

Dear Mr. Sali:

As provided in our last correspondence regarding conditions of approval for the above-referenced water right, you were to be contacted by this office after the 1994 irrigation season to evaluate the use of water under the permit. I am writing to you to address the conditions of approval that define the use of water for this right.

Condition No. 4 outlines the overall intent of the right, which can be thought of as a re-use of water provided under right no. 63-11273 and from river water delivered as shares of the Hart-Davis Ditch Company. Please provide some form of information that confirms that the limits of right no. 63-11934 have been honored during the last irrigation season. I refer specifically to conditions of approval nos. 2 through 6.

A response within 30 days will be appreciated. I will assist you in any manner that I can in this effort. Thank you for your cooperation in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

INTER-DEPARTMENT MEMO

TO: FILE 63-11934

SUBJECT: ADDRESS CHANGE

FROM: STEVE LESTER

RECEIVED
JAN 18 1995
Department of Water Resources

DATE: 8/25/94

Sent letter 8/94 to Permit Holder - returned with post office note & new address

PO Box 488

Boise 83701-0488

Confirmed per 1/9/95 contact with owner, RON SALI

Computer updated 1/26/95 SL

( ) For your information

( ) Response required

signature

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1994

RON SALI
1272 CANDLERIDGE
BOISE ID 83702

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11934

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

DEC 14 1994

August 31, 1994

RON SALI
1020 MAIN ST #420
BOISE ID 83702

PROOF DUE NOTICE

RE: PERMIT NO. 63-11934

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 November 1, 1994. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 2 4 1994

CERTIFIED MAIL
NO. 141595

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 16, 1994

Mr. Ron Sali
1020 Main Street
Alaska Center, Suite 420
Boise, ID 83702

RECEIVED
AUG 17 1994
Department of Water Resources

RE: Permit No. 63-11934

Dear Mr. Sali:

I am writing in response to your letter dated July 5, 1994, regarding a complaint received at this office about the use of the above-referenced water right permit. In your related office visit concerning the same issues, you suggested that an accounting of water uses under your right might be more appropriately conducted at the end of the irrigation season instead of during the season.

The matter was discussed with the Regional Manager. He agreed with your idea about an end of the season analysis with respect to monitoring the conditions of approval of the permit. No additional complaints have been received about use of your water right.

This office will contact you after November 15, 1994, to discuss such an evaluation. Thank you for your cooperation in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

DEC 14 1994

RON J. SALI

July 5, 1994

Mr. Steve Lester
735 Airport Way
Boise, ID 83705-5082

RECEIVED
JUL 05 1994
WATER RESOURCES
WESTERN REGION

RE: Water Right Permit No. 63-11934

Dear Mr. Lester,

I am writing in response to your letter dated 6-27 -94 regarding my water right permit no. 63-11934.

Page one paragraph three of the final order sates "The department has added the language.. ***[during the irrigation season]*** to the end of condition of approval no. three ..." This is consistent to other ordinary water rights in what its term is for the irrigation season which allows me to replace water pumped from the pond during the entire season.

It always was my intent to provide the department with the Idaho Power's monthly invoices which would indicate how many days the pump was in fact running. So far this season, the pump has been on for only six days. The reason for that is because on June 24, 25, 26, 27, and 29 I had absolutely no water whatsoever from the Hart Davis Ditch. This is why it is necessary for this property to a have back-up irrigation system since there is no ditch rider or regulated watering days and my property is at the very end of the canal.

The Final order states on page eight item three "***Upon a determination of need by the department***, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights during the irrigation season."

Said determination should clearly not be needed at least until the end of the first irrigation season and only if there has been a suspected abuse.

This whole issue has arisen because members of the Heart Davis Ditch Company have, for many years, abused their rights at the expense of the land I now own. If It is found necessary to measure my water consumption, I will have no other choice but to, not only petition the Boise River Water Master to measure the amount of water I receive from the Heart Davis Ditch Company, but also to measure and regulate all other water users on the Heart Davis Ditch.

This would indeed seem to be an overkill, however what I have had to do to insure my water rights in no less than this.

Your letter actually was a surprise because so far this past year, conflicts on the ditch have been replaced by communication and co-operation.

I will continue to do my part for the remainder of the irrigation season and would hope that at the end of the season all parties involved could meet and discuss any further needs.

Best Regards

Ron Sali

DEC 14 1994

1020 MAIN STREET ALASKA CENTER, SUITE 420 BOISE, IDAHO U.S.A. 83702
FAX: 208.389.1094 TEL: 208.343.5042

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR AMENDMENT OF PERMIT NO.)
63-11273 AND APPLICATION FOR) FINAL ORDER
PERMIT NO. 63-11934 IN THE)
NAME OF RON SALI)
)

On September 15, 1993, the Idaho Department of Water Resources (department) issued a recommended order in the above captioned matter. On October 6, 1993, the applicant filed exceptions to the recommended order. The department has reviewed the exceptions and responds to each as follows:

The department should not change Condition of Approval No. 3. as suggested by the applicant since "divert and/or impound" is not intended to mean "appropriate".

The department has added the language "during the irrigation season" to the end of Condition of Approval No. 3. as requested by the applicant.

The department has changed Condition of Approval No. 4, by adding the word "appropriate" as requested by the applicant. The department should not, however, change the condition by replacing the word "impoundment" with the word "appropriation" for the same reason described above in connection with Condition of Approval No. 3.

The department should not change Condition of Approval No. 5.a) as the applicant suggests, since the intent of parts a) and b) of the condition is to insure that the applicant does not divert more water from the pond than he has placed in the pond. This could occur since the pond naturally fills with shallow ground water and seepage even if water is not being injected into the pond.

The department should not change Conclusion of Law No. 12., since there was testimony from the applicant's expert which described the "flat" cone of depression in the area and that shallow ground water and/or Boise River water would be intercepted by the pond. With respect to prior water rights, all water rights which are earlier in time than the filing of the applicant's amendment are prior to any appropriation which would have been represented under the amendment.

DEC 14 1994

system.

Approval of the application for amendment would allow the applicant to divert and use Boise River water which naturally accumulates in the pond through seepage even though such use is not the intent of the applicant. Denial of the amendment does not prevent the applicant from using the pond as a point of rediversion as intended to remove the fluctuations in water delivery to his crops.

ORDER

IT IS THEREFORE, hereby ORDERED that the protests of the parties who did not appear at the hearing are **SET ASIDE** and will not be further considered by the department.

IT IS FURTHER, hereby ORDERED that Application for Amendment of Permit No. 63-11273 is **DENIED.**

IT IS FURTHER hereby ORDERED that Application for Permit No. 63-11934 is **APPROVED** subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.

2. Approval of the application does not authorize the appropriation of any ground water or surface water in addition to the water which the applicant already has a right to divert and use.

3. Upon a determination of need by the department, the right holder shall install measuring equipment specified by the department to assure that the applicant does not divert and/or impound more water than authorized under existing water rights during the irrigation season.

4. The water authorized for impoundment in the pond consists of the ground water from the well authorized under right no. 63-11273 and the existing shares of Boise River water owned by the applicant which is delivered through the Hart-Davis Ditch. The applicant is not authorized to otherwise appropriate or divert water from the Boise River to the pond under this approval.

5. The right holder is authorized to redivert water from the pond when:

a) The right holder is simultaneously injecting water from the Hart-Davis ditch and/or from the artesian well into the pond, or when

DEC 14 1994

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 27, 1994

Mr. Ron Sali
1020 Main St., Suite 420
Boise, ID 83702

RE: Water Right Permit No. 63-11934

Dear Mr. Sali:

I am writing to you after being unable to contact you by telephone on June 24, 1994. This letter concerns the above-referenced permit, specifically Condition of Approval No. 5 that provides the following:

The right holder is authorized to redivert water from the pond when:

a) The right holder is simultaneously injecting water from the Hart-Davis ditch and/or from the artesian well into the pond, or when

b) The right holder can show that the water in the pond was previously injected into the pond from the Hart-Davis ditch or from the artesian well during the irrigation season.

The Department received two complaints last week that this condition was being violated. Field staff from this office visited the site last Thursday and found what appeared to be a violation of the above condition. Water from the ditch, artesian well and pond were being co-mingled and diverted into a cement ditch for irrigation use while a canvas dam prevented inflow to the pond. Also, no measuring or monitoring devices were found to document accumulated flows into the pond.

I wanted to let you know about this situation in case you are unaware of it. Please remember that failure to comply with conditions of approval can jeopardize a water right. Please contact me at 334-2190 as soon as possible to discuss the situation and possible steps to correct the apparent violation.

Thank you for your cooperation in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

DEC 14 1994

MEMO

DATE: 6/24/1994

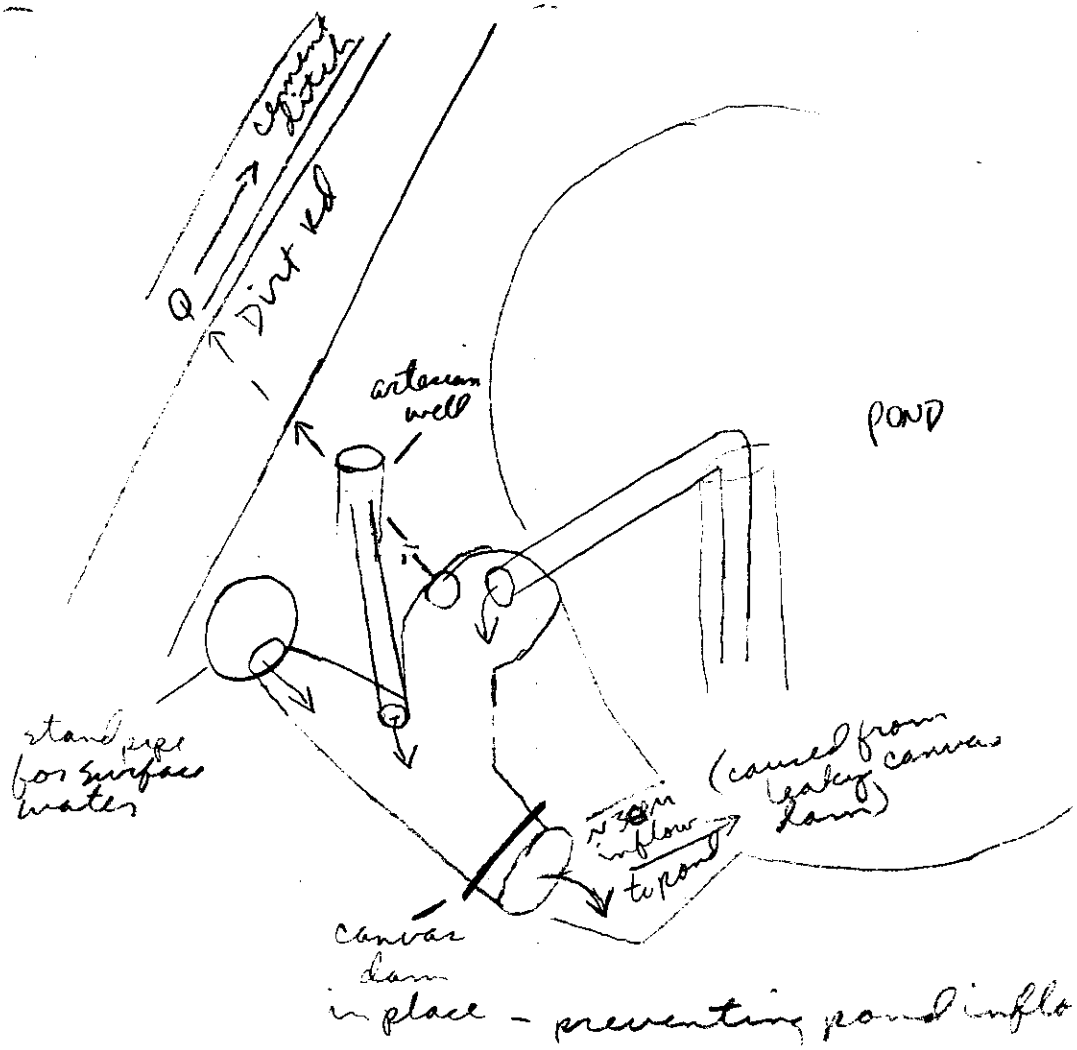
FROM: Lori Graves

TO: File

RE: Diversion Complaint (63-11934)

On 6/23/1994, I investigated a complaint situation which involved Ron Sali's violation of item #5., part a., of the final order issued for permit 63-11934. At the time of the field visit, Mr. Sali was pumping water from the pond and the also the artesian well. Water was also being used from the Hart Davis ditch. All three sources were collected and diverted into a cement ditch for irrigation. A canvas dam was in place to prevent inflow of any water to the pond.

DEC 14 1994



ORIGINAL diagram is plus kept in Region files for post 1994 irrig season analysis —SR

DEC 14 1994



Dam in place – preventing inflow to pond



Inflow to pond – (~3 GPM, some leaky dam)

1994





irrigation ca.

DEC 14 1994

MEMORANDUM

To: Dave Tuthill
File 63-11934

From: L. Glen Saxton

RE: TELEPHONE CALL

Date: June 21, 1994

One of the protestants to Permit No. 63-11934 called and advised that Ron Sali (permit holder) is not diverting water in compliance with the permit.

Condition of Approval No. 5 for Permit No. 63-11934 provides the following:

5. The right holder is authorized to redivert water from the pond when:

a) The right holder is simultaneously injecting water from the Hart-Davis ditch and/or from the artesian well into the pond, or when

b) The right holder can show that the water in the pond was previously injected into the pond from the Hart-Davis ditch or from the artesian well during the irrigation season.

The protestant reported that the permit holder has been diverting water from the pond without injecting into it.

Department staff from the region shoul field check into the allegation and respond accordingly.

DEC 14 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 3, 1993

Re: In the matter of application for amendment of permit no. 63-11273 and application for permit no. 63-11934 in the anme of Ron Sali

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) 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.

MICROFILMED
DEC 02 1993

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

L. Glen Saxton

L. Glen Saxton
Chief, Water Allocation Bureau

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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

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OCT 0 6 1993
Department of Water Resources
Wansant

In the Matter of Application for Amendment of Permit No. 63-11273 and Application for Permit No. 63-11934 In the name of Ron Sali.	EXCEPTIONS AND SUPPORTING BRIEF OF RON SALI TO RECOMMENDED ORDER

COMES NOW, Ron Sali, by and through his attorneys of record, ROSHOLT, ROBERTSON & TUCKER, and submits the following exceptions to the Recommended Order in the above matter.

The Order recommends approval of the application for Permit No. 63-11934, subject to certain conditions. The Applicant believes the intent of the conditions are consistent with the order, but slight modifications of the "condition" language would be helpful in avoiding future misunderstandings. The following modifications to the conditions language are offered to help alleviate this concern.

Condition No. 2 notes the approval of the application does not authorize the appropriation of any ground or surface water. This language is consistent with the intent of the Applicant. In Condition No. 3, however, (the condition which addresses measuring equipment), the appropriation language is "divert and/or impound." A change from "divert and/or impound" to "appropriate" would be more consistent with the Condition No. 2 language and the rest of the order. Also, if the words "over the irrigation season" were added to the end of the last sentence in Condition No. 3, this

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would make clear that the storage of water takes place over the entire season and would recognize that as an appropriate measuring period. Applicant would like for the Department to be aware that since the hearing, all the parties involved have gotten along and there have been no apparent problems with use of water. If problems do arise in the future, Applicant submits that is the time at which measuring devices should be considered for all parties.

In Condition No. 4, a similar change is recommended. If the word "impoundment" in the first line was changed to "appropriation" and the word "divert" in the fifth line was changed to "appropriate," these changes would make the language consistent with the order.

Finally, in Condition 5(a), the use of the word "simultaneously" leaves it unclear how the water from existing rights could be stored, then re-diverted if all activities have to be simultaneous. The intent of the application and the order was to allow storage of the existing rights in the pond. up to 20 AF The installation of measuring devices, if needed, would allow appropriate measurement of the water, based on existing water rights, that is stored in the pond. Deletion of the word "simultaneously" would be consistent with the order and the intent of the application.

One other point involves Conclusion of Law No. 12 which states " The application for amendment, if approved, would appropriate shallow ground water and Boise River water and will adversely affect prior water rights." The Applicant does not recall any

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information or facts presented at the hearing that would support this conclusion. The only evidence at the hearing that addressed this issue was the testimony of the Applicant's expert who testified that there would be no impact or injury. It would be appropriate for the information or evidence that is the basis for this conclusion to be set forth in the opinion, including the specific prior rights that would be injured.

The above exceptions and recommendations are proposed in order to avoid any future disputes with regard to this matter and are offered for the Director's consideration. A copy of the applicable portions of the order with recommended changes is attached.

RESPECTFULLY Submitted this 14th day of October, 1993.

ROSHOLT, ROBERTSON & TUCKER

Bruce M. Smith
Attorney for Applicant

OCT 02 1993

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of October, 1993, I served a copy of the foregoing document by depositing the same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Lorna Hibbard
2256 N. Pawnee
Boise, ID 83704

Robert Marshall
4633 Hatchery Rd
Eagle, ID 83616

Robert W. Tannehill
1591 Artesian Rd.
Eagle, ID 83616

Earnest Rogers
614 N. 31st
Boise, ID 83702

Bruce Healy
400 S. Linder Rd.
Eagle, ID 83616

and Hand Delivered the original of the same to:

R. Keith Higginson
State of Idaho Department of Water Resources
1301 N. Orchard St.
State House Mail
Boise, ID 83720

Bruce M. Smith

DEC 02 1993

State of I ho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 16, 1993

Re: In the matter of Application for Amendment of Permit No. 63-11273 and Application for Permit No. 63-11934 in the name of Ron Sali

Dear Interested Party:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer 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 this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

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The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The agency 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.

APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,

L. Glen Saxton

L. Glen Saxton
Chief, Water Allocation Bureau

Enclosures

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AUG 2 7 1993
Department of Water Resources

AUG. 24-93

Protested Application 63-11273 + Protested Application permit # 63-11394 in the name of Ron Sali

There is NO WAY TO JUSTIFY his getting a permit TO pump down our water table!
Mr. Sali has add a well that produces 450 Gal. per min., pumps out of The middel Channel on 60 Acres. That was historically All IRRIGated From The Hart-Davis Ditch. OF which he States Can't Get water Delivery, A untruth. The IRRIG. Season OF 93 he has been pumping The SUB water down without a permit- Complaints went to your OFFice with no Action TAKen! This makes. watering our lands hard TO Get water over, we have been The Loosers.

Bruce Healy
400 S. Linder Rd
EAGle IDA 83616
939-8318

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DEC 02 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 19, 1993

RE: PROTESTED APPLICATION FOR PERMIT NO. 63-11273 AND PROTESTED APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11394 IN THE NAME OF RON SALI

Dear Protestant:

On August 16, 1993, the applicant submitted information to me which I requested at the water right hearing held on July 8, 1993. I understand that the applicant also sent a copy of the same information to you as I also requested at the hearing.

If you have comment or objection to the information provided by the applicant as a part of the hearing record, please provide your comment and/or objection to me and to the applicant by Friday, August 27, 1993. After considering any such information the department will issue a recommended order which we will mail to the parties.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Bruce M. Smith

DEC 0 2 1993

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AUG 16 1993
Department of Water Resources

OSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

Boise Office
1221 W. IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
PATRICK D. MADIGAN
PAUL W. SAMUELSON

August 13, 1993

Mr. Glenn Saxton
Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Application for Permit 63-11273
Application for Amendment of Permit 63-11394
(Ron Sali)

Dear Mr. Saxton:

Attached is a map and letter from Mr. Sali with the information you requested in our phone conversation of July 27, 1993.

Sincerely,

Bruce M. Smith/dj

BMS/dj

DEC 02 1993

RON J. SALI

August 10, 1993

Bruce Smith
Rosholt, Robertson & Tucker
P O Box 2139
Boise, ID 83701-2139

Dear Bruce:

Enclosed is the map you requested showing the wetted acres before and after the ponds are constructed.

For the entire property the only change in wetted acres is to the northwest corner where the ponds are being excavated. As shown in the photos that I presented at the hearing, there was a gravel bar approximately 200'X 300' in size in the extreme northwest corner of the property. This area will be converted to a pond. This is the only additional wetted area increase.

The second pond as the pictures will indicate, is replacing irrigated pasture.

The enclosed map also shows approximately six acres in the center of the property where the coral and buildings are located.

I now have under irrigation all of the same acreage that historically has been under cultivation. The only exception is when the previous owners retired and leased the property to a third party. This party, because of water delivery problems, cultivated the best fields and used other fields as irrigated pasture. However, all the fields I have identified as irrigated were irrigated for crops, primarily corn, or irrigated pasture.

I hope this clarifies the issue, if I can be of any further assistance please don't hesitate to call.

Best regards,

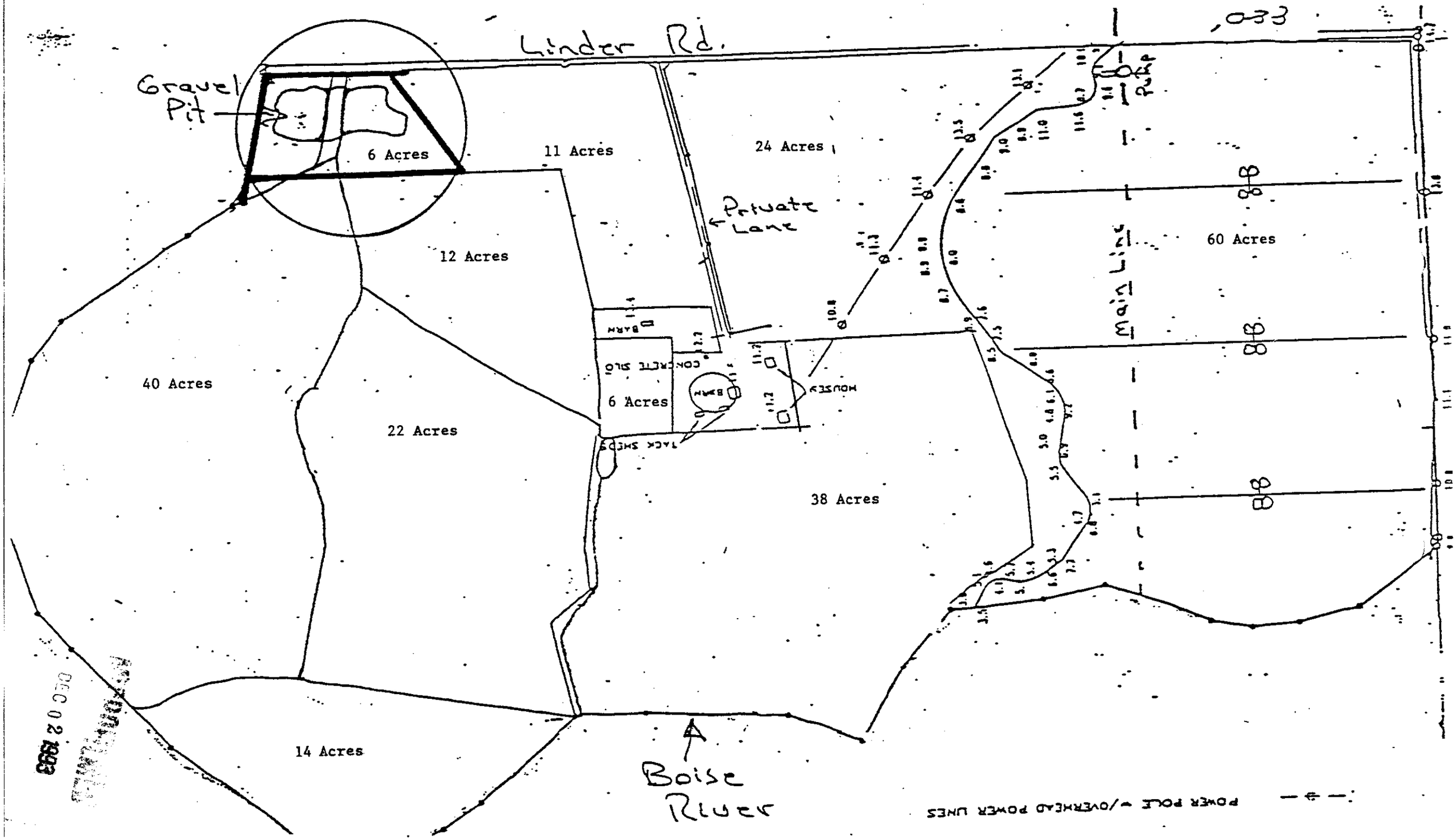
Ron Sali

RS.sz

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DEC 0 2 1993

1020 MAIN STREET ALASKA CENTER, SUITE 420 BOISE, IDAHO U.S.A. 83702
FAX: 208.389.1094 TEL: 208.343.5042

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Linder Rd.
Gravel Pit
6 Acres
11 Acres
24 Acres
Private Lane
12 Acres
60 Acres
Main Line
40 Acres
6 Acres
22 Acres
38 Acres
14 Acres
Boise River
BARN
CONCRETE SILO
HOUSE
BARN
TACK SHED
POWER POLE W/OVERHEAD POWER LINES

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 12, 1993

Bruce M. Smith
Rosholt, Robertson & Tucker
1221 W. Idaho, Suite 600
P.O. Box 2139
Boise, ID 83701-2139

RE: PROTESTED APPLICATION FOR PERMIT NO. 63-11273 AND PROTESTED APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11394 IN THE NAME OF RON SALI

Dear Mr. Smith:

On July 9, 1993, I conducted a water right hearing in connection with the above referenced matter. At the conclusion of the hearing I asked you to provide me with an analysis of wetted acres both before and after the land leveling and improvement activity of Mr. Sali. I also asked that you provide the analysis to the other parties.

On July 21, 1993, you sent a letter to me which stated a number of acres before and after the land improvement activity. The letter did not provide any analysis. On July 27, 1993, I contacted your office and advised that the information provided in your letter was not sufficient and that you had not provided the letter to the other parties.

To date, I have not received the requested information. Please expedite this matter in order that the protested matter can be concluded in a timely fashion.

If you have procedural questions, please feel free to contact me.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Ron Sali
Earnest Rogers
Bruce Healy
Lorna Hibbard
Robert Marshall
Robert Tannehill

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DEC 0 2 1993

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
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PAUL W. SAMUELSON

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TELEPHONE (208) 734-0700
FAX (208) 736-0041

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JUL 22 1993
Department of Water Resources

July 21, 1993

Mr. Glenn Saxton
Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Application for Permit 63-11273
Application for Amendment of Permit 63-11394
(Ron Sali)

Dear Mr. Saxton:

At the hearing on July 9, 1993, you requested additional information regarding irrigated acres on the Ron Sali property. Pre-proposal acres irrigated would total 233.6 acres; post-proposal there would be 234.6 acres. The increase of one irrigated (wetted) acre results from the excavation of the small pond. This acre was a gravel bar that was not wetted prior to excavation. Also, enclosed is a billing statement from Idaho Power Company that indicates when the pump was first used. If you need additional information, please let me know.

Sincerely,

Bruce M. Smith

BMS/dj

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DEC 02 1993

IDAHO POWER

FOR ACCOUNT INQUIRIES CALL 888-4491 OR CONTACT YOUR LOCAL OFFICE AT 130 E IDAHO MERIDIAN

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
RON J SALI	3815 14T4NR1W0015
CUSTOMER NUMBER	TYPE OF SERVICE
0333-019804-0	IRRIGATION

ACCOUNT INFORMATION AS OF MAY 01, 1992

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RAT	SERVICE FROM	SERVICE TO	DAY	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
90166011G	24	407	429	22	00000001486		1	8	1486	5077

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****

.00 TOTAL PAYMENTS RECEIVED

ACCOUNT BALANCE 5077

pd #3598
5-6-92
$50.77

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
50.77

PLEASE ADD $1, $5 OR $10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

RECYCLABLE

*O– REGULAR READING 1– CUSTOMER READING 2 OR 3– ESTIMATED READING
CR– CREDIT AV– AVERAGE MN– MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

FILMED
DEC 02 1993

For evidence and exhibits
from hearing
of
July 8, 1993,
please see
63-11273.

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DEC 0 2 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11934 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11273 IN THE NAME OF RON SALI	NOTICE OF HEARING

On August 19, 1992, Ron Sali filed with the Department of Water Resources an application for amendment of permit no. 63-11273 and on September 29, 1992, he filed with the Department application for permit no. 63-11934. The applications were protested by the persons listed below and a conference was held on December 2, 1992.

The Department has now set the matter of protest for a hearing to be held at 10:00 a.m. on Thursday, July 8, 1993, in the Second Floor Conference Room, Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

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Dated this 21st day of June, 1993.

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

I hereby certify that on the 24th day of June, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary, Office Coordinator

Certified Mail

RON SALI
1020 MAIN ST #420
BOISE ID 83702

ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

BILL &/OR MARY RODE
1755 ARTESIAN RD
EAGLE ID 83616

RONALD &/OR ELAINE RIPPEY
1401 TROUT RD
EAGLE ID 83616

BRUCE HEALY
400 S LINDER RD
EAGLE ID 83616

KEVIN &/OR JILL DEVEREAUX
1320 LINDER RD
EAGLE ID 83616

ESTER MARSHALL
1624 ARTESIAN RD
EAGLE ID 83616

HEATHER &/OR GARY MINGUS
2077 TROUT RD
EAGLE ID 83616

EARNEST ROGERS
614 N 31ST
BOISE ID 83702

GLENN O SAWYER
1300 ARTESIAN RD
EAGLE ID 83616

LORNA HIBBARD
2256 N PAWNEE
BOISE ID 83704

STEVEN & YVONNE CAMPBELL
1200 ARTESIAN
EAGLE ID 83616

TAWNJA S ELISON
1200 ARTESIAN #41
EAGLE ID 83616

ROBERT MARSHALL
4633 HATCHERY RD
EAGLE ID 83616

BRUCE SMITH ESQ
1221 W IDAHO ST
BOISE ID 83702

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DEC 02 199

CONFERENCE AND HEARING PROCEDURE

FOR A PROTESTED APPLICATION FOR AMENDMENT OF A PERMIT

In accordance with IDAHO CODE, Section 42-211, the following issues are involved in the consideration of the application for amendment and protest(s):

1) Will approval of the amendment result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by this proposal?

BURDEN OF PROOF

The Applicant has the initial burden of proof on both issues above, that is, the applicant has the burden of coming forward with evidence for evaluation of those criteria.

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

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

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DEC 0 2 1993

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and to request oral argument before the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not predjudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

If you require special accommodations for a disability in order to participate in or attend the conference (hearing) (public meeting) please advise the department within ten (10) days prior to the conference, hearing or public meeting.

EXHIBITS

If any party at a hearing intends to present an exhibit to augment the hearing record, such party shall in advance of the hearing, prepare sufficient copies of the exhibit for distribution to all parties at the hearing.

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DEC 02 [illegible]

Re: Ron Sali, #63-11934

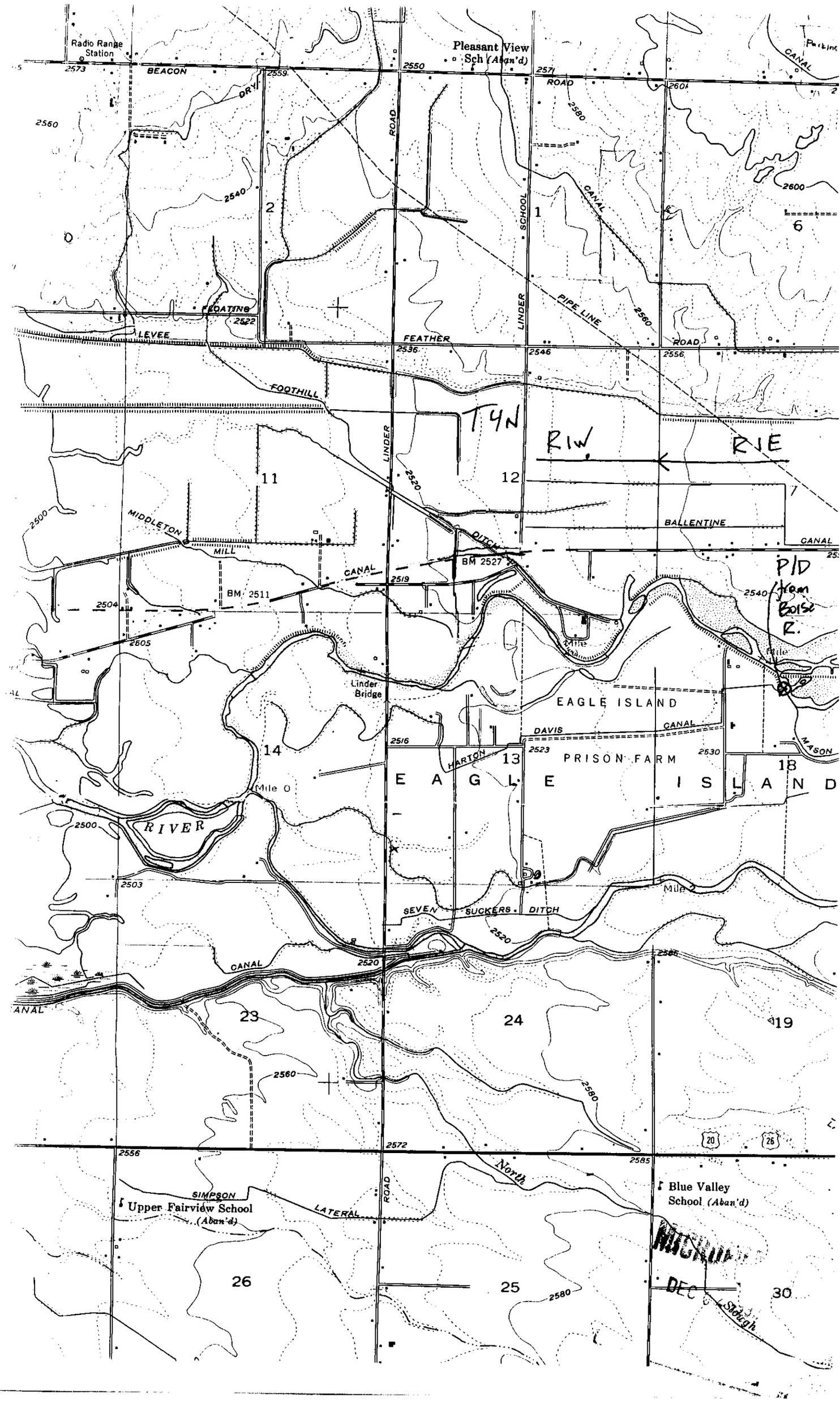
Place: IDWR, 1301 N. Orchard, Boise, ID

Date: Wednesday, December 2, 1992

Hearing conducted by: David R. Tuthill, Jr., P.E.

ROSTER OF ATTENDANCE

Name	Address	Representing
Bruce Healy	400 S. Linder Rd	Tawnja Elison
Bruce Healy	400 S Linder Rd	Self
Elaine Rippey	1405 Trout Rd	Self
Ronald Rippey	1401 Trout Rd	self
Robert W. Tannehill	1591 Artesian Rd.	Self
Glenn O Sawyer	1300 Artesian Rd	Self
Eugene Rogers	614 N. 31st	Self
Lorna Pickard	3256 N. Pawnee	Self
Kevin Devereaux	1320 Linder Rd	Self/Jill Devereaux
Mary Rode	1755 Artesian-Eagle	Self
R Sali	1020 M. St #420 Boise	


Radio Range Station
Pleasant View Sch (Aban'd)
BEACON
DRY
ROAD
SCHOOL
CANAL
PIPE LINE
LINDER
ROAD
FLOATING
LEVEE
FEATHER
FOOTHILL
T4N
R1W
R1E
MIDDLETON
MILL
CANAL
BM 2527
BM 2511
DITCH
BALLENTINE
CANAL
P/D from Boise R.
Linder Bridge
EAGLE ISLAND
DAVIS
CANAL
HARTON
PRISON FARM
MASON
EAGLE ISLAND
Mile 0
RIVER
SEVEN SUCKERS DITCH
CANAL
ANAL
Mile
Mile
Mile
North
SIMPSON
LATERAL
ROAD
Upper Fairview School (Aban'd)
Blue Valley School (Aban'd)
DEC
Slough
20
26
1
2
6
7
11
12
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Application for Permit 63-11934
Application for Amendment of Permit No. 63-11273
in the Name of Ron Sali
12/2/1992
Conference Officer: D. Tuthill

Present:
Ron Sali representing himself

Protestants:
Ernest Rogers
Bruce Healy
Robert Tanne
Kevin Devereaux
Mary Rode
Elaine Rippey & Ronald
Robert Tannehill
Lorna Hibbard
Glen Sawyer

Concerns:
1, 2(excessive), 3, 5, 6

Requirement: Data on impacts of other water rights

I will await a call from Ron Sali to set up an aquifer test.

DW

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DEC 02 1993

RON SALI
1020 MAIN ST #420
BOISE ID 83702

GLENN O SAWYER
1300 ARTESIAN RD
EAGLE ID 83616

BRUCE HEALY
400 S LINDER RD
EAGLE ID 83616

ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

LORNA HIBBARD
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BOISE ID 83704

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EAGLE ID 83616

ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

LORNA HIBBARD
2256 N PAWNEE
BOISE ID 83704

HEATHER &/OR GARY MINGUS
2077 TROUT RD
EAGLE ID 83616

BILL &/OR MARY RODE
1755 ARTESIAN RD
EAGLE ID 83616

STEVEN & YVONNE CAMPBELL
1200 ARTESIAN
EAGLE ID 83616

EARNEST ROGERS
614 N 31ST
BOISE ID 83702

RONALD &/OR ELAINE RIPPEY
1401 TROUT RD
EAGLE ID 83616

TAWNJA S ELISON
1200 ARTESIAN #41
EAGLE ID 83616

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ROBERT MARSHALL
4633 HATCHERY RD
EAGLE ID 83616

GLENN O SAWYER
1300 ARTESIAN RD
EAGLE ID 83616

ROBERT W TANNEHILL
1591 ARTESIAN RD
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BRUCE HEALY
400 S LINDER RD
EAGLE ID 83616

ROBERT MARSHALL
4633 HATCHERY RD
EAGLE ID 83616

KEVIN &/OR JILL DEVEREAUX
1320 LINDER RD
EAGLE ID 83616

ESTER MARSHALL
1624 ARTESIAN RD
EAGLE ID 83616

HEATHER &/OR GARY MINGUS
2077 TROUT RD
EAGLE ID 83616

EARNEST ROGERS
614 N 31ST
BOISE ID 83702

DEC 12

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 20, 1992

RON SALI
1020 MAIN ST #420
BOISE ID 83702

RE: Application For Permit No. 63-11934 and Application For Amendment of a Permit No. 63-11273

Dear Mr. Sali:

Enclosed with this Notice of Conference are copies of protests we received in addition to those already sent to you.

If you have any questions please call this office.

Sincerely,

David R. Tuthill, Jr.

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

DRT:st

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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11273 AND APPLICATION FOR PERMIT NO. 63-11934 IN THE NAME OF RON SALI	NOTICE OF CONFERENCE

On August 20, 1992, Ron Sali filed with the Department of Water Resources application for amendment of permit No. 63-11273, and on September 29, 1992, he filed with the Department application for permit No. 63-11934 to appropriate the public waters of the State of Idaho. The applications were protested by the persons listed below in the certificate of mailing.

The Department has set the matter of protest for a conference to be held on Wednesday, December 2, 1992, at 1:30 p.m. in the Second Floor Conference Room, Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded

OCT 2 1993

all parties to respond and present information and argument on all issues involved.

Dated this 20th day of November, 1992.

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

I hereby certify that on the 20th day of November, 1992, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

RON SALI
1020 MAIN ST #42
BOISE ID 83702

ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

BILL &/OR MARY RODE
1755 ARTESIAN RD
EAGLE ID 83616

RONALD &/OR ELAINE RIPPEY
1401 TROUT RD
EAGLE ID 83616

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EAGLE ID 83616

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2077 TROUT RD
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614 N 31ST
BOISE ID 83702

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2256 N PAWNEE
BOISE ID 83704

STEVEN & YVONNE CAMPBELL
1200 ARTESIAN
EAGLE ID 83616

TAWNJA S ELISON
1200 ARTESIAN #41
EAGLE ID 83616

ROBERT MARSHALL
4633 HATCHERY RD
EAGLE ID 83616

DEC 02 1992

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

In accordance with IDAHO CODE, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

1) Will the proposed use reduce the quantity of water under existing rights?

2) Is the proposed water supply insufficient for the purposes intended?

3) Is the application made in good faith or for delay or speculative purposes?

4) Has the applicant sufficient financial resources with which to complete the proposed project?

5) Will the proposed use conflict with the local public interest?

6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1,2,3,4,& 6 above, that is, the applicant has the burden of coming forward with evidence for evaluation of those criteria.

The initial burden of proof on issue 5, local public interest, lies with both the applicant and protestant as to factors which they are most knowledgable and cognizant of. The applicant has the ultimate burden of persuasion with respect to this issue.

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

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At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

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

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and to request oral argument before the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not predjudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

If you require special accommodations for a disability in order to participate in or attend the conference (hearing) (public meeting) please advise the department within ten (10) days prior to the conference, hearing or public meeting.

EXHIBITS

If any party at a hearing intends to present an exhibit to augment the hearing record, such party shall in advance of the hearing, prepare sufficient copies of the exhibit for distribution to all parties at the hearing.

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Department of Water Resources
Western Regional Office

The Idaho Statesman
P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due
167.25

Account Number	Identification
047628	APPLICATION FOR WATER RIGHT

Ordered By	P.O. Number	Rate	Run Dates
Gail Garrett		NT	November 5, 12, 1992

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

Estimated Inches	Real Inches
# Affidavits	Legal Number
1	3507 ✓

KAREN MARKER, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of NOVEMBER 5, 19 92

and ending with the issue of NOVEMBER 12, 19 92

STATE OF IDAHO)
ss.
COUNTY OF ADA)

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On this 12TH day of NOVEMBER in the year of 1992 before me, a Notary Public, personally appeared KAREN MARKER, 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 she executed the same.

Janice Madee
Notary Public for Idaho
Residing at BOISE, ID
My commission expires: 5/97

LEGAL NOTICE
NOTICE OF APPLICATION
FOR WATER RIGHT

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

63-11934

SALI, RON
1020 MAIN ST #420
BOISE ID 83702
Source: GROUNDWATER — Tributary: BOISE RIVER
Source: BOISE RIVER — Tributary: SNAKE RIVER
Diversion Pt: LOT 3 (SENW) Sec 18 T 04N R 01E in ADA County.
LOT 12 (SENE) Sec 14 T 04N R 01W in ADA County.
Use: IRRIGATION STORAGE (20.00 AF)
IRRIGATION FROM STORAGE (20.00 AF)
Total Diversion: (20.00 AF)
Date Filed: 9/29/1992
In: ADA COUNTY
T04N R01W S14 Lot 11(SWNE) Lot 12(SENE) NESE Lot 10(NWSE)
174.0 ACRES TOTAL

63-11945

LESLIE, RON D
MOORE, JAMES F
3240 REDWOOD DR
APTOS, CA 95003
Source: GROUNDWATER
Diversion Pt: SWSW Sec 10 T 04N R 01E in ADA County.
Use: IRRIGATION (.600 CFS)
DOMESTIC (.450 CFS)
FIRE PROTECTION (2.000 CFS)
Total Diversion: (2.500 CFS)
Date Filed: 9/22/1992
In: ADA County
T04N R01E S10 SWSW
30.0 ACRES TOTAL

63-11949

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707
Source: GROUNDWATER
Diversion Pt: SESE Sec 30 T 03N R 03E in ADA County.
Use: MUNICIPAL (1.100 CFS)
Total Diversion: (1.100 CFS)
Date Filed: 10/14/1992
Place of use within city limits of Boise and the area outside the city limits served by Boise Water Corporation.

63-11950

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707
Source: GROUNDWATER
Diversion Pt: NENE Sec 21 T 03N R 02E in ADA County.
Use: MUNICIPAL (2.300 CFS)
Total Diversion: (2.300 CFS)
Date Filed: 10/14/1992
Place of use within city limits of Boise and the area outside the city limits served by Boise Water Corporation.

63-11951

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707
Source: GROUNDWATER
Diversion Pt: NENW Sec 19 T 03N R 02E in ADA County.
Use: MUNICIPAL (.850 CFS)
Total Diversion: (.850 CFS)
Date Filed: 10/14/1992
Place of use within city limits of Boise and the area outside the city limits served by Boise Water Corporation.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before **NOVEMBER 23, 1992.**

R. Keith Higginson, Director

Pub. November 5, 12, 1992 3507

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Department of Water Resources
Western Regional Office

October 28, 1992

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

To Whom It May Concern,

This letter is in reference to the Permit # 63-11273 applied for by Mr. Ron Salle, Boise, Idaho. As the landowner of the 15 acres across from Mr. Salle's property located on Linder Road, Eagle, Idaho, I would like to express my upmost opposition to this permit being issued.

For 70 years, landowners in this area have depended on the Hart-Davis Ditch rights and the high water table in this area to irrigate our lands. Now, one selfish landowner wants not to use the canal rights available to him, but to pump the sub water for his sole use only. Since Mr. Salle's pump has continually been running during the summer season, 1992, I have noticed a considerable drop in the sub water table usually available on my property.

Mr. Salle's property borders the corner of Linder and Hatchery and must be passed by all of the summer users of Eagle Island State Park. What kind of negative statement are we making to allow this unnecessary use of a precious resource in a time that Idaho is stressing CONSERVATION. I feel that this is a very important point to consider when looking at the facts concerning this permit application.

Again, I would like to go on record as opposing waste of this nature, and hope that you will not allow Mr. Salle this water right.

Sincerely,

Tawnja S. Elison

Tawnja S. Elison
1200 Artesian # 41
Eagle, ID 83616
(208) 939-6771

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Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
Boise, Idaho 83705-5082

APPLICATION OF PERMIT # 63-11934 RON SALI
AND AMENDMENT OF PERMIT # 63-11273

WE PROTEST BOTH APPLICATIONS.

The ground water is our subwater that keeps the water table up so we can get irrigation water across our fields, which is like all this area sand and gravel with a little top soil on top.

The Ron Sali farm he has had for three years has been irrigated from the Hart-Davis Ditch successfuly for 58 plus years.

1. Plus, he has added an artesian well flowing into his irrigation ditch.

2. Plus, he is pumping from the middle channel irrigating 52 acres of this farm.

3. There is no place for storage water without pumping down our water table.

This is the concern of all of us 28 in number irrigators on the Hart-Davis Ditch. We have to keep the water table as high as possible at all times for the benefit of all, and not loose it for greed of one.

Bruce Healy
Bruce Healy

400 S. Lindor Rd
Eagle Id4.
83616

934-8318

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Western Regional Office

State of Idaho
Department of Water Resources
Boise, Idaho 83705-5082

APPLICATION OF PERMIT # 63-11934 RON SALI
AND AMENDMENT OF PERMIT # 63-11273

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Esther Marshall 1624 Artesian Rd. Phone: 939-6294

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Western Regional Office

State of Idaho
Department of Water Resources
Boise, Idaho 83705-5082

APPLICATION OF PERMIT # 63-11934 RON SALI
AND AMENDMENT OF PERMIT # 63-11273

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Robert B. Marshall

ROBERT B. MARSHALL
4633 HATCHERY RD.
EAGLE, IDAHO 83616

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Department of Water Resources
Western Regional Office

To; the Department of Water Resources
att: David A. Luthiel;

The application for permit #63-11934 by Ron Sali is very closely interrelated to permit #63-11273.

The object, in my judgment, is to mine sand & gravel.

If I am wrong, & the object is to construct a storage pit for water, the end result is the same. The area must be pumped down (dewatered) to at least below the depth of gravel to be mined.

When ground, in this case sand & gravel is disturbed or removed below the normal water table, underground strata & water channels are opened up, freeing the water to go where it will.

When a gravel pit is opened & pumped dry, ground water flows toward it, creating an "inverted cone" of dry land. This cone varies in size, depending upon the depth of the pit & the time that the pit is dry.

Ground water levels in this area are higher in the fall, winter, & spring because of rain, snow & cool temperatures.

If the pit is operated in winter, the water level will surely be upsetted adversely for a considerable

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distance. The grass, shrubs & trees will, even though they are in a dormant state, be adversely affected.

Any time the gravel pit is pumped for irrigation in the spring & summer, the dug inverted cone will be reestablished.

I have a fish rearing facility approximately three hundred yards from the proposed gravel pit / pond / lake. My brood ponds are located at SW¼, NW¼, sec. 13, TOWN. 4N., RGE. 1W, B.M., ADA COUNTY - BLOCK 5, Steins Second Sub.

In the last three years, these ponds have produced revenue in excess of $5,000.00 from the sale of small mouth bass to the states of Nevada, Montana, Idaho, & the country of Japan. Many other lakes, streams, & ponds have been stocked by individuals in Idaho.

Any fluctuation of these ponds, such as lowering their level in the winter, could cause winter kill of brood stock. altering the water level in the spring could cause the adult fish to abandon their eggs.

I therefore object to any gravel pit / storage pond / lake constructed by Gordal at sec. 14, TOWN., RA 1W.

May I suggest that if Mr. Gordal genuinely needs more water

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to irrigate less ground than has ever been used on this farm before, + on never less ground, that he rethink the site for a gravel pit/holding pond.

If it were located on the north-western end of the farm, it would be a considerable distance from one hundred plus families ~~east~~ of Linder Road. This would lessen, but not eliminate noise, dust, or traffic pollution.

From a pond in this location, the western end of the farm could be irrigated. This would leave very little land to be irrigated near Linder road.

The present stand on a pit leaks water from its western end, even tho no well water or heat drawn is added. It should be filled in + abandoned.

Earnest Hogue
614 N. 31st
Boise ID
83702

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Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
Boise, Idaho 83705-5082

APPLICATION OF PERMIT # 63-11934 RON SALI
AND AMENDMENT OF PERMIT # 63-11273

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Glenn O. Sawyer
1300 Artesian Rd
Eagle, Id. 83616

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Department of Water Resources
Western Regional Office

October 30, 1992
Water Resource

Re: 63-11934 Ron Sali

As a resident of Eagle Island for some nineteen years and now as a property owner across the street from Mr. Sali's property I would express my opposition to the proposed plan of Mr. Sali's to create a pond or lake as he has indicated for pumping irrigation water and also pumping water for his proposed gravel pit. The water level is very close to the surface on the island and I am most concerned that he would be pumping ground water. This will affect our irrigation and our artesian wells.

For your information as secretary/treasurer of the Hart Davis Ditch Company Mr Sali has not paid his 1992 assessment and will not be entitled to any water from the ditch until his account is current.

Thank you for your consideration.

Sincerely,

Lorna Hibbard

Lorna Hibbard
2256 N Pawnee
Boise,ID 83704

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Department of Water Resources
Western Region Office

Oct 30 92

Dept of Water Resources

Ref- Application for Permit No. 63-11934 in the name of Ron Sali

Dear Sirs

In my opinion this is just another attempt to pump water from the proposed gravel pit. He currently pumps water from the middle channel of the Boise to a large area with a wheel sprinkler.

Hart-Davis ditch water to be put in storage pond may be in jeopardy if his ditch assessment is not paid. It would be very hard for water to be stored in a pond which is made up of gravel & sand. Basically he will be pumping ground water with no control, that the amount of water he puts into storage is all that he is taking out for irrigation purposes

Pumping of pond in excess of what is put into the pond could result in a lower water table affecting domestic wells, wetlands etc. in an adverse manner.

Pumping of more water than is needed for sound irrigation practices, in order to keep his proposed gravel pit in operation - is not in the best interest of water conservation in the state of Idaho

Hoping you give this whole proposal your very serious attention & expertise

Sincerely

Ronald Rippey & Elaine Rippey
1401 Trout Rd
Eagle, Ida

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OCT 30 1992
Department of Water Resources
Western Regional Office

R. W. Tannehill
1591 Artesian Road
Eagle, ID
(208) 939-7278

Idaho Water Resources
Western Division
2735 Airport Way
Boise, Idaho 83705

RE: Application Number 63-11934
Amendment For Number 63-11273
TWP 4 No. Range 1W
Section 14

Gentlemen:

This is in further protest to the actions of Mr. Ron Sali. My first protest of Number 63-11273 was without benefit of the contents of that application. I, therefore, will address them both at this time.

The application for Amendment Number 63-11934, Item 4, does not address the true planned use of the subject water. Mr. Sali has, over the objection of the County Zoning Commission, obtained a permit to operate a rock crushing operation at the site of the "storage" pond. This operation, without using the water, would render the neighborhood of some 70 to 80 families a slum.

Mr. Sali's property has been successfully irrigated from the Harte-Davis Ditch for more than fifty years.

In Item 7, he states time of use of the subject water for beneficial purposes is three years. It is not reasonable to assume Mr. Sali is being candid in this application.

Considering the drought situation plaguing southern Idaho, I cannot understand the desire of one man, driven by greed, to justify the serious degradation of the lives of so many families.

Sincerely,

Robert W. Tannehill

Robert W. Tannehill

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OCT 28 1992
Department of Water Resources
Western Regional Office

RIVIERA ESTATES MOBILE HOME PARK

October 27, 1992

Steven & Yvonne Campbell
1200 Artesian
Eagle, ID 83616

David R. Tuthill, Jr., P.E.
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Tuthill,

We are very much opposed to the new application for amendment of permit #63-11273. With the loss of wetlands and declining water table due to the drought situation we feel this application is inappropriate at this time.

We have applied for a permit to irrigate from our own pond and have been denied by your office until the drought situation changes. No R57-07285

Mr Sali has applied for and received a permit to operate a rock crusher on this same acreage.

The farm land under consideration has been irrigated for over 50 years by the Hart Davis Ditch with great success.

Please help preserve our water table.

Sincerely,

Steven & Yvonne Campbell
Owners, Riviera Estates

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Department of Water Resources
Western Regional Office

October 26, 1992

Ron Sali #63-11934

Am writing to protest the proposed pumping of groundwater out of a deep pit. It obviously would decrease the water table because it is on the extreme lower end of Eagle Island. This water table is already lower than it was a few years ago.

If Mr. Sali needs irrigation water so desperately he still should only have the water shares amount allotted by the Hart-Davis ditch. He already has a big artesian well running that could be put in the ditch instead of out into a pit.

Furthermore, if he has to pump water for irrigation he can pump out of the middle channel as this runs through the center of his property. He could dump all of his shares of Hart-Davis ditch into this channel and pump as needed. I feel no one on the Island would object to this.

We believe this application is purely for speculative purposes to co-incide with the gravel pit he already has proposed and is trying to get approved.

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We feel the E.P.A. would not approve a water pit or gravel pit in this prime wetland & fishing area on the Boise River.

If the E.P.A. is not already involved in either one of these decisions, maybe they should be to protect this area.

William & Rode
Mary L. Rode
1755 ARtesian Rd.
Eagle, Id. 83616

KEVIN AND JILL DEVEREAUX
1320 SOUTH LINDER ROAD
EAGLE ID 83616
939-8631

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OCT 26 1992
Department of Water Resources
Western Regional Office

Mr. David R. Tuthill, Jr., P.E.
Manager, Western Region Office
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise ID 83705-5082

Re: Application for Permit No. 63-11934 in the name of Ron Sali

Dear Mr. Tuthill:

This is to inform you of our desire to protest the above referenced application for permit. We are opposed to the application for the following reasons:

1. Mr. Sali currently pumps water 24 hours a day on his property from the middle channel of the Boise River watering only a small portion of land. We know his close neighbors have experienced a drop in their water when he was previously removing water illegally from his pond (and we understand he was not pumping water 24 hours a day then). If he is approved for this permit, we fear he may bring the water table down for all the surrounding homes. We cannot afford to re-drill domestic wells so that he may use all the water he wants for his commercial operation.

2. Mr. Sali's pump at the site of the existing pond also runs 24 hours a day. The size of the pumps and amount of water being taken currently is outrageous for the size of his so called farm-of which half of it is being used to graze cattle. Other farms in the area do not use any where near as much water as Mr. Sali's current consumption. Granted, they other farms are not quite as large, but they appear to be watering once or week, not 24 hours a day like Mr. Sali does. Mr. Sali's farm is not large enough to

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warrant this amount of consumption. We respectfully request you to deny his permit on the grounds that he already has adequate water supply for a farm of this size.

3. Mr. Sali is asking to use water from the Hart Davis Ditch Company. Although Mr. Sali owns water shares in this company, he is several years in arrears in maintenance payments to the Ditch Company. The rest of us who own shares pay our maintenance fees for the water we use. We also help out each spring and fall with labor that is needed to keep the water coming to the Eagle Island area. Mr. Sali has NEVER helped in any way to see that any water is brought to the Island through the Ditch Company. He wants to use the water, but does not pay his fair share and lets all the rest of the shareholders do all the work so that he can benefit from it.

4. If you were to come to Mr. Sali's property, you will see that he currently has water to all areas on his property. In this time of drought, Mr. Sali has more water than most farmers could dream of having. If he continues to consume water at this rate, there will be no water, domestic or otherwise, left for anyone in our area. His current water consumption will effect over 100 families in the immediate area if the drought continues. We cannot see approval of another water permit unless water levels are restored to where a drought situation is no longer in effect.

5. Mr. Sali has recently been approved to operate a commercial gravel pit on the area he is requesting the water storage be approved. We do not believe that he will be using the water for irrigation purposes as stated in his application.

For these reasons, we are asking that you not approve Application for Permit No. 63-11934 and 63-11273.

Kevin + Jill Devereaux 10/23/92

Kevin and Jill Devereaux

DEC 02 1993

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 6, 1992

TO: See Distribution

RE: Application for Permit No. 63-11934 in the Name of Ron Sali

Dear Interested Party:

Enclosed please find a copy of an application submitted by Mr. Ron Sali relative to the proposed use of groundwater on his property located within Section 14, T04N, R01W. This application proposes the use of a 20 acre feet storage pond, which would be used to store water from the Harton-Davis Ditch and from the wells identified in the above-referenced Application for Amendment of Permit No. 63-11273, of which you are a protestant.

The purpose of this letter is to provide to you as a protestant information of this new application, and to advise you that this matter will be reviewed at the same time as application for amendment of permit #63-11273. If you have concerns about this new application, those concerns will have to be addressed to the department in a separate protest. Please be advised that the protest expiration date for the new application is November 2, 1992. Further action regarding this project will be delayed until after the new protest date.

If you have questions about this protest process, please feel free to contact this office.

Sincerely,

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

DRT:st

CC: Ron Sali
State Office

Encl: Copy of Application for Permit No. 63-11934

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ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

BILL &/OR MARY RODE
1755 ARTESIAN RD
EAGLE ID 83616

RONALD &/OR ELAINE RIPPEY
1401 TROUT RD
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BRUCE HEALY
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KEVIN &/OR JILL DEVEREAUX
1320 LINDER RD
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1624 ARTESIAN RD
EAGLE ID 83616

HEATHER &/OR GARY MINGUS
2077 TROUT RD
EAGLE ID 83616

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SEP 29 1992
Department of Water Resources
Western Regional Office

Ident. No. **63-11934**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RON SALI 208-343-5042
   Address: 1020 MAIN ST. #420
   BOISE ID 83702

2. Source: GROUNDWATER Trib. to: BOISE RIVER
   BOISE RIVER SNAKE RIVER
3. Location of Point of Diversion: Lot 3(SENW), Sec. 18, Township 04N, Range 01E
   Lot 12(SENE), Sec. 14, Township 04N, Range 01W
   ADA County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION STORAGE	01/01	12/31			20.00
IRRIGATION FROM STORAGE	03/15	11/15			20.00

5. Total quantity to be appropriated is:
   CFS (and/or) 20.00 AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   HART DAVIS DITCH FROM THE BOISE RIVER; POND EXPOSES GW.
   b. Height of storage dam feet; active reservoir capacity 20.00 acre-feet; total reservoir capacity 20.00 acre-feet; period of year when water will be diverted to storage: to inclusive.
   c. Proposed well diameter is inches; proposed depth of well is feet.
   d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.

8. Description of proposed uses:

9. Place of Use: IRRIGATION FROM STORAGE

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	01W	14	Lot 11(SWNE)	45.2	Lot 12(SENE)	47	NESE	39	
			Lot 10(NWSE)	42.8					174
						Total number of acres irrigated:			174

AMENDED

DEC 02 1993

10. Describe any other water rights used for the same purposes.

11. a. Who owns the property at the point of diversion?
GW-APPLICANT, SW-EXIST DITCH
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:
Sources for this right are Groundwater, tributary to the Boise Ri ver, and the Boise River, tributary to the Snake River.

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

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

T _____
Applicant

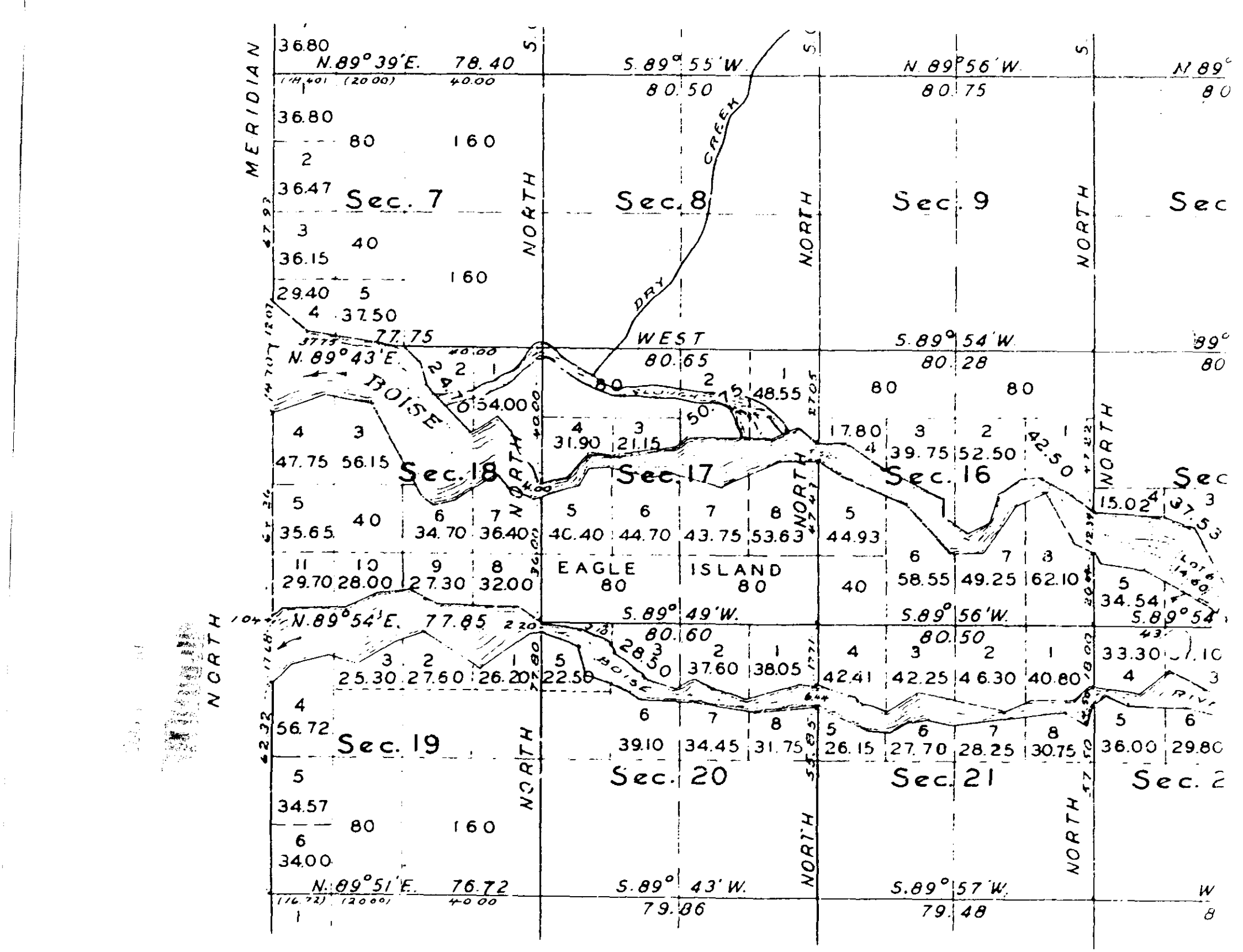
Received by MM Date 9-29-92 Time 10:46 Preliminary check by _____

Fee $ 300 Receipted by DN # W015468 Date 9-29-92

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

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DEC 0 8 1993


MERIDIAN
Sec. 7
Sec. 8
Sec. 9
Sec. 18
Sec. 17
Sec. 16
Sec. 19
Sec. 20
Sec. 21
NORTH
DRY CREEK
BOISE
EAGLE ISLAND
WEST
N. 89° 39' E.
78.40
S. 89° 55' W.
80.50
N. 89° 56' W.
80.75
N. 89° 43' E.
77.75
S. 89° 54' W.
80.28
80.65
N. 89° 54' E.
77.85
S. 89° 49' W.
80.60
S. 89° 56' W.
80.50
N. 89° 51' E.
76.72
S. 89° 43' W.
79.86
S. 89° 57' W.
79.48
160
80
40

NOTICE OF CORRECTION OF APPLICATION FOR AMENDMENT OF A PERMIT

Notice is hereby given that on September 3 and 10, 1992, Application for Amendment of Permit No. 63-11273 in the name of Ron Sali was advertised in error.

The Point of Diversion was advertised as T04N R01W Sec. 14 Lot 12 (SESENE), Lot 10 **(NENWSW)**, Ada County, to be used for irrigation purposes from 3/15 to 11/15 within portions of T04N R01W Sec. 14 S1/2NE, N1/2SE. Whereas, the Point of Diversion should have read T04N R01W Sec. 14 Lot 12 (SESENE), Lot 10 **(NENWSE)**, Ada County, to be used for irrigation purposes from 3/15 to 11/15 within portions of T04N R01W Sec. 14 S1/2NE, N1/2SE County.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before October 19, 1992.

R. Keith Higginson, Dir.

Advertised in the Idaho Statesman on October 1 and 8, 1992.

PAID RECEIVED
DEC 02 1993

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SR DATE: 10/13/92 APPLICATION: 63-11934

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:
___ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
___ Fee:
___ Yes ____ No* In form to receipt:

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

ADDITIONAL INFORMATION

YES	NO	
✓	___	Overlapping place of use: (Describe source & relationship to present application on the back.)
✓	___	Overlapping point of diversion:
___	___	Field check required: Field check by: _____
___	___	Field report attached:
___	✓	Critical groundwater area:
___	✓	Groundwater management area:
✓	___	1992 moratorium OK to advertise, see 10/13/92 memo
___	✓	Diversion within interim protected river area
___	✓	Send dam safety information: DAM N/A, STORAGE < 50 A.F.
___	✓	Send power requirement letter:
___	✓	Send fish farm requirement letter:
___	✓	Power residency affidavit:
___	✓	Power efficiency form:
___	✓	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
___	✓	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
___	✓	*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

✓	___	Additional information on reverse side:

Keep this Appl with 63-11273 (amendment, protested)

PROCESSING — APPLICATION NO. 63- 11934

YES NO

___ ___ In form for advertising:
___ ___ Statewide advertising:
___ ___ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES	NO		YES	NO	
___	___	I.D. Health and Welfare	___	X	U.S. BLM
___	___	I.D. Fish and Game	___	X	U.S. Forest Svc.
___	___	I.D. Lands	X	___	Water Dist. # 63
___	___	Adjudication Bureau	___	X	Other ___

(letter sent 10/6 to protestants in 63-11273)

FINAL REGIONAL PROCESSING REVIEW

YES NO

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

___
___
___

✓ ___ Publication dates and paper recorded on application:
___ ___ Protests received. Final date for protest November 23, 1992
___ ___ Protest dates, resolution of protest recorded on application:
___ ___ Recommendations attached:
___ ___ Measuring device required:
___ ___ Measuring port required:
___ ___ Water delivered by water master? District #___
___ ___ Special conditions of approval or cover letter:___

___
___
___

___ ___ See below for additional information

Recommended Date or Priority___

Recommended by: ___ Date___

STATE OFFICE REVIEW

___
___

___ See below for additional information. By ___ Date___

ADDITIONAL INFORMATION

SEE 10/13/92 memo re ADVERTISING & MORATORIUM.

OVERLAP (4.40 cfs)
P/P BOISE R. - 63-00186 ~~Hunt~~ DAMS
65-00187 Hunt
Ground water - 63-11273
P/P 63-11273 same g.w. + antonia wells for some acres.
63-00187 Boise R. " " " .
(3.20 cfs)

MEMO

TO: FILE NO. 63-11934

FROM: STEVE LESTER

DATE: OCTOBER 13, 1992

SUBJECT: MORATORIUM EXEMPTION ETC.

****

The application proposes Boise River and ground water (gravel pit or pond site) to be co-mingled for irrigation storage use. Normally, the use would be treated in separate ways as follows: Boise River use to be on hold until moratorium is lifted since supplemental use from surface water is not exempted, and ground water to be held pending decisions for 1993 season.

However, it appears that river water via the Hart Davis Ditch will be impounded for more effective use. The surface water part of the application is not necessarily for additional water; it redescribes a use of existing water. The ground water is clearly a supplemental use and is the same gravel pit or pond found in permit 63-11273 (protested amendment). The acres in 63-11934 and 63-11273 are identical. See the original map in 63-11273 for P/U, and see the map in amendment application for 63-11273 for the gravel pit location.

Although advertising would not normally occur for the new application until decisions about 1993 water supply are made, the department indicated by letter dated 10/6/92 that advertising would proceed. The advertising dates will be 11/5 and 11/12, and the protest deadline will be 11/23. It seems appropriate to advertise 63-11934 to allow its inclusion with the protested amendment.

The moratorium questionnaire for 63-11934 can be completed at the protest conference.

APPROVED
DEC 02 1993

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 6, 1992

TO: See Distribution

RE: Application for Permit No. 63-11934 in the Name of Ron Sali

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If you have questions about this protest process, please feel free to contact this office.

Sincerely,

David R. Tuthill

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

DRT:st

CC: Ron Sali
State Office

Encl: Copy of Application for Permit No. 63-11934

DEC 02 1993

* will be 11/23/92 - to be advertised 11/5 & 11/12 despite fact that can't be approved in time for year 1992. would normally be considered < HOLD - mountain (Boise R.) 1993 HOLD - (Ground water)

10/13/92

ROBERT W TANNEHILL
1591 ARTESIAN RD
EAGLE ID 83616

BILL &/OR MARY RODE
1755 ARTESIAN RD
EAGLE ID 83616

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HEATHER &/OR GARY MINGUS
2077 TROUT RD
EAGLE ID 83616

DEC 0 2 1993

63-11934

SALI, RON
1020 MAIN ST #420
BOISE, ID 83702

Source: GROUNDWATER Tributary: BOISE RIVER
Source: BOISE RIVER Tributary: SNAKE RIVER

Diversion Pt: LOT 3 (SENW) Sec 18 T 04N R 01E in ADA County.
LOT 12 (SENE) Sec 14 T 04N R 01W in ADA County.

Use: IRRIGATION STORAGE (20.00 AF)
IRRIGATION FROM STORAGE (20.00 AF)
Total Diversion: (20.00 AF)

Date Filed: 9/29/1992

In: ADA County
T04N R01W S14 Lot 11(SWNE) Lot 12(SENE) NESE Lot 10(NWSE)

174.0 ACRES TOTAL

OCT 2 1993