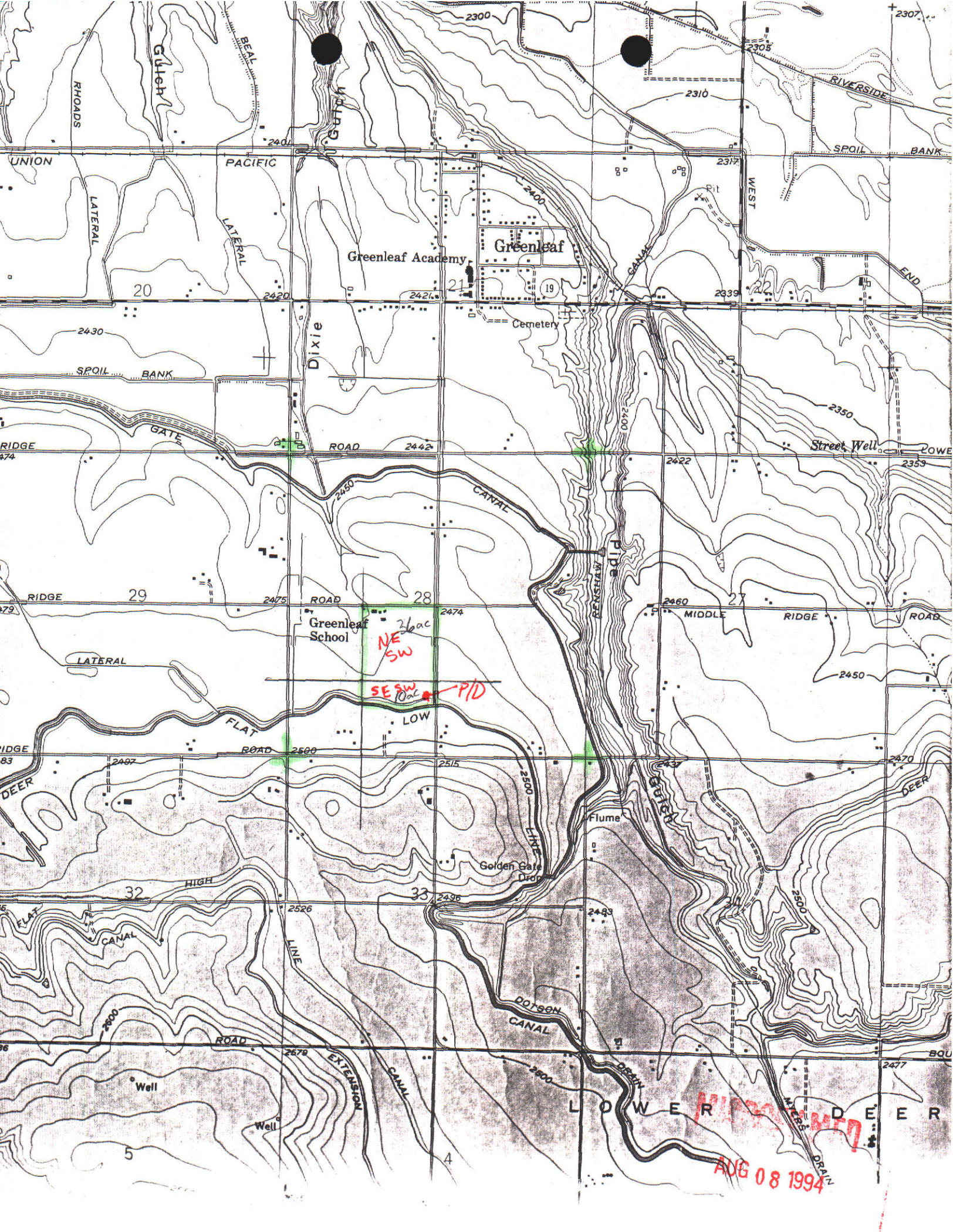




Greenleaf Academy

Greenleaf

Cemetery

Dixie

Greenleaf School

26ac
NE
SW

SE SW

LOW

Golden Gate

Flume

DORSON
CANAL

LOWER DEER

AUG 08 1994

RECEIVED

APR 15 1996

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 who has been appointed by the department.

1. Permit No. 63-11647 Telephone No. 208-459-6055
2. Name(s) of Permit Holder(s): Harris Orchard
3. Mailing Address: P.O. Box 23 Greenleaf Ida. 83626
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 6/15 yr. 92
 - a. Well Driller: Pete Cope Drilling Permit Number: 63- - -
 - b. **OPTIONAL:**
Pump Horsepower: 25 Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 46 Other:
6. Total rate of diversion and/or volume for which proof is submitted: .92 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☒	or	No ☐
	Has the measuring device been installed?	Yes ☒	or	No ☐
Flow Measurement Port:	Is a flow measurement port required?	Yes ☐	or	No ☒
	Has the measurement port been installed?	Yes ☐	or	No ☒
8. Fee Enclosed: \$ 100.00 (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: Chester Harris Telephone Number: 208-459-6055
Address: P.O. Box 23 Greenleaf Ida. 83626
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: Chester Harris Date: April 15, 1996
(include your title, if on behalf of company or organization)

APR 30 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 63-11647

Proposed Priority: February 11, 1992 Maximum Diversion Rate: 0.92 CFS

This is to certify, that **HARRIS ORCHARD**
PO BOX 23

GREENLEAF ID 83626-0023

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	0.92 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 28, Township 04N, Range 04W
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>
04N	04W	28	NESW 36.0	SESW 10.0		46.0

Total number of acres irrigated: 46.0

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, 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 permit 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 250 to 350 feet.

JAN 24 1996

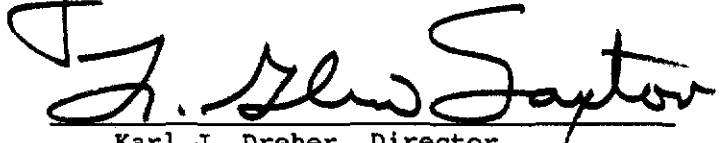
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11647

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

12th day of January, 1996


Karl J. Dreher, Director
for

JAN 24 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HARRIS ORCHARD 208-459-6055

Address: BOX 23

GREENLEAF ID 83626

2. Source: GROUNDWATER

3. Location of Point of Diversion:

Trib. to:

~~NE~~SESW Sec. 28, Township 04N, Range 04W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.920		

5. Total quantity to be appropriated is:

~~0.992~~ CFS (and/or) AF
0.92

6. Proposed diverting works:

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

WELL W/ OPEN DISCHARGE

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 200 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 1 years.

8. Description of proposed uses:

IRRIGATION FOR ORCHARD

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
04N	04W	28	NESW 36	SESW 10		46

Total number of acres irrigated: 46

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

WILDER I.D.

AUG 08 1934

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.

(owner) Chester S. Harris
Applicant

Received by RW Date 2-11-92 Time 10:00 Preliminary check by CJH

Fee \$ 45.00 Receipted by RW # W014132 Date 2-11-92

Publication prepared by ST GG Date 2/26/92 Published in Press-Tribune
3/4 & 3/11/92

Publication approved ST Date 3-23-92

JK 7-14-95

6/21 6/28/95

HARRIS ORCHARD
Box 23 Phone 459-8055
Greenleaf, Idaho 83626



APPLE A DAY

AUG 08 1994

Chester Harris
(208) 459-8055

Residence
20821 Tucker Rd.

AUG 08 1994

Idaho Department of Water Resources
Water Rights Remarks Screen

Date: 06/11/95
Time: 12:29:56

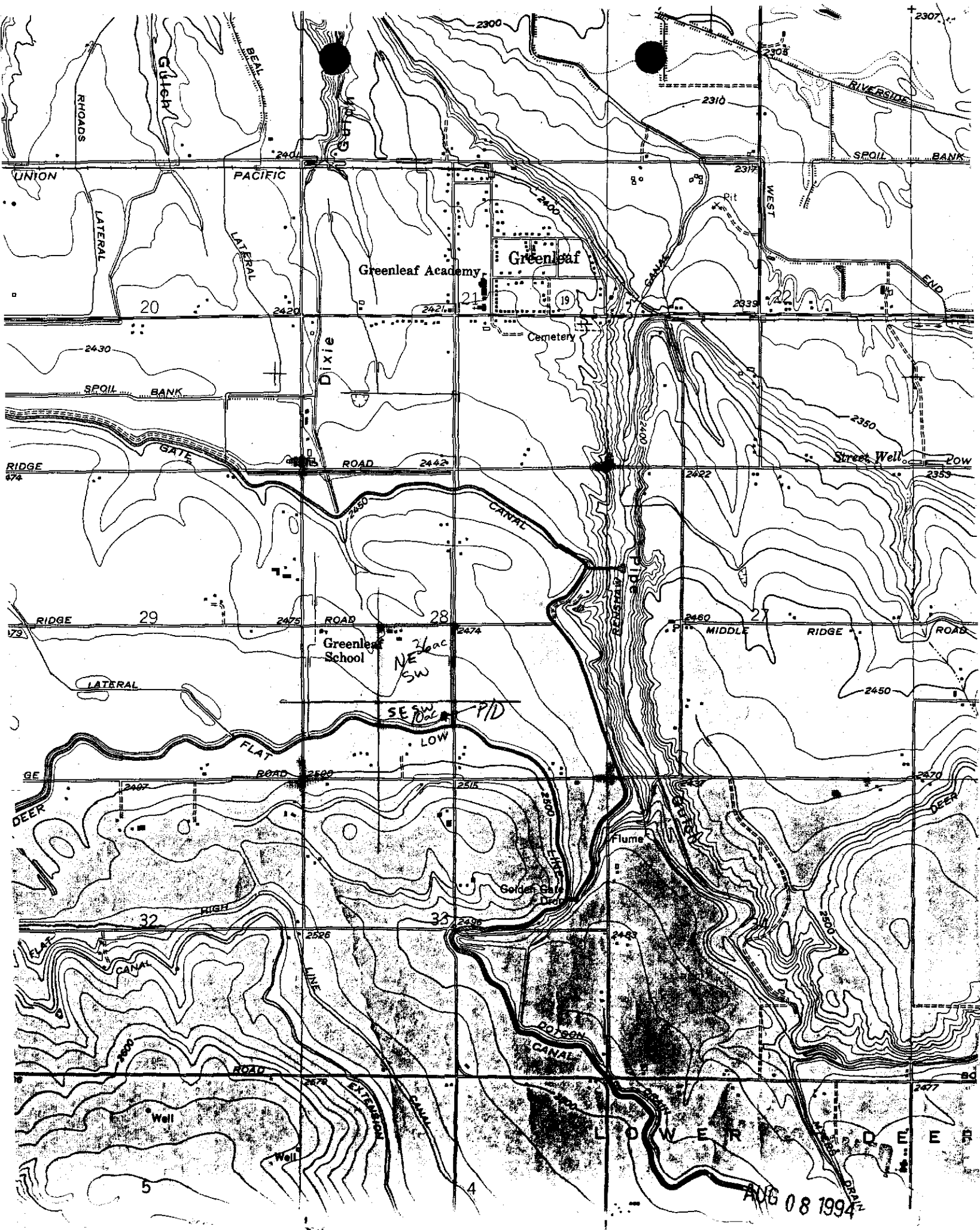
Water Right Number: 63-11647

FIRST PAGE

13. Remarks: Water bearing zone to be appropriated is 250 to 350 feet. _____

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(GOLD2=Update)      (GOLD4=Prev Screen)      (GOLD6=End of Data)      (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen)      (GOLD8=Cancel)
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(W.R. only)

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

RECEIVED

JUL 12 2001

WATER RESOURCES
WESTERN REGION

[] Name(s):

HARRIS ORCHARDS

RECEIVED

JUL 19 2001

[] Old Mailing Address:

PO BOX 23

Department of Water Resources

GREENLEAF ID 83626-0023

[] New Mailing Address:

20821 TUCKER RD

GREENLEAF ID 83626

Telephone Number:

(208) 459 - 6055

X

Signature(s)

(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Chister L. Harris

Owner
(include your title if on behalf of company or organization)

Date:

7-10-01

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region ✓
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037



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

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 83626-0023

RE: Water Right No. 63-11647

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
Chief, Water Allocation Bureau

cc: IDWR - W. Region

RECEIVED

AUG 21 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-11647 Reviewed by Jay Date 4-16-96

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received? Correct Uses? Yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
Yes Drilling permit required?
no Copy in the file? Drilling Permit No. 63 92-W-0397-000
200- Amount paid for permit Yes Correct?
Yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

Yes Required?
100- Amount Submitted
Yes Correct?
Yes Required?
Yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 4-15-96

April 17, 1996

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 836260023

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11647

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 30 1996

February 28, 1996

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 836260023

PROOF DUE NOTICE

RE: PERMIT NO. 63-11647

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, 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.

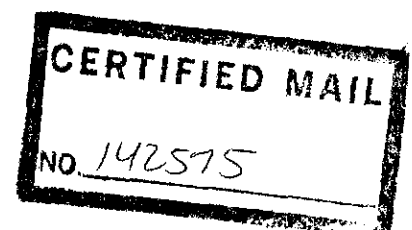
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED
INDEXED

APR 30 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 83626-0023

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11647

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. If you have questions about these requirements, please call the department at (208) 327-7900 and ask for someone in the Water Distribution Section.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

RECORDED

JAN 24 1996

by Cindy Zimmerman
Date: 1/11/96

COMMENTS: - ① Partners

MEMORANDUM

DATE: September 8, 1995
TO: File No. 63-11647
FROM: Cindy Zimmerman
SUBJECT: Partners

=====

Per telecon with Chester Harris today, the partners of Harris Orchard are Chester Harris and his son, Steve Harris.

MICROFILMED

JAN 24 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

August 22, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 83626

RE: Application for Permit No. 63-11647

Dear Sirs:

I received the above application for permit for irrigation use for final review. However, due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Harris Orchard.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

JAN 24 1996

MEMORANDUM

TO: Application for Permit No. 63-11647
FROM: Dave Tuthill *Dts*
DATE: August 17, 1995
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:

Doug Davidson, representing well construction concerns.
Janet Crockett, representing water quality concerns.
Shane Bendixsen, representing hydrologic concerns.
Dave Tuthill, representing 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.

RECEIVED

JAN 24 1996

RE-ADVERTISING FOR SUPPLEMENTAL
IRRIGATION RIGHT (MORATORIUM BACKLOG)

APPLICATION NO. 63-11647

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 7-10-95
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached: Approve, Deny
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter: _____
Well drilled. Allow 1 year.

☐ ☒ See below for additional information.

Recommended Date or Priority 2/11/1992

Recommended by: Orin Date 8/21/95

STATE OFFICE REVIEW _____

☐ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

JAN 24 1996

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:

June 21, 28, 1995

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 28th day of June
in the year of 1995, 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.

2097

RECEIVED
JUN 29 1995
WATER RESOURCES
WESTERN REGION

JAN 24 1996

Jeanne Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

The original newspaper affidavit

is in file # 02-07464.

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 JULY 10, 1995. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
June 21, 28, 1995

LEGAL NOTICES

LEGAL NOTICES

LE

104N R02W S27 SWSW
S28 SESE
S34 NWNW SWNW
146.0 ACRES TOTAL
Water bearing zone to be appropriated is 280 to 300 feet.
63-11665

WOODARD, STEPHEN E
18139 DEAN LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SENW Sec 28 T 04N R 02W in CANYON County.
Use: IRRIGATION { 0.800 CFS }
Total Diversion { 0.800 CFS }
Date Filed: 2/19/1992
In: CANYON County
T04N R02W S26 SENW
40.0 ACRES TOTAL
Water bearing zone to be appropriated is 105 to 145 and 180 to 200 feet.
63-11668

NOE, LLOYD
NOE, JOAN
6601 DICKMAN RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SESE Sec 24 T 01N R 02W in CANYON County.
Use: IRRIGATION { 2.400 CFS }
Total Diversion { 2.400 CFS }
Date Filed: 2/13/1992
In: CANYON County
T01N R02W S24 SESE
S25 NENE NWNE
120.0 ACRES TOTAL
Water bearing zone to be appropriated is 180 to 250 feet.
63-11669

CHASE, CARL F
12317 LONE STAR RD
NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: SESE Sec 18 T 03N R 02W in CANYON County.
Use: IRRIGATION { 2.840 CFS }
Total Diversion { 2.840 CFS }
Date Filed: 2/18/1992
In: CANYON County
T03N R02W S18 NESW Lot 3(NWSW) SESE NESE
NWSE SWSE
142.0 ACRES TOTAL
Water bearing zone to be appropriated is 18 to 80 feet.
63-11670

WISSEL, CLINTON
WISSEL, JUDITH
15451 MIDWAY RD
NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec 18 T 03N R 02W in CANYON County.
Use: IRRIGATION { 3.600 CFS }
Total Diversion { 3.600 CFS }
Date Filed: 2/25/1992
In: CANYON County
T03N R02W S18 Lot 3(NWSW) Lot 4(SWSW)
R03W S13 SWNE SENE NESE NWSE
180.0 ACRES TOTAL
Water bearing zone to be appropriated is 100 to 300 feet.
63-11677

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWSW Sec 22 T 03N R 04W in CANYON County.
Use: IRRIGATION { 1.280 CFS }
Total Diversion { 1.280 CFS }
Date Filed: 2/10/1992
In: CANYON County
T03N R04W S22 NWNE SWNE NENW
64.0 ACRES TOTAL
Water bearing zone to be appropriated is 150 to 600 feet.
63-11678

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWSW Sec 14 T 03N R 04W in CANYON County.
Use: IRRIGATION { 2.000 CFS }
Total Diversion { 2.000 CFS }
Date Filed: 2/10/1992
In: CANYON County
T03N R04W S14 SWNW NWSW SWSW
100.0 ACRES TOTAL
Water bearing zone to be appropriated is 335 to 700 feet.
63-11679

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWNW Sec 28 T 03N R 04W in CANYON County.
Use: IRRIGATION { 2.000 CFS }
Total Diversion { 2.000 CFS }
Date Filed: 2/10/1992
In: CANYON County
T03N R04W S26 NWNW SWNW
S27 NENE
100.0 ACRES TOTAL
Water bearing zone to be appropriated is 160 to 400 feet.
63-11682

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07464

NICHOLSON, THOMAS T
PO BOX 690
MERIDIAN, ID 83642
Source: SNAKE RIVER Tributary: COLUMBIA RIVER
Diversion Pt: LOT 7 (SWSWNE) Sec 36 T 01N R 03W in CANYON County.
Use: IRRIGATION { 6.910 CFS }
STOCKWATER { 0.120 CFS }
Total Diversion: { 6.910 CFS }
Date Filed: 5/25/1995
In: CANYON County
T01N R03W S22 Lot 5(SENW) Lot 6(NESW) Lot 7(NWSE) Lot 8(SWSE)
Lot 9(SESE)
S25 NWSW SWSW SESW
S26 SWNE NENW NWNW Lot 2(SWNW)
Lot 4(SESW) NESE Lot 3(NWSW) Lot 4(SWSW)
SESE NWSE SWSE
S27 Lot 4(NENE) Lot 4(SENE)
S35 Lot 6(NENE) Lot 5(NWNE) Lot 5(NENW)
S36 NENW Lot 5(NWNW) Lot 8(SWNW) Lot 6(SENW)
429.0 ACRES TOTAL
63-11632

HOLTON, HARVEY
19595 NORTHSIDE BLVD
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: NWSW Sec 27 T 04N R 02W in CANYON County.
Use: IRRIGATION { 2.880 CFS }
Total Diversion { 2.880 CFS }
Date Filed: 2/3/1992
In: CANYON County
T04N R02W S27 NWNW SWNW NWSW
S28 NENE SENE
144.0 ACRES TOTAL
Water bearing zone to be appropriated is 25 to 280 feet.
63-11642

MAI, CARL
16759 FLORIDA AVE
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SENW Sec 11 T 03N R 03W in CANYON County.
Use: IRRIGATION { 1.480 CFS }
Total Diversion { 1.480 CFS }
Date Filed: 2/6/1992
In: CANYON County
T03N R03W S11 NENW SENW
74.0 ACRES TOTAL
Water bearing zone to be appropriated is 175 to 215 feet.
63-11647

HARRIS ORCHARD
BOX 23
GREENLEAF, ID 83626
Source: GROUNDWATER
Diversion Pt: NESESW Sec 28 T 04N R 04W in CANYON County.
Use: IRRIGATION { 0.920 CFS }
Total Diversion { 0.920 CFS }
Date Filed: 2/11/1992
In: CANYON County
T04N R04W S28 NESW SESW
46.0 ACRES TOTAL
Water bearing zone to be appropriated is 250 to 350 feet.
63-11651

JAN 24 1996

63-11647

HARRIS ORCHARD
BOX 23
GREENLEAF, ID 83626

Source: GROUNDWATER

Diversion Pt: NESESW Sec 28 T 04N R 04W in CANYON County.

Use: IRRIGATION	(	0.920 CFS)
Total Diversion:	(	0.092 CFS)

Date Filed: 2/11/1992

In: CANYON County		
T04N R04W S28	NESW	SESW

46.0 ACRES TOTAL

Water bearing zone to be appropriated is 250 to 350 feet.

RECORDED

JAN 24 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: gy DATE: 2/20/92 APPLICATION: 63-11647

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 Supplementary Analysis Sheet.)
☒	☒	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒	☒	*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
APR 02 1992

Department of Water Resources

"M Appl." released for processing
- FL 6/11/95

PROCESSING

APPLICATION NO. 63-11647

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 March 23, 1982
☐ ☐ 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

RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED

JUN 06 1995

WATER RESOURCES
WESTERN REGION

Name of Applicant: HARRIS ORCHARD

Address: P.O. Box 23

Greenleaf, Id. 83626

Water Right No.: M63-11647

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

(If the response is no, please complete
and return the enclosed withdrawal form.)

X
Yes No

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

250 ft to 350 ft

Signature: Chester Harris

Printed Name: Chester Harris

Please return this form to:

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

MAILED
JAN 24 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.

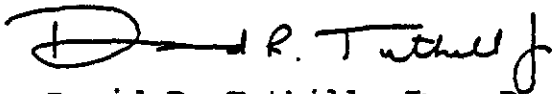
Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your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

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)

RECEIVED

JAN 24 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11647 IN)
THE NAME OF HARRIS ORCHARD)
_____)

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.

MICROFILMED

AUG 08 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.

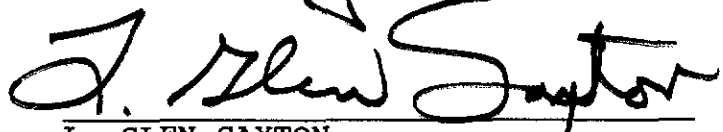
6. This use is subject to all prior water rights.

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



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

July 29, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

HARRIS ORCHARD
BOX 23
GREENLEAF ID 83626-0023

RE: PERMIT NO. M63-11647

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

MAILED

AUG 08 1994

DROUGHT RELIEF QUESTIONNAIRE

RECEIVED

JUL 28 1994

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. M63-11647
(See cover letter)

2. a) Person responding to this questionnaire

Chester Harris (Harris Orchard)

b) Relationship to applicant? Partner

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 yes No

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

Deer Flat Low Line Canal

5. What date do you expect this to occur? Mid-August

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>
Orchard	47.27	2.5

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.

AUG 08 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

HARRIS ORCHARD
BOX 23
GREENLEAF ID 83626

RE: Water Right No. M63-11647

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 18 1994

March 31, 1994

HARRIS ORCHARD
BOX 23
GREENLEAF ID 83626

RE: Water Right No. M63-11647

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

AUG 08 1994

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.

pg 1 of 2

1. WELL OWNER

CHESTER HARRIS

Name _____
P.O. BOX 23 GREENLEAF 83626
Address _____
63-92-W-397
Owner's Permit No. _____

7. WATER LEVEL

Static water level 35 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ OF. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

NEW WELL

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

8. WELL TEST DATA NOT AVAILABLE

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

3. PROPOSED USE

IRRIGATION

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

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
28"					
	0	9	TOPSOIL		X
	9	12	HARD CLAY		X
	12	25	HARD PAN		X
	25	46	SAND GRAVEL ROCK	X	
	46	60	LITE BRN CLAY		X
	60	75	FINE SAND & SANDSTONE	X	
	75	95	BRN & LITE GREEN CLAY		X
	95	125	LITE BRN CLAY		X
	125	165	GRAY CLAY		X
	165	183	FINE TO CRSE SAND W/ PEA GRAVEL		X
	183	228	GRAY CLAY		X
	228	235	FINE TO MED SAND & SAND- STONE	X	
	235	255	SANDY GREY CLAY		X
	255	262	GREY SHALE		X
	262	295	SANDY GREY CLAY W/ SAND	X	
	295	317	FINE TO CRSE SAND	X	
	317	325	SANDY CLAY W/ CRSE SAND		X
	325	330	FINE SAND & SANDSTONE	X	
	330	385	GREY CLAY		X

4. METHOD DRILLED

REVERSE ROTARY

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

5. WELL CONSTRUCTION

SEE ATTACHED

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

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

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
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 ☐ NoManufacturer's name ROSCOE MOSSType CONTINUOUS WIRE Model Nd:HEAVY

Diameter _____ Slot size _____ Set from _____ feet to _____

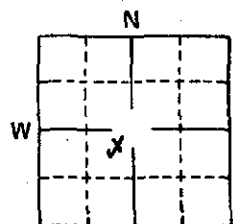
Diameter _____ Slot size _____ Set from _____ feet to _____

Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8"Placed from 385 feet to 90 feetSurface seal depth 90 Material used in seal: ☐ Cement grout☒ Bentonite ☒ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strataDescribe access port 2" PIPE

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____

Lot No. _____ Block No. _____

County CANYONSE 1/4 SW 1/4 Sec. 28, T. 4N S 1 R. 4W W 1

10.

Work started 6/8/92 finished 6/11/92

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name DETE COPE DRILLING Firm No. 213Address 6505 W CHINDEN Date 6/15/92Signed by (Firm Official) Joseph Jonesand
(Operator) Joseph Jones

C

pg 2 of 2

CHESTER HARRIS
P.O. BOX 23
GREENLEAF ID83626
Permit# 63-92-W-397

"16" casing record .250 wall welded

1.5	-	165	166.5
185	-	225	40
235	-	265	30
275	-	300	25
330	-	340	10

271.5 total casing

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

165	-	185	20
225	-	235	10
265	-	275	10
300	-	330	30

70 total screen

341.5 total screen+casing

4N 4W sec 28

AUG 08 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11647

Proposed Priority: February 11, 1992 Maximum Diversion Rate: 0.09 CFS
This is to certify, that HARRIS ORCHARD

BOX 23

GREENLEAF ID 83626

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	0.92 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESW , Sec. 28, Township 04N, Range 04W
CANYON County

<u>PLACE OF USE: IRRIGATION</u>						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	04W	28	NESW 36	SESW 10		46
Total number of acres irrigated:						46

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.

MISSOURI 1177

APR 08 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11647

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

26th day of May, 1992

R. Keith Higginson
for R. Keith Higginson, Director



AUG 08 1992



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

May 26, 1992

COPY

HARRIS ORCHARD
PO BOX 23
GREENLEAF ID 83626

RE: PERMIT NO. 63-11647

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder:

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 is 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 08 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.

Sincerely,

JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

AUG 08 1994

HARRIS ORCHARD

No. 63-11647

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.

WILDER IRRIGATION DISTRICT

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

TEN YEARS

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

ORCHARD - APPLES

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 26 day of May, 1992.

(Please sign)

Chuter S. Harris

AUG 08 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1992

IRVIN &/OR BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

Re: Applications For Permit Nos. 63-11647 (Harris Orchard),
63-11659 (Wild-Ida Corp) and 63-11663 (Charles &/or Doug
Gross)

Dear Protestants:

On March 12 and 19, 1992, this Department received protests from you on the above-referenced applications for permit. On March 23 and 24, 1992, we received withdrawals of protest on these three applications.

Since there are no other protests, we will now forward application nos. 63-11647 and 63-11663 to our State Office for final processing. Application no. 63-11659 in the name of Wild-Ida Corp. was amended and readvertised and will remain in this office until the final protest date of April 6, 1992.

Sincerely,

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

CC: Harris Orchard
Wild-Ida Corp
Charles &/or Doug Gross

RECEIVED

AUG 08 1994

RECEIVED

MAR 23 1992

Department of Water Resources
Western Regional Office

Wilder, Idaho
March 20-1992

Idaho Dept Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Sirs:

In regards to our letter of March 18-1992
we wish to withdraw our protest to

Applications — 63-11647
63-11659
63-11663

as of March 20, 1992.

Sincerely
Irwin Hetrick Jr
Betty Hetrick
26373 Red Top Rd
Wilder, Idaho 83676

RECEIVED

AUG 08 1994

1217 3rd Street South
Nampa, Idaho 83651
Telephones:
Office, 208-467-6508
Residence, 208-459-9046

RECEIVED
MAR 24 1992

TIM HETRICK

Department of Water Resources
Western Regional Office

March 20, 1992

Dept. of Water Resources
David Tuthill
Airport D
Boise, ID

Dear Mr. Tuthill,

Effective immediately I am removing my protest against applications of Harris Orchards, Charles & Doug Gross and Wild-Ida.

Sincerely,



RECEIVED
AUG 02 1992

Special Agent, THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, MILWAUKEE • Life Insurance, Disability Income, Annuities
Robert F. Rice, CLU, General Agent

Registered Representative, NORTHWESTERN MUTUAL INVESTMENT SERVICES, INC. • Variable Annuities, Variable Life Insurance
720 East Wisconsin Avenue, Milwaukee, WI 53202 (414) 271-1444

Investment Officer, ROBERT W. BAIRD & CO. INCORPORATED • Member New York Stock Exchange Inc., other principal exchanges and SIPC
Mutual Funds, Unit Trusts, Money Market Funds, Certificates of Deposit, Treasuries
1555 Shoreline Drive, Suite 240, Boise, ID 83702 (208) 383-0210

RECEIVED

MAR 19 1992

Department of Water Resources
Western Regional Office

Wilder, Idaho
March 18 - 1992

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

Harris Orchard

Sirs;

We are greatly concerned about the water in the Wilder Area, since this is the 6th year of drought. What will be predicted next? We would like to protest application - 63-11647

Diversion Pt: NESESW Sec 28 T04N R04W in
Canyon County (.920 CFS)
Total Diversion (.092 CFS)

T04N R04W S28 NESW SESW
46.0 Acres Total

Thanking you for your time, we are

Im Hetrick
Betty Hetrick
26373 Red Top Rd
Wilder, Idaho 83676

RECEIVED

AUG 08 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 16, 1992

TIM HETRICK
1217 3RD ST SOUTH
NAMPA ID 83651

Re: Application for Permit No. 63-11647 in the Name of Harris Orchard

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

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

DRT/st

RECEIVED

AUG 08 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 16, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

HARRIS ORCHARD
BOX 23
GREENLEAF ID 83626

Re: Application for Permit No. 63-11647

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

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

Enclosure: Copy of protest(s)

AUG 08 1994

1217 3rd Street South
Nampa, Idaho 83651
Telephones:
Office, 208-467-6508
Residence, 208-459-9046

TIM HETRICK

RECEIVED
MAR 12 1992

Department of Water Resources
Western Regional Office

March 9, 1992

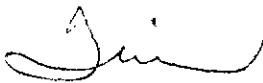
R. Keith Higginson, Director
Dept. Of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705

Dear Sir:

This letter of protest in regards to application permit #63-11647. This application to use 920 CFS for irrigation purposes on section 28 T04N R04W is not in the best interest of the future water use by existing rights.

Please include me as a protestant to this application.

Sincerely,



Tim Hetrick

Special Agent, THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, MILWAUKEE • Life Insurance, Disability Income, Annuities
Robert F. Rice, CLU, General Agent

Registered Representative, NORTHWESTERN MUTUAL INVESTMENT SERVICES, INC. • Variable Annuities, Variable Life Insurance
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Mutual Funds, Unit Trusts, Money Market Funds, Certificates of Deposit, Treasuries
1555 Shoreline Drive, Suite 240, Boise, ID 83702 (208) 383-0210

MC CLARAN, RICHARD W
7278 MURPHY RD.
MELBA, ID 83641
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NWSE

Sec 35 T 01N R 02W in CANYON County.
(1.600 CFS)
Total Diversión: (1.600 CFS)

Use: IRRIGATION

Date Filed: 2/13/1992
In: CANYON County
T01N R02W S24
S25
120.0 ACRES TOTAL

(2.400 CFS)
Total Diversión: (2.400 CFS)

NENE SESE
NWNE

Date Filed: 2/13/1992
In: CANYON County
T01N R02W S35
80.0 ACRES TOTAL

NESW

NWSE

63-11669

KNOWLTON, STEVE
THURGOOD, DOUGLAS J
11927 CHURCHILL CT
HOUSTON, TX 77024
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SWSE

Sec 5 T 03N R 01W in CANYON County.
(1.600 CFS)
Total Diversión: (1.600 CFS)

Date Filed: 2/18/1992
In: CANYON County
T03N R02W S18
142.0 ACRES TOTAL

SESE

Sec 18 T 03N R 02W in CANYON County.
(2.840 CFS)
Total Diversión: (2.840 CFS)

NESW

Lot 3(NWSW)
NWSE

SESW
SWSE

NESE
SESE

Date Filed: 2/11/1992
IN: CANYON County
T03N R01W S05
80.0 ACRES TOTAL

SESW

SWSE

63-11672

COLEMAN, GERALDINE
COLEMAN, LOYD
PO BOX 186
MELBA, ID 83641
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NWNENW

Sec 25 T 01N R 02W in CANYON County.
(.800 CFS)
Total Diversión: (.800 CFS)

Date Filed: 2/18/1992
In: CANYON County
T03N R02W S01
100.0 ACRES TOTAL

NESESW

Sec 1 T 03N R 02W in CANYON County.
(1.800 CFS)
Total Diversión: (1.800 CFS)

NESW

NWSW

SWSW

SESW

Date Filed: 2/12/1992
In: CANYON County
T01N R02W S25
40.0 ACRES TOTAL

NENW

63-11676

SCHMIDT, DONNA R
PO BOX 375
STAR, ID 83669
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION
STOCKWATER
DOMESTIC

NESESW
SWSESW

Sec 36 T 05N R 02W in CANYON County.
Sec 36 T 05N R 02W in CANYON County.
(.400 CFS)
(.020 CFS)
(.040 CFS)
Total Diversión: (.460 CFS)

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NESE

Sec 23 T 03N R 04W in CANYON County.
(2.400 CFS)
Total Diversión: (2.400 CFS)

Date Filed: 2/10/1992
In: CANYON County
T03N R04W S23
120.0 ACRES TOTAL

NESE

SWSE

SESE

Date Filed: 2/12/1992
In: CANYON County
T05N R02W S36
20.0 ACRES TOTAL

SESW

63-11677

NAU, HOWARD
8760 W CHINDEN
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SENESE

Sec 29 T 04N R 02W in CANYON County.
(2.360 CFS)
Total Diversión: (2.360 CFS)

Date Filed: 2/10/1992
In: CANYON County
T03N R04W S22
64.0 ACRES TOTAL

NWNE

Sec 22 T 03N R 04W in CANYON County.
(1.280 CFS)
Total Diversión: (1.280 CFS)

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

NWSW

Sec 14 T 03N R 04W in CANYON County.
(2.000 CFS)
Total Diversión: (2.000 CFS)

Date Filed: 2/13/1992
In: CANYON County
T04N R02W S29
118.0 ACRES TOTAL

NENE

SENE

NESE

SESE

63-11678

SHROLL, LYLE E
SHROLL, NORMA
8624 BENNETT RD
NAMPA, ID 83686
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SWSWSW

Sec 27 T 02N R 02W in CANYON County.
(1.600 CFS)
Total Diversión: (1.600 CFS)

Date Filed: 2/10/1992
In: CANYON County
T03N R04W S14
100.0 ACRES TOTAL

NWNW

SWNW

NWSW

SWSW

Date Filed: 2/13/1992
In: CANYON County
T02N R02W S27
80.0 ACRES TOTAL

SWSW

SESW

63-11679

WILD-IDA CORPORATION
BOX 287
WILDER, ID 83676
Source: GROUNDWATER
Diversión Pt:
Use: IRRIGATION

SESW

Sec 15 T 04N R 05W in CANYON County.
(1.600 CFS)
Total Diversión: (1.600 CFS)

Date Filed: 2/10/1992
In: CANYON County
T03N R04W S26
S27
100.0 ACRES TOTAL

NWNW

SWNW
NENE

Date Filed: 2/13/1992
In: CANYON County

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, ID 83705 on or before MARCH 23, 1992.
R. KEITH HIGGINSON

63-11647

HARRIS ORCHARD
BOX 23
GREENLEAF, ID 83626

Source: GROUNDWATER

Diversion Pt: NESESW Sec 28 T 04N R 04W in CANYON County.

Use: IRRIGATION (.920 CFS)
Total Diversion: (.092 CFS)

Date Filed: 2/11/1992

In: CANYON County
T04N R04W S28 NESW SESW

46.0 ACRES TOTAL

RECORDED

AUG 08 1994