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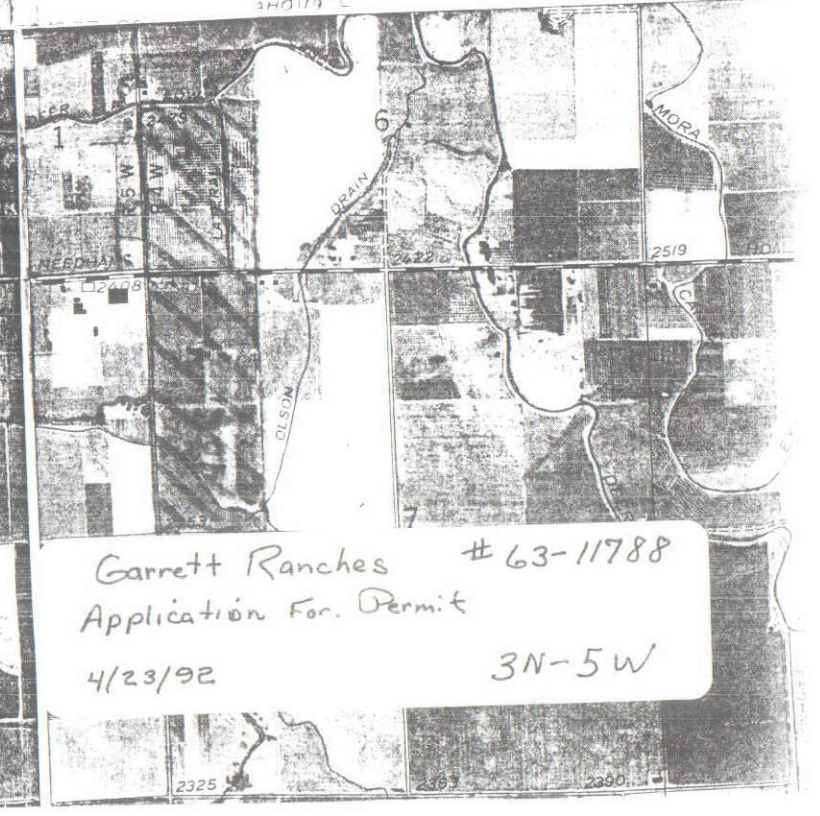


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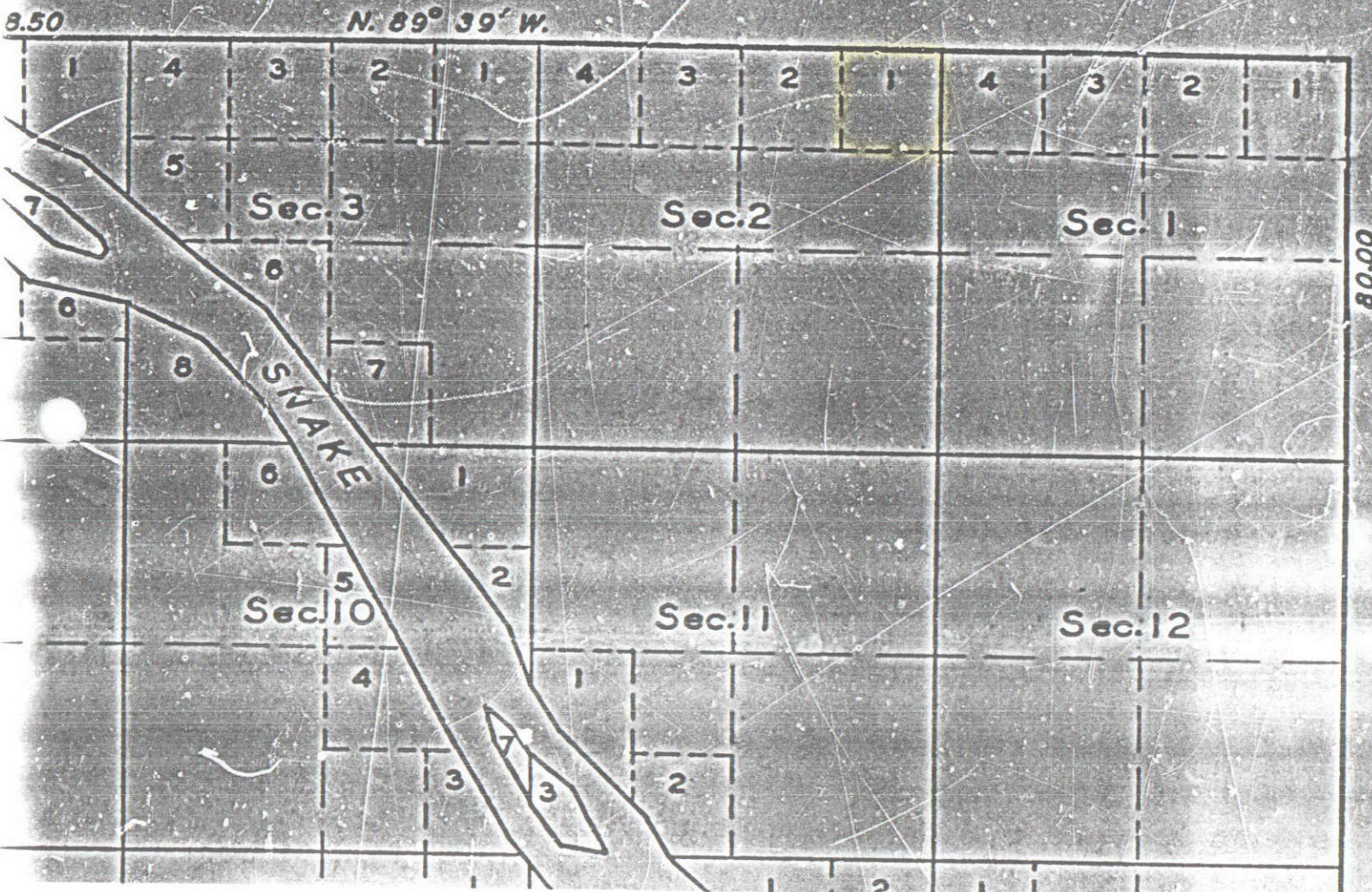
Garrett Ranches #63-11788
Application For. Permit
4/23/92 3N-5W

(4-675b)

Accepted 9/3
FILMS OF PLAT AUTHORITY

ST OF THE BOISE MERIDIAN, IDAHO.

AND SUBDIVISION OF SECTIONS



RECEIVED

APR 25 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11788 Telephone No. 208-337-2133

2. Name of Permit Holder(s): Garrett Ranches, Inc.

3. Mailing Address: 23935 Hamedale Road

City Gilder, State Id Zip 83676

4. Source of Water: Ground Water If **GROUNDWATER** (well), Date Drilled: mo. Aug yr. '92

Well Driller: Pete Cope Drilling Permit Number: 63-92-W-608

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

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

Irrigation (No. of acres): 200 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 4.0 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 175.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Frankie Garrett Telephone Number: Same as above

Address: Same as above

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

Signature of permit holder: Frankie Garrett Date: 4-23-01
(include your title, if on behalf of company or organization)

FILED
MAY 03 2001

RECEIVED

APR 28 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

Permit No. M-63-11788

Name(s) of Permit Holder: Garrett Ranches, Inc.

Mailing Address: 23935 Homedale Road, Wilder, Idaho 83676

Date Proof is Due: May 1, 1998 Telephone No. 208/337-3133

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

<u>Pete Cope Drilling Co., Inc. (drilling well).....</u>	<u>\$35,411.00</u>
<u>Layne of Idaho (diesel pump rental).....</u>	<u>\$2,825.00</u>
<u>Agri-Lines (pump).....</u>	<u>\$17,382.64</u>
<u>Roth Electric (pump panel, misc. labor)... \$2599.85</u>	<u>Costing \$ 58,218.49</u>
<u>Pipe fittings, etc.</u>	

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

To add to and expand the delivery system, to
get the most beneficial use of the water.

Permit holder(s) request an extension to March 1, 2001

FEE: \$50.00

Garrett Ranches Inc. by Ray Garrett - president
(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 2001.

Signed this 28 day of April, 19 98

[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 63-11788

Proposed Priority: April 23, 1992

Maximum Diversion Rate:

4.00 CFS

This is to certify, that **GARRETT RANCHES INC**
23935 HOMEDALE RD
WILDER ID 83676

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 2, Township 03N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
03N	05W	1		SWNW 40.0		SENW 5.0		NESW 40.0	
				NWSW 35.0		SWSW 30.0		NWSE 20.0	170.0
		2	Lot 1(NENE)	10.0		SENE 20.0			30.0

Total number of acres irrigated: 200.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1998.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
8. Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.

111-11788

MAY 18 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11788

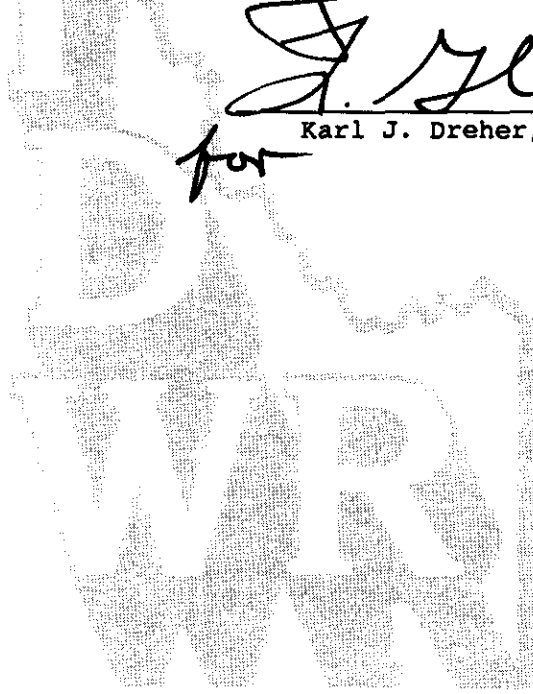
CONDITIONS OF APPROVAL AND REMARKS

9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. This right does not authorize the irrigation of land not previously irrigated.
11. Water bearing zone to be appropriated is from 315 to 575 feet.

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

4th day of February, 1998


for
Karl J. Dreher, Director



MAY 16 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: GARRETT RANCHES INC
Address: 23935 HOMEDALE RD
HOMEDALE ID 83676
208-337-3133
2. Source: GROUNDWATER
3. Location of Point of Diversion: SENE Sec. 2, Township 03N, Range 05W
CANYON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	4.000		
5. Total quantity to be appropriated is:
4.000 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
DRILLED WELL WITH GRAVITY AND SPRINKLER IRRIGATION
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 16 inches; proposed depth of well is 500
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 2 years.
8. Description of proposed uses:
IRRIGATION
9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
03N	05W	1	SWNW 40	SENE 5	NESW 40	
			NWSW 35	SWSW 30	NWSE 20	170
		2	NENE 10	SENE 20		30

Total number of acres irrigated: 209

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

SEP 09 1994

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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

only officers < Gary Garrett Pres
per John W. 5/20/92 By Frankie Garrett Chmn.
Applicant

Received by JFW Date 4/23/92 Time 2:00 PM Preliminary check by Ly

Fee \$ 105⁰⁰ Receipted by JFW # W014713 Date 5/15/92

Publication prepared by GG st 12-26-97 Date 5-27-92 Published in Press-Tribune 12-4-11-97
6/3 & 6/10/92

Publication approved st Date 6-22-92
st 12-24-97

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ICAL SURVEY

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Garrett Ranches # 63-11788
Application For. Permit
4/23/92
3N-5W

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Copyright 1913
216 H. C. ...

ST. OF THE BOISE MERIDIAN, IDAHO.

AND SUBDIVISION OF SECTIONS



10.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 14, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FRANK GARRETT
DOROTHY GARRETT
GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER ID 83676

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11788

Dear Permit Holder:

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

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau **MICROFILMED**

Encl.

c: IDWR - Regional Office

MAY 09 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-11788

Reviewed By: dgibson

Date: May 14, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C053378	Well driller's report filed?	X	
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	04/25/2001
Date proof due	- 05/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 04/23/1992
New priority date	= 04/23/1992

Deficiencies of Actions Items

Acknowledge proof.

February 28, 2001

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER, ID 83676

PROOF DUE NOTICE

RE: PERMIT NO. 63-11788

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

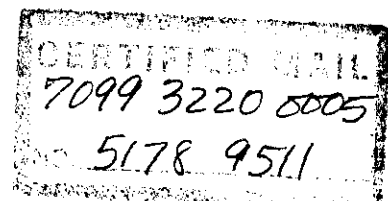
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
MAY 09 2001



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 63-11788 Reviewed by [Signature] Date 4-28-98

BASIC INFORMATION

4-28-98 Date stamp received
YLS Extension received timely
YLS Fee received and receipted
YLS Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

YLS Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to May 1, 2001.
on basis of due diligence.

PRIORITY CALCULATION

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

DATA ENTRY

New Address Y
Change Proof Due Date 5-1-2001
Change Priority Date Y



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

April 28, 1998

KARL J. DREHER
DIRECTOR

Garrett Ranches Inc
23935 Homedale Rd
Wilder ID 83676

RE: Permit No. 63-11788

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **May 1, 2001**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MAY 1 1998

February 28, 1998

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER ID 83676

PROOF DUE NOTICE

RE: PERMIT NO. 63-11788

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1998.

(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.

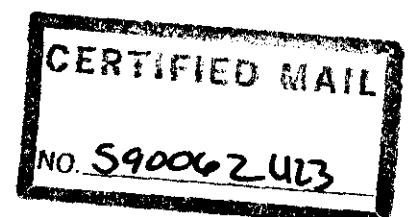
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAY 16 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 4, 1998

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER ID 83676

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11788

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

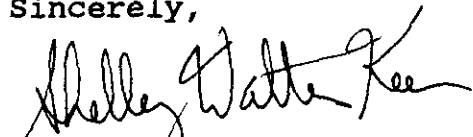
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July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

REV 1/8/88

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

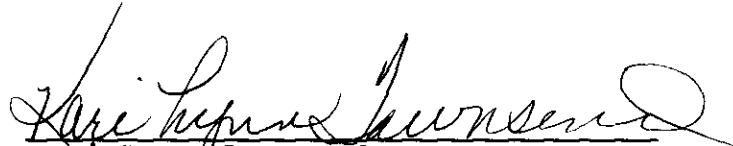
MAY 18 1999

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-11788

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER ID 83676


Kari Lynn Townsend
Secretary

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MAY 19 1997

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MAY 1 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lee*No.: 63-11788 Name: Janett Date: 1/23/98 Ad OK? ☒ / Gvmt Lts: **AREA OF CONCERN:**- No/Yes: Mor / GWMA / Trust / Non-trust**PROTESTED:**

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

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- ~~01M~~ (report when notified)

≤ 0.24 cfs/5 acres

- No MD ⁰⁶⁶**DRILLING PERMIT:**

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. 63 - 92 - W - 0608 - 000 ~~P23~~

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD #)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 - P04, NA

(02/03-irr)

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

Payette R(65)

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

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

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

>1 in rest. area

- 071-070

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

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

> 5 acres

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

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

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

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

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

LOCATION:

42-248 area

- P04 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:- 004 (PD/PU) **OTHER CONDITIONS:**

-

STANDARD REMARKS:

-

BENEFICIAL USE DUE:- 5/1/ 1998**COMMENTS:**

-

→ use: 066, 067, 065, 068, 069, 079, 074

M E M O R A N D U M

DATE: January 22, 1998

TO: Files 63-11787^{and} 63-11788

FROM: Kari Lynn Townsend

RE: Correspondence

=====

Full set of original correspondence and support documentation will be found in file

63-11786.

MAY 18 1998

CONVERSATION MEMORANDUM

DATE 1/21/98

FILE 63-11786, -11787, -11788

NAME OF PARTY GARY SPACKMAN

EMPLOYEE Cindy Zimmerman

RE: On Gary's Jan. 15/98 memo, he mis-stated his
recommendation. He intended to recommend these applications
be processed for permanent rights like the other "M Permits".

MAY 18 1998

NOV. 1997
RE-PROCESSING

RECEIVED

JAN 20 1998

RE-ADVERTISING FOR SUPPLEMENTAL
IRRIGATION RIGHT (MORATORIUM BACKLOG)

Department of Water Resources

APPLICATION NO.

63-11788

RECEIVED

JAN 20 1998

DEPARTMENT OF WATER RESOURCES

FINAL REGIONAL PROCESSING REVIEW

ADVERTISE w/ REMARK

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 12-22-97

 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 4/23/92 (NO CHANGE)

Recommended by: Gary S Date 1/16/98

STATE OFFICE REVIEW _____

____ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

See file history in 63-11786 (9/11 - 11/17 1997 memos etc.)
for explanation of why processing has resumed for 3 similar
"M well" apps. dating to 1992. S.O. gave verbal ~~ok~~ to
proceed (Ncy to go 11/22/97). OKAY

All 3 will be added to weekly listing per email note to
S.O. today.

-SK 11/25/97

MEMORANDUM

To: File nos. 63-11786, 63-11787, and 63-11788

From: Gary Spackman *Gary*

Date: January 15, 1998

Re: Approval of Applications for "M Wells" drilled by Frank Garrett

I recommend that we approve application for permit nos. 63-11786, 63-11787, and 63-11788 in the name of Garrett Ranches et al. as "M permits" for wells drilled and temporarily used during the drought. I recommend the following standard conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1999.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter in an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
4. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701(5), Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
8. Failure to comply with any condition of approval is cause for the Director to cancel this right.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
10. This permit does not authorize the development and irrigation of land not previously irrigated under prior temporary approval of this application.
11. Water bearing zone to be appropriated is (280 - 420 ft. for 63-11786).
(210 - 460 ft. for 63-11787).
(315 - 575 ft. for 63-11787).

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Spath

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

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

Twice

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

4. That said notice was published the following dates:
December 4, 11, 1997

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 11th day of December
in the year of 1997, before me, a Notary
Public, personally appeared Carolyn Spath,
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he/she
executed the same.

RECEIVED

DEC 15 1997

WATER RESOURCES
WESTERN REGION

James L. ...
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21ST, 2003

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11786

GARRETT, FRANK
GARRETT, DOROTHY
GARRETT RANCHES
23935 HOMEDALE RD
WILDER, ID 83676

Source: Groundwater

Diversion Pt: LOT 6 (NWSW) Sec 6 T 03N R 04W in CANYON County.

Use: IRRIGATION (2.800 CFS)

Total Diversion: (2.800 CFS)

Date Filed: 5/15/1992

In: CANYON County

T03N R04W S06 Lot 6 (NWSW) Lot 7 (SWSW)

S07 Lot 1 (NWNW) Lot 2 (SWNW)

140.0 ACRES TOTAL

Water bearing zone to be appropriated for 1992 supplemental well is from 280 to 420 feet.

63-11787

GARRETT RANCHES PACKING
23935 HOMEDALE RD
WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: NWSE Sec 1 T 03N R 05W in CANYON County.

Use: IRRIGATION (4.000 CFS)

Total Diversion: (4.000 CFS)

Date Filed: 4/23/1992

In: CANYON County

T03N R05W S01

S12

NESE

NWSE

SESE

NENE

NWNE

SWNE

SENE

200.0 ACRES TOTAL

Water bearing zone to be appropriated for 1992 supplemental well is from 210 to 460 feet.

63-11788

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: SENE Sec 2 T 03N R 05W in CANYON County.

Use: IRRIGATION (4.000 CFS)

Total Diversion: (4.000 CFS)

Date Filed: 4/23/1992

In: CANYON County

T03N R05W S01

SWNW

SENW

NESW

NWSW

SWSW

NWSE

SENE

S02

Lot 1 (NENE)

200.0 ACRES TOTAL

Water bearing zone to be appropriated for 1992 supplemental well is from 315 to 575 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before DECEMBER 22, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

December 4, 11, 1997

6299

MAY 18 1998

From: DWR80::SLESTER 25-NOV-1997 11:41:25.10
To: DWR03::JJOHNSON
CC: SLESTER
Subj: WEEKLY LISTING

Jim, we have 3 of the 1992 M well appls. that are now being re-advertised for regular permit consideration so need to be put back on the weekly listing. These are 63-11786, 63-11787 & 63-11788 (Garrett). There's a lot of history here about why processing has resumed. Norm gave ok to Gary for us to proceed. My memo of explanation will be forwarded to S.O. with files once advertising etc. completed.

Will be advertised first 2 weeks of December.

Also on same advertising schedule are 2 appls. for permit where used WP ad prep instead of computer generated advertising. Sue will transmit electronically to S.O for weekly listing as she does with transfer appls.

These are 63-12399 (Simplot) & 63-12420 (Micron). Used WP ad prep since both will be statewide ads & lengthy QQ legals -- figured it would be clearer plus lots cheaper to shorten the ads.

thanks,

Steve

CONVERSATION MEMORANDUM

DATE 10/30/97FILE 63-11786 though
11788NAME OF PARTY F. GarrettEMPLOYEE 82RE: Processing concerns e "M wells"

Mr. Garrett called in response to my 10/17/97 letter. First, he said his address is Wilder, not Homedale. Second, " " he has made several visits to IDWR since first filed & has tried to get application processed for final approval.

Third, he is quite sure that never received the 5/19/95 mass mailing & continued processing.

Fourth, he remains concerned that other orchard owners around his area got approval permits for 1992 "M wells" while he has not.

He wants to appeal IDWR's decision & not processing his 3 filings - needs early & late season irrigation protection to maintain viable orchards. He stated that has lost quite a lot by not being able to use wells when needed.

Fifth, he remains concerned e new well drilling in his immediate area (Singlot?).

He will send a letter e all this for dept. to consider asap.

NOV 18 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANK & DOROTHY GARRETT
GARRETT RANCHES
23935 HOMEDALE RD
HOMEDALE ID 83676

RE: APPLICATIONS FOR PERMIT NOS. 63-11786, 63-11787 & 63-11788

Dear Mr. and Mrs. Garrett:

Thank you for your recent reply concerning processing of the above referenced supplemental irrigation well applications.

I regret to inform you that the department will be unable to resume processing the applications at this time. This is the reverse of what was recently indicated to you, and I regret any inconvenience this might cause you.

As it turns out, I made a mistake in the earlier conversations with you. It was incorrect to state that the department had recently approved similar applications such as yours. While it is true that approximately 70 permits for 1992 supplemental irrigation wells were issued in 1995 and 1996, additional approval of the remaining 1992 supplemental well applications (that for one reason or another had not been processed for approval in 1995-1996) has not occurred.

It is unfortunate that you did not reply sooner to the 1995 mailing sent to you in which you were asked if you wanted to pursue approval of the applications. The 70 permits that were issued involved applicants who did respond to the 1995 mailing by returning the completed "response forms" in 1995 or early 1996 to show their continued interest in obtaining water right permits for the supplemental wells.

Because a general moratorium remains in place for the Boise River drainage and due to an abundant surface water supply at this time, the department has determined that processing of your applications is premature. Therefore, the filings will remain on hold but the priority dates remain unchanged (no penalty for such delays).

You might want to keep in touch with this office and with local news sources regarding two things. One, the surface water supply for 1998 will of course be an important issue. Two, a local ground

10716 833

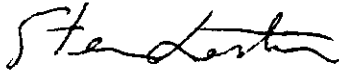
October 17, 1997
Page 2

water study -- Treasure Valley Hydrologic Project -- might reveal significant data in the near future which will allow the department to reconsider your applications and the many others that have been held since 1992.

As we discussed, the department will evaluate any written concerns that you submit regarding recent well drilling activity in your area for Simplot operations or any other activities that you think adversely impact your interests.

Again, I apologize for giving you the wrong information and getting your hopes up about your applications. If I can provide any other information about your water rights situation, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester
Water Rights Supervisor

c: Water Right Permits Section, IDWR State Office

NOV 18 1997

RESPONSE FORM

Boise River Basin Moratorium Application

Name of Applicant: GARRETT RANCHES INC.

Address: _____

Water Right No.: 63-11788

X Do you wish to proceed with development of the water right as proposed in the application? X Yes No
(If the response is no, please complete and return the enclosed withdrawal form.)

If the source of water that you propose to appropriate is ground water, what aquifer level do you propose to develop to obtain water?

315 ft to 575 ft *Signature: Frankie GarrettPrinted Name: Frankie Garrett

Please return this form to:

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

* per 1992 well log (drilling permit 63-92-W-608) -
screens set 315' - 575'.

OCT 10 1997



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

May 19, 1995

**Distribution: Applicants Whose Water Right Applications Were Held
Without Action Under the Boise River Basin
Moratorium**

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that all applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

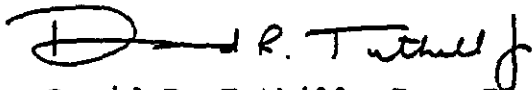
Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



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

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)

MAY 18 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11788 IN)
THE NAME OF GARRETT RANCHES)
INC)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of drought conditions being experienced during the 1994 irrigation season, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. In May 1992, the department issued the above captioned temporary permit (permit) to use ground water during the 1992 irrigation season to offset the effects of the drought and the associated reduced surface water supply. The permit expired on November 15, 1992.

2. The permit was conditioned that the Director of the department retained jurisdiction to reinstate the permit if drought conditions justify resumption of ground water use.

3. Water supply conditions during 1994 justify reinstatement of the permit by the Director.

CONCLUSIONS OF LAW

1. The Director is authorized under Chapter 2, Title 42, Idaho Code, to issue water right permits authorizing the diversion and use of the state's water resources.

2. The Director should reinstate the above captioned permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the above captioned permit is **REINSTATED** with the following conditions and limitations:

1. The permit expires on November 15, 1994.

2. The right to divert water under the above captioned permit is void if the surface water appurtenant to the place of use has been sold, transferred, leased or used on any other place of use without the approval of the department.

SEP 09 1994

3. The permit holder shall use the full allotment of surface water to the extent it is available before diversion is authorized under this reinstated permit.

4. The permit holder shall employ reasonably efficient methods of water application to conserve the water of the state of Idaho.

5. The rate of diversion of water for irrigation under this right and all other rights shall not exceed 0.02 cfs for each acre of land.

6. This use is subject to all prior water rights.

7. The place of use authorized is only that shown on the permit. Permit holder shall prevent use of this water on land for which it is not authorized.

8. This reinstatement does not authorize the construction of new wells or the deepening of existing wells.

9. Failure to comply with the above conditions and limitations of permit use voids this reinstatement.

Dated this 16TH day of August, 1994.

for *L. Glen Saxton*
L. GLEN SAXTON
Chief, Water Allocation Bureau



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

RECEIVED

JUL 22 1994

Department of Water Resources

July 20, 1994

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE ID 83676

RE: Water Right No. M63-11788

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells.

The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

SEP 09 1994

DROUGHT RELIEF QUESTIONNAIRE

If you are not interested in having a 1994 temporary permit reinstatement, or if you did not drill a well in 1992, disregard this questionnaire. No response is necessary.

Please answer the questions below. Your answers will help the department assess the need for use of the wells to complete the 1994 irrigation season and the extent of water use that will occur if the department again authorizes use of the wells.

1. Temporary permit identification number. M 63-11788
(See cover letter)
2. a) Person responding to this questionnaire

Frankie Garrett

b) Relationship to applicant? Stockholder --

3. Do you expect to use all of your surface water supplies for the land identified on the attached application prior to the end of the 1994 irrigation season? Yes X No

4. What is the source of supply? (Name of Canal)

Mora - Low Line

5. What date do you expect this to occur? August 20, 1994

6. List the type of crop, acreage and volume of water in acre feet (AF) needed under the temporary permit to complete the 1994 irrigation season. List only for the lands included in the land list of the attached application for permit.

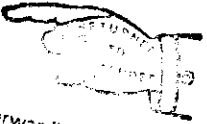
<u>CROP</u>	<u>ACRES</u>	<u>ACRE FEET</u>
<u>Apples</u>	<u> </u>	<u> </u>
<u>Plums</u>	<u>200</u>	<u>300</u>
<u>Cherries</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u>Left some land idle</u>	<u> </u>	<u> </u>
<u>to last this long.</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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This questionnaire needs to be completed and returned to the department by August 1, 1994 in order to be considered as a request to reinstate a temporary permit.

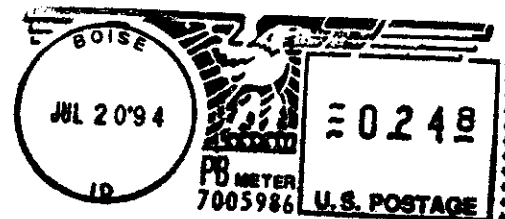
SEP 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

SEP 09 1994

- 
- ☐ Forwarding Order Expired
 - ☐ Insufficient Address
 - ☐ Moved, Left No Address
 - ☐ Unclaimed ☐ Refused
 - ☐ Attempted - Not Known
 - ☒ No Such Street
 - ☐ No Such Building
 - Post Office _____ Date _____
 - City/State _____

PRESORTED
FIRST CLASS





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

July 20, 1994

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE ID 83676

RE: Water Right No. M63-11788

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells.

The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

SEP 09 1994

March 31, 1994

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE ID 83676

RE: Water Right No. M63-11788

Dear Water Right Holder(s):

In 1992, the Department of Water Resources issued the above referenced permit allowing the diversion of water for the 1992 irrigation season only. The permit included a condition:

This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.

It now appears that 1994 early season water supply and precipitation conditions are such that short-term use of the wells that were drilled under this authority could be beneficial prior to the start of water delivery through the canal systems in the Boise Valley. We have been advised that most of the canals will not be able to deliver water for another 10 to 14 days.

Therefore, you are hereby notified that the permit is reinstated for temporary use during the period April 1 through April 15, 1994 only. All other conditions of the permit continue to apply. One requirement was that the well be disconnected from the power system at the end of the approved period of use, which under this reinstatement is April 15, 1994.

The existing moratorium in the Boise Valley area is not changed by this temporary reinstatement of the 1992 drought well permit. This temporary reinstatement does not authorize the construction of a new well or alteration of an existing well.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 09 1994

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

7. WATER LEVEL 142

Static water level _____ feet below land surface.

Flowing? ☐ Yes ☐ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

3. PROPOSED USE **IRRIGATION**

☐ Domestic ☐ Irrigation ☐ Monitor

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

9. LITHOLOGIC LOG

5. WELL CONSTRUCTION SEE ATTACHED

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness Diameter From To

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ 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 ☐ No
 Manufacturer ROSCOE MOSS Type VEE WIRE
 Top Packer or Headpipe _____
 Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8
Placed from 150 feet to 585 feet

Surface seal depth 5.0 Material used in seal: ☐ Cement grout
☒ Bentonite ☒ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☒ Overbore to seal depth

Method of joining casing:

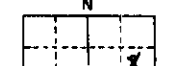
☐ Solvent Weld

☐ Threaded ☒ Welded

☐ Cemented between strata

Describe access port 2" PIPE 12/15/836. LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County CANYON

Address of Well Site HOMEDALE RD
(give at least name of road)

T. 3N N ☐ or S ☐
 R. 5W E ☐ or W ☐

SE 1/4 NE 1/4 Sec. 2

10. 7/29/92 Work started 7/29/92 finished 8/8/92

11. DRILLER'S CERTIFICATION

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

Firm Name PETE COPE DRILLING Firm No. 213

Address 6505 W CHINDEN Date 8/11/92

Signed by Drilling Supervisor Joseph Jones
and
(Operator) Kevin Chastain
(If different than the Drilling Supervisor)

C

GARRETT RANCHES INC.
23935 HOMEDALE RD
HOMEDALE ID 83676
Permit# 63-92-W-608

"16" casing record .250 wall welded

1	-	315	316
345	-	390	45
420	-	500	80
510	-	530	20
540	-	565	25
575	-	583	8

494 total casing

16" Screen record .40 slot Roscoe Moss Continuous wire.

315	-	345	30
390	-	420	30
500	-	510	10
530	-	540	10
565	-	575	10

90 total screen

584 total screen+casing

SEP 29 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11788

Proposed Priority: April 23, 1992 Maximum Diversion Rate: 4.00 CFS

This is to certify, that **GARRETT RANCHES INC**
23935 HOMEDALE RD
HOMEDALE ID 83676

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

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

IRRIGATION	03/15 to 11/15	4.00 CFS
------------	----------------	----------

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	05W	1	SWNW 40	SENW 5	NESW 40	
			NWSW 35	SWSW 30	NWSE 20	170
		2	Lot 1(NENE) 10	SENE 20		30

Total number of acres irrigated: 200

CONDITIONS/REMARKS:

1. This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.
2. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
3. This right to divert groundwater is void if the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
4. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.
5. The permit holder must employ reasonably efficient methods of water application to conserve the water of the State of Idaho.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. This right is subject to all prior rights.

APPROVED
SEP 09 1994

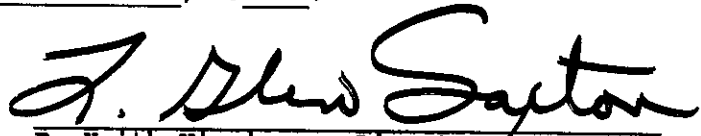
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11788

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

30 day of June, 1992

for 
R. Keith Higginson, Director



SEP 09 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

July 1, 1992

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE ID 83676

RE: PERMIT NO. 63-11788

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder(s):

Enclosed is a copy of your approved permit. Your proposed use of water qualifies for a narrow exception to the Snake River Basin Moratorium established by the Director on May 15, 1992. The exception allows the use of groundwater during the drought to protect agricultural uses which normally have an adequate supply of water. Please carefully review the conditions of approval.

The Department has approved your permit for the 1992 irrigation season. Diversion of groundwater is not authorized after the 1992 season, and the permit expires. The Director may reinstate the permit in a subsequent year if drought conditions persist. You will be responsible for requesting reinstatement during future irrigation seasons.

When your permit expires, you must make the pump and motor inoperable, and cannot operate the pump without approval from the Department of Water Resources.

Your permit is for supplemental use only to augment your surface water supply. If the surface water you own is sold, transferred, leased or used on any other land without the approval of the Department of Water Resources, you automatically lose your right to divert groundwater. You must obtain the approval of the Department before using your water anywhere other than where it has traditionally been used.

In addition, you must fully utilize your available surface water to the extent possible. The surface water need not be fully consumed or diverted prior to use of groundwater. You cannot, however, simply divert token quantities of surface water and rely primarily on your groundwater diversion. Surface water must be your primary source of water.

[Handwritten signature]

SEP 09 1992

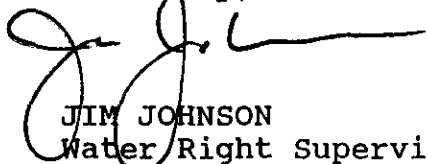
If you want to locate your well closer than 500 feet from an existing well, you must obtain the approval of the Department of Water Resources. We realize that under certain circumstances, it may be impossible to locate the well 500 feet away from another well. You must, however, be cognizant of possible interference resulting from pumping of your well.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If general water levels in the geographical area of your well decline below reasonable levels, the Department may require you to cease diverting from your well.

You must efficiently apply the water to the land and conserve water to the extent possible. Excessive irrigation, delivery systems with substantial losses, and application methods which cause substantial percolation or evaporation are not acceptable.

Sincerely,



JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING:

- Has ALL the land you propose to irrigate been irrigated with surface water in the past?

Yes

- Do you summer fallow any of your irrigated land? If so, how many acres?

No

- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.

Willden Irrigation Dist
Mora Canal
Low Line

- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?

5 yrs

- What crops have you grown in the past ten years?

Orchard Crops

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 22 day of June, 1992.

(Please sign) Barnett Ranches Inc.
By Frankie Barnett

SEP 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6 DATE: 5/20/92 APPLICATION: 63-11788

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: Gov't. Lots: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ 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:

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:
☐ ☒ Diversion within interim protected river area
☐ ☒ Send dam safety information:
☐ ☒ Send power requirement letter:
☐ ☒ Send fish farm requirement letter:
☐ ☒ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Within trust water boundary: (If yes, attach Trust Water Supplemental 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:

RECEIVED
JUN 26 1992

Department of Water Resources

PROCESSING

APPLICATION NO. 63-11788

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☒
☒ ☒
☒ ☒
☒ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☒ ☒
☒ ☒
☒ ☒
☒ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☒
☒ ☒

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

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

P/W

P/D

overlap info

63-11398

GW

05132

Spring N/A

02388

Boise R. N/A

10647

GW

07995

GW - DOM N/A

← N/A

63-11788

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE, ID 83676

Source: GROUNDWATER

Diversion Pt: SENE Sec 2 T 03N R 05W in CANYON County.

Use: IRRIGATION (4.000 CFS)
Total Diversion: (4.000 CFS)

Date Filed: 4/23/1992

In: CANYON County				
T03N R05W S01	SWNW	SENW	NESW	NWSW
	SWSW	NWSE		
S02 Lot 1(NENE)	SENE			

200.0 ACRES TOTAL

RECORDED

SEP 09 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11786

GARRETT, FRANK
GARRETT, DORTHY
GARRETT RANCHES
23935 HOMEDALE RD
HOMEDALE, ID 83676
Source: GROUNDWATER
Diverson Pt: LOT 6 (NWSW) Sec 6 T 03N R 04W in CANYON County.
Use: IRRIGATION (2,800 CFS)
Total Diversions: (2,800 CFS)
Date Filed: 5/15/1992
In: CANYON County
T03N R04W S06
S07
140.0 ACRES TOTAL
Lot 6 (NWSW) Lot 7 (SWSW)
Lot 1 (NWNW) Lot 2 (SWNW)

63-11787

GARRETT RANCHES PACKING
23935 HOMEDALE RD
HOMEDALE, ID 83676
Source: GROUNDWATER
Diverson Pt: NWSE Sec 1 T 03N R 05W in CANYON County.
Use: IRRIGATION (4,000 CFS)
Total Diversions: (4,000 CFS)
Date Filed: 4/23/1992
In: CANYON County
T03N R05W S01
S12
200.0 ACRES TOTAL
NENE NESE NWSE SESE
NWNE SENE

63-11788

GARRETT RANCHES INC
23935 HOMEDALE RD
HOMEDALE, ID 83676
Source: GROUNDWATER
Diverson Pt: SENE Sec 2 T 03N R 05W in CANYON County.
Use: IRRIGATION (4,000 CFS)
Total Diversions: (4,000 CFS)
Date Filed: 4/23/1992
In: CANYON County
T03N R05W S01
S02
200.00 ACRES
SWNW SENW NESW NWSW
SWSW NWSE
Lot 1 (NENE) SENE

63-11824

HIPP, BARBARA ANN
HIPP, WILLIAM BRUCE
515 N 21ST AVE
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: NESE Sec 35 T 05N R 03W in CANYON County.
Use: IRRIGATION DOMESTIC (.150 CFS)
Total Diversions: (.040 CFS)
Date Filed: 5/13/1992
In: CANYON County
T05N R03W S35
5.0 ACRES
NESE

63-11826

NICKEL, CHARLES A
NICKEL, ZELDA M
16086 W USTICK
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: SENW Sec 9 T 03N R 03W in CANYON County.
Use: IRRIGATION NESW Sec 9 T 03N R 03W in CANYON County.
Total Diversions: (1,580 CFS)
Date Filed: 5/14/1992
In: CANYON County
T03N R03W S09
79.0 ACRES TOTAL
NENW SENW NESW

63-11827

NICKEL, CHARLES A
NICKEL, ZELDA M
16086 W USTICK
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: SESW Sec 32 T 04N R 03W in CANYON County.
Use: IRRIGATION (1,640 CFS)
Total Diversions: (1,640 CFS)
Date Filed: 5/14/1992
In: CANYON County
T04N R03W S32
82.0 ACRES TOTAL
SESW SWSE SESE

63-11828

FRED HERTIG TRUST
23062 TEN DAVIS RD
PARMA, ID 83660
Source: GROUNDWATER
Diverson Pt: NESE Sec 19 T 05N R 04W in CANYON County.
Use: IRRIGATION (1,600 CFS)
Total Diversions: (1,600 CFS)
Date Filed: 5/14/1992
In: CANYON County
T05N R04W S19
80.0 ACRES TOTAL
NESE SESE

63-11829

JEFFERS, GEORGE
20021 HOSKINS RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: NENE Sec 15 T 03N R 04W in CANYON County.
Use: IRRIGATION (.800 CFS)
Total Diversions: (.800 CFS)
Date Filed: 5/18/1992
In: CANYON County
T03N R04W S15
40.0 ACRES TOTAL
NENE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Department of Water Resources
Western Regional Office
Janet McDaniel

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

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

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of

63-11830

ALDER, NORMAN C
ALDER, KATHRYN
1288 SOUTHSIDE BLVD S
MELBA, ID 83641
Source: GROUNDWATER
Diverson Pt: NENWSE Sec 36 T 01N R 02W in CANYON County.
Use: IRRIGATION SESESE Sec 36 T 01N R 02W in CANYON County.
Only one well to be located in 1 of 2 points.
Total Diversions: (2,000 CFS)
Date Filed: 5/14/1992
In: CANYON County
T01N R02W S36
114.0 ACRES TOTAL
NESE NWSE SWSE SESE

63-11832

ADLER, ROBERT L
PO BOX 936
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: SWNWNE Sec 14 T 03N R 03W in CANYON County.
Use: IRRIGATION (.800 CFS)
Total Diversions: (.800 CFS)
Date Filed: 5/14/1992
In: CANYON County
T03N R03W S14
40.0 ACRES TOTAL
NWNE

63-11833

GOODING, FRED
23669 BATT CORNER RD
PARMA, ID 83660
Source: GROUNDWATER
Diverson Pt: LOT 2 (NENWNE) Sec 2 T 04N R 05W in CANYON County.
Use: IRRIGATION (2,160 CFS)
Total Diversions: (2,160 CFS)
Date Filed: 5/15/1992
In: CANYON County
T04N R05W S02
108.0 ACRES TOTAL
Lot 1 (NENE) Lot 2 (NWNE) SWNE

63-11835

HUTER BROS INC.
9040 LINDEN
NAMPA, ID 83687
Source: GROUNDWATER
Diverson Pt: SWNW Sec 34 T 04N R 02W in CANYON County.
Use: IRRIGATION (700 CFS)
Total Diversions: (700 CFS)
Date Filed: 5/20/1992
In: CANYON County
T04N R02W S28
35.0 ACRES TOTAL
NESE

63-11836

SUNSET FARMS INC
C/O KENNETH TIEGS
10305 MELMONT RD
MELBA, ID 83641
Source: GROUNDWATER
Diverson Pt: SENE Sec 3 T 03N R 02W in CANYON County.
Use: IRRIGATION (1,600 CFS)
Total Diversions: (1,600 CFS)
Date Filed: 5/19/1992
In: CANYON County
T03N R02W S03
80.0 ACRES TOTAL
Lot 1 (NENE) SENE

63-11839

GROW, J KEITH
18533 VAN SLYKE RD
WILDER, ID 83676
Source: GROUNDWATER
Diverson Pt: SENE Sec 31 T 04N R 04W in CANYON County.
Use: IRRIGATION (1,000 CFS)
Total Diversions: (1,000 CFS)
Date Filed: 5/14/1992
In: CANYON County
T04N R04W S31
50.6 ACRES TOTAL
NENE NWNE SENE

63-11840

BACHMAN, MACK
BACHMAN, ELAIRE
13479 LOCUST LN
NAMPA, ID 83687
Source: GROUNDWATER
Diverson Pt: SWNE Sec 11 T 02N R 03W in CANYON County.
Use: DOMESTIC (.040 CFS)
Total Diversions: (.040 CFS)
Date Filed: 5/15/1992
In: CANYON County
T02N R03W S11
SWNE

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 JUNE 22, 1992.
R. KEITH HIGGINSON, Director
DEPARTMENT OF WATER RESOURCES
June 3, 10, 1992

63-11788

GARRETT RANCHES INC
23935 HOMEDALE RD
WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: SENE Sec 2 T 03N R 05W in CANYON County.

```

Use:  IRRIGATION      (          4.000 CFS)
      Total Diversion: (          4.000 CFS)

```

Date Filed: 4/23/1992

In: CANYON County				
T03N R05W S01	SWNW	SENW	NESW	NWSW
	SWSW	NWSE		
S02 Lot 1 (NENE)		SENE		

200.0 ACRES TOTAL

Water bearing zone to be appropriated for 1992 supplemental well is from 315 to 575 feet.