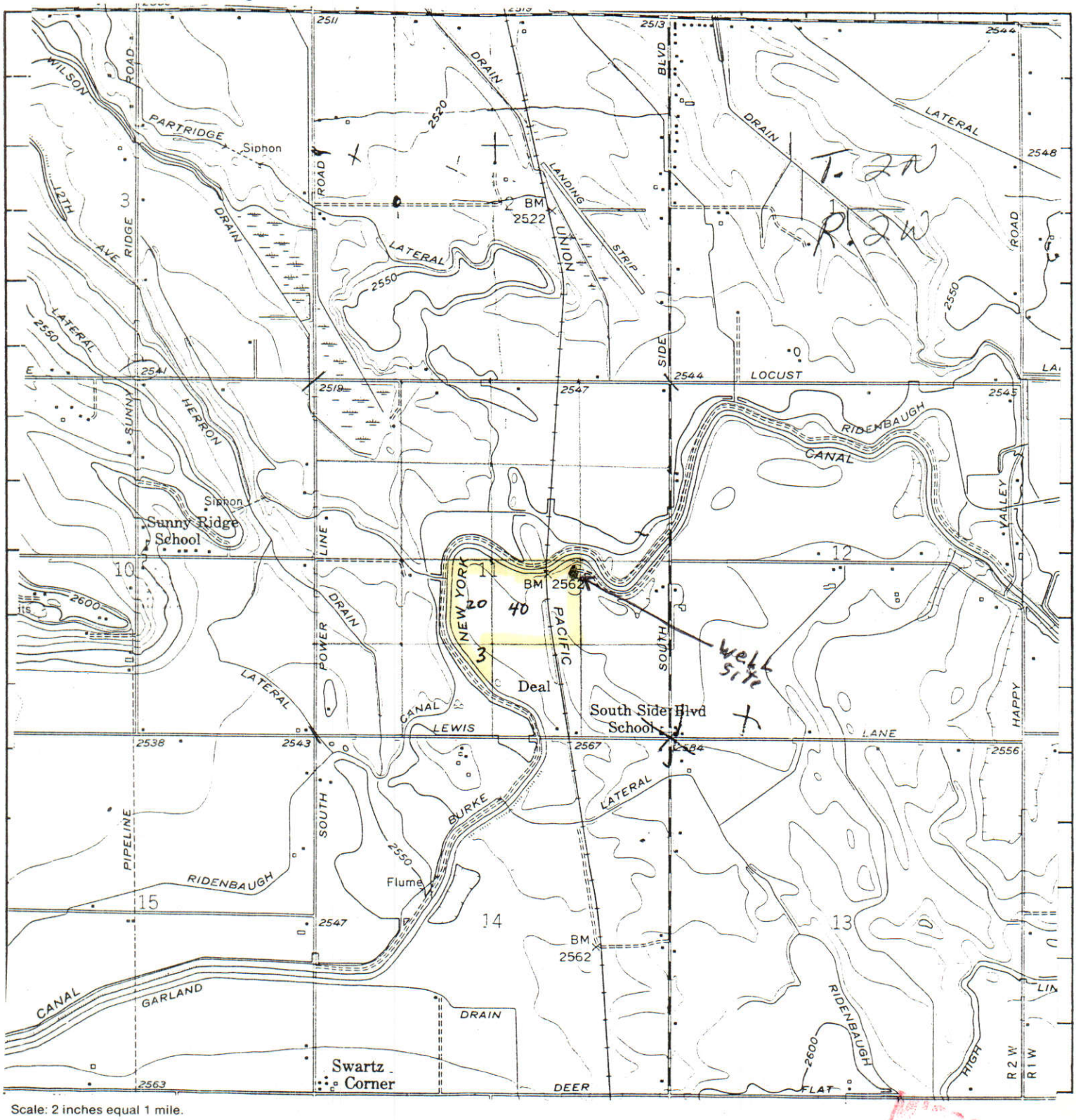
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

AUG 09 1994

(Applicant)

Form No. 217
7/94.

FOR OFFICE USE ONLY
Amt. of Fee $: 125.00
Receipt No. C035534
Receipt By: [illegible]
Date Receipted: 5-14-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 14 1996
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 who has been appointed by the department.

1. Permit No. 63 - 11776 Telephone No. 466-1820

2. Name(s) of Permit Holder(s): AL Birt

3. Mailing Address: 4609 Southside Blvd Nampa Id. 83686

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. July / yr. 92

a. Well Driller: Davis Well Drilling Drilling Permit Number: 63 - 92 - C - 180

b. *OPTIONAL:*
Pump Horsepower: 10 Pressure (psi): _____ Dynamic pumping level (ft): 53

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

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

Irrigation (No. of acres): 63 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1,260 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
Flow Measurement Port:	Is a flow measurement port required?	Yes ___ or	No X
	Has the measurement port been installed?	Yes ___ or	No X

8. Fee Enclosed: $ 125 (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: AL Birt Telephone Number: 466-1820 - 880-0086

Address: 4609 Southside Blvd. Nampa. Id. 83686

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: Al Birt Date: 5-13-96
(include your title, if on behalf of company of organization)

JUN 28 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11776

Proposed Priority: April 8, 1992 Maximum Diversion Rate: 1.26 CFS

This is to certify, that **AL BIRT**
4609 SOUTHSIDE BLVD
NAMPA ID 83686
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	1.26 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 11, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02N	02W	11	NESW	20.0	SESW	3.0	NWSE	40.0	63.0

Total number of acres irrigated: 63.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1996.**
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 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 50 to 160 feet.

FEB 2 3 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11776

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

5th day of February, 1996

for Karl J. Dreher, Director

FEB 23 1996

Form 202
6/85

RECEIVED
APR - 8 1992
Department of Water Resources
Western Regional Office

Ident. No. 63-11776

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant AL Birt Phone # 466-1820 - W 454-4023

   Post office address 4609 Southside Blvd Nampa Id 83686

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is NW ¼ of SE ¼ of _____ ¼, Govt. Lot _____

   Sec. 11 Township 2N Range 2W B.M. Canyon County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 1.26 for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
   (cfs ~~or acre-feet per annum~~)

   ~~Amount .02 for Stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)~~ BLM
   (cfs ~~or acre-feet per annum~~)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) ~~1.28~~ 1.26 and/or (b) _____
   cubic feet per second acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Well

   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 10" inches; proposed depth of well is 150' feet.

   d. Is ground water with a temperature of greater than 90°F being sought? NO

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

   1 years (*minimum 1 year*).

RECEIVED
AUG 09 1994

8. Description of proposed uses (*if irrigation only, go to item 9*):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. 35 head of Mules Donkeys & Horses

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

9. Description of place of use:

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
* 2N	2W	11					~~20~~			~~3~~	20			3		40			63
							~~5~~			~~5~~	5			5		5			

Total number of acres to be irrigated 63

10. Describe any other water rights used for the same purposes as described above. 44.55 Acreage rights Under Nampa Meridian Irr District.

11. a. Who owns the property at the point of diversion? AL Birt

b. Who owns the land to be irrigated or place of use? AL Birt

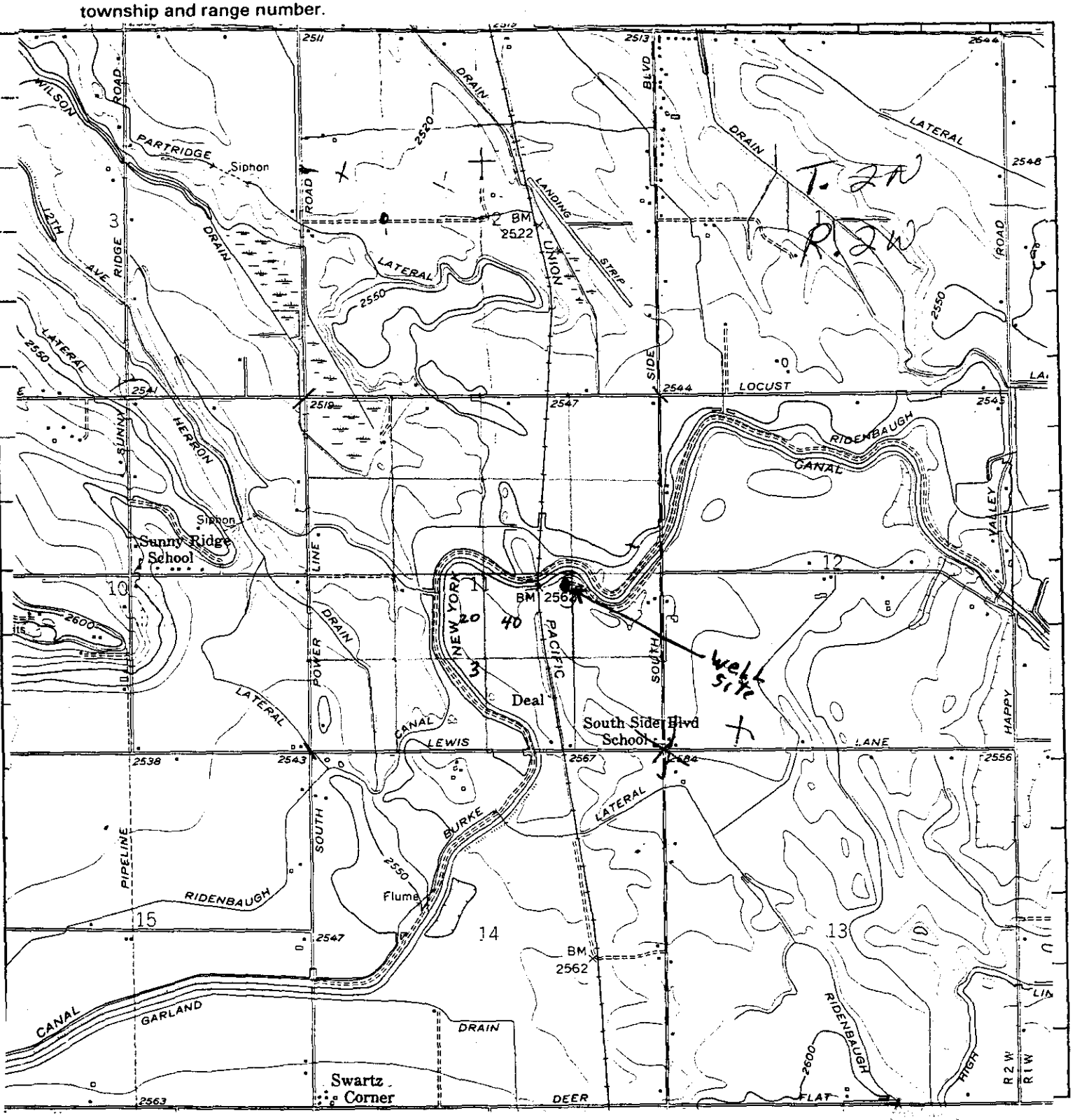
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. The 40 Acres is still Recorded under Fred Benzel. I have been purchasing it since 1975.

12. Remarks: _____

AUG 09 1994

* confirmed with attached map. LG 4/10/92

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



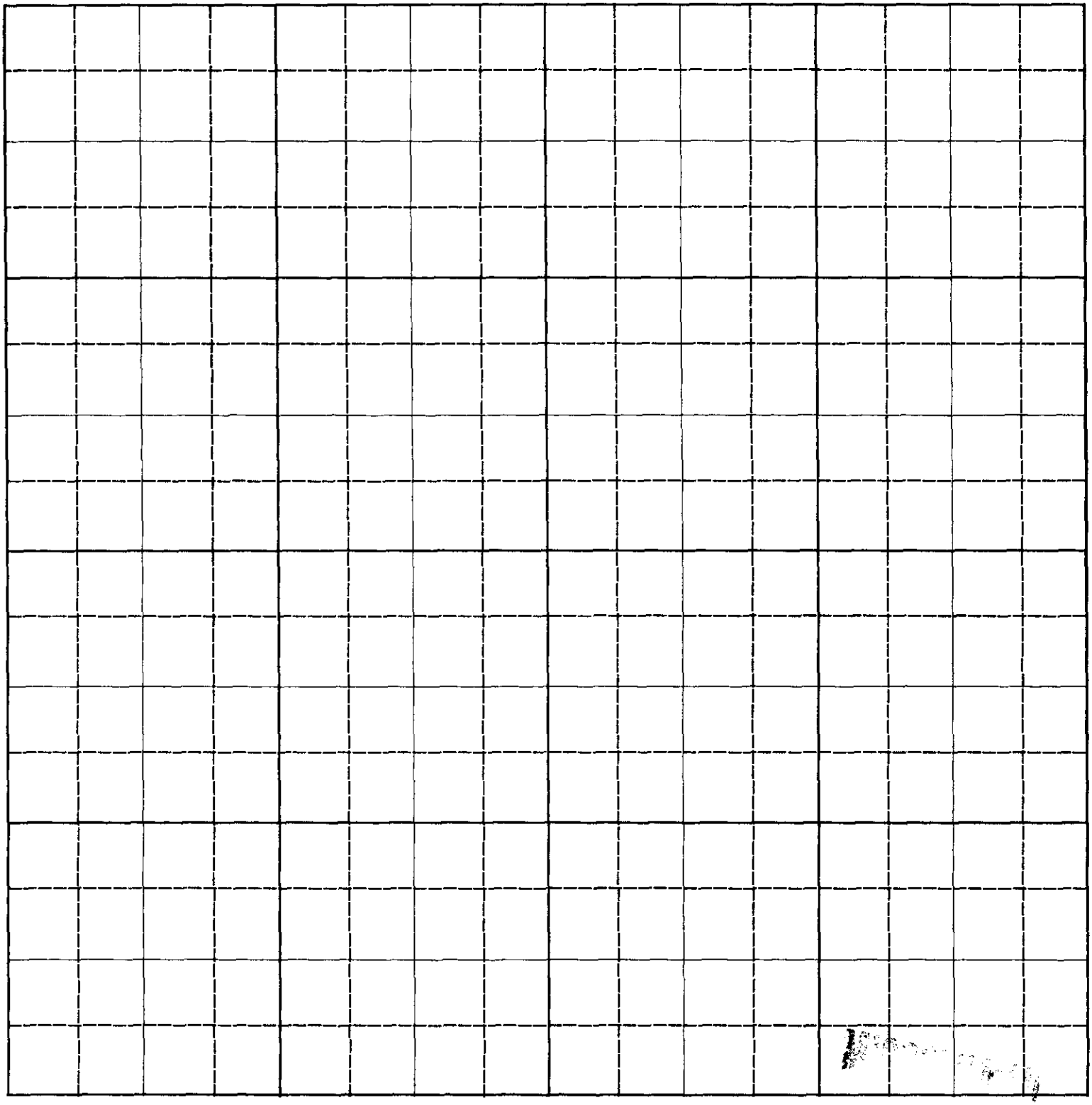
Scale: 2 inches equal 1 mile.

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

AUG 09 1994

(Applicant)

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



Scale: 2 inches equal 1 mile.

AUG 09 1994

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.

(Applicant)

Received by MM Date 04-08-92 Time 11:07 am Preliminary check by LG

Fee $65.00 Receipted by DA AT 8-29-95 # W0144464 Date 4-8-92

Publication prepared by GG Date 4-29-92 Published in Press-Tribune P-T

Publication approved AT AT Date 9-25-95 5-14-92 5/6 & 5/13/92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

   e. Other:

AUG 09 1994

SD-0410-1 Idaho Department of Water Resources Date: 08/22/95
MODIFY RIGHT Water Rights Remarks Screen Time: 09:51:13

Water Right Number: 63-11776 FIRST PAGE

13. Remarks: Water bearing zone to be appropriated is 50 to 160 feet.

(GOLD4=Prev Screen)

(GOLD2=Update) (GOLD5=Next Screen) (GOLD1=Export Remarks) (Enter=Exit)

(GOLD3=Add Std Rmk) (GOLD6=End of Data) (GOLD7=Import Remarks) (GOLD8=Cancel)

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1996

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

RE: Water Right No. 63-11776

Dear Water Right Holder(s):

Early in 1996, the department issued the above referenced permit to you authorizing the diversion of water from a well(s) to be used to supplement the irrigation of land which is primarily irrigated with surface water shares. Most of these permit applications were originally filed in 1992 and are sometimes referred to as "1992 drought permits".

The purpose of this letter is to specifically call to your attention some of the conditions of approval dealing with use of water under your permit(s). Please note the following:

- You are required to measure and annually report to the department the amount of water you have diverted from your well. This includes the amount of water diverted during the 1996 irrigation season.

- You are required to use all of the surface water to which you are entitled each season in connection with use of water under your permit.

- If you sell, transfer, lease or use your surface water rights on any other place of use, the permit issued to you to divert supplemental groundwater is not valid.

The department plans to field inspect use of water under the drought permits to determine compliance with the conditions listed on the permits.

If you have questions, please feel free to contact the department.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

cc: IDWR - W. Region

AUG 21 1996

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11776 Reviewed by [illegible] Date 5-31-96

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? yes

SOURCE OF WATER

_____ Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file? Drilling Permit No. 63-92-C-0180-000

200 - Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

125 - Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received _____

Date proof due _____ -

No. of days late _____ =

Priority Date _____ +

New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

advise of measurement requirement.
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 5-14-96

_____

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 7, 1996

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11776

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a measuring device or enter into an agreement with the department to use power records to determine the amount of water diverted from this right (refer to condition #3 of your permit.) If you have any questions regarding the installation of the measuring devise or your options, please contact Scott King or Gary Spackman at (208)327-7900.

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

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUN 28 1996

March 31, 1996

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

PROOF DUE NOTICE

RE: PERMIT NO. 63-11776

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 June 1, 1996. (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

JUN 28 1996

CERTIFIED MAIL
NO. 142656

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1996

P63-11776
AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

PERMIT APPROVAL NOTICE

RE: Basin 63 Approved Permit

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Please note that one of the conditions of approval on your permit requires that you install a measuring device or sign an agreement with the department to determine your diversion using power records prior to diverting water. You may choose to install a measuring device, or you may ask the department to review your system to determine whether your diversion can be estimated with power records.

Another condition of approval requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the department. The department will shortly send you further information about measuring devices, flow estimation using power records, and annual reporting forms.

RECEIVED
FEB 23 1996

If you have questions about the measuring and reporting requirements, please call the department at (208)327-7900 and ask for someone in the Water Distribution Section. If you have questions about other elements of your permit, call me at (208)327-7946.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

FEB 2 3 1996

BASIN 63 MORATORIUM APPLICATION
STATE OFFICE REVIEW

by Cindy Zimmerman

Date: 2/2/96

No.: 63-11776

Name: Bint

Ad OK? ✓ **✓Gvmt Lts:** ✓

Correct Fee? ✓ **Receipt #:** W0144644 **Priority:** 4/8/92

PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED: - Yes-**P16**/No (if no put in order on hold)

GROUNDWATER SOURCE:
+ 5 acres <*POU*> - 066-**P55**, 067, 065, 03A
=/- 5 acres <*POU*> - 066-**P55**, 067, 065, 057

DRILLING PERMIT - P/D same Yes/No (if no show Shelley)
Number - 63-92-C-0180-000, drilled 8/92
Existing well - 068

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA

CONDITION CODES: - 069, _____ _____

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

PARAGRAPH CODES: - _____ _____ _____

STANDARD REMARKS: - 1) WB8, 2) W06, 3) Water Zone 50'-160',
_____

BENEFICIAL USE DUE: - 6-1-1996

COMMENTS: - _____

MEMORANDUM

TO: Application for Permit No. 63-11776

FROM: Dave Tuthill DT

DATE: January 29, 1996

RE: Review of Application

In accordance with Order Condition No. 3 of the Boise River Basin Amended Moratorium Order dated May 3, 1995, this application has been reviewed and screened by the Department. The review committee consisted of the following personnel:

Mark Slifka, representing well construction concerns.
Janet Crockett, representing water quality concerns.
Shane Bendixsen, representing hydrologic concerns.
Jim Johnson, representing walter allocation concerns.
Dave Tuthill, representing reg. office regulatory concerns.

Any additional conditions of approval found to be needed have been added to the supplemental staff analysis sheet which has been prepared and is included in this file.

FEB 23 1996

Form 202a
Supplement
6/95

RE-ADVERTISING FOR SUPPLEMENTAL IRRIGATION RIGHT (MORATORIUM BACKLOG)

APPLICATION NO. 63-11776

FINAL REGIONAL PROCESSING REVIEW

YES NO

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

___ ✓ Publication dates and paper recorded on application:
___ ✓ Protests received. Final date for protest 9-25-95
___ ✓ Protest dates, resolution of protest recorded on application:
___ ✓ Recommendations attached: Approve, DW
___ ✓ Measuring device required:
___ ✓ Measuring port required:
___ ✓ Water delivered by water master? District #
✓ ___ Special conditions of approval or cover letter:
Post-Moratorium conditions.

___ ✓ See below for additional information.

Recommended Date or Priority 4/8/1992

Recommended by: DW Date 1/29/96

STATE OFFICE REVIEW

___ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

NOTI(**APPLICATION FOR WATER RIGHT**

The Following applicati ;ave been filed to appropriate the public waters of the State of Idaho:

63-11674

SCROGGINS, JEROME
17311 PRIDE LANE
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SWNW Sec 2 T 03N R 04W In CANYON County.
SENW Sec 2 T 0WN R 04W In CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 2/25/1992
In: CANYON County
T03N R04W S02 SWNW SENW
80.0 ACRES TOTAL
Water bearing zone to be appropriated is 40 to 300 feet.

63-11718

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NENE Sec 13 T 03N R 03W in CANYON County.
Use: IRRIGATION (0.720 CFS)
Total Diversion: (0.720 CFS)
Date Filed: 3/17/1992
In: CANYON County
T03N R03W S13 NENE
36.0 ACRES TOTAL
Water bearing zone to be appropriated is 200 to 250 feet.

63-11719

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SWNE Sec 7 T 03N R 04W in CANYON County.
Use: IRRIGATION (4.540 CFS)
Total Diversion: (4.540 CFS)
Date Filed: 3/17/1992
In: CANYON County
T03N R04W S07 SWNE NWSE SWSE SESE
S08 NWSW SWSW
227.0 ACRES TOTAL
Water bearing zone to be appropriated is 350 to 400 feet.

63-11761

ZAMORA JR, RUBEN
PO BOX 57
HUSTON, ID 83630
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec 18 T 03N R 03W In CANYON County.
SESW Sec 18 T 03N R 03W in CANYON County.
Use: IRRIGATION (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 4/7/1992
In: CANYON County
T03N R03W S18 Lot 3(NWSW)
S36 Lot 4(SWSW) SESW
51.1 ACRES TOTAL
Water bearing zone to be appropriated is 80 to 300 feet.

63-11773

TRACY, MARK S
TRACY, SUSAN
10506 FARNER RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SENW Sec 10 T 02N R 03W in CANYON County.
Use: IRRIGATION (1.140 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (1.180 CFS)
Date Filed: 4/16/1992
In: CANYON County
T02N R03W S10 SWNW SENW NESW NWSW
97.0 ACRES TOTAL
Water bearing zone to be appropriated is 200 to 300 feet.

63-11776 1 of

BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NWSE Sec 11 T 02N R 02W in CANYON County.
Use: IRRIGATION (1.260 CFS)
Total Diversion: (1.260 CFS)
Date Filed: 4/8/1992
In: CANYON County
T02N R02W S11 NESW SESW NWSE
63.0 ACRES TOTAL
Water bearing zone to be appropriated is 50 to 160 feet.

63-11833

GOODING, FRED
23669 BATT CORNER RD
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt: LOT 2 (NENWNE) Sec 2 T 04N R 05W in CANYON County.
Use: IRRIGATION (2.160 CFS)
Total Diversion: (2.160 CFS)
Date Filed: 5/15/1992
In: CANYON County
T04N R05W S02 Lot 1(NENE) Lot 2(NWNE) SWNE
108.0 ACRES TOTAL
Water bearing zone to be appropriated is 125 to 510 feet.

63-11885

ROBERTSON, STEPHEN C
18835 SYMMS RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWNW Sec 36 T 03N R 04W in CANYON County.
Use: IRRIGATION (0.150 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.190 CFS)
Date Filed: 6/24/1992
In: CANYON County
T03N R04W S36 NWNW
5.0 ACRES TOTAL
Water bearing zone to be appropriated is 150 to 200 feet.

63-11933

ASCUAGA FARMS INC
18785 ELTON LN
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NESE Sec 36 T 05N R 04W in CANYON County.
Use: IRRIGATION (3.000 CFS)
Total Diversion: (3.000 CFS)
Date Filed: 9/28/1992
In: CANYON County
T05N R04W S36 NESW SESW NESE NWSE
SWSE
161.0 ACRES TOTAL
Water bearing zone to be appropriated is 80 to 100 feet.

63-12257

NOHEJL, JOSEPH M
2107 E LINDEN #109
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWNW Sec 9 T 05N R 03W in CANYON County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 8/7/1995
In: CANYON COUNTY
T05N R03W S09 NWNW

63-12266

M & M MOUNTAINVIEW SUBDIVISION INC
4319 DIANE ST
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SWNW Sec 8 T 02N R 01 W in CANYON County.
Use: DOMESTIC (0,250 CFS)
Total Diversion: (0.250 CFS)
Date Filed: 8/23/1995
In: CANYON County
T02N R01W S08 SWNW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203 A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before SEPTEMBER 25, 1995. The protestant must also send a copy of the protest to the applicant

KARL J. DREHER, Director
September 6, 13, 1995

FEB 2 3 1996

63-11776

BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686

Source: GROUNDWATER

Diversion Pt: NWSE Sec 11 T 02N R 02W in CANYON County.

Use: IRRIGATION (1.260 CFS)
Total Diversion: (1.260 CFS)

Date Filed: 4/ 8/1992

In: CANYON County
T02N R02W S11 NESW SESW NWSE

63.0 ACRES TOTAL

Water bearing zone to be appropriated is 50 to 160 feet.

RECEIVED
FEB 23 1996

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: LG DATE: 4/ APPLICATION: 63-11776

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:
- ✓ P/D
- ✓ 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:
___	✓	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 Supplementar 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 4 1992
Department of Water Resources

PROCESSING

APPLICATION NO. 63-11776

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		✓	U.S. BLM
	✓	I.D. Fish and Game		✓	U.S. Forest Svc.
	✓	I.D. Lands		✓	Water Dist. #
	✓	Adjudication Bureau		✓	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 May 26, 1992
	✓	Protest dates, resolution of protest recorded on application:
	✓	Recommendations attached: Approve, DW
	✓	Measuring device required:
	✓	Measuring port required:
	✓	Water delivered by water master? District #
✓		Special conditions of approval or cover letter:

Moratorium Conditions, 46

	✓	See below for additional information

Recommended Date or Priority 4/8/1992

Recommended by: DW Date 6/2/1992

STATE OFFICE REVIEW

___ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

RECEIVED
AUG 0 1 1995
WATER RESOURCES
WESTERN REGION

RESPONSE FORM

Boise River Basin Moratorium Application

Name of Applicant: AL Birt

Address: 4609 Southside Blvd.
Nampa Id. 83686

Water Right No.: 63-11776

Do you wish to proceed with development of the water right as proposed in the application? V 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? 50 ft to 160 ft

Signature: Al Birt

Printed Name: AL Birt

Please return this form to:

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

RECEIVED
FEB 23 1996

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).

FEB 2 3 1996

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)

FEB 23 1996

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 29, 1994

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

RE: PERMIT NO. M63-11776

REINSTATEMENT OF PERMIT APPROVAL

Dear Reinstated Permit Holder(s):

Enclosed is an reinstatement order **authorizing diversion of water** under the above referenced permit.

The Department has reinstated your permit for the remainder of the 1994 irrigation season and the reinstatement will expire on November 15, 1994. When your permit expires, you must make the pump and motor inoperable, and you cannot operate the pump without approval from the Department of Water Resources. The Director may reinstate the permit again next year if drought conditions persist.

Please remember water diverted under your reinstated permit is only to be used on the lands identified on your permit. You must obtain the approval of the Department before using your water anywhere else.

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 you have any questions please let me know.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

AUG 09 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION) FOR PERMIT NO. 63-11776 IN) THE NAME OF AL BIRT)

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.

AUG 0 9 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 29th ~~day~~ of July, 1994.

L. GLEN SAXTON
Chief, Water Allocation Bureau

AUG 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. M63-11776
(See cover letter)

2. a) Person responding to this questionnaire

Al Birt

b) Relationship to applicant? Self

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)

Ridenbaugh

5. What date do you expect this to occur? 9-1-94

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.

CROP	ACRES	ACRE FEET
Alfalfa	20	10
Grass	10	5

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.

RECEIVED
JUL 28 1994
Department of Water

AUG 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 20, 1994

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

RE: Water Right No. M63-11776

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

AUG 09 1994

March 31, 1994

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

RE: Water Right No. M63-11776

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

Form 238-7
4/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name AL BIRT

Address 4609 Southside Blvd.
Nampa, Idaho 83686

Drilling Permit No. 63-92-c-180

Water Right Permit No. [redacted]-11776

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

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

4. METHOD DRILLED

☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	10 inches	+ 1½ feet	18½ 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 _____ Type _____
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 _____
Placed from _____ feet to _____ feet

Surface seal depth 18½ 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: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 50 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 _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
12	0	2	Top soil/hard pan		x
	2	16	Hard pan/loose lava		x
	16	30	Lava		x
10	30	37	Lava crevices		x
	37	67m	Loose lava/cinders	x	
	67	91	Lava		x
	91	139	Lava crevices	x	

RECEIVED
OCT 30 1992
Department of Water Resources
Western Regional Office

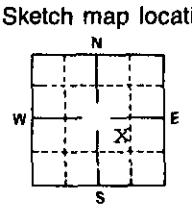
AUG 09 1994

10.

Work started 8-11-92 finished 8-11-92

6. LOCATION OF WELL

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



Subdivision Name _____
Lot No. _____ Block No. _____
County Canyon
Address of Well Site same
(give at least name of road)
T. 2 N ☒ or S ☐
NW ¼ Se ¼ Sec. 11, R. 2 E ☐ or W ☒

11. DRILLER'S 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 Name 413 N. TITT LANE Firm No. 101
Address NAMPA, IDAHO 83687 Date 10-28-92
Signed by Drilling Supervisor Chuck Davis
and
(Operator) _____
(If different than the Drilling Supervisor)

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

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

AL BIRT
4609 SOUTHSIDE BLVD
NAMPA ID 83686

RE: PERMIT NO. 63-11776

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.

AUG 09 1994

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.

Because your original application requested use(s) in addition to irrigation, it was separated into two permits. You were issued this temporary permit for the irrigation portion and a permanent permit was issued for the other use(s). When this temporary permit expires, you are allowed to divert only the amount authorized under permanent Permit No. 63-11881.

Sincerely,

JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

AUG 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11776

Proposed Priority: April 8, 1992 Maximum Diversion Rate: 1.26 CFS
This is to certify, that **AL BIRT**
4609 SOUTHSIDE BLVD
NAMPA ID 83686
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	1.26 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 11, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02N	02W	11	NESW	20	SESW	3	NWSE	40	63

Total number of acres irrigated: 63

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.

AUG 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11776

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

30th day of June, 1992

for R. Keith Higginson, Director

RECEIVED
AUG 09 1994

MEMORANDUM

TO: Application 63-11776

FROM: Brenda

DATE: June 26, 1992

RE: **TEMPORARY MORATORIUM PERMIT**
OTHER USE(S) PERMANENT PERMIT

==========

The above referenced application has been approved as a Temporary M-Permit for the irrigation portion only.

The stockwater portion of the permit was assigned a new number, 63-11881, and issued a permanent permit for that use only.

AUG 09 1994

Form 235-1
6/92

Drilling Permit No. 63-92-C-180
Water Right Permit 63-11776
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** AL BIRT

2. **Mailing Address** 4609 Southside BLVD.

City & State NAMPA ID Zip Code 83686 Telephone 466-1826

(X) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** NW 1/4 SE 1/4, or Gov't Lot No. _____

Sec. 11, Twp. 2N, Rge. 2W, County CANYON

Street Address of Well Site Same as above

Lot, block and subdivision _____

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(X) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

( ) Other _____
(Describe)

5. **Well construction information:**

A. (X) New well ( ) Deepen ( ) Modify ( ) Replace - See Condition 9

B. Proposed Casing Diameter 10" Proposed Maximum Depth 150'

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

RECEIVED AUG 09 1994

6. **Construction Start Date** 1st to 2nd week of July

7. **Anticipated Well Driller** DAVIS WELL DRILLING
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** Melita Birt Date 6-26-92

Title OWNER
(Owner, Firm Representative, Other)

ACTION OF TH[E] DEPARTMENT OF WATER RES[O]URCES

This Permit is Approved. Date June 30, 1992.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

THE WELL 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 PRIOR TO CONSTRUCTION.

IF THE WELL IS DRILLED DEEPER THAN 100 FEET, THE SURFACE SEAL MUST CONSIST OF CEMENT OR BENTONITE CLAY GROUT AND EXTEND FROM LAND SURFACE TO A DEPTH OF NOT LESS THAN 75 FEET BELOW LAND SURFACE, OR 5 FEET INTO THE NEXT SIGNIFICANT CONFINING LAYER, WHICHEVER IS GREATER.

Bobby D. Fleener — Signature of Authorized Department Representative

Chief, Resource Protection Bureau — Title

Receipt No. C024709 Receipted by BLM Fee 200.00 Date June 26, 1992

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date AUG 09 1994

This extension expires: _____

Water Right # 63-11776

RECEIVED
JUN 2 1992
Department of Water Resources

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.

  Nampa Meridian irrigation District, Ridenbaugh canal

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

  7 years

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

  Alfalfa, corn, Barley, oats pasture

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 27TH day of May, 1992.

RECEIVED
09 1992

(Please sign) [signature]

63-11776

LEGAL NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11746

TAKASUGI, MICHIO
2431 JACK RD
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt: SWNE Sec 13 T 04N R 05W in CANYON County. (1.600 CFS)
Use: IRRIGATION Total Diversion: (1.600 CFS)

Date Filed: 4/2/1992
In: CANYON County
T04N R05W S13 NWNE SWNE
80.0 ACRES TOTAL

63-11754

FARNER, VIRGIL E
FARNER, MABEL
11153 FARNER RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SENE Sec 5 T 02N R 03W in CANYON County. (1.480 CFS)
Use: IRRIGATION Total Diversion: (1.480 CFS)

Date Filed: 4/6/1992
In: CANYON County
T02N R03W S05 Lot 1 (NENE) SENE
74.0 ACRES TOTAL

63-11764

BRYAN C RAMBO CRUSHING CO INC
8301 CHERRY LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: LOT 4 (NWNW) Sec 5 T 02N R 02W in CANYON County. (.030 CFS)
Use: IRRIGATION (.020 CFS)
INDUSTRIAL (.020 CFS)
DOMESTIC Total Diversion: (.070 CFS)

Date Filed: 4/8/1992
In: CANYON County
T02N R02W S05 Lot 4 (NWNW)
1.0 ACRES TOTAL

63-11765

YAMAMOTO FARMS INC
20294 MIDLAND BLVD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NENWSW Sec 22 T 04N R 02W in CANYON County. (1.440 CFS)
Use: IRRIGATION Total Diversion: (1.440 CFS)

Date Filed: 4/10/1992
In: CANYON County
T04N R02W S21 NESE NWSE SESE
S22 NWSW
72.0 ACRES TOTAL

53-11766

YAMAMOTO FARMS INC
20294 MIDLAND BLVD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SENESE Sec 20 T 04N R 02W in CANYON County. (1.600 CFS)
Use: IRRIGATION Total Diversion: (1.600 CFS)

Date Filed: 4/10/1992
In: CANYON County
T04N R02W S20 SWNE SENE NESE NWSE SWSE

80.0 ACRES TOTAL

63-11768

MORROW, KENNETH L
1616 LAKE LOWELL AVE
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SESW Sec 29 T 03N R 02W in CANYON County.
SWSE Sec 29 T 03N R 02W in CANYON County.
Use: IRRIGATION (1.080 CFS)
Total Diversion: (1,080 CFS)

Date Filed: 4/14/1992
In: CANYON County
T03N R02W S29 SESW SWSE
54.0 ACRES TOTAL

AFFIDAVIT OF PUBLICATION

TATE OF IDAHO)
) ss.
ounty of Canyon)

Mary B. Scott

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

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

2. That I am the Principal Clerk of the Idaho Press-Tribune, a ily, (except Saturday) newspaper published in the City of mpa and Caldwell, in the County of Canyon, State of Idaho; it the said newspaper is in general circulation in the said unty of Canyon, and in the vicinity of Nampa and Caldwell, and s been uninterruptedly published in said County during a period seventy-eight consecutive weeks prior to the first publication of notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was blished in said newspaper

Two Times

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

4. That said notice was published the following dates:

May 6, 13, 1992

Mary B. Scott

TE OF IDAHO)
)
JNTY OF CANYON)

this 13th day of May in the r of 1992, before me, a Notary Public, personally eared Mary B. Scott, known lentified to me to be the person whose name subscribed to the in instrument, and being by me first duly sworn, declared the statements therein are true, and acknowledged to me that he executed the same.

Janice Lusk

Notary Public for Idaho
Residing at Nampa

AUG 09 1994

63-11772

MILLER LAND CO INC
C/O JOHN MILLER
BOX-2124C HWY 45
MELBA, ID 83647
Source: GROUNDWATER
Diversion Pt: SENE Sec 21 T 01N R 02W In CANYON County.
Use: IRRIGATION (2.190 CFS)
Total Diversion: (2.190 CFS)

Date Filed: 4/15/1992
In: CANYON County
T01N RO2W S22. NWSW SWSW
S27 NENW NWNW
154.0 ACRES TOTAL

63-11773

TRACY, MARK S
TRACY, SUSAN
6627 BENNETT RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SENW Sec 10 T 02N R 03W In CANYON County.
Use: IRRIGATION (1.140 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (1.180 CFS)

Date Filed: 4/16/1992
In: CANYON County
T02N R03W S10 SWNW SENW NESW NWSW
97.0 ACRES TOTAL

63-11776

BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686
Source: GROUNDWATER
Dversion Pt: NWSE Sec 11 T 02N R 02W In CANYON County.
Use: IRRIGATION (1.260 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (1.280 CFS)

Date filed: 4/8/1992
In: CANYON County
T02N R02W S11 NESW SESW NWSE
63.0 ACRES TOTAL

63-11778

REINEKE, RICHARD L
REINEKE, JANICE
539 HILL RD
MELBA, ID 83641
Source: GROUNDWATER
Dversion Pt: SWNW Sec 34 T 01N R 02W In CANYON County.
Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 4/17/1992
In: CANYON County
T01N R02W S34 SWNW SENW NESW NWSW
102.0 ACRES TOTAL

63-11782

STEPHENSON, GLEN K
1920 KARCHER RD
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SWSE Sec 1 T 03N R 03W In CANYON County.
Use: IRRIGATION (1.080 CFS)
Total Diversion: (1.080 CFS)

Date Filed: 4/16/1992
In: CANYON County
T03N R03W S01 SESW SWSE
54.0 ACRES TOTAL

63-11785

MONTGOMERY CAVES, INEZ E
7140 HOVE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SENE Sec 2 T 01S R 02W In CANYON County.
Use: IRRIGATION (.420 CFS)
Total Diversion: (.420 CFS)

Date Filed: 4/23/1992
In: CANYON County
T01S R02W S02 SENE
21.0 ACRES TOTAL

63-11789

MC NEIL, FLORENCE
2375 CENTER AVE
PAYETTE, ID 83661
Source: GROUNDWATER
Diversion Pt: NWNE Sec 27 T 05N R 04W In CANYON County.
Use: IRRIGATION (1.200 CFS)
Total Diversion: (1.200 CFS)

Date Filed: 4/20/1992
In: CANYON County
T05N R04W S27 NWNE SWNE NWSE
80.0 ACRES TOTAL

63-11792

NICHOLS, REX
31858 HOB LN
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt: NENE Sec 30 T 06N R 05W In CANYON County.
Use: IRRIGATION (1.200 CFS)
Total Diversion: (1.200 CFS)

Date Filed: 4/24/1992
In: CANYON County
T06N R05W S30 NENE NWNE SWNE SENE
64.8 ACRES TOTAL

63-11793

ECHEVARRIA, RICK
ISAGUIRRE, MARGIE
ISAGUIRRE, RUFO
PO BOX 83
HOMEDALE, ID 83628
Source: GROUNDWATER
Diversion Pt: SENW Sec 34 T 04N R 05W In CANYON County.
Use: IRRIGATION (.800 CFS)
Total Diversion: (.800 CFS)

Date Filed: 4/2/1992
In: CANYON County
T04N R05W S34 SENW
40.0 ACRES TOTAL

63-11794

SWENSON, LEON
18822 DEAN LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SWNE Sec 36 T 04N R 02W In CANYON County.
Use: IRRIGATION (1.460 CFS)
Total Diversion: (1.460 CFS)

Date Filed: 4/27/1992
In: CANYON County
T04N R02W S36 NWNE SWNE
73.0 ACRES TOTAL

63-11796

BROWN, HUGH D
7226 E CHERRY LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SESE Sec 15 T 03N R 02W In CANYON County.
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 4/8/1992
In: CANYON County
T03N R02W S15 SESE
10.0 ACRES TOTAL

63-11797

PROESCH, ROBERT M
2283 CANYON RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 14 T 01S R 02W In CANYON County.
Use: IRRIGATION (1.800 CFS)
Total Diversion: (1.800 CFS)

Date Filed: 4/16/1992
In: CANYON County
T01S R02W S11 SWSE
S14 SWNE SENE
90.0 ACRES TOTAL

63-11799

SHIRLEY, JAMES R
SHIRLEY, ELAINE J
6900 BROWN LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NESW Sec 8 T 02N R 01W In CANYON County.
Use: IRRIGATION (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 4/20/1992
In: CANYON County
T02N R01W S08 NESW
1.0 ACRES TOTAL

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 MAY 26, 1992.
R. KEITH HIGGINSON
Director
DEPARTMENT OF WATER RESOURCES
May 6, 13, 1992

AUG 09 1994

63-11776

BIRT, AL
4609 SOUTHSIDE BLVD
NAMPA, ID 83686

Source: GROUNDWATER

Diversion Pt: NWSE Sec 11 T 02N R 02W in CANYON County.

Use: IRRIGATION (1.260 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (1.280 CFS)

Date Filed: 4/ 8/1992

In: CANYON County
T02N R02W S11 NESW SESW NWSE

63.0 ACRES TOTAL

AUG 09 1994