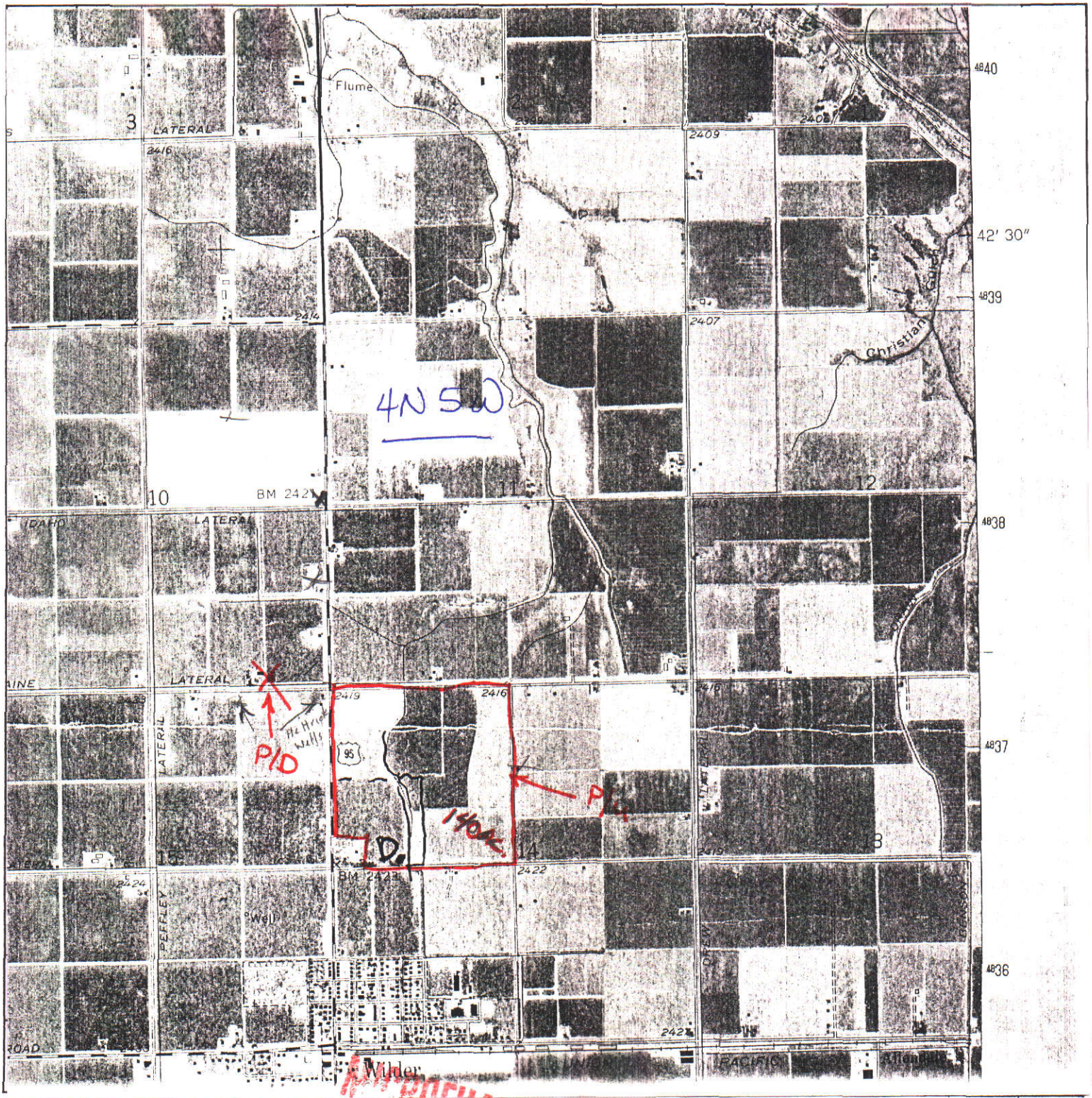
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



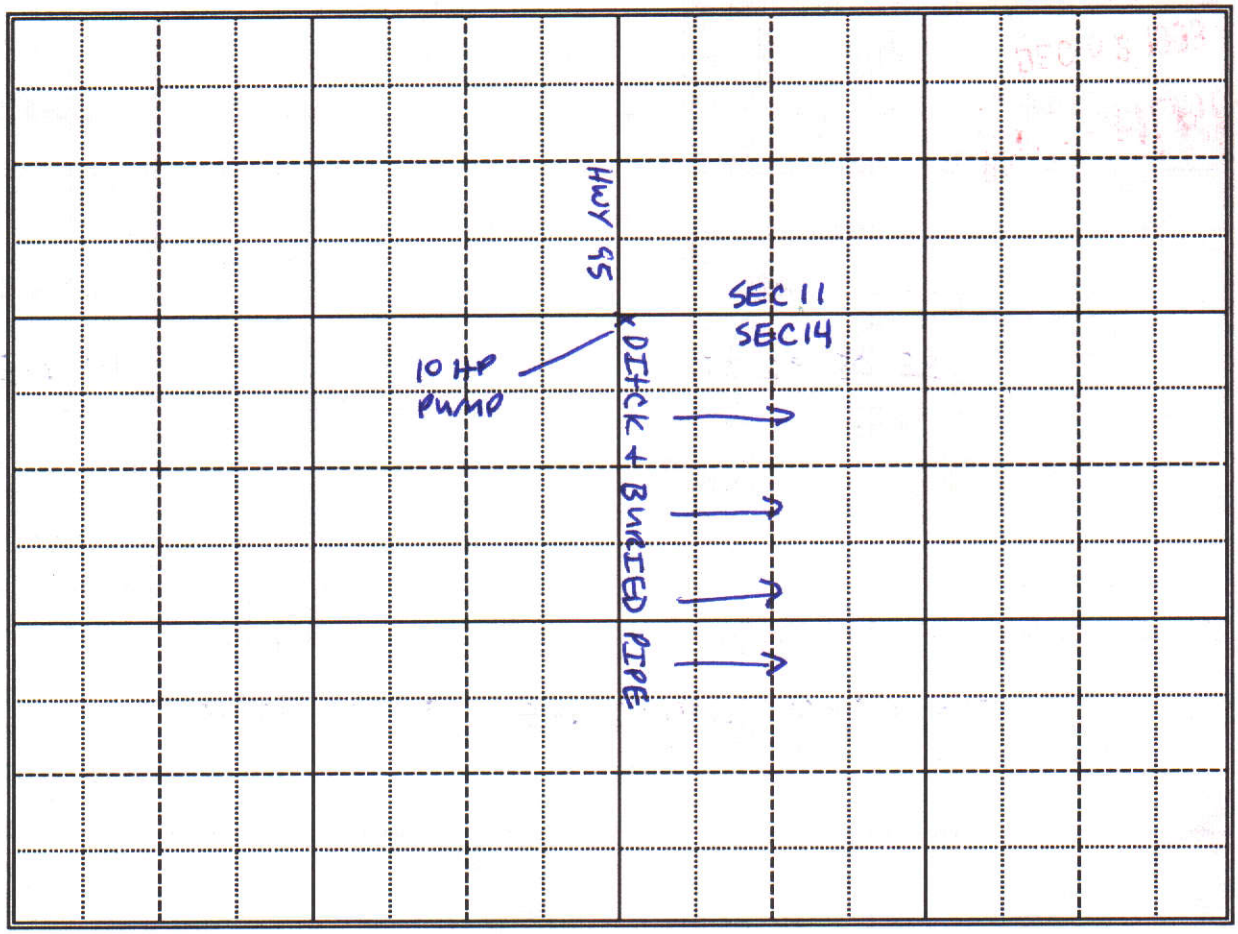
Scale: 2 inches equal 1 mile.

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.

APPROVED
MAY 20 1992

Rim Ranches Inc.
(Applicant)
Ray Oberdorf Pres.

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



Scale: 1" = _____.

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

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

✓ Photo of Diversion and System Attached (more photos in 63-11474)

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US ELECTRIC	150	C2684-01-2-21-75	FRANKLIN	16"

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

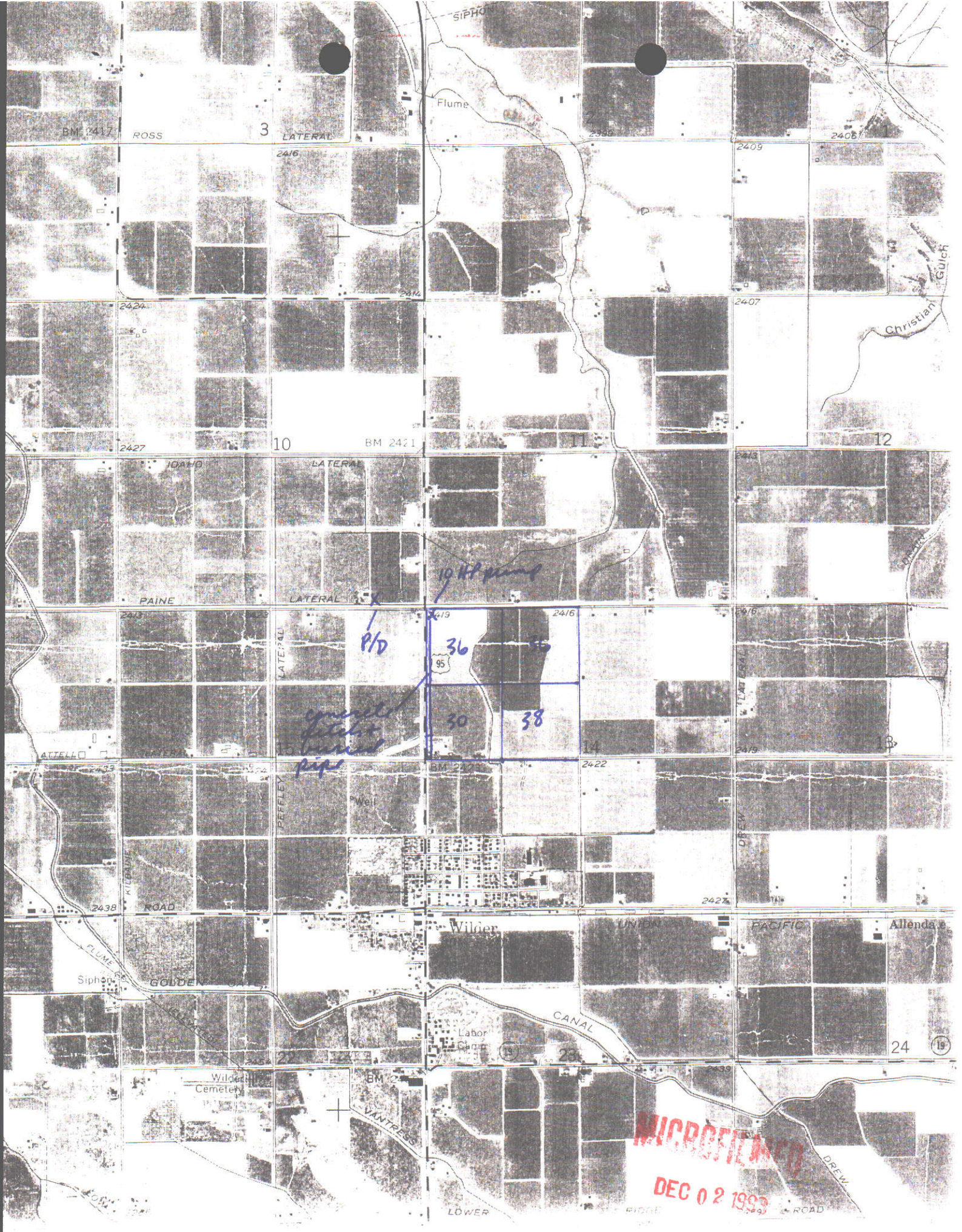
D. FLOW MEASUREMENTS

1.

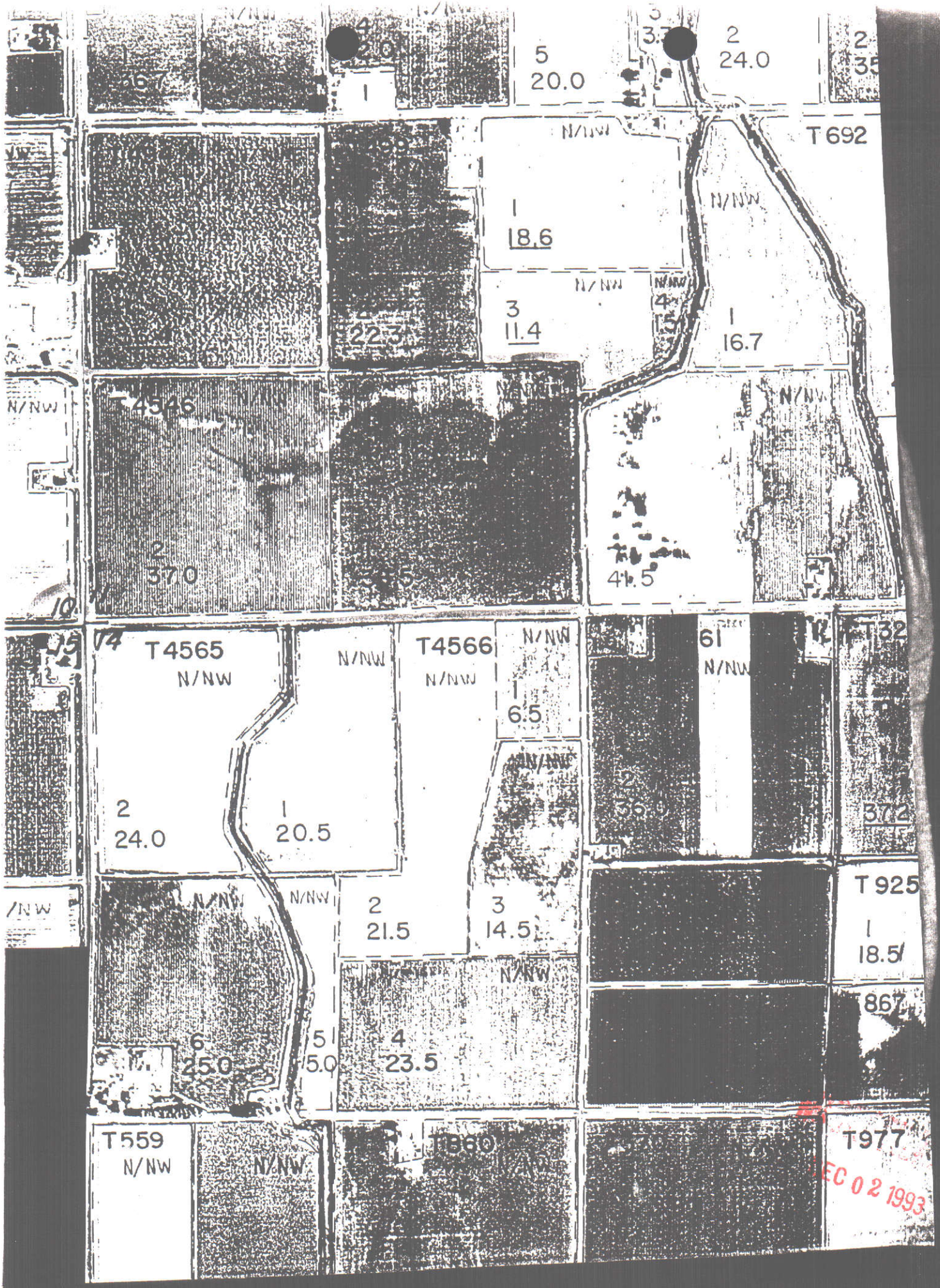
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
ULTRASONIC FLOWMETER						

2. **Measurements:** 3.87 cfs per 1991 Wildes Groundwater Study (Steve Baker's Report)

RECEIVED
DEC 02 1993



MICROFILMED
DEC 02 1993


T692
N/NW
18.6
16.7
11.4
223
4546
37.0
41.5
T4565
T4566
24.0
20.5
6.5
21.5
14.5
23.5
25.0
5.0
T925
18.5
867
T559
T977
DEC 02 1993

Permit # 63-11551



150 HP PUMP + WELL



10 HP PUMP (6-29V365 TURBON)
CONCRETE DITCH BEING LAID

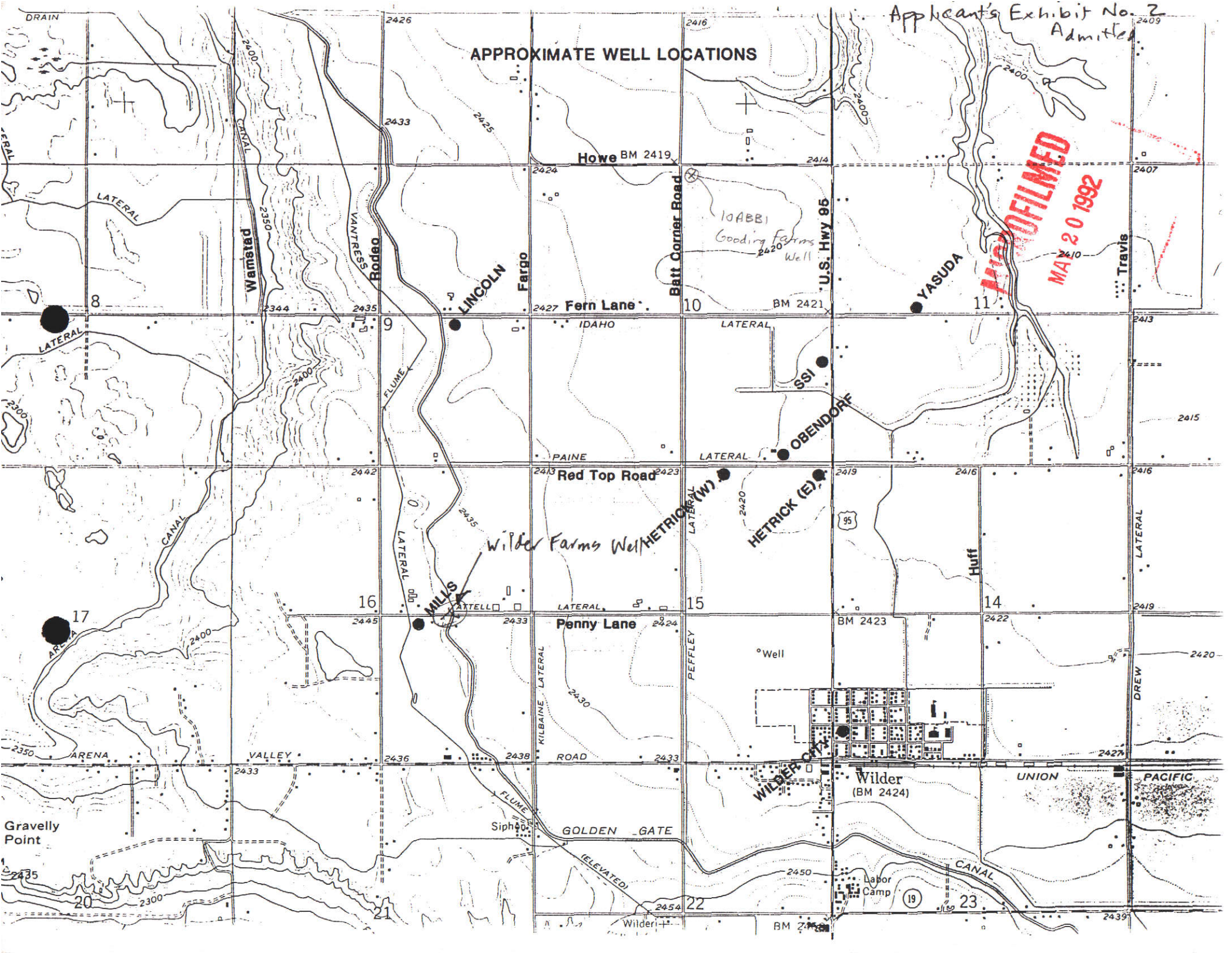
NW, SEC 14

(12" pipe under ditch)

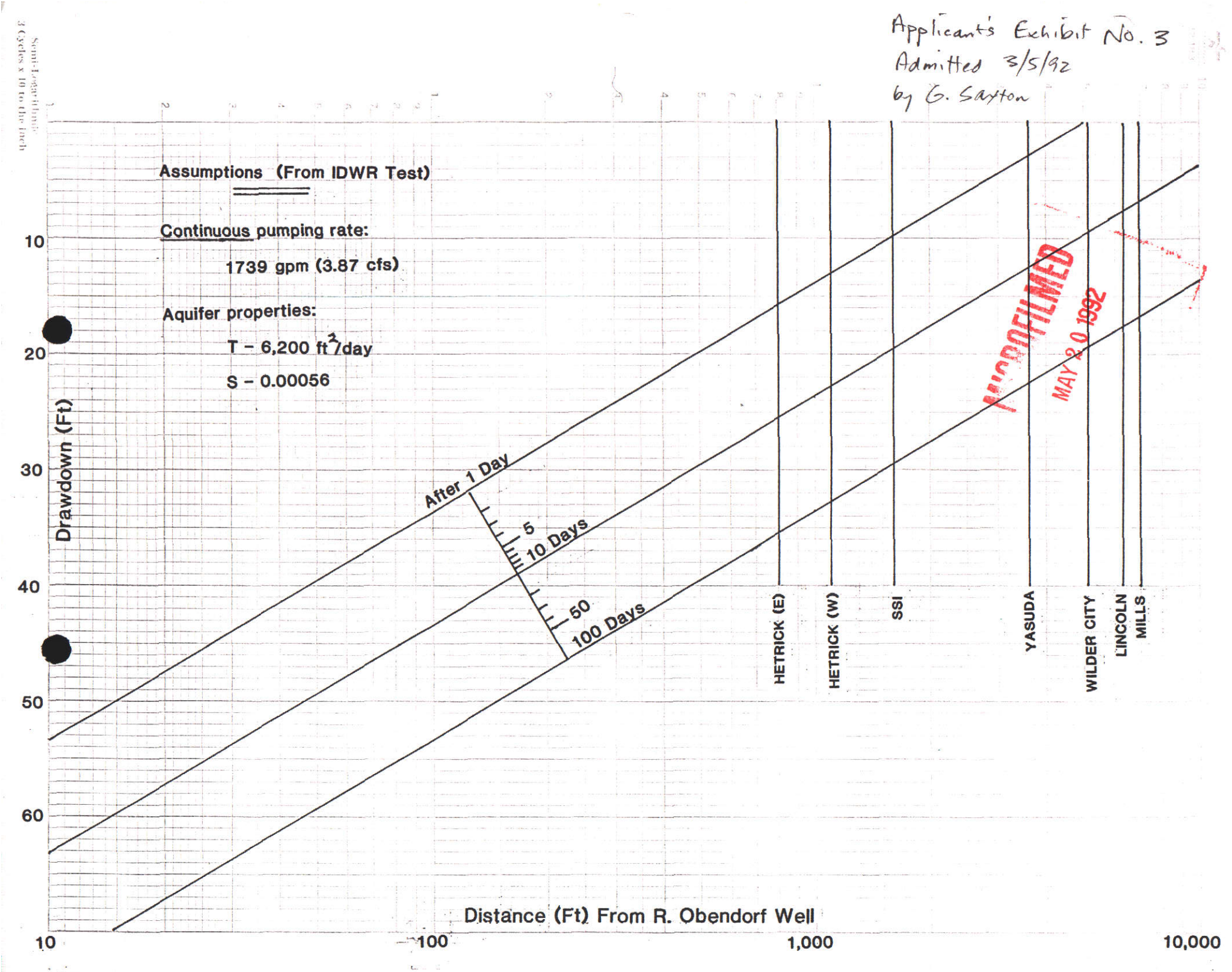
MICROFILMED
DEC 02 1993



6-4-92


Applicant's Exhibit No. 2
Admitted
APPROXIMATE WELL LOCATIONS
MICROFILMED
MAY 20 1992
DRAIN
CANAL
LATERAL
Wamstad
VANTRESS
Rodeo
Howe BM 2419
Batt Corner Road
U.S. Hwy 95
YASUDA
Travis
LINCOLN
Fargo
Fern Lane
IDAHO
SSI
OBENDORF
PAINE
Red Top Road
HETRICK (W)
HETRICK (E)
Huff
FLUME
Wilder Farms Well
MILLS
Penny Lane
KILBAINE LATERAL
PEFFLEY
DREW
Well
BM 2423
ARENA
VALLEY
ROAD
WILDER CITY
Wilder
(BM 2424)
UNION
PACIFIC
Gravelly Point
Siphon
GOLDEN GATE
(ELEVATED)
Labor Camp
BM 2421
Wilder
BM 2439
8
9
10
11
16
15
14
17
20
21
22
23
19

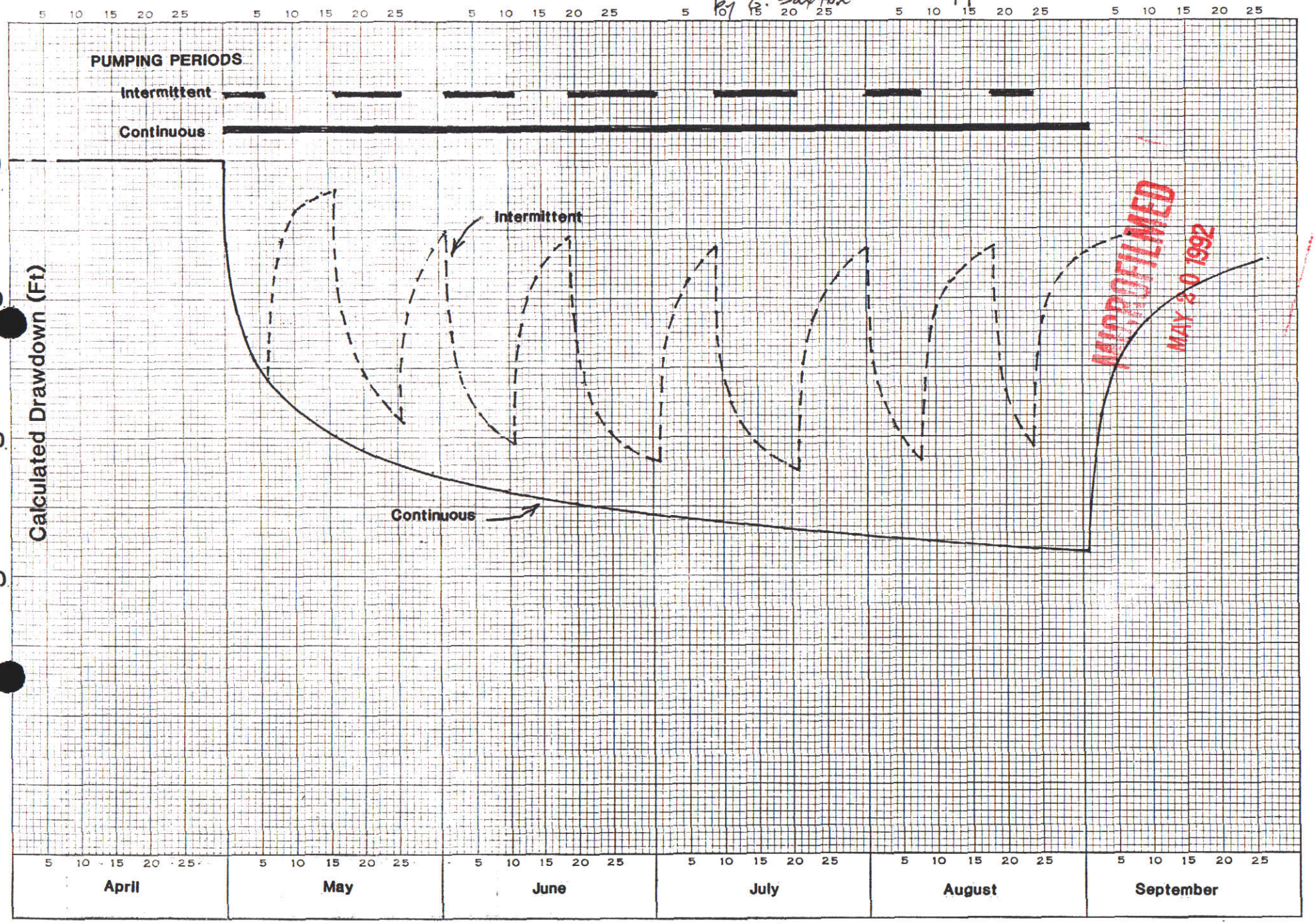
Applicant's Exhibit No. 3
Admitted 3/5/92
by G. Saxton



MICROFILMED
MAY 20 1992

Admitted 3/5/92
by G. Sayton

Applicant's Exhibit No. 4

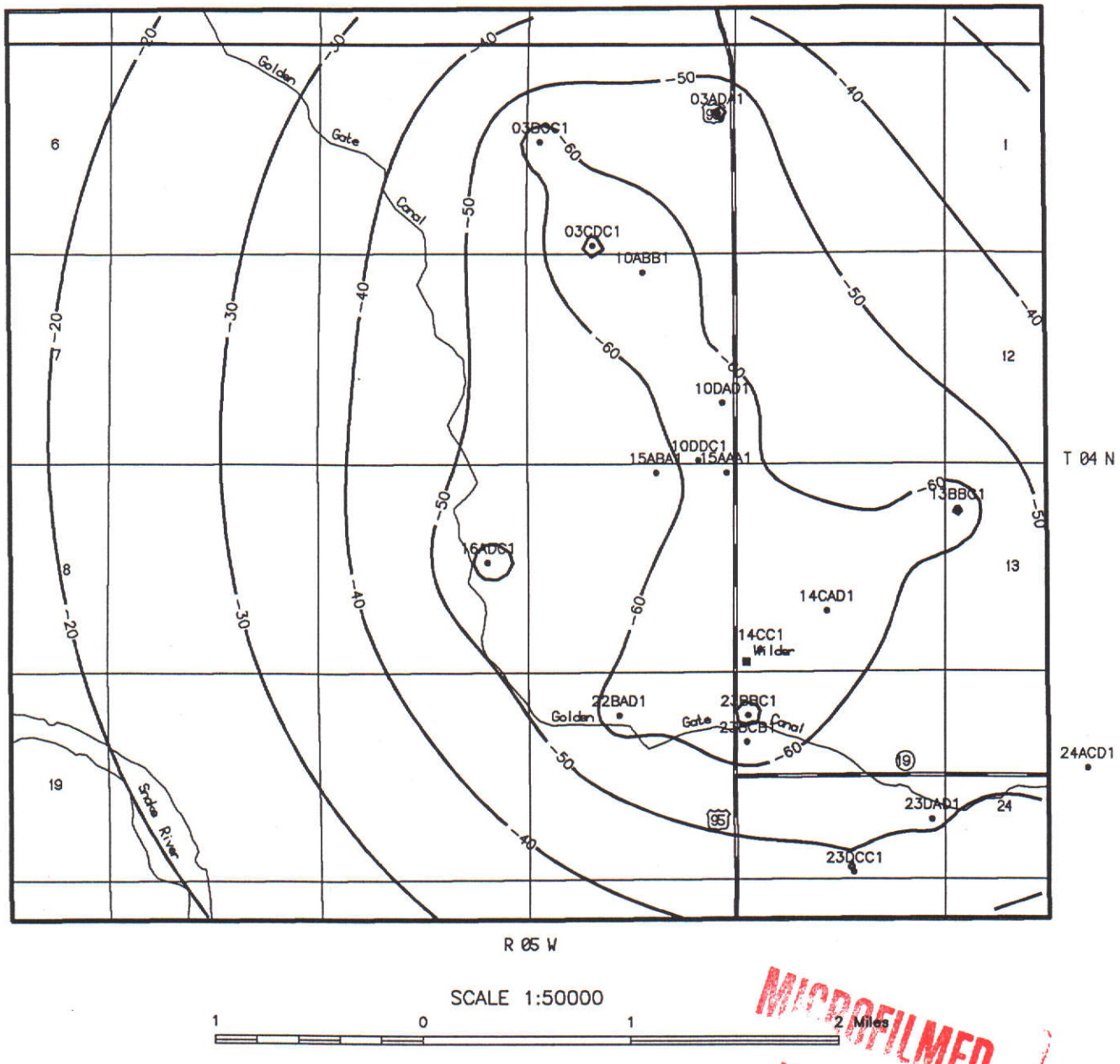


MICROFILMED
MAY 20 1992

Comparison of Intermittent vs Continuous Pumping

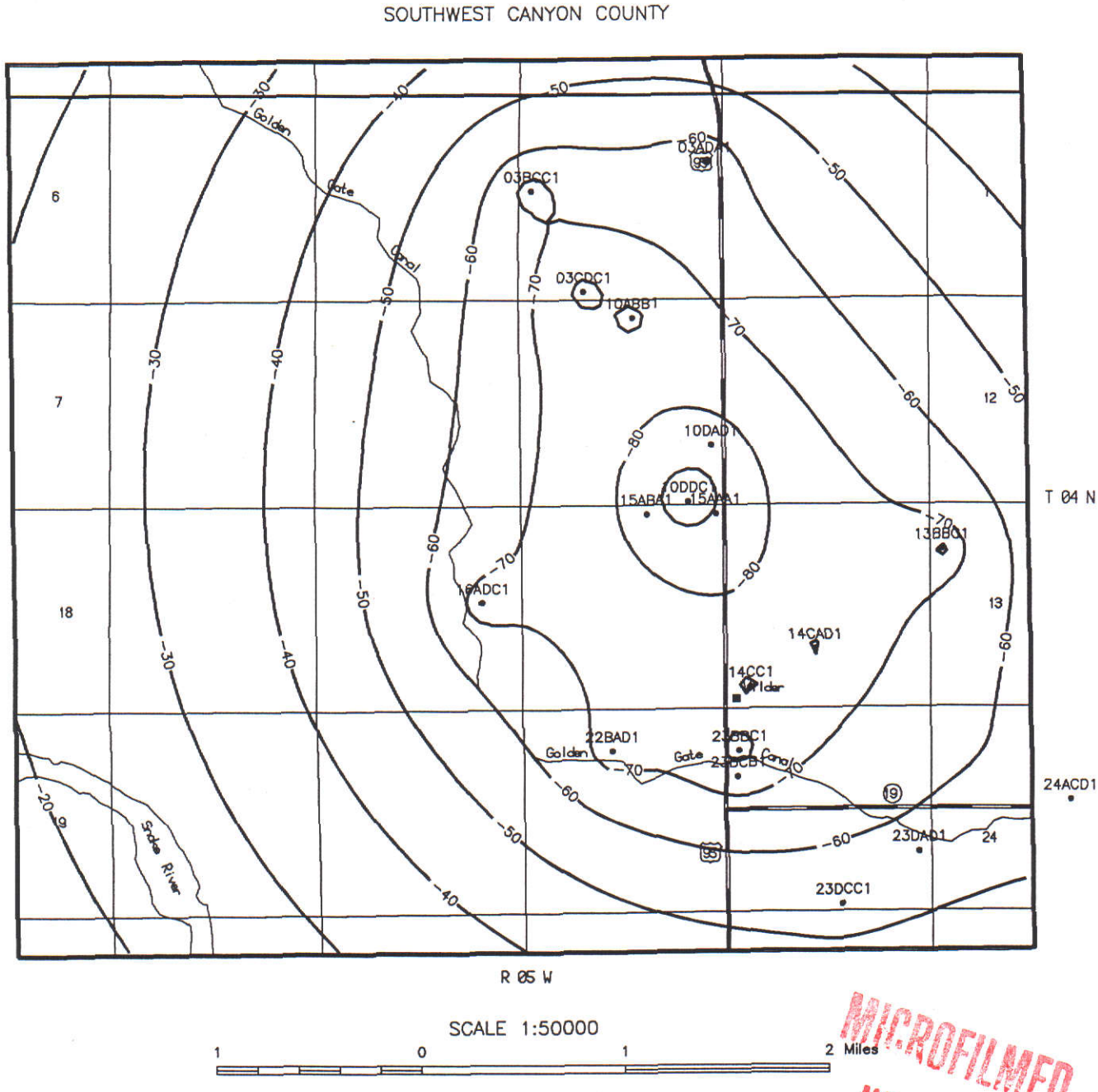
(Drawdowns 2,000 Ft From Obendorf Well, Pumping at 1,739 gpm)

SOUTHWEST CANYON COUNTY



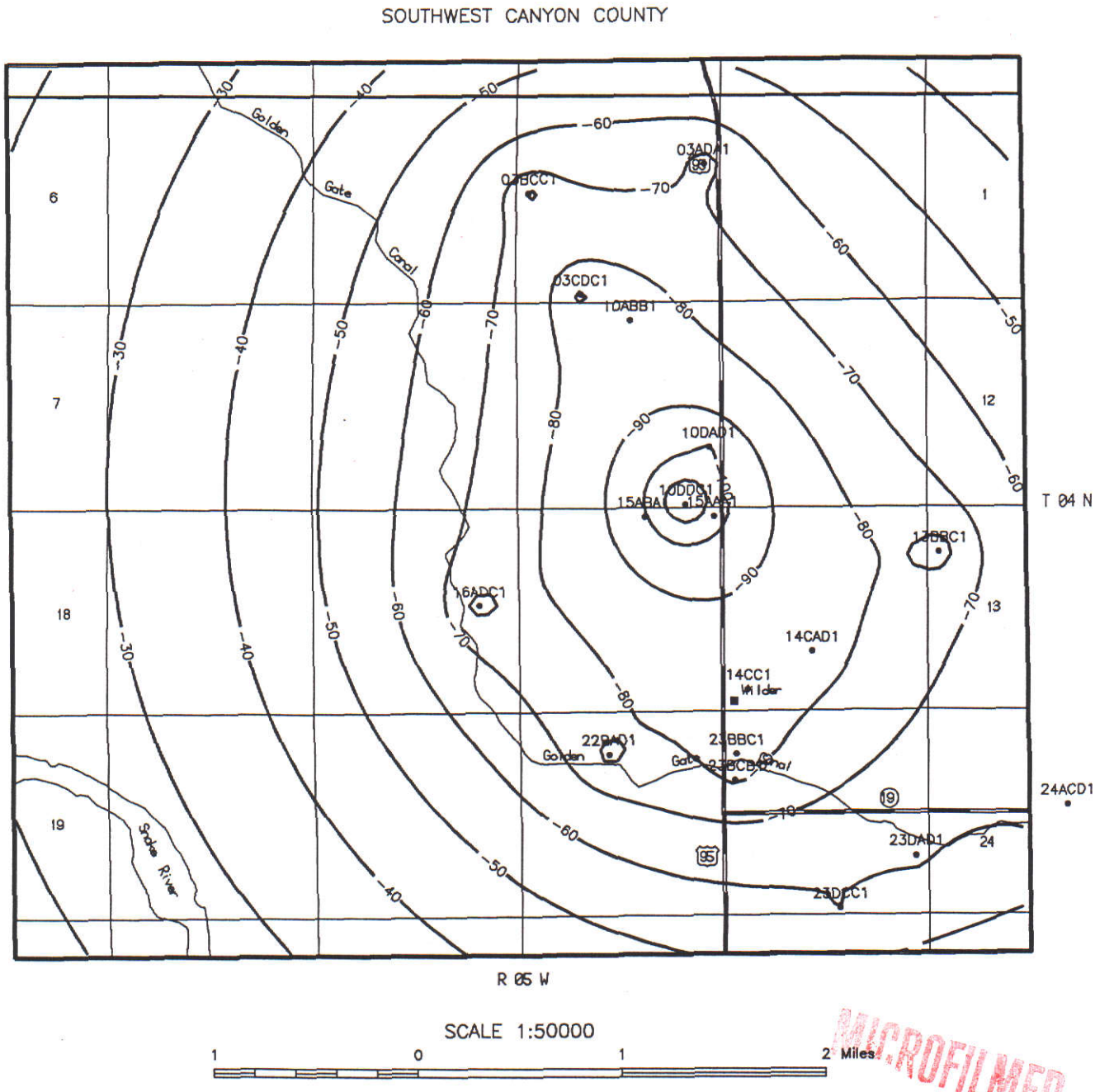
MICROFILMED
MAY 20 1992

Figure 1. DRAWDOWN DISTRIBUTION FOR SIMULATION #1A



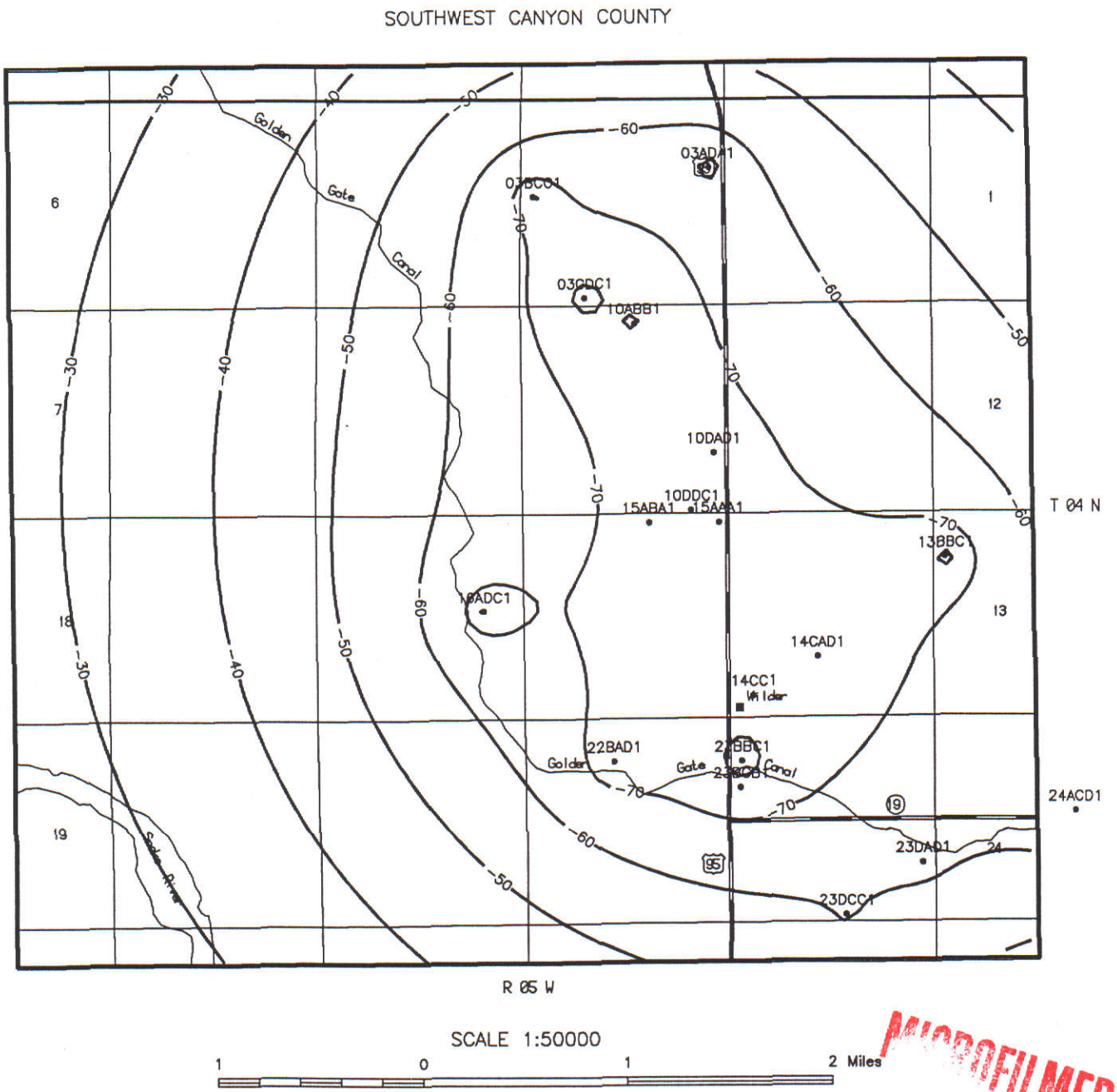
MICROFILMED
MAY 20 1992

Figure 2. DRAWDOWN DISTRIBUTION FOR SIMULATION #1B



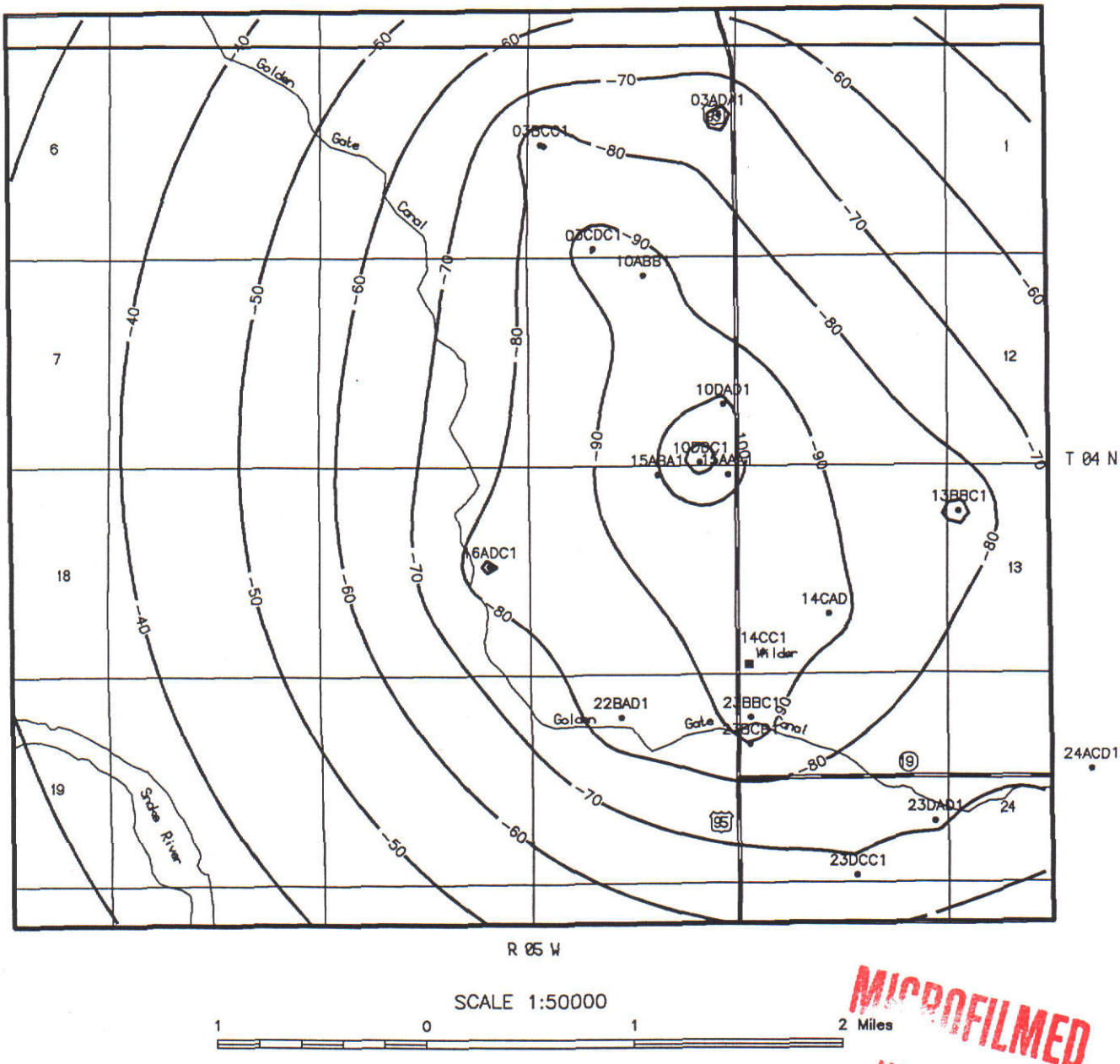
MICROFILMED
MAY 20 1992

Figure 3. DRAWDOWN DISTRIBUTION FOR SIMULATION #1C



MICROFILMED
MAY 20 1992

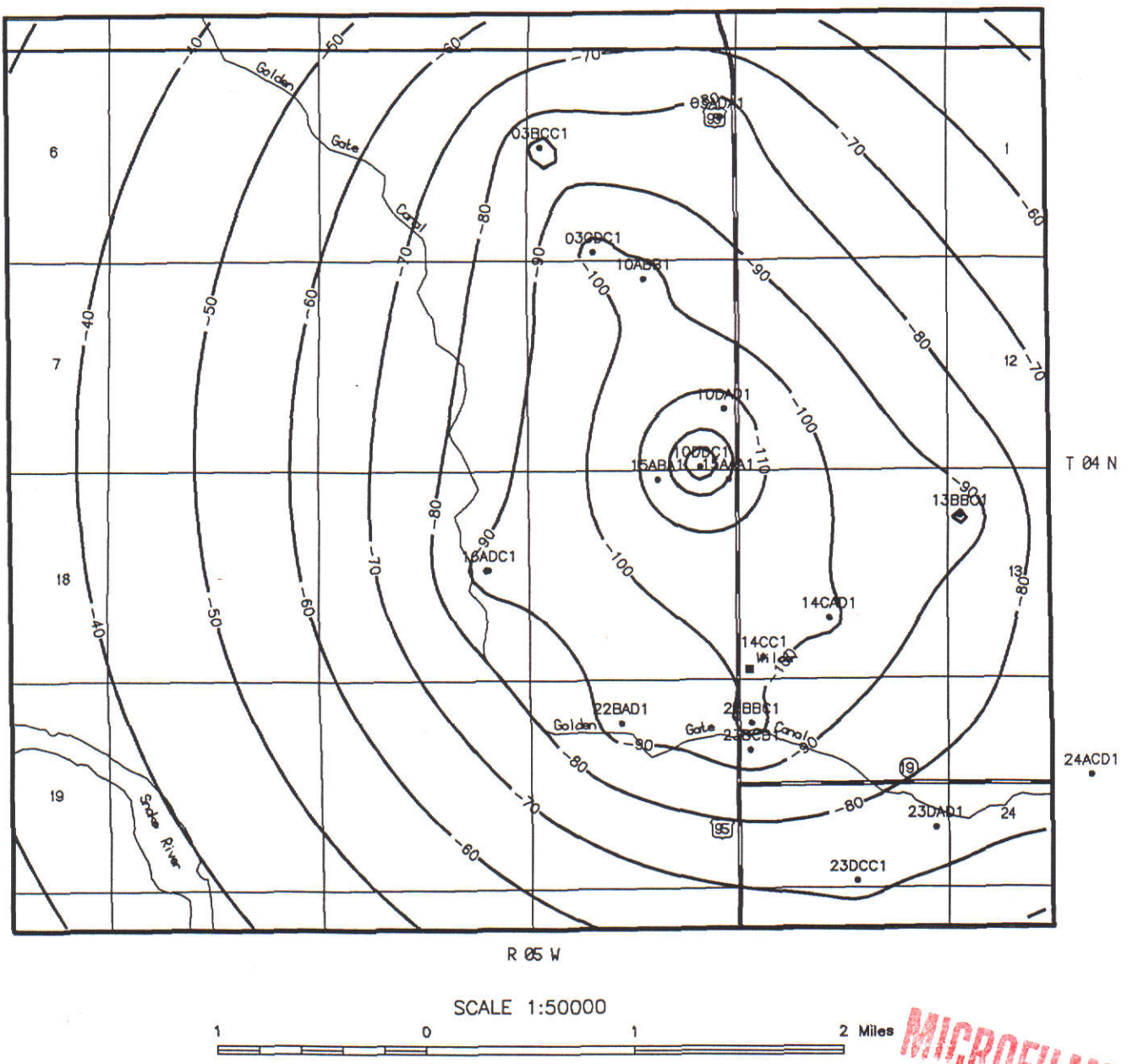
Figure 4. DRAWDOWN DISTRIBUTION FOR SIMULATION #2A



MICROFILMED
MAY 20 1992

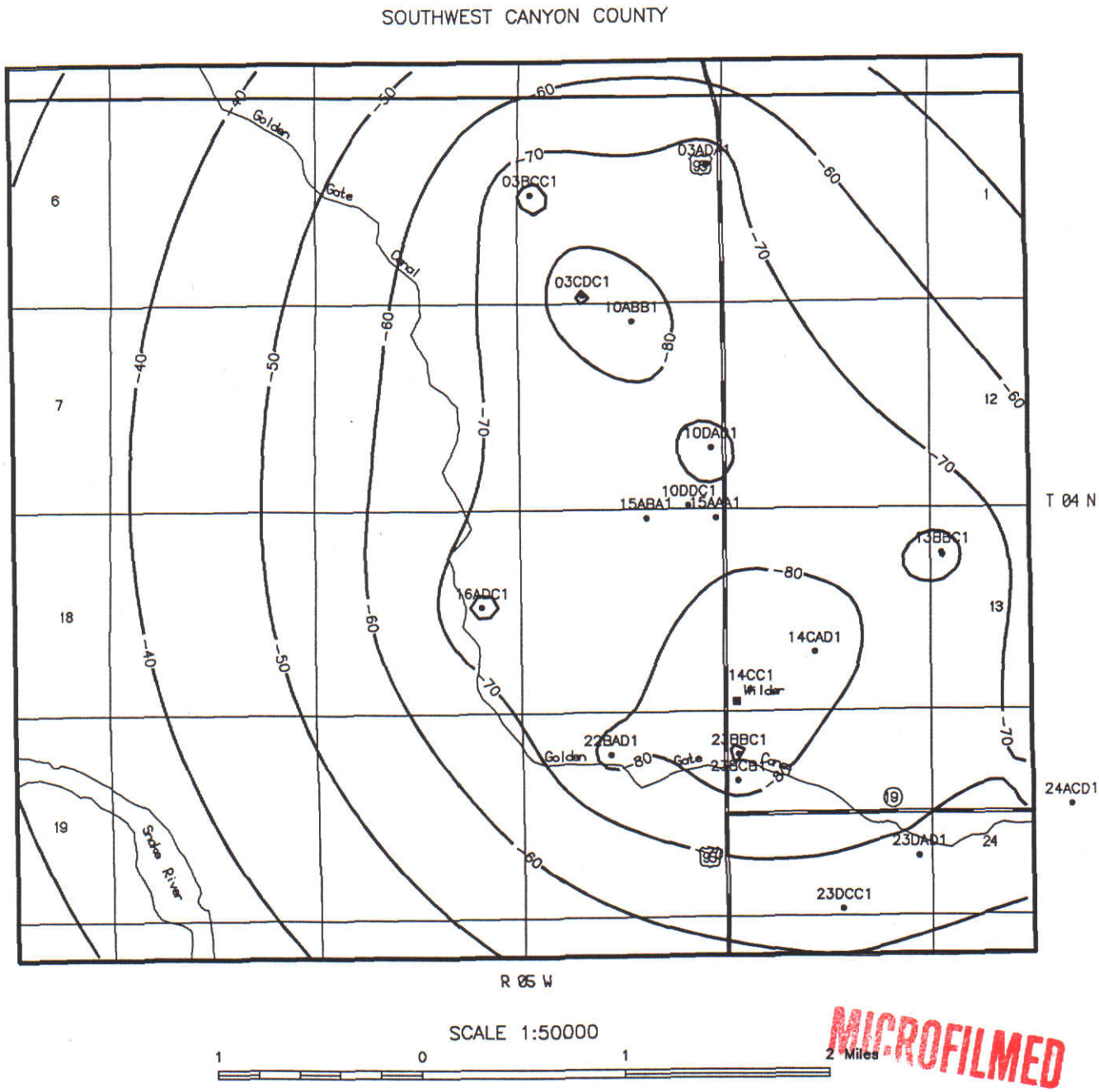
Figure 5. DRAWDOWN DISTRIBUTION FOR SIMULATION #2B

SOUTHWEST CANYON COUNTY



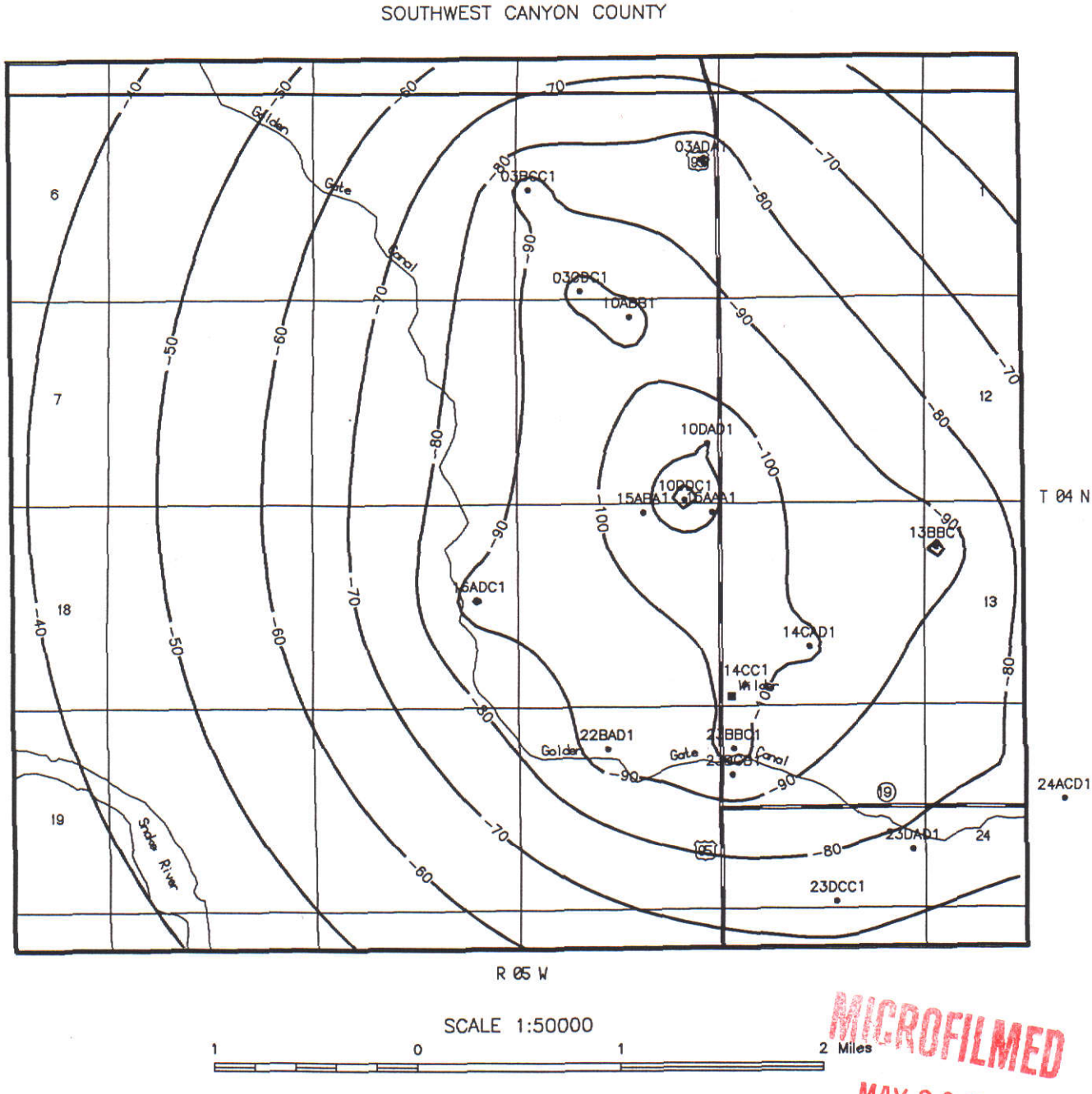
MICROFILMED
MAY 20 1992

Figure 6. DRAWDOWN DISTRIBUTION FOR SIMULATION #2C



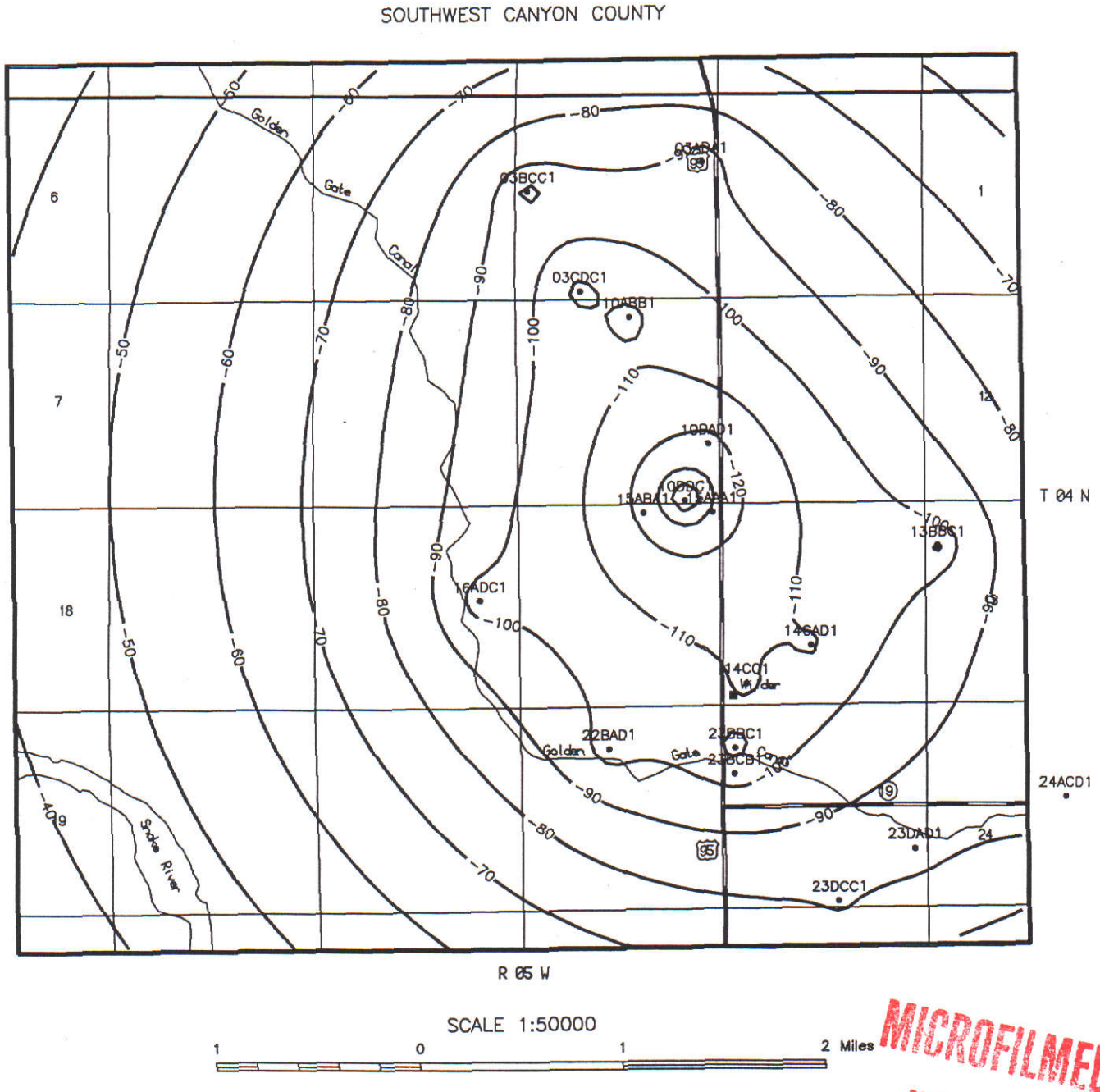
MICROFILMED
MAY 20 1992

Figure 7. DRAWDOWN DISTRIBUTION FOR SIMULATION #3A



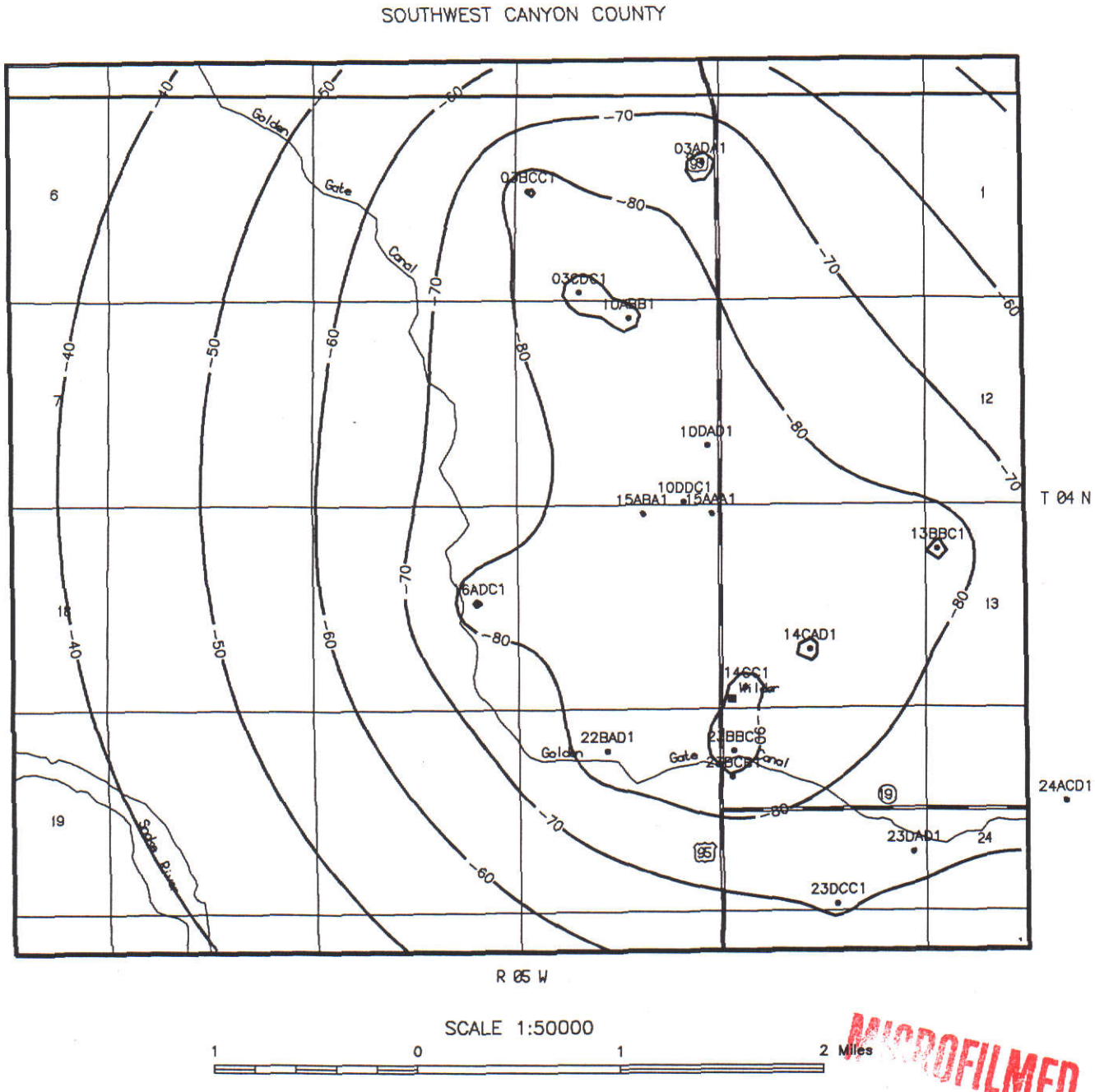
MICROFILMED
MAY 20 1992

Figure 8. DRAWDOWN DISTRIBUTION FOR SIMULATION #3B



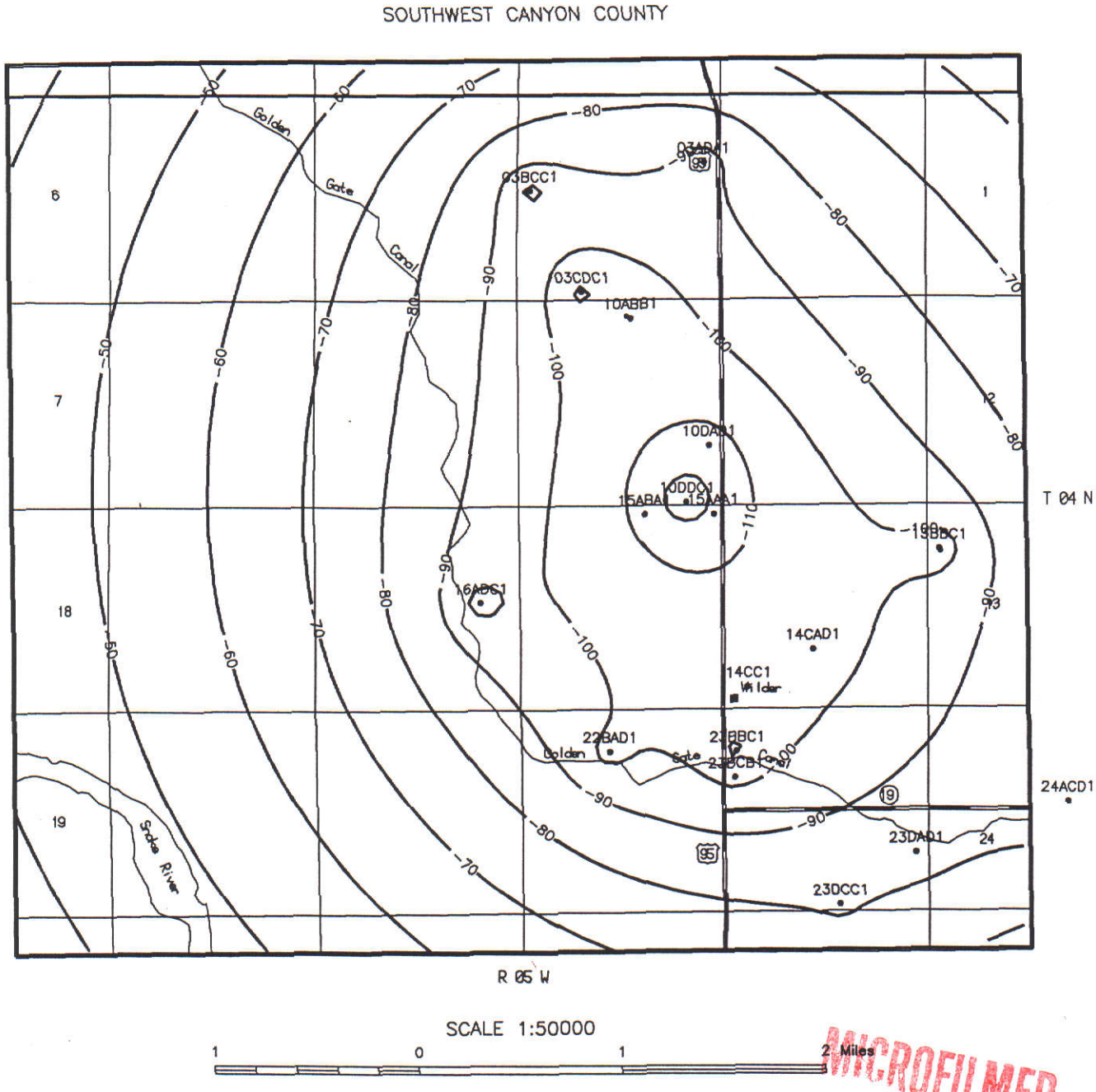
MICROFILMED
MAY 20 1992

Figure 9. DRAWDOWN DISTRIBUTION FOR SIMULATION #3C



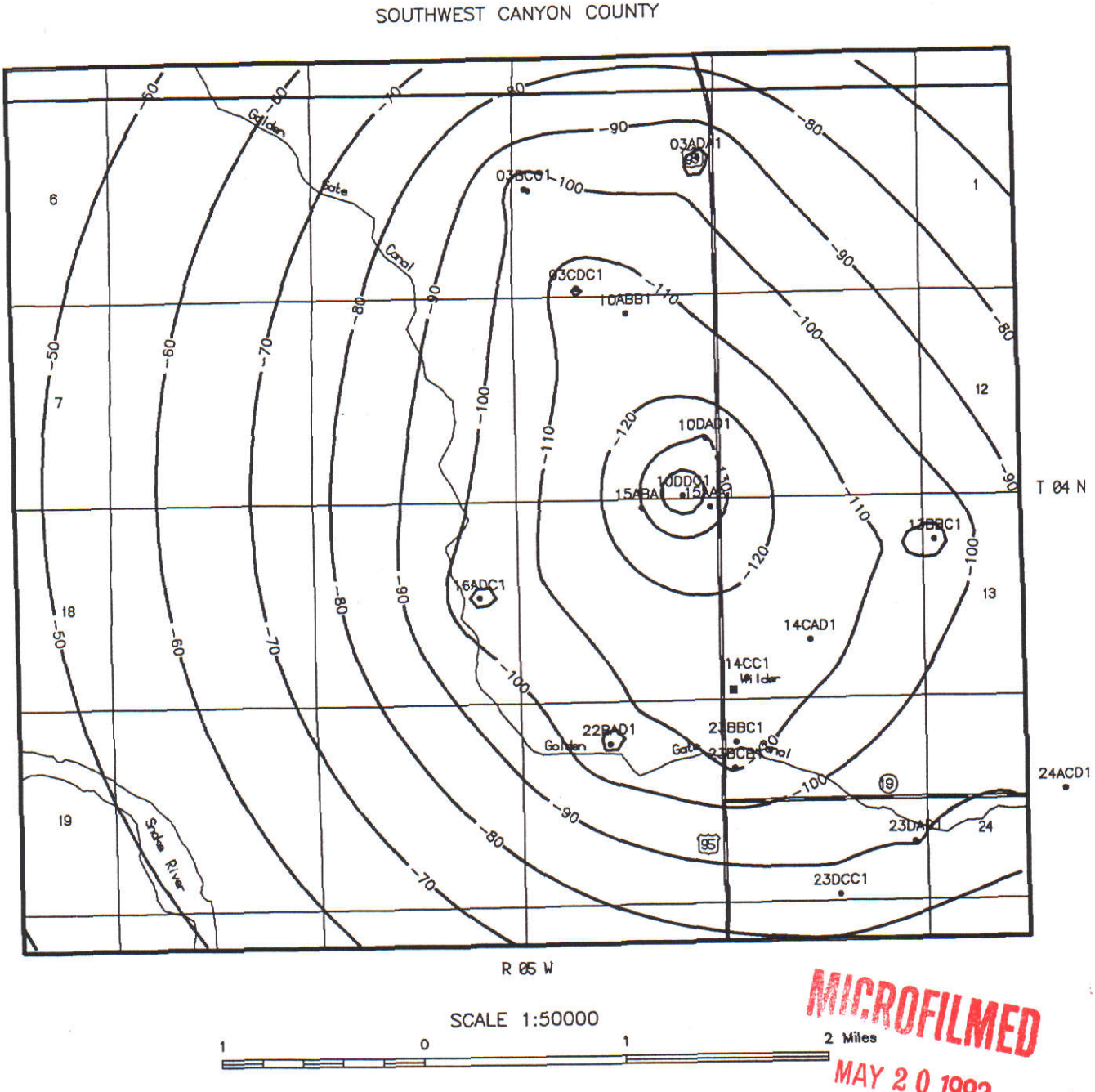
MICROFILMED
MAY 20 1992

Figure 10. DRAWDOWN DISTRIBUTION FOR SIMULATION #4A



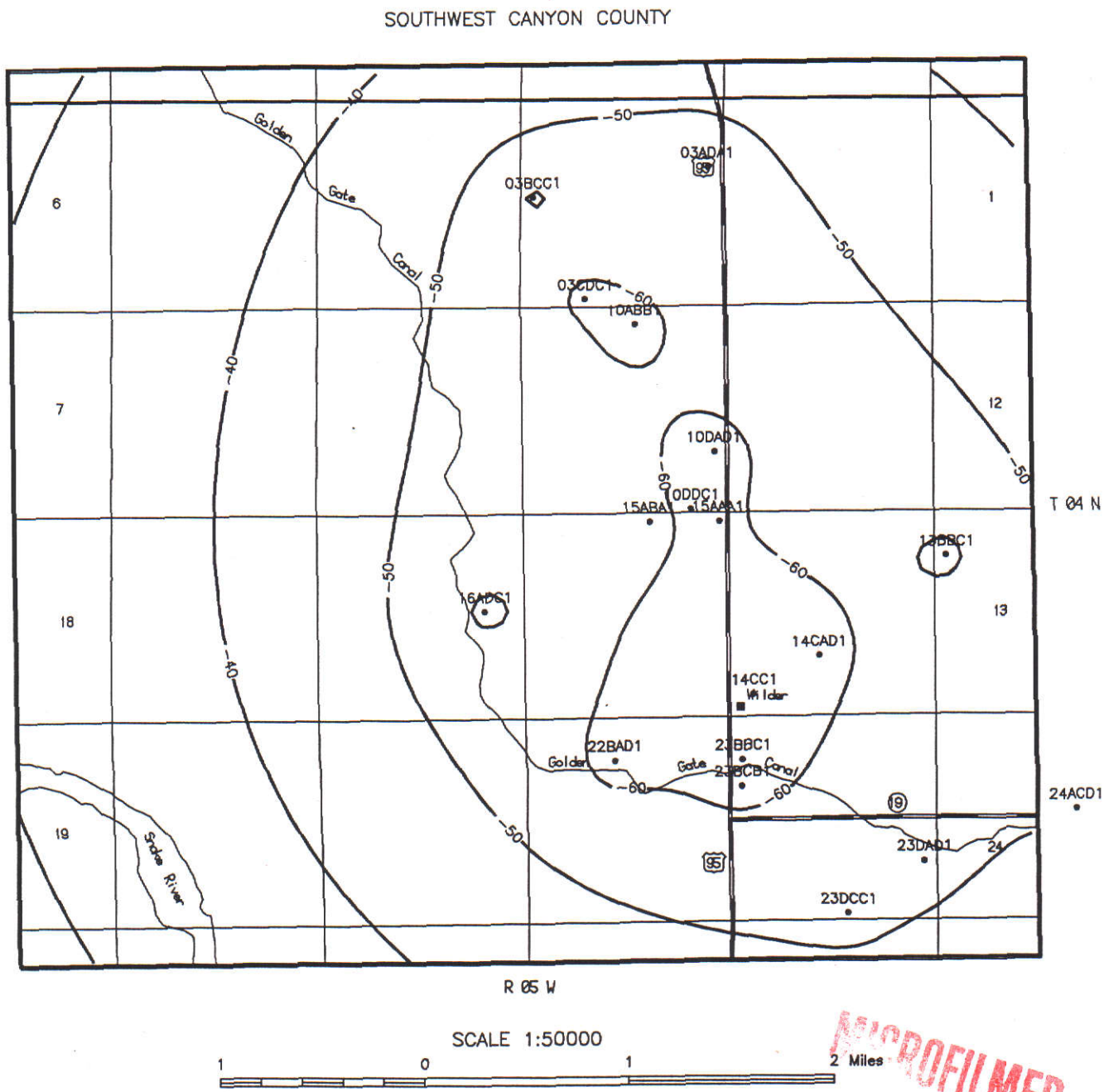
MICROFILMED
MAY 20 1992

Figure 11. DRAWDOWN DISTRIBUTION FOR SIMULATION #4B



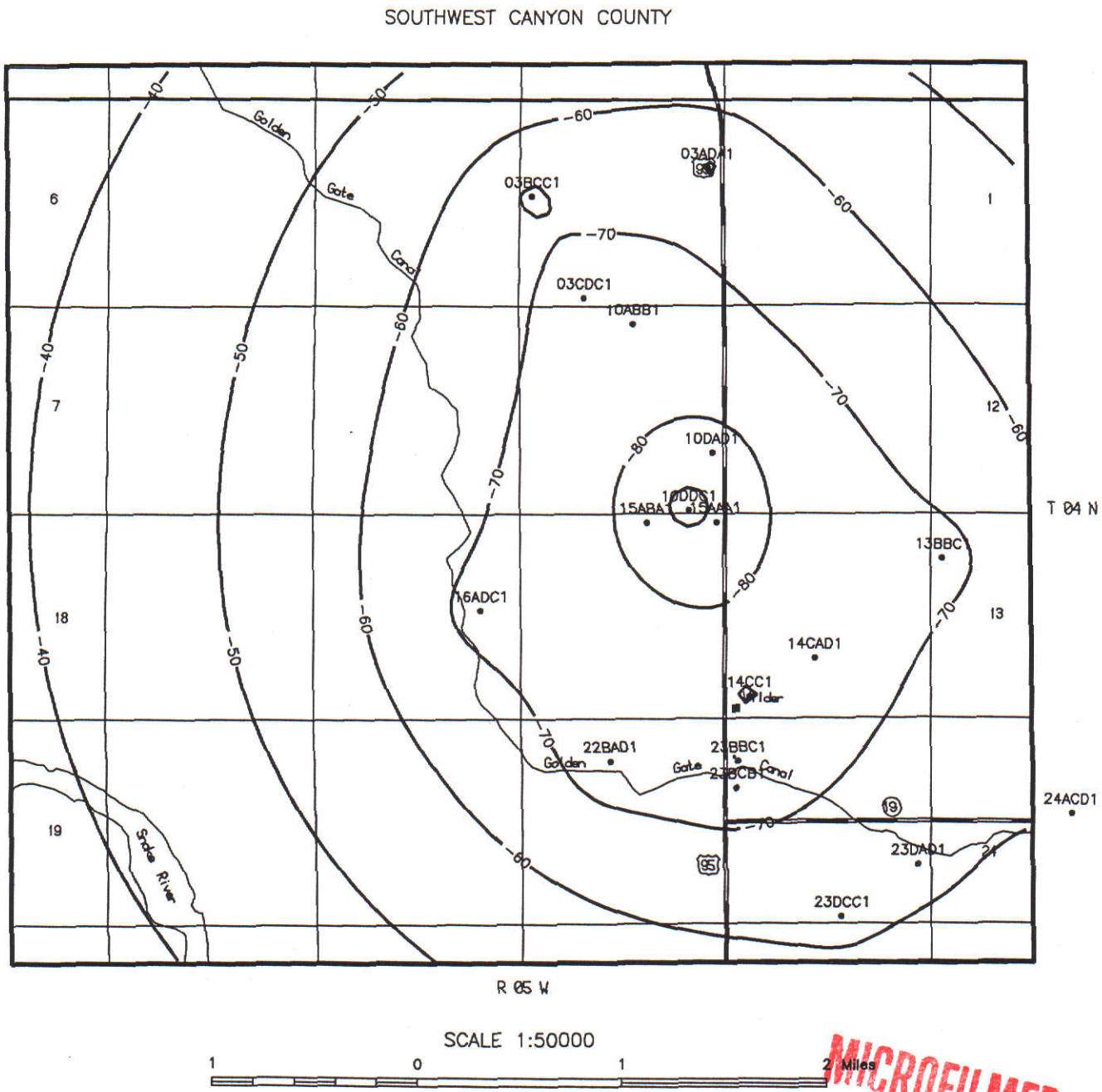
MICROFILMED
MAY 20 1992

Figure 12. DRAWDOWN DISTRIBUTION FOR SIMULATION #4C



MICROFILMED
MAY 20 1992

Figure 13. DRAWDOWN DISTRIBUTION FOR SIMULATION #5A



MICROFILMED
MAY 20 1992

Figure 14. DRAWDOWN DISTRIBUTION FOR SIMULATION #5B

AUG 27 1991

Department of Water Resources
Western Regional Office

aug 24, 1991

David R. Tuthill Jr. P.E.
Manager Western Regional Office
Airport Way,
Boise, Idaho 83705

Dear Sir:

This is to inform you that we are protesting the Application Number 63-11474 and to Amend Number 63-11537.

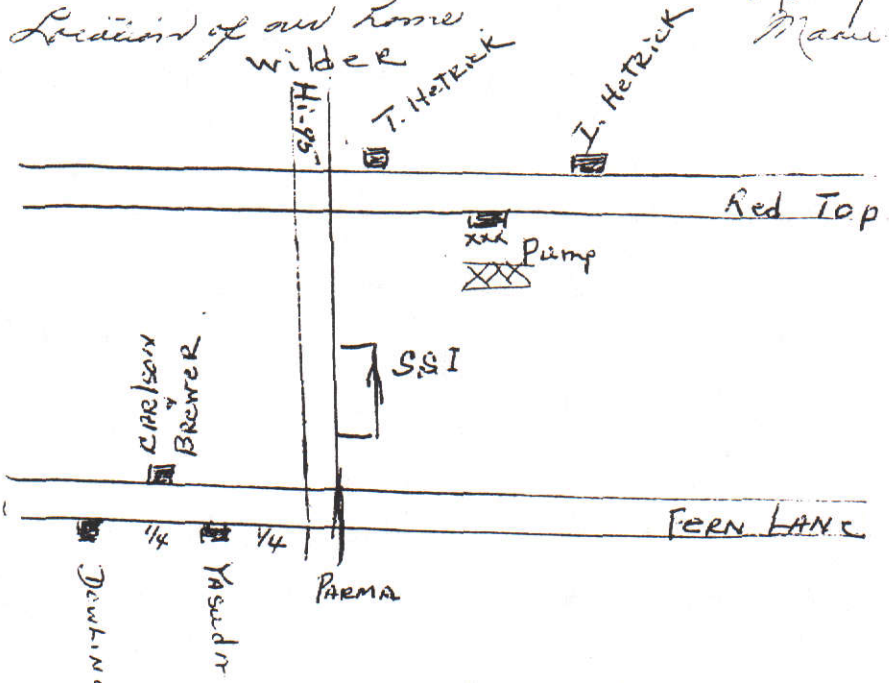
We moved to our present home in 1952. Our well is 258 ft. deep and our intake is 85 ft. In July we had to lower the intake valve to another 20 ft.

We are concerned about the increase in pumping after will lower our water table and cause more problems.

Please keep us informed as what is being done.

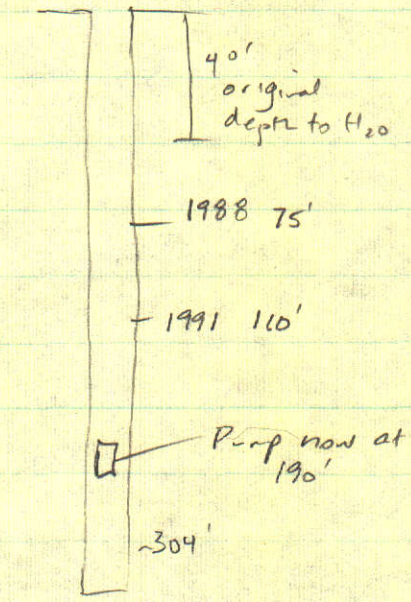
Sincerely,
Kay Yasuda
Mark Yasuda

Location of our home



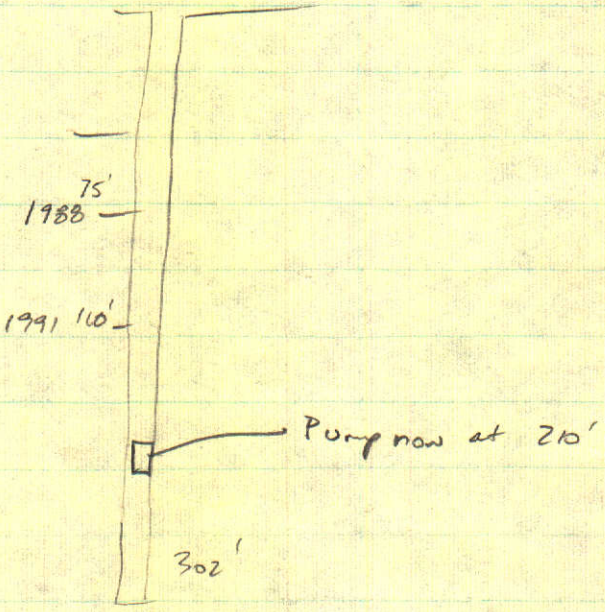
MICROFILMED
MAY 20 1992

Irwin Heffrick
Well # 1



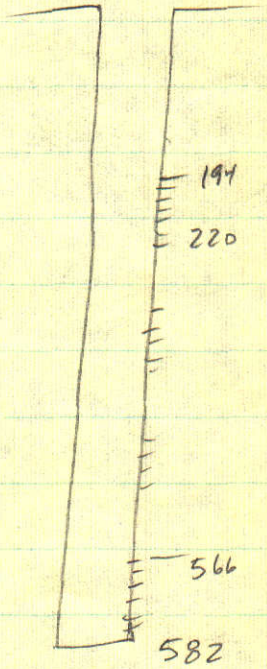
1946 drilled

Tim Heffrick
Well # 2



1946 drilled

Rim Ranches Well



Inverted, Louvered casing/perfor

MICROFILMED
MAY 20 1992

28" hole, 70 yds gravel, top cemented, drilled by Riverside Electric & Pump

Appl. for Amendment of Permit 63-11474
63-11551

Photos taken 7-11-91

Pg 1 of 1

Appl. for Permit

Looking west at well in SW SE SE 5.10 T4N R5W. Red Top Road is seen on left.



PHOTO ONE-



PHOTO TWO-

Closer view of well, looking south across Red Top Road. Two 12" open discharge pipes are found, 1 for an earth ditch (east-west flow) and 1 for a cement ditch (north flow).

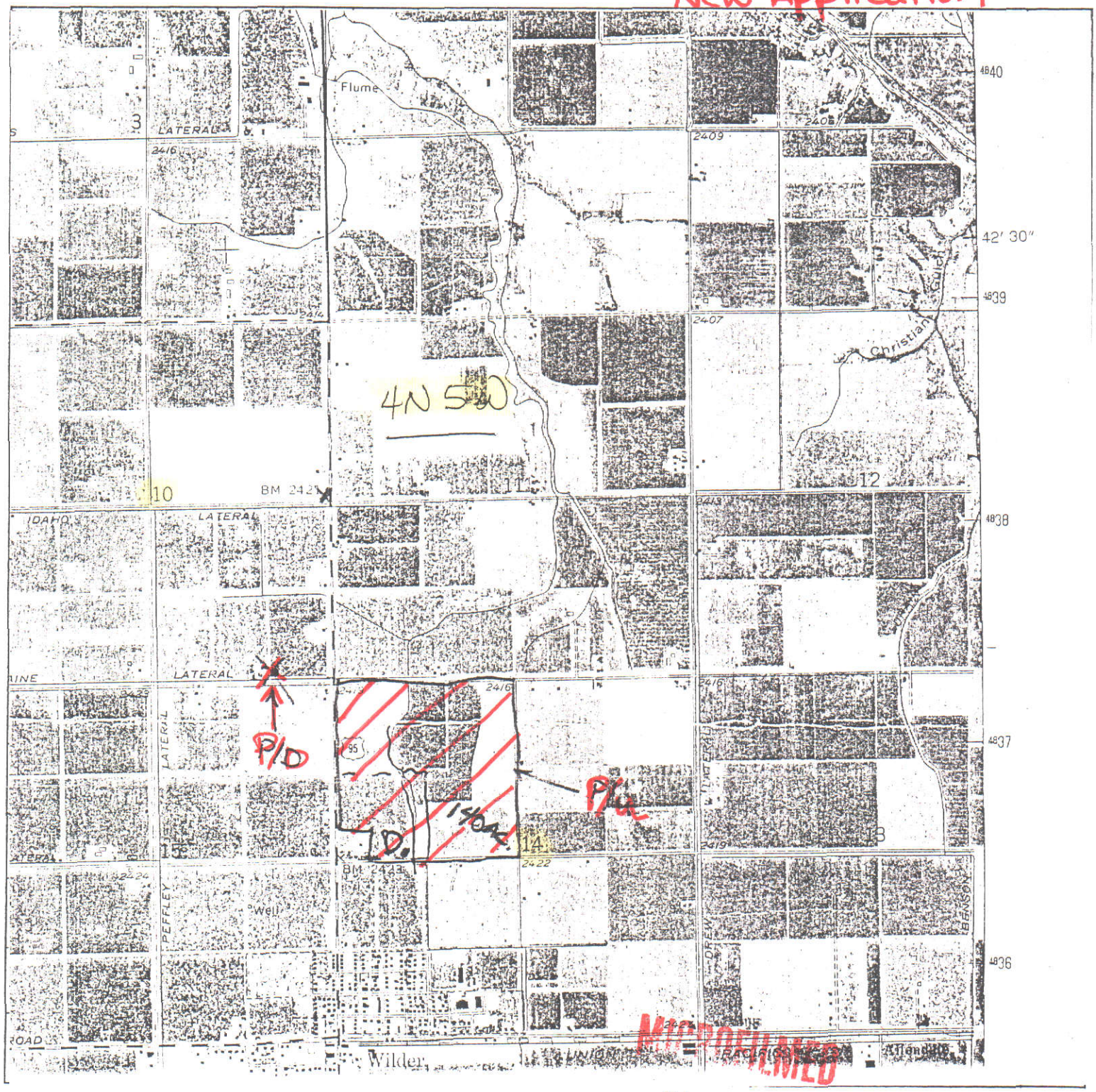
RECEIVED
MAY 20 1992


T4N R5W
Proposed P/D
P/u
PERMIT 63-11474 160 acres
HOWE ROAD
FERN LANE
NEW OBENDORF WELL
Proposed & Actual P/D
RED TOP ROAD
Hetrick-2 Domestic wells
P/u
Application 63-11551 140 acres
PENNY ROAD
HAFF ROAD
TRAVIS ROAD
BATT CREEK ROAD
PEFFLEY ROAD
KILBAINE ROAD
GOLDEN GATE CANAL
Wilder
Allendale
UNION PACIFIC
Siphon
Flume
Labor Camp
Wilder Cemetery
VANTRESS DRAIN
MAY 20 1992
Christian Gulch
Stough
ROSS LATERAL
IDAHO LATERAL
PAINE LATERAL
ATTELL LATERAL
KILBAINE LATERAL
PEFFLEY LATERAL
TRAVIS LATERAL
DRAIN
BM 2417
BM 2423
BM 2422
BM 2439
Well

RECEIVED
JUN 20 1991
Department of Water Resources
Western Regional Office

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

NEW Application



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.

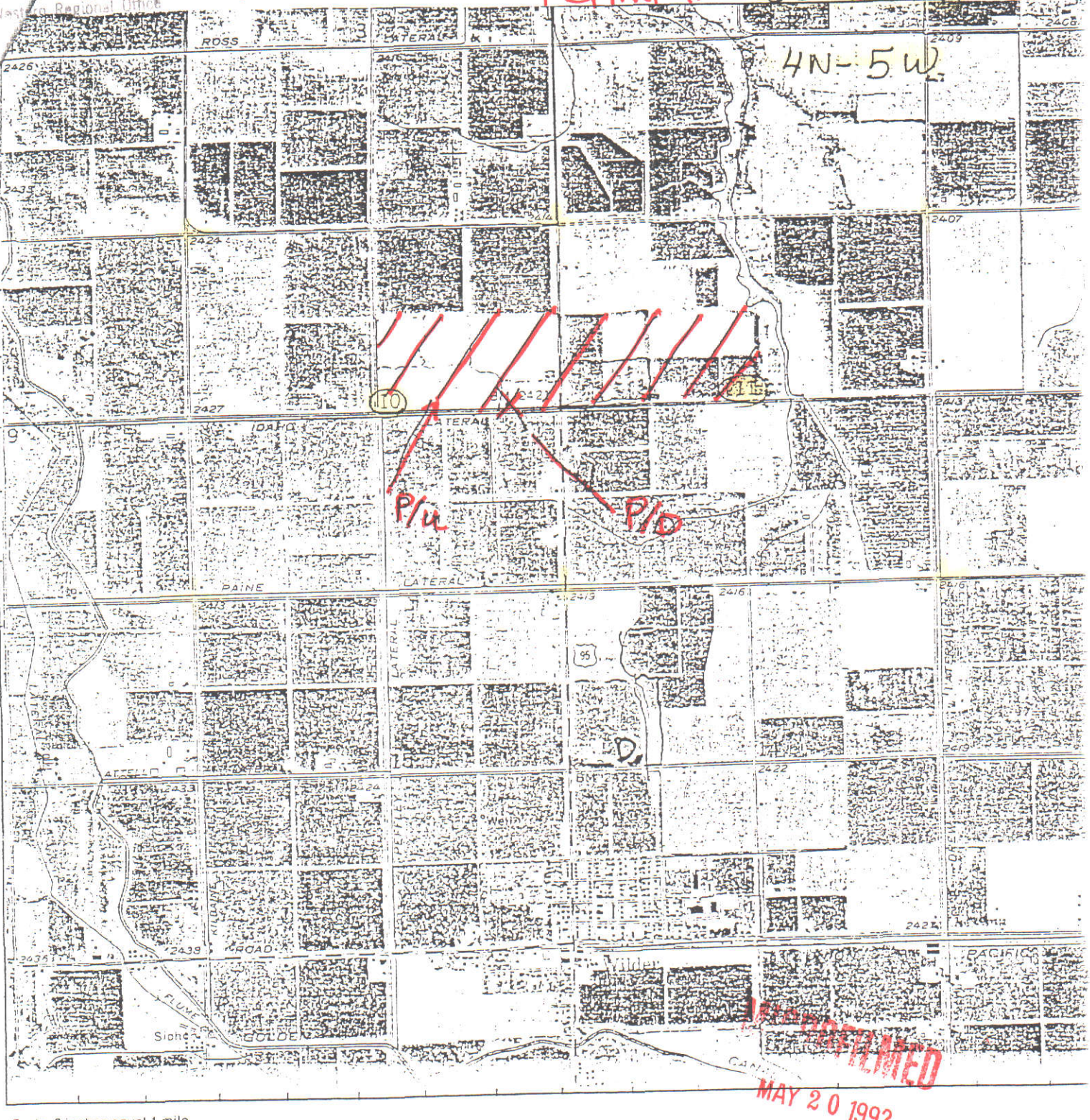
this is correct

Kim Ranches Inc.
(Applicant)
Ray Oberlund Pres.

RECEIVED
JUN 20 1991
Department of Water Resources
Western Regional Office

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

Permit # 63-11474



APPROVED
MAY 20 1992

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.

Kim Ranches Inc
(Applicant)
By Ray Olmstead

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11551

Priority: June 4, 1991 — Maximum Diversion Rate: 2.80 CFS; Maximum Diversion Volume: 630.0 AF

This is to certify, that RIM RANCHES INC
24034 BATT CORNER
PARMA ID 83660
has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 4, 1991; and has submitted Proof of Beneficial Use on March 4, 1993. An examination indicates that the works have a diversion capacity of 3.870 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	2.80 CFS	630.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 10, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	05W	14	NENW	36	NWNW	36	SWNW	30	
			SENW	38					140
					Total number of acres irrigated:				140

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

[illegible] DATED

DEC 0 2 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11551

CONDITIONS/REMARKS:

6. The right holder is responsible to ensure that pumpage under these water rights does not cause the water level in any irrigation of commercial well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under these water rights.
7. The right holder is responsible to ensure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the right holder provides a reasonable compensation or mitigation, as determined by the Director, to the prior water right holder for the reduced water levels.
8. Water diverted under these water rights is supplemental to surface water rights and may be used only in connection with the primary surface water rights from the Boise River. These rights may be utilized only during irrigation seasons when the surface water allotments for the 285 acres will not provide a sufficient supply of irrigation water.
9. The rate of diversion of Water Right No. 63-11474 when combined with Water Right No. 63-11551 shall not exceed 3.87 cfs.
10. Upon a determination of need by the Department, the right holder shall install a flow measurement port or other device as specified by the Department to provide for the measurement of the rate of diversion.
11. The right holder shall utilize available surface water rights to the fullest extent and shall utililize ground water only as a secondary source.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of NOVEMBER, 1993.

Acting for R. Keith Higginson, Director

DEC 02 1993

Form 217

RECEIVED
MAR 4 1993
Department of Water Resources
Western Regional Office

For Office Use Only
Amt. of Fee $ 150
Date 3/4/1993
Receipt No. W015990
Received by DRO

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 9 1993
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11551 Telephone No. 482-7397
2. Name(s) of Permit Holder(s): Ray Brandts
3. Post Office Address: 24034 Batt Corner Rd. Payne Id. 83660
4. Source of Water: Groundwater
   a. If ground water, well driller's name: Riverside Irrigation Date drilled: March 15 1991
   b. Pump horsepower: 150 Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:
   Domestic _____ (No. of households) Irrigation 140 (No. of acres)
   Stockwater _____ (No. and type of stock) Other _____
6. Total rate and/or volume for which proof is submitted 2.8 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
   Measuring device: Required? __Yes __No Installed? __Yes __No
   OR
   Flow Measurement Port: Required? __Yes __No Installed? __Yes __No
   } Flows already measured by IDWR
8. Fee Enclosed: $ 150 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:
   Ray Obendorf 482-7397
   Name Telephone No.
   24034 Batt Corner Rd. Payne Idaho 83660
   Address
10. The above information 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.

3-4-1993 Ray Obendorf President
Date Signature (and title if on behalf of a company or organization)

RECEIVED
APR 26 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474	**ORDER DENYING PETITION FOR REHEARING**

On May 18, 1992, the Director of the Department of Water Resources (Director) issued a Memorandum Decision and Order approving the above captioned application for permit and application for amendment.

On June 8, 1992, the protestant, SSI Food Services, Inc. (SSI) filed a Petition for Rehearing in connection with the approved applications. The applicant filed an Answer to Petition for Rehearing on June 18, 1992.

The Director has reviewed the protestant's petition and the applicant's answer. The department has determined that the protestant has raised no new issues of fact which have not previously been considered by the Department before issuing a final memorandum decision and order in this matter.

ORDER

IT IS THEREFORE HEREBY ordered that the Petition for Rehearing submitted by the protestant SSI is **DENIED.**

Dated this 30TH day of JUNE, 1992.

R. KEITH HIGGINSON
Director

APPROVED

APR 26 1993

I HEREBY CERTIFY that on this 24th day of June, 1992, I mailed a true and correct copy, postage prepaid, of the foregoing Order Denying Petition for Rehearing to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Rd
Parma, ID 83660

Don & Shirley Mills
Route 2 Penny Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd St South
Nampa, ID 83651

Irwin & Betty Hetrick
26373 Red Top Rd
Wilder, ID 83676

Rolly & Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

SSI Food Services
c/o Richad Eismann
3016 Caldwell Blvd.
Nampa, ID 83651-6416

Kay & Marie Yasuda
25724 Fern Lane
Wilder, ID 83676

Jim & Eva Dowling
Fern Lane
Wilder, ID 83676

E. A. Brewer
Larry Carlson
Fern Lane
Wilder, ID 83676

W. F. Schroeder
P. O. Box 220
Vale, OR 97918

John T. Schroeder
P.O. Box 267
Boise, ID 83701

Sherl Chapman
410 S Orchard
Suite 144
Boise, ID 83705

Dale Smith
Box 950
Fruitland, ID 83619

Keith Anderson
432 Summit Ridge Rd
Boise, ID 83702

Karen L. Gustafson
Secretary/Records Manager

RECEIVED

APR 26 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11551

Proposed Priority: June 4, 1991 Maximum Diversion Rate: 2.80 CFS
This is to certify, that **RIM RANCHES INC**
24034 BATT CORNER
PARMA ID 83660
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	2.80 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 10, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	05W	14	NENW	40	NWNW	40	SWNW	20	
			SENW	40					140
					Total number of acres irrigated:				140

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1994.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. See attached Memorandum Decision and Order for conditions of approval.

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

15th day of May, 1992

for L. Glen Saxton
R. Keith Higginson, Director

APPROVED
MAY 20 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474	SOURCE: GROUNDWATER
Rim Ranches, Inc. Applicant, Irwin and Betty Hetrick, Tim Hetrick, Don and Shirley Mills, and SSI Food Services, Inc., Protestants.	COUNTY: CANYON

MEMORANDUM DECISION AND ORDER APPROVING APPLICATION FOR PERMIT AND APPLICATION FOR AMENDMENT

On April 17, 1992, the Department of Water Resources (department) issued a proposed decision in connection with Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474 both in the name of Rim Ranches, Inc. (applicant). On May 4, 1992, the applicant and protestant SSI Food Services, Inc. each filed exceptions to the proposed decision.

With respect to the exceptions of the applicant, conditions of approval 2. and 3. should not be changed, since the applicant does not disagree with the conditions and since the conditions do not prejudice the applicant's position. Oral argument before the director is not warranted and is denied.

The department responds to the exceptions of SSI Food Services, Inc. (SSI) in the order presented as follows:

A. The department has added language in the analysis relative to well interference.

B. The department has added a condition of approval relative to the tender of conditions submitted by the applicant at the hearing.

MAY 20 1992

C. The proposed addition is not needed since the concept has already been included in the decision.

D. The proposed finding should not be added since SSI is not pumping from a depth which is deep enough to be considered the reasonable ground water pumping level.

E. The proposed condition is not needed since the concept has already been included in the decision.

F. The proposed condition is not appropriate since it is too restrictive. The department has, however, added a condition of approval relative to the use of surface water and ground water.

G. The department has added a condition of approval relative to measurement of the rate of diversion.

H. The suggested condition is not appropriate. If SSI anticipates interference with its well, SSI should be prepared to modify its diversion system if needed since its pumping depth has not yet reached the reasonable ground water pumping level.

I. Oral argument before the Director is not warranted and is denied.

FINDINGS OF FACT

1. On February 8, 1991, Rim Ranches, Inc. (hereinafter applicant) filed with the Department of Water Resources water right Application for Permit No. 63-11474, to divert 3.2 cubic feet per second (cfs) of ground water for supplemental irrigation of 160 acres in Sections 10 and 11, Twp. 4 N, Rge 5 W, B.M.

2. The application for permit was not protested, and on May 13, 1991, the department issued Permit No. 63-11474.

3. On April 12, 1991, the applicant applied for a permit to construct a well within the SE1/4 NE1/4 of Section 10. On the same day the department issued Well Drilling Permit No. 63-91-W-118 for this purpose.

4. According to the Well Driller's Report, construction of the well under drilling permit no. 63-91-W-118 was initiated on April 25, 1991, and the well was completed on May 24, 1991.

MAY 20 1992

However, this well was drilled within the SE1/4 SE1/4 of Section 10, not the SE1/4 NE1/4 as described in the drilling permit.

5. On June 4, 1991, the applicant filed with the department water right Application for Permit No. 63-11551, to divert 2.8 cubic feet per second (cfs) of ground water for supplemental irrigation of 140 acres in Section 14, Twp. 4 N, Rge. 5 W, B.M., to be diverted within the SE1/4 SE1/4, Section 10, Twp. 4 N, Rge. 5 W, B.M.

6. Notice of the application was published in the Idaho Press-Tribune on July 3 and 10, 1991.

7. On July 8, 1991, the department was notified by Betty Hetrick that her domestic well and the one utilized by her son Tim Hetrick, located near the newly drilled Rim Ranches, Inc. well as described above, had been adversely impacted by the pumping of the Rim Ranches, Inc. well. The department investigated this complaint, and upon discovering that there had been no approval for the well to be drilled within the SE1/4 SE1/4 of Section 10, required pumping from the well to cease.

8. On July 10, 1991, the department received a protest against approval of Application for Permit No. 63-11551 from Irwin and Betty Hetrick. Protests were also received on July 17, 1991 from Don and Shirley Mills, and Rolly and Margaret Lincoln, and on July 18, 1991 from Tim Hetrick. On January 29, 1992, the department received a withdrawal of the protest from Rolly and Margaret Lincoln.

9. On July 15, 1991, the applicant filed with the department Application for Amendment of Permit No. 63-11474. This application requested a change in point of diversion to coincide with that of Application for Permit No. 63-11551, and a change in place of use to 160 acres within Sections 10 and 11, Twp. 4 N, Rge. 5 W, B.M. Ray Obendorf, President of Rim Ranches, Inc., stated that his intent had always been to drill the well in the SE1/4 SE1/4 of Section 10, and to irrigate the amended lands, but that an error had been made in preparation of the original application.

RECEIVED
MAY 20 1992

10. Notice of the application for amendment was published in the Idaho Press-Tribune on August 7 and 14, 1991.

11. Because the point of diversion and nature of use described by the application for amendment were the same as for the application for permit, the department considered the existing protests to the application for permit to also apply to the application for amendment.

12. The department conducted a conference regarding the application for permit on August 2, 1991. At the conference a determination was made to allow the applicant to conduct an aquifer test by pumping the well and monitoring the neighboring two Hetrick wells.

13. On August 26, 1991, the department received a protest against approval of the application for amendment from SSI Food Services, Inc. In addition, SSI Food Services, Inc. petitioned for and was granted by the department intervenor status with respect to the application for permit.

14. The department assisted with the conduct of the aquifer test, and department hydrogeologist Steven J. Baker prepared a report entitled "Effects on Ground-Water Development in the Wilder Area, Southwest Canyon County, Idaho." Copies of this report were distributed to the parties, and a second conference was conducted on December 12, 1991. Based on requests from the parties, Mr. Baker conducted additional computerized studies utilizing the aquifer test data, and an addendum to the report was prepared and distributed to the parties during February, 1992. These reports conclude that (1) short-term well interference during the irrigation season is a problem, and (2) according to the long-term water level trends in the area, it appears that the local ground water resources are not currently being over-developed.

15. The department conducted a hearing regarding the application on March 5, 1992. At the hearing the applicant was represented by President Ray Obendorf, attorneys William F. Schroeder and John T. Schroeder, and expert witness Keith E.

MAY 20 1992

Anderson, a ground water geologist and engineer. Protestants Irwin, Betty and Tim Hetrick were present and represented by attorney Dennis Sallaz. Protestant Shirley Mills was present and represented by attorney Dale Smith. Protestant SSI Food Services, Inc. was represented by President Kirk Smith, attorney Richard B. Eismann, and Sherl L. Chapman, a ground water geologist.

16. The protestants raised objections to the proposed use alleging that:

(a) the proposed use would reduce the quantity of water under existing water rights; and,

(b) the diversion would conflict with the local public interest.

17. The 300 acres identified in the applications presently have Boise River water rights from the Wilder Irrigation District. The applicant testified that during periods of drought the existing water rights are inadequate to properly irrigate the crops on these acres.

18. The applicant testified that he would utilize his surface water rights to irrigate the 300 acres to their fullest available extent, and would utilize ground water only as a secondary source. He also testified that his maximum rate of diversion would be the rate capable of being pumped by the existing system. This rate has been measured to be 3.87 cfs.

19. Based on analysis of well logs, water levels, and Mr. Baker's report it appears that the well drilled by the applicant would likely be diverting from the aquifer that is utilized by the wells of the protestants. It is also likely that a primary source of recharge to the ground water system is leakage of water from canals and deep percolation of water applied for irrigation in the vicinity of the wells. Removal of surface water rights from the acreage in question would serve to reduce this aquifer recharge.

20. Depth to water within a mile from the proposed well varies from location to location, but in each reported case is

MICROFILMED

MAY 20 1992

less than 300 feet.

21. The well used by SSI Food Services, Inc. is a 12 inch diameter well drilled about 400 feet deep. Depth to water in March 1992, was about 110 feet. The depth to water during the summer of 1991 was 146 feet. The pump is set at 165 feet below land surface.

22. Two of the currently used wells in the immediate vicinity of the proposed diversion provide water for single family domestic uses. These wells were drilled and used prior to March 29, 1978.

23. Based on analysis of well logs in the vicinity of the point of diversion and Mr. Baker's report, the ground water aquifer appears to be sufficient to satisfy the proposed diversion.

24. Relative to public interest, the protestants objected to economic costs related to increased pumping depths and well deepening. The applicant predicts economic benefits via more assured water supplies.

25. Testimony from both expert witnesses generally supported the findings of the department as documented in the report and addendum prepared by Mr. Baker. In addition, Mr. Chapman recommended that further aquifer recharge and withdrawal studies would be helpful and that the department should consider additional aquifer management actions.

CONCLUSIONS OF LAW

Applicable Legal Principles

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

> The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for

MICROFILMED
MAY 20 1992

which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

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

...for...an application for an amendment...it shall be the duty of the department of water resources to examine same and if approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application and return an approved copy to the permit holder.

3. Idaho Code, Sec. 42-226, states in part as follows:

The traditional policy of the State of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of the underground water resources.

4. Consideration of the local public interest criterion of Idaho Code, Sec. 42-203A(5) is defined by the department Water Appropriation Rules and Regulations, Rule 5,1,5, to include:

... the effect the project will have on the economy of the local area affected by the proposed use as determined by the employment opportunities, both long and short term, revenue changes to various sectors of the economy, short and long term, and the stability of revenue and employment gains; the effect the project will have on recreation, fish and wildlife resources in

MAY 20 1992

the local public area affected by the proposed use; and compliance with applicable air, water and hazardous substance standards, and compliance with planning and zoning ordinances of local or state government jurisdictions.

Application of Legal Principles

5. There appears to be sufficient water available in the ground water aquifer to satisfy additional demands, including those proposed by these applications.

6. Diversion of this water right as proposed will potentially lower the water levels in neighboring wells. However, resulting depths to water are predicted to remain above the reasonable level.

7. The permit holder is responsible to compensate or mitigate adverse impacts to owners of domestic wells drilled and used prior to March 29, 1978, if the permit holder's use directly causes such a domestic well to become unusable or require modification of the well or pumping system in order to obtain the domestic water.

ANALYSIS

The most complex issue with respect to this application relates to the economic aspects of local public interest. On one hand, the applicant desires to divert ground water to improve the economic return of his farming operation. In this regard, state law encourages the beneficial use of water in reasonable amounts. On the other hand, diversion of ground water at the proposed point of diversion could result in the lowering of the water table in the vicinity of the well, and initial pumping has already resulted in the need to lower pumps in the neighboring wells, resulting in an economic cost.

The department must consider the potential effect of a new proposal on the ability of senior water rights to obtain water at or above the reasonable ground water pumping level.

With respect to neighboring irrigation and commercial wells, statutes affirm that while the doctrine of "first in time is

NOT MICROFILMED
MAY 20 1992

first in right" is recognized, a reasonable exercise of this right shall not block full economic development of the underground water resources. An economic pumping level has not been determined for the Boise River basin, but the department does not consider the economic pumping level to have been reached in irrigation and commercial wells where the depth to water is shallower than 300 feet.

With respect to neighboring domestic wells, the lowering of the water level in wells drilled prior to March 29, 1978, requires action of the permit holder to either compensate or mitigate such prior right holders for modifications required as a direct cause of withdrawal under the permit.

This decision is without prejudice as to any future showing by the permit holder in a separate action that other wells in the area may have an effect upon the wells of the protestants.

The applicant is entitled to a permit to maximize the beneficial use of the ground water resource.

ORDER

IT IS, THEREFORE, ORDERED that Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474 are HEREBY APPROVED, subject to following conditions:

1. These water rights are subject to all prior water rights.

2. The permit holder is responsible to ensure that pumpage under these water rights does not cause the water level in any irrigation of commercial well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under these water rights.

3. The permit holder is responsible to ensure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or

MICROFILMED
MAY 20 1992

pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides a reasonable compensation or mitigation, as determined by the director, to the prior water right holder for the reduced water levels.

4. Water diverted under these water rights is supplemental to surface water rights and may be used only in connection with the primary surface water rights from the Boise River. These rights may be utilized only during irrigation seasons when the surface water allotments for the 300 acres will not provide a sufficient supply of irrigation water.

5. The rate of diversion of water right no. 63-11474 when combined with water right no. 63-11551 shall not exceed 3.87 cfs.

6. The rate of diversion for these water rights when combined with all other water rights, shall not exceed 0.02 cfs per acre irrigated.

7. Upon a determination of need by the department, the permit holder shall install a flow measurement port or other device as specified by the department to provide for the measurement of the rate of diversion.

8. The permit holder shall utilize available surface water rights to the fullest extend and shall utilize ground water only as a secondary source.

9. The permit holder shall comply with the tender of conditions to the extent that the conditions do not conflict with a specific provision of the decision and order.

10. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date indicated on the final order for water right no. 63-11551, and shall remain as May 3, 1993 for water right no. 63-11474.

Dated this 15TH day of May, 1992.

R. KEITH HIGGINSON
Director

MAY 20 1992

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 18th day of May, 1992, I mailed a true and correct copy, postage prepaid, of the foregoing Final Memorandum Decision and Order to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Rd
Parma, ID 83660

Don & Shirley Mills
Route 2 Penny Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd St South
Nampa, ID 83651

Irwin & Betty Hetrick
26373 Red Top Rd
Wilder, ID 83676

Rolly & Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

SSI Food Services
c/o Richard Eismann
3016 Caldwell Blvd.
Nampa, ID 83651-6416

Kay & Marie Yasuda
25724 Fern Lane
Wilder, ID 83676

Jim & Eva Dowling
Fern Lane
Wilder, ID 83676

E A Brewer
Larry Carlson
Fern Lane
Wilder, ID 83676

W F Schroeder
PO Box 220
Vale, OR 97918

John T. Schroeder
PO Box 267
Boise, ID 83701

Sherl Chapman
410 S Orchard
Suite 144
Boise, ID 83705

Dale Smith
Box 950
Fruitland, ID 83619

Keith Anderson
432 Summit Ridge Rd
Boise, ID 83702

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

MICROFILMED
MAY 20 1992

BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF Application for permit no. 63-11551 and application for amendment of permit no. 63-11474 in the name of Rim Ranches, Inc.

ORDER ISSUING PROPOSED MEMORANDUM DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, L. Glen Saxton, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

RECEIVED
MAY 20 1992

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral agruments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 17th day of April, 19 92.

R. KEITH HIGGINSON
Director

MAY 20 1992

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 17th day of April, 1992, I mailed a true and correct copy, postage prepaid, of the foregoing Proposed Memorandum Decision and Order and Order Issuing the Proposed Memorandum Decision to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Rd
Parma, ID 83660

Don & Shirley Mills
Route 2 Penny Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd St S
Nampa, ID 83651

Irwin & Betty Hetrick
26373 Red Top Rd
Wilder, ID 83676

Rolly & Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

SSI Food Services
c/o Richard Eismann
3016 Caldwell Blvd
Nampa, ID 83651-6416

Kay & Marie Yasuda
25724 Fern Lane
Wilder, ID 83676

Jim & Eva Dowling
Fern Lane
Wilder, ID 83676

E A Brewer
Larry Carlson
Fern Lane
Wilder, ID 83676

W F Schroeder
P. O. Box 220
Vale, OR 97918

John T. Schroeder
P.O. Box 267
Boise, ID 83701

Sherl Chapman
410 S Orchard
Suite 144
Boise, ID 83705

Dale Smith
Box 950
Fruitland, ID 83619

Keith Anderson
432 Summit Ridge Road
Boise, ID 83702

Karen L. Gustafson
Karen L. Gustafson
Secretary, Records Manager

MAY 20 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474	SOURCE: GROUNDWATER
Rim Ranches, Inc. Applicant, Irwin and Betty Hetrick, Tim Hetrick, Don and Shirley Mills, and SSI Food Services, Inc., Protestants.	COUNTY: CANYON

PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING APPLICATION FOR PERMIT AND APPLICATION FOR AMENDMENT

BY HEARING OFFICER L. GLEN SAXTON

Rim Ranches, Inc., having filed with the Department of Water Resources Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474; protests having been received; and two conferences and a hearing having been held; the department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On February 8, 1991, Rim Ranches, Inc. (hereinafter applicant) filed with the Department of Water Resources water right Application for Permit No. 63-11474, to divert 3.2 cubic feet per second (cfs) of ground water for supplemental irrigation of 160 acres in Sections 10 and 11, Twp. 4 N, Rge 5 W, B.M.

2. The application for permit was not protested, and on May 13, 1991, the department issued Permit No. 63-11474.

3. On April 12, 1991, the applicant applied for a permit to construct a well within the SE1/4 NE1/4 of Section 10. On the same day the department issued Well Drilling Permit No. 63-91-W-118 for this purpose.

RECEIVED
MAY 20 1992

4. According to the Well Driller's Report, construction of the well under drilling permit no. 63-91-W-118 was initiated on April 25, 1991, and the well was completed on May 24, 1991. However, this well was drilled within the SE1/4 SE1/4 of Section 10, not the SE1/4 NE1/4 as described in the drilling permit.

5. On June 4, 1991, the applicant filed with the department water right Application for Permit No. 63-11551, to divert 2.8 cubic feet per second (cfs) of ground water for supplemental irrigation of 140 acres in Section 14, Twp. 4 N, Rge. 5 W, B.M., to be diverted within the SE1/4 SE1/4, Section 10, Twp. 4 N, Rge. 5 W, B.M.

6. Notice of the application was published in the Idaho Press-Tribune on July 3 and 10, 1991.

7. On July 8, 1991, the department was notified by Betty Hetrick that her domestic well and the one utilized by her son Tim Hetrick, located near the newly drilled Rim Ranches, Inc. well as described above, had been adversely impacted by the pumping of the Rim Ranches, Inc. well. The department investigated this complaint, and upon discovering that there had been no approval for the well to be drilled within the SE1/4 SE1/4 of Section 10, required pumping from the well to cease.

8. On July 10, 1991, the department received a protest against approval of Application for Permit No. 63-11551 from Irwin and Betty Hetrick. Protests were also received on July 17, 1991 from Don and Shirley Mills, and Rolly and Margaret Lincoln, and on July 18, 1991 from Tim Hetrick. On January 29, 1992, the department received a withdrawal of the protest from Rolly and Margaret Lincoln.

9. On July 15, 1991, the applicant filed with the department Application for Amendment of Permit No. 63-11474. This application requested a change in point of diversion to coincide with that of Application for Permit No. 63-11551, and a change in place of use to 160 acres within Sections 10 and 11, Twp. 4 N, Rge. 5 W, B.M. Ray Obendorf, President of Rim Ranches,

MAY 20 1992

Inc., stated that his intent had always been to drill the well in the SE1/4 SE1/4 of Section 10, and to irrigate the amended lands, but that an error had been made in preparation of the original application.

10. Notice of the application for amendment was published in the Idaho Press-Tribune on August 7 and 14, 1991.

11. Because the point of diversion and nature of use described by the application for amendment were the same as for the application for permit, the department considered the existing protests to the application for permit to also apply to the application for amendment.

12. The department conducted a conference regarding the application for permit on August 2, 1991. At the conference a determination was made to allow the applicant to conduct an aquifer test by pumping the well and monitoring the neighboring two Hetrick wells.

13. On August 26, 1991, the department received a protest against approval of the application for amendment from SSI Food Services, Inc. In addition, SSI Food Services, Inc. petitioned for and was granted by the department intervenor status with respect to the application for permit.

14. The department assisted with the conduct of the aquifer test, and department hydrogeologist Steven J. Baker prepared a report entitled "Effects on Ground-Water Development in the Wilder Area, Southwest Canyon County, Idaho." Copies of this report were distributed to the parties, and a second conference was conducted on December 12, 1991. Based on requests from the parties, Mr. Baker conducted additional computerized studies utilizing the aquifer test data, and an addendum to the report was prepared and distributed to the parties during February, 1992. These reports conclude that (1) short-term well interference during the irrigation season is a problem, and (2) according to the long-term water level trends in the area, it appears that the local ground water resources are not currently being over-developed.

MAY 20 1992

15. The department conducted a hearing regarding the application on March 5, 1992. At the hearing the applicant was represented by President Ray Obendorf, attorneys William F. Schroeder and John T. Schroeder, and expert witness Keith E. Anderson, a ground water geologist and engineer. Protestants Irwin, Betty and Tim Hetrick were present and represented by attorney Dennis Sallaz. Protestant Shirley Mills was present and represented by attorney Dale Smith. Protestant SSI Food Services, Inc. was represented by President Kirk Smith, attorney Richard B. Eismann, and Sherl L. Chapman, a ground water geologist.

16. The protestants raised objections to the proposed use alleging that:

(a) the proposed use would reduce the quantity of water under existing water rights; and,

(b) the diversion would conflict with the local public interest.

17. The 300 acres identified in the applications presently have Boise River water rights from the Wilder Irrigation District. The applicant testified that during periods of drought the existing water rights are inadequate to properly irrigate the crops on these acres.

18. The applicant testified that he would utilize his surface water rights to irrigate the 300 acres to their fullest available extent, and would utilize ground water only as a secondary source. He also testified that his maximum rate of diversion would be the rate capable of being pumped by the existing system. This rate has been measured to be 3.87 cfs.

19. Based on analysis of well logs, water levels, and Mr. Baker's report it appears that the well drilled by the applicant would likely be diverting from the aquifer that is utilized by the wells of the protestants. It is also likely that a primary source of recharge to the ground water system is leakage of water from canals and deep percolation of water applied for irrigation in the vicinity of the wells. Removal of surface water rights

RECEIVED
MAY 20 1992

from the acreage in question would serve to reduce this aquifer recharge.

20. Depth to water within a mile from the proposed well varies from location to location, but in each reported case is less than 300 feet.

21. Two of the currently used wells in the immediate vicinity of the proposed diversion provide water for single family domestic uses. These wells were drilled and used prior to March 29, 1978.

22. Based on analysis of well logs in the vicinity of the point of diversion and Mr. Baker's report, the ground water aquifer appears to be sufficient to satisfy the proposed diversion.

23. Relative to public interest, the protestants objected to economic costs related to increased pumping depths and well deepening. The applicant predicts economic benefits via more assured water supplies.

24. Testimony from both expert witnesses generally supported the findings of the department as documented in the report and addendum prepared by Mr. Baker. In addition, Mr. Chapman recommended that further aquifer recharge and withdrawal studies would be helpful and that the department should consider additional aquifer management actions.

CONCLUSIONS OF LAW

Applicable Legal Principles

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

> The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such

MAY 20 1992

application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

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

...for...an application for an amendment...it shall be the duty of the department of water resources to examine same and if approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application and return an approved copy to the permit holder.

3. Idaho Code, Sec. 42-226, states in part as follows:

The traditional policy of the State of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of the underground water resources.

4. Consideration of the local public interest criterion of Idaho Code, Sec. 42-203A(5) is defined by the department Water Appropriation Rules and Regulations, Rule 5,1,5, to include:

... the effect the project will have on the economy of the local area affected by the proposed use as determined by the employment opportunities, both long and short term, revenue changes to various sectors of the economy, short and long term, and the stability of revenue and employment gains; the effect the project will have on recreation, fish and wildlife resources in the local public area affected by the proposed use; and compliance with applicable air, water and hazardous

MAY 20 1992

substance standards, and compliance with planning and zoning ordinances of local or state government jurisdictions.

Application of Legal Principles

5. There appears to be sufficient water available in the ground water aquifer to satisfy additional demands, including those proposed by these applications.

6. Diversion of this water right as proposed will potentially lower the water levels in neighboring wells. However, resulting depths to water are predicted to remain above the reasonable level.

7. The permit holder is responsible to compensate or mitigate adverse impacts to owners of domestic wells drilled and used prior to March 29, 1978, if the permit holder's use directly causes such a domestic well to become unusable or require modification of the well or pumping system in order to obtain the domestic water.

ANALYSIS

The most complex issue with respect to this application relates to the economic aspects of local public interest. On one hand, the applicant desires to divert ground water to improve the economic return of his farming operation. In this regard, state law encourages the beneficial use of water in reasonable amounts. On the other hand, diversion of ground water at the proposed point of diversion could result in the lowering of the water table in the vicinity of the well, and initial pumping has already resulted in the need to lower pumps in the neighboring wells, resulting in an economic cost.

The department must consider the potential effect of a new proposal on the ability of senior water rights to obtain water at or above the reasonable ground water pumping level.

With respect to neighboring irrigation and commercial wells, statutes affirm that while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this

MAY 20 1992

right shall not block full economic development of the underground water resources. An economic pumping level has not been determined for the Boise River basin, but the department does not consider the economic pumping level to have been reached in irrigation and commercial wells where the depth to water is shallower than 300 feet.

With respect to neighboring domestic wells, the lowering of the water level in wells drilled prior to March 29, 1978, requires action of the permit holder to either compensate or mitigate such prior right holders for modifications required as a direct cause of withdrawal under the permit.

The applicant is entitled to a permit to maximize the beneficial use of the ground water resource.

ORDER

IT IS, THEREFORE, ORDERED that Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474 are HEREBY APPROVED, subject to following conditions:

1. These water rights are subject to all prior water rights.

2. The permit holder is responsible to ensure that pumpage under these water rights does not cause the water level in any irrigation of commercial well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under these water rights.

3. The permit holder is responsible to ensure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides a reasonable compensation or mitigation, as determined by the director, to the prior water

MAY 20 1992

right holder for the reduced water levels.

4. Water diverted under these water rights is supplemental to surface water rights and may be used only in connection with the primary surface water rights from the Boise River. These rights may be utilized only during irrigation seasons when the surface water allotments for the 300 acres will not provide a sufficient supply of irrigation water.

5. The rate of diversion of water right no. 63-11474 when combined with water right no. 63-11551 shall not exceed 3.87 cfs.

6. The rate of diversion for these water rights when combined with all other water rights, shall not exceed 0.02 cfs per acre irrigated.

7. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date indicated on the final order for water right no. 63-11551, and shall remain as May 3, 1993 for water right no. 63-11474.

Dated this 17th day of April, 1992.

L. GLEN SAXTON
Hearing Officer

MAY 21 1992

Form 202
6/85

Ident. No. 63-11551

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Rim Ranches Inc. Phone 482-7397

   Post office address 24034 Batt Corner, Parma ID 83660

2. Source of water supply Groundwater which is a tributary of _____

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

   Sec. 10 Township 4N Range 05W B.M. Canyon. County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 2.80 (cfs or acre-feet per annum) for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 2.8 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

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

   Drilled well w/pipeline

   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 582 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

   2 years (*minimum 1 year*).

RECEIVED
MAY 20 1992

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. _____

   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	
04W	05W	14					40	40	20	40									140

Total number of acres to be irrigated 140 Ac.

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

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

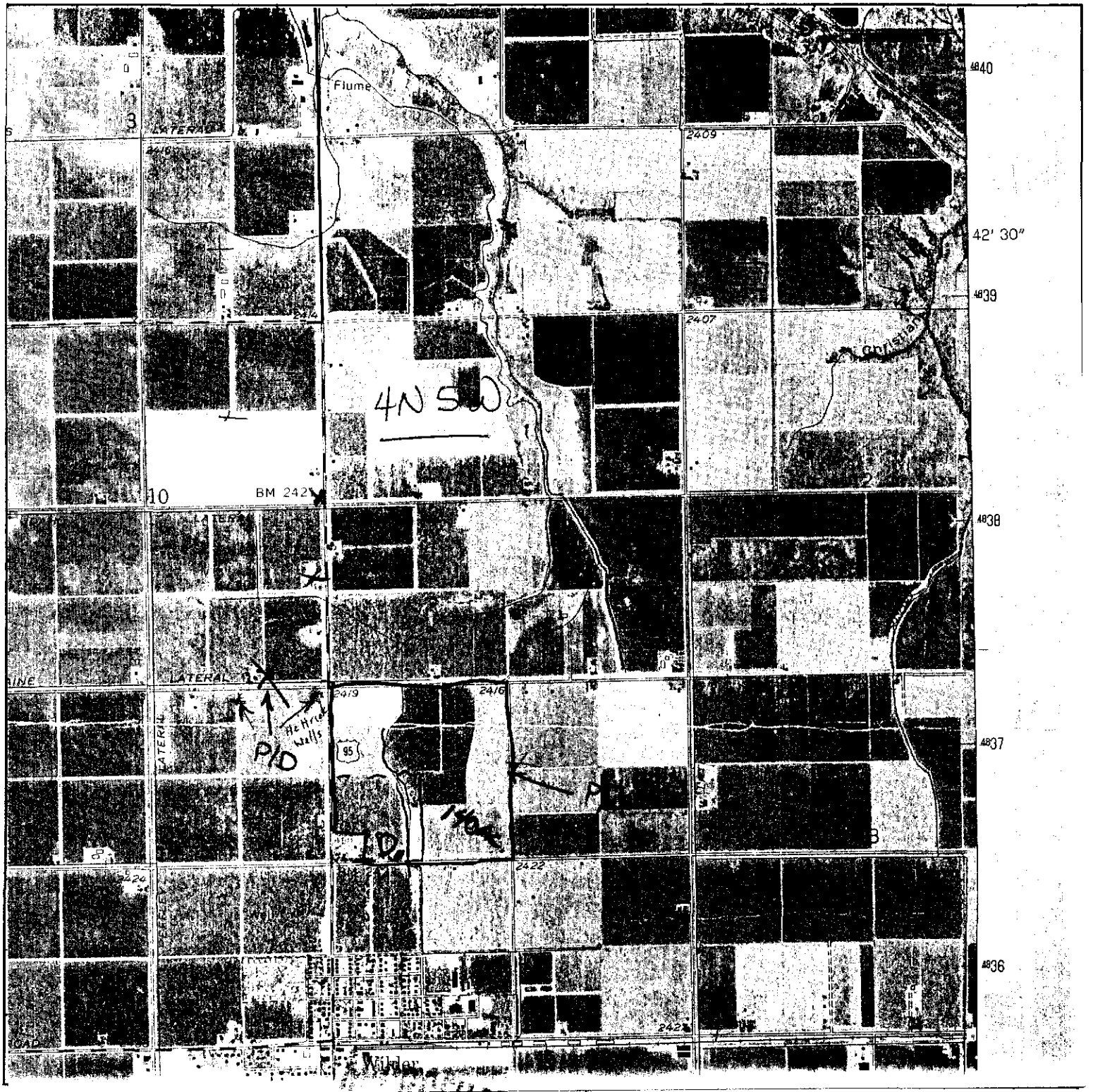
    b. Who owns the land to be irrigated or place of use? Applicant.

    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: Supplemental Water.
Well also serves #63-11474

RECEIVED
MAY 20 1992

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.

RECEIVED
MAY 20 1992

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.

Rim Ranches Inc.
(Applicant)
Ray Oberdorf Pres.

Received by JFW Date 6/4/91 Time 2:00 PM. Preliminary check by CH

Fee $ 85.00 Receipted by JFW # W013373 Date 6/4/91

Publication prepared by GG Date 6-26-91 Published in Press-tribune 7/3 & 7/10/91

Publication approved [signature] Date 7-26-91

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:

MICROFILMED
MAY 20 1992

NOTICE OF APPLICATION [illegible] WATER RIGHT

The Following application(s) have been fi[illegible] to appropriate the public waters of the State of Idaho:

02-07443

MC DONOUGH, MARK
P.O. BOX 9695
MOSCOW, ID 838430149
Source: SNAKE RIVER
Diversion Pt:

Use: IRRIGATION

Date Filed: 5/20/1991
In: T01S R02W S05

S06
S31
65.0 ACRES TOTAL

Tributary: COLUMBIA RIVER
LOT 2 (NESE) Sec 6 T 01S R 02W
LOT 2 (NWSE) Sec 6 T 01S R 02W
(1.300 CFS)
Total Diversion: (1.300 CFS)

Lot 4 (NWNW) SWNW SENW
NESW NWSW
Lot 4 (NENE) Lot 5 (NWNE) Lot 6 (NENW)
SWSE SESE

63-11547

BAR LAZY F, DBA
ETHINGTON, ALLEN
ETHINGTON, NORMA
EHTINGTON, MARGARET
RT. 2, BOX 96
HOMEDALE, ID 83628
Source: SPRINGS
Diversion Pt:
Use: IRRIGATION
STOCKWATER

Date Filed: 5/21/1991
In: T04N R05W S36
60.0 ACRES TOTAL

Tributary: SNAKE RIVER
SESWNW Sec 36 T 04N R 05W
(1.200 CFS)
(.020 CFS)
Total Diversion: (1.220 CFS)

SWNW SENW NWSW SWSW

63-11548

WOOD, DAVID W.
703 7TH AVE. N.
NAMPA. ID 83687
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION

Date Filed: 6/ 4/ 1991
In: T03N R02W S22
2.0 ACRES TOTAL

NWNENE Sec 22 T 03N R 02W
(.060 CFS)
Total Diversion: (.060 CFS)

NENE NWNE

63-11549

YAMAMOTO, ARCHIE
YAMAMOTO, LIANNE
8434 HWY. 20
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt:
Use: DOMESTIC

Date Filed: 6/13/1991
In: T04N R02W S22

SWSE Sec 22 T 04N R 02W
(.040 CFS)
Total Diversion: (.040 CFS)

SWSE

63-11550

ANDERSON, ROBERT
ANDERSON, MARGARET
15765 PLUM RD.
CALDWELL, ID 83605
Source: SPRING
Diversion Pt:
Use: STOCKWATER
DOMESTIC

Date Filed: 6/17/1991
In: T03N R04W S16

Tributary: SNAKE RIVER
NWNWNW Sec 15 T 03N R 04W
(.020 CFS)
(.040 CFS)
Total Diversion: (.060 CFS)

NENE

63-11551

RIM RANCHES INC.
24034 BATT CORNER
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION

Date Filed: 6/ 4/1991
In: T04N R05W S14
140.0 ACRES TOTAL

SESE Sec 10 T 04N R 04W
(2.800 CFS)
Total Diversion: (2.800 CFS)

NENW NWNW SWNW SENW

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 JULY 22, 1991.

R. KEITH HIGGINSON
Director

[illegible] 10 1[illegible]1

AFFIDAVIT OF PUBLICATION

[illegible] OF IDAHO)
) ss.
[illegible] of Canyon)

JUL 12 1991

Department of Water Resources
Western Regional Office

Sharla O'Krakel

[illegible]npa, Canyon County, Idaho, being first duly sworn, deposes [illegible]ys:

[illegible]at I am a citizen of the United States of America, and at all [illegible] hereinafter mentioned was over the age of eighteen years, [illegible]t a party to the above entitled action.

[illegible]at I am the Principal Clerk of the Idaho Press-Tribune, a [illegible] (except Saturday) newspaper published in the City of [illegible]a and Caldwell, in the County of Canyon, State of Idaho; [illegible]he said newspaper is in general circulation in the said [illegible] of Canyon, and in the vicinity of Nampa and Caldwell, and [illegible]en uninterruptedly published in said County during a period [illegible]enty-eight consecutive weeks prior to the first publication of [illegible]tice, a copy of which is hereto attached.

[illegible]hat the notice, of which the annexed is a printed copy, was [illegible]hed in said newspaper

two times

[illegible]e regular and entire issue of said paper, and was printed in [illegible]wspaper proper, and not in a supplement.

[illegible]at said notice was published the following dates:

July 3, 10, 1991

Sharla O'Krakel

[illegible]E OF IDAHO)
)
[illegible]TY OF CANYON)

[illegible] is 10th day of July in the [illegible] of 1991, before me, a Notary Public, personally [illegible]red Sharla O'Krakel, known [illegible]ntified to me to be the person whose name subscribed to the [illegible] instrument, and being by me first duly sworn, declared [illegible]e statements therein are true, and acknowledged to me that [illegible]xecuted the same.

MICROFILMED
MAY 20 1992

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21st, 1997

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1993

RIM RANCHES INC
24034 BATT CORNER
PARMA ID 83660

RE: WATER RIGHT NO. 63-11551

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED
DEC 02 1993

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	RIN RANCHES INC 24034 BATT CORNER PARMA ID 83660 (208) 482-7397	06/04/1991	IRRIGATION	03-15	11-15	2.80 CFS	630.0 AFA
				TOTAL DIVERSION:		2.80 CFS	630.0 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 3.87 CFS

Point(s) of Diversion: T04N R05W S10 SE SE

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
04N	05W	14					36	36	30	38									140.0
																		TOTAL ACRES	140.0

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:
63-11474 63-11551

Other Water Rights Listing Overlapping Place(s) of use:
63-11551

Conditions of Approval:
R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Remarks: The right holder is responsible to ensure that pumpage under these water rights does not cause the water level in any irrigation of commercial well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under these water rights.
The right holder is responsible to ensure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the right holder provides a reasonable compensation or mitigation, as determined by the Director, to the prior water right holder for the reduced water levels.
Water diverted under these water rights is supplemental to surface water rights and may be used only in connection with

Remarks: the primary surface water rights from the Boise River. These rights may be utilized only during irrigation seasons when the surface water allotments for the 285 acres will not provide a sufficient supply of irrigation water.
The rate of diversion of Water Right No. 63-11474 when combined with Water Right No. 63-11551 shall not exceed 3.87 cfs.
Upon a determination of need by the Department, the right holder shall install a flow measurement port or other device as specified by the Department to provide for the measurement of the rate of diversion.
The right holder shall utilize available surface water rights to the fullest extent and shall utililize ground water only as a secondary source.

Dates:

App. Received:	06/04/1991	Priority Date:	06/04/1991
Proof Due Date:	06/01/1994	Proof Made Date:	03/04/1993
Exam Made Date:	05/09/1993	Exam Sent to S.O.:	06/30/1993
Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 05/04/1992 User-ID: MILLER Subject: SUPPLEMENTAL IRRIGATION
This permit provides irrigation water to be used in conjunction with Wilder Irrigation District rights.

Date: 05/15/1992 User-ID: MILLER Subject: CORPORATE OFFICERS
Rim View Ranches corporate officers are the following individuals:
Ray Obendorf - President
Dorolene Obendorf - Secretary/Treasurer

Date: 03/09/1993 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 07/28/93 CHAPMAN

WR0750NP
(OD-138)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT
(REGIONAL)

DATE: 07/28/93
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
L6311551	T04N R05W S14	GROUNDWATER																																140
6302388	BOISE RIVE																																	
A6302388	BOISE RIVE																																	
~~6311551~~	~~GROUNDWATE~~																																	~~140~~
6311744	GROUNDWATE								20																									20
M6311744	GROUNDWATE								20																									20
6311961	GROUNDWATE				36		36												36								36		36				37	217
A6320543	GROUNDWATE																		37															37
A6321147	GROUNDWATE																						20											20
A6329028	GROUNDWATE																														05			5

LICENSE REVIEW CHECKLIST

Permit # 63-11551 Date 7-28-93 Brenda Chapman

	Yes	No	
NAME	___	✓	Or Address Change?
PRIORITY DATE	___	✓	Advance? ___ Memo to Advance ___
	___	✓	Order to Reinstate Needed?
SOURCE	___	✓	Changes? Clarification of **Originally Intended** source ___
	___	✓	Notice of Intent to Void - Source change.
P/D	___	✓	Amendment Needed? ___
	✓	___	Is Overlap Analysis a Consideration?
P/U	___	✓	Amendment Needed? ___
	___	✓	Is Overlap Analysis a Consideration?
TOTAL CFS	___	✓	Incorrect Fee for rate recommended?
	-NA-		Disagree/Measurement none done / Steve BAKER did one in the Wilder GW Study
	___	✓	Pumping Theoretical (8.8) x (.70) x ( ) (+ [2.31 x])
	___	✓	**System Capacity** 3.87
			Allowable Amount: 140 x .02 = 2.8 (PERMIT LIMIT)
TOTAL VOLUME			Rate/ac 4.5 AFA Irr. Season D
			3/15 to 11-15 Standard Irr. Season
			Season Recommended
	___	✓	Disagree with Examiner's Calculations?
			140 x 4.5 = 630 AF
	___	✓	Flow limit: 2.8 x 246 x 1.9835 = 1366
USES	___	✓	Change(s) in Nature of Use? ___
	___	✓	Amendment Needed? ___
REMARKS	___	✓	Multiple P/Ds in 1/4 1/4? ___
	___	✓	Non-Irr. Uses ___
	___	___	Special Overlap Condition GW Supplemental
	✓	___	Other MEMORANDUM + DECISION CONDITIONS

CONDITIONS				Dates/Misc
	___	___	Measuring Devices	
	___	___	W/Master Control	___ Water Dist
	R32	___	Irrigation Overlap	6-4-91 App Rec'd
	___	___	Water Quality	5-9-93 Exam Made

COMMENTS: ___

RECOMMENDED	CFS	VOL	
Irrigation	2.8	630	LICENSE ✓
Domestic	___	___	
Stockwater	___	___	AMEND ___
___	___	___	

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 0 1 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11551

1. Owner: RIM RANCHES INC Phone No. 482-7397

Current Address: 24034 BATH CORNER RD PARMA ID 83660

2. Accompanied by: RAY OBENDORF EXAM DATE: 5/9/93

Address: SAME Phone No.

Relationship to Permit Holder: OWNER

3. Source: GROUND WATER tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388

2. Other water rights with the same point of diversion: 63-11474

C. DIVERSION AND DELIVERY SYSTEM

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

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			Se	Se	10	4N	5W	CANYON	USGS QUAD

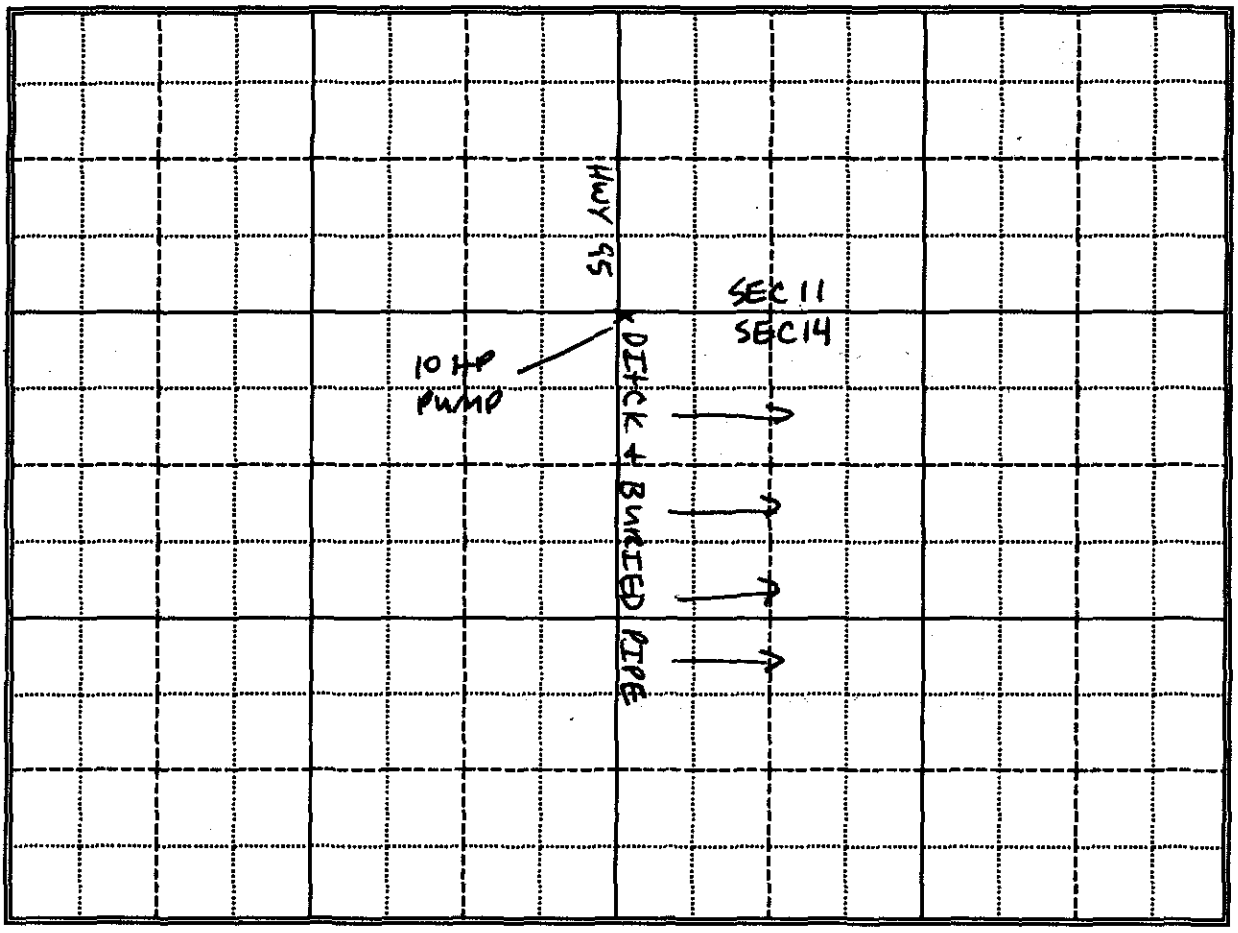
2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	5W	14									36	36	30	38					140

RECEIVED
DEC 02 1993

All should be in the NW ¼. BC

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



Scale: 1" = _____.

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

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

✓ Photo of Diversion and System Attached (more photos in 63-11474)

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US ELECTRIC	150	C2684-01-2-21-75	FRANKLIN	16"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** 3.87 cfs per 1991 Wilder Groundwater Study (Steve Baker's Report)

DEC 0 2 1993

E. NARRATIVE/REMARKS/COMMENTS

A 16" well equiped with a 150 HP pump supplies waters to 140 ac under this permit and 145 acres under permit 63-11474. The system utilizes gravity irrigation via concrete ditches, siphon tubes and gated pipe. This ground waters is supplemental to Wilder Irrig Dist surface waters. This rt when combined with 63-11474 is limited to the 3.87 cfs system capacity. (See enclosed Memorandum Decision Order for more specifics.)

(The waters is re-circulated via 10 HP pump, concrete ditch and a 12" pipe buried underneath the concrete ditch. The waters is pumped to the south, then naturally flows to the north and the east.)

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

MICROFILMED

DEC 0 2 1993

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 140 x 4.5 = 630

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 2.8 x 246 x 1.9835 = 1366.2

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 630

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	2.8	630
		Totals:	2.8	630

2. Recommended Amendments

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

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

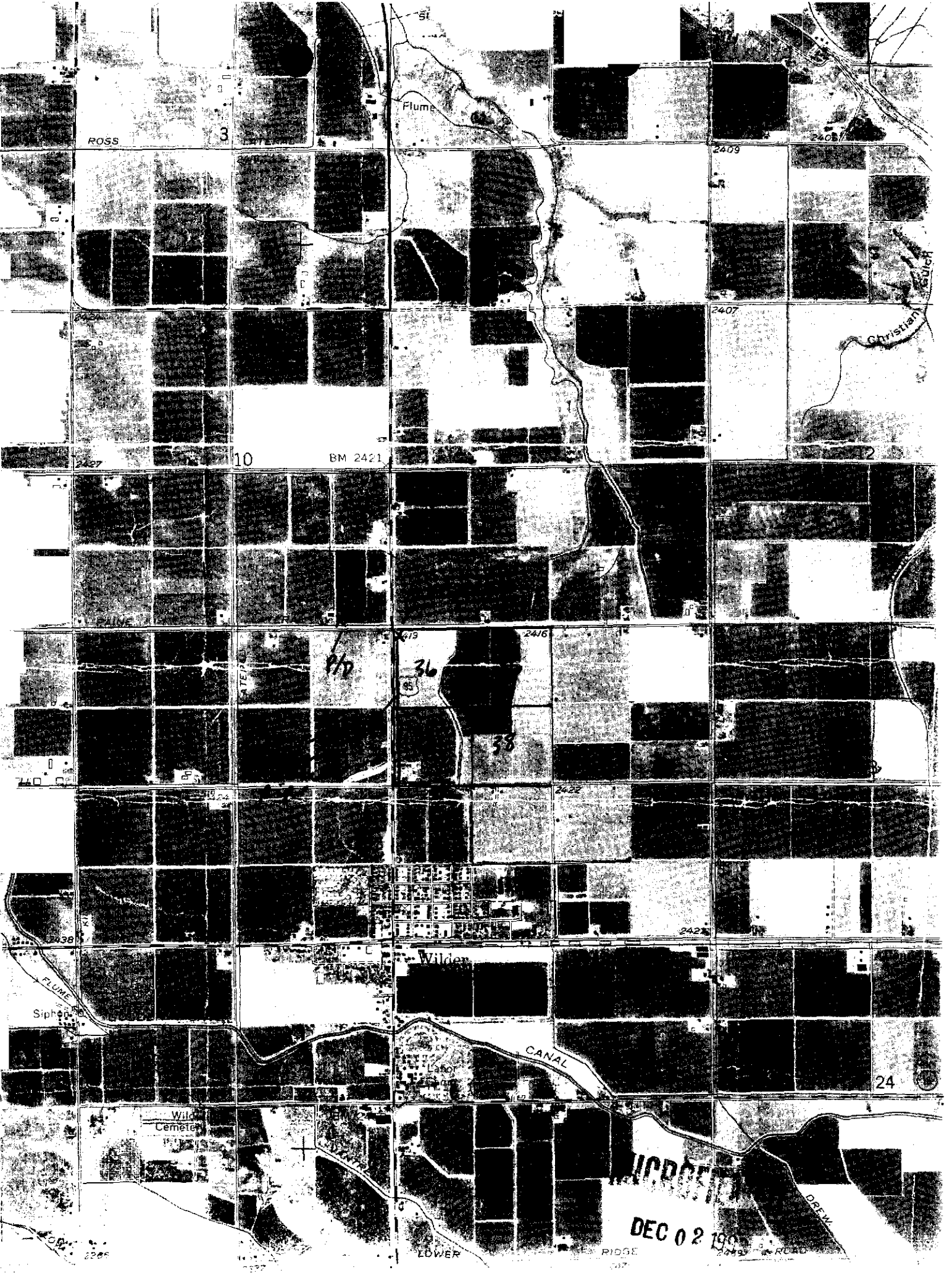
I. AUTHENTICATION

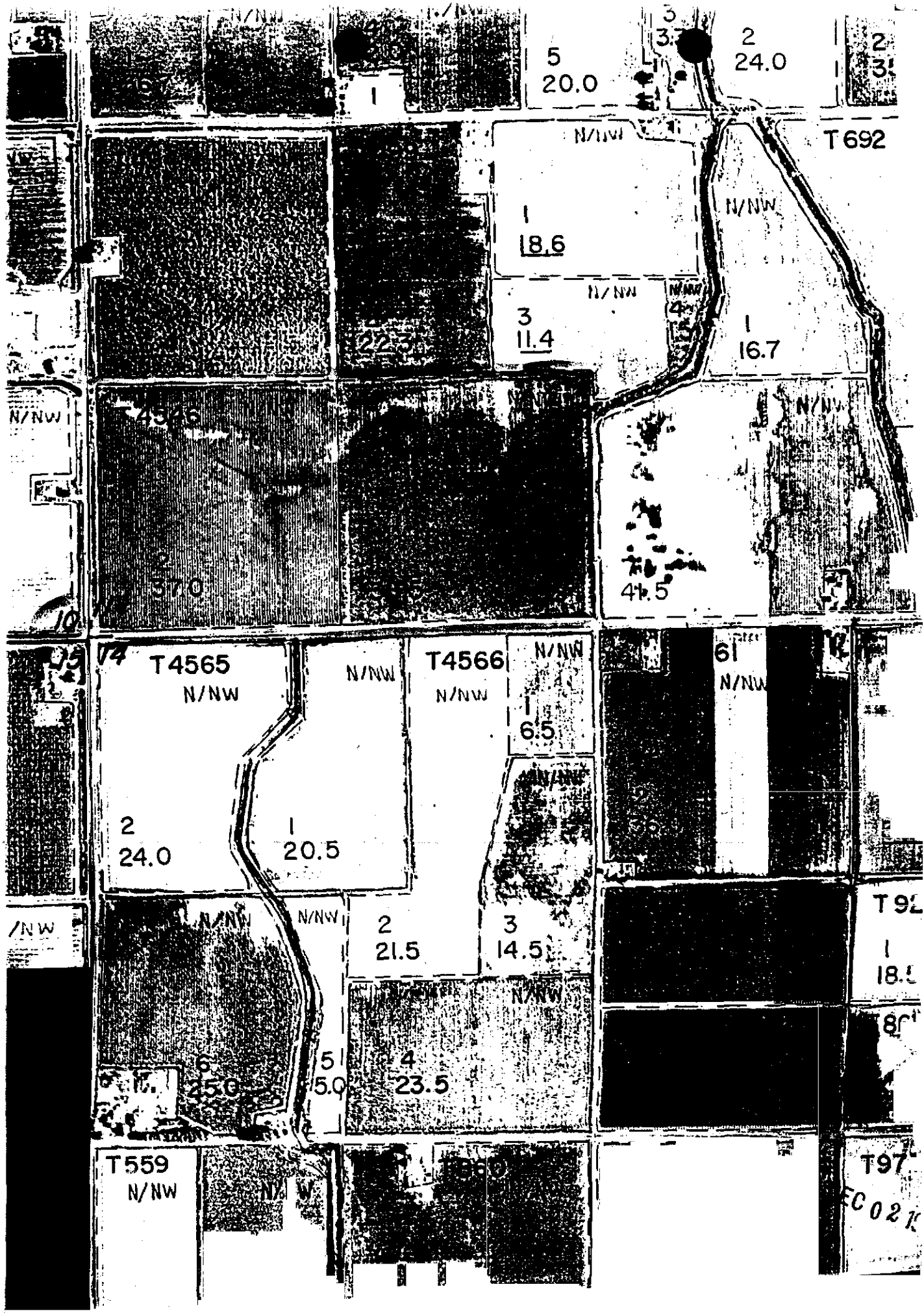
Field Examiner's Name Lori Cramer Date 5/17/93

Reviewer _____ Date _____

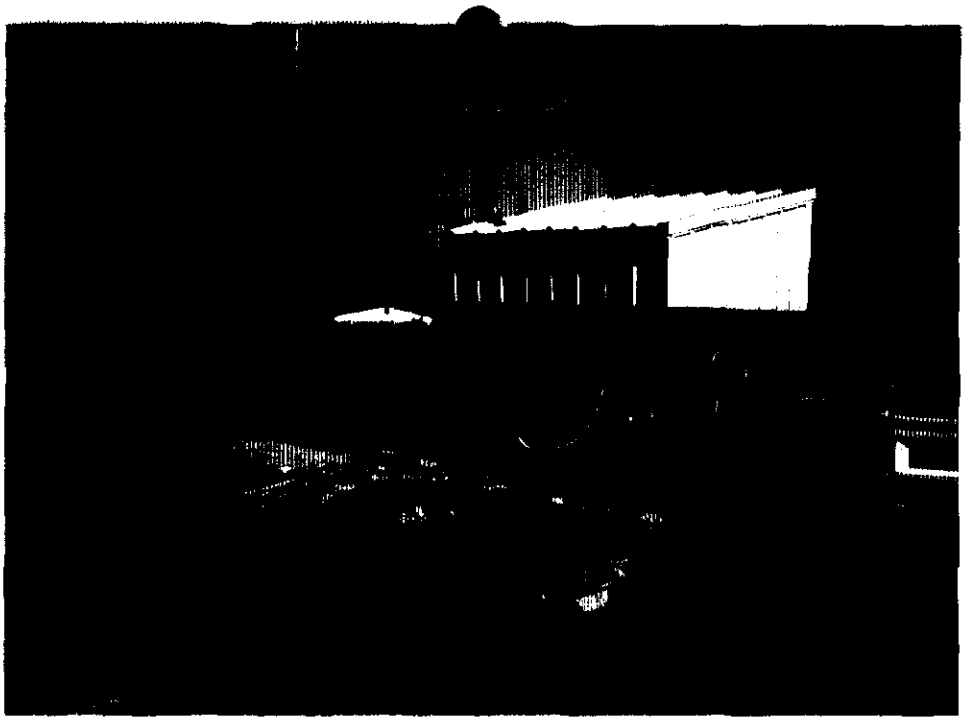
SEAL

DEC 0 2 1993


Flume
ROSS
3
2409
2408
Christian Gulch
2407
10
BM 2421
2427
2
PAINE
2419
2416
P/D
36
33
2422
2438
Wilder
FLUME
Siphon
CANAL
Labor
24
Wilder
Cemetery
DREW
LOWER
RIDGE
ROAD
DEC 02 19


T692
N/NW
18.6
3
11.4
22.3
16.7
4546
57.0
41.5
T4565
N/NW
T4566
N/NW
6.5
2
24.0
1
20.5
2
21.5
3
14.5
6
25.0
5
5.0
4
23.5
T559
N/NW
61
T97
EC 02K

permit # 63-11551



150 HP PUMP + WELL



10 HP PUMP (6-29V365 TURBON)
CONCRETE DITCH BEING LAID
NW, SEC 14
(12" pipe under ditch)

MICROFILMED
DEC 02 1993

MEMO

DATE: May 27, 1993

FROM: Lori Graves

TO: 63-11474 & 63-11551

RE: Holten's Domestic Well

In April of 1993 Robert and Bonnie Holten called to ask if we could make Ray pay for the replacement of their domestic well which was done in 1992. They said that they had submitted a written complaint to IDWR in 1992 when they started having trouble. After researching our files and asking around the office, I failed to find any record of the complaint. Cindy Hodges remembers talking to the Holtens in regards to their domestic well problems in 1992 but does not recall receiving a written complaint.

It turns out that the Holten's domestic well is located in the SENW, Sec 10, T4N R5W, which is in close proximity to the Rim Ranches irrigation well. The Holten's original well that they replaced was drilled before 1978. According to the conditions set forth in the Memorandum Decision Order for the Rim Ranches permits, compensation may be possible.

The Holten's said that they have approached Ray Obendorf with their well problem and have not been on neighborly terms since. They said that Ray definitely refused to help them pay for their replacement well.

I told the Holten's to submit a written complaint to IDWR stating their concerns and the domestic well problems they encountered. We have yet to receive the written complaint.

Lori Graves

MICROFILMED

DEC 02 1993

March 12, 1993

RIM RANCHES INC
24034 BATT CORNER
PARMA ID 83660

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11551

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

APR 26 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11551 Reviewed by Klg Date 3/9/93

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irrigate -140

Correct Uses? yes

SOURCE OF WATER

____ Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 63-91-W-0118 000
500 Amount paid for permit yes Correct?
datacopy Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
150 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
____ Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received	NA		
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY
New Address _____ Proof Made 3/4/93
3/11/93 Klg

Form 235-1
7/90

Drilling Permit No. 63-91-W-118
Water Right Permit No. 63-11474
Injection Permit No.

RECEIVED
APR 16 1991
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Rim Ranches
2. Mailing Address 24034 Batt. Corner Rd. Parma
   Telephone 482-7397
   (X) Well Owner ( ) Well Operator ( ) Other, specify
3. Proposed well location SE 1/4 NE 1/4, or Gov't Lot No.
   Sec. 10, Twp. 4N, Rge. 5W, County Canyon.
   Street Address of Well Site
   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:

5. Well construction information:

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

   B. Proposed Surface Diameter 16" Proposed Maximum Depth 400-600

   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
APR 26 1993

6. Construction Start Date
7. Anticipated Well Driller Rickr Side Elect + Pump.
   NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Ray Olendorf Date 4-12-91
   Title
   (Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 4/12/91

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 Regulations.

SPECIFIC CONDITIONS:

10. Water cannot be diverted from this well until Permit No. 63-11474 is Approved.

/Steve Lester for — Signature of Authorized Department Representative

Manager, Western Region — Title

Receipt No. W0132033 Receipted by JFW Fee 200 Date 4/12/91 MICROFILMED

APR 26 1993

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
63-91-W-0118-000	O	RIM RANCHES 24034 BATT CORNER RD PARMA, ID (208) 482-7397	04N	05W	10	SE SE		CANYON
	O	RAY OBENDORF SAME						

Subdivision Location and Description:
Subdivision Name:
Well Site Address:
City, State:
Lot(s):
Block(s):

Geographic Location:
Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Irrigation Proposed Casing Diameter: In. Proposed Depth: Ft.

Well Use Comments:

Driller License No: 0333
Firm Name: RIVERSIDE DRILLING
Official: DWANE I DAUGHERTY

Permit Status:
Verbal Issue Date:
Date Received:
Date Approved: 04/12/1991
Proposed Start Date:
Extension Date:
Extension Expiration:

Receipt No. | Receipt Date | Fee
$

Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 63-91-W-0118-000
Water Right No: 63-11474
Injection Permit No:

Nature of Work: NEW WELL
Construction Method: REVERSE ROTARY
Number of Monitor Wells:

Casing Diameter:	16	In.	Static Water Level:	41	Ft.	Actual Start Date:	04/25/1991
Depth of Casing:	580	Ft.	Temperature:	72	F.	Well Finish Date:	05/24/1991
Total Depth:	582	Ft.	Production Rate:	2700.00	GPM	Log Received Date:	06/05/1991
Screen Installed?	Yes					Certification Date:	05/31/1991
						Field Inspection Date:	Inspector:

Well Log Remarks: PERFORATIONS 24 ROWX .04 FROM 193.5 TO 294.1', MESH X 2 1/2 SLOT FROM 319.1 TO 339.1', ON 6" CENTER FROM 364.1 TO 394.1'. SCREEN USED TYPE-FULL FLOW LOUVERED SET FROM 168.5 TO 193.5, 339.1 TO 364.1', FROM 434.4 TO 555'.



6-4-92

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 25, 1992

ROBERT HOLTON
26861 FERN LN
PARMA ID 83660

Re: Rim Ranches Well

Dear Mr. Holton:

We are in receipt of you letter dated June 5, 1992, in which you filed a complaint relative to the Rim Ranches well located within the SE1/4 SE1/4, Sec. 10, T4N, R5W, because of alleged impact on water levels in your domestic well.

By copy of this letter we are forwarding to Mr. Ray Obendorf a copy of your complaint. Additionally, we are sending your letter to become a part of the original file for water right #63-11551. One of the conditions of approval of this water right permit is as follows:

> The permit holder is responsible to insure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides a reasonable compensation or mitigation, as determined by the director, to the prior water right holder for the reduced water levels.

Before a water right license is issued for this permit, the above condition must be satisfied by the permit holder. Thus, we would ask that you apprise this office relative to additional developments with respect to your domestic water system.

Sincerely,

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

DRT:st

CC: Ray Obendorf, with copy of Holton letter
IDWR State Office File #63-11551, with original letter from Robert Holton and attached photograph of well
Western Regional Office file

RECEIVED
APR 26 1993

RECEIVED
JUN - 5 1992
Department of Water Resources
Western Regional Office

June 5, 1992

Robert Holton
26861 Fern Ln
Parma, ID 83660

482-6483

David Tuthill
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Rim Ranches Well

Dear Mr. Tuthill:

I would like to file this complaint against the pumping of the well operated by Rim Ranches, c/o Ray Obendorf, in SESE S10, T04N R05W.

On 5/22, Mr. Obendorf began pumping the well. On 5/30, we began experiencing problems with our domestic well, located in NWSW S10. In spite of our water conservation efforts, by Tuesday, 6/2, we had no water at all. We contacted Uria Pump of Homedale, who inspected our well and found that our water level had fallen to within 13 feet of the bottom of the well (total depth 90'). The pump was dropped to the bottom of the well, and began pumping sand. The water level in the well has not recovered as of this date.

On Wednesday, 6/3, I spoke with Cindy Hodges of your office, who informed me of the protests against the Obendorf permits and the related studies and final order specifying pumping conditions. On 6/4, I spoke with Mr. Obendorf, who tentatively agreed to cease pumping for one week, to observe the reaction of the water level in our well.

On 6/4, I checked with Wilder Irrigation, who informed me that Mr. Obendorf had 35AF of irrigation water remaining on the lands which were being irrigated with groundwater from the contested well.

On 6/5, I obtained a drilling permit from Cindy at Western Region, to have our domestic well replaced. The original well will remain untouched, which will allow us to monitor the water levels over the next week.

I would like this complaint to remain on file with the Department until such time as the problems with my well are resolved. I fully intend to pursue remediation from Mr. Obendorf to the extent that he is found liable for the interference with my domestic well.

Sincerely,

Robert D. Holton
by Bonnie M. Holton

RECEIVED
APR 26 1993

INTER-DEPARTMENT MEMO

TO: File

FROM: Karen

SUBJECT: Correspondence

DATE: 6/30/92

Please see file 63-11474
for correspondence.
Received in reference to this file

[illegible]

APR 26 1993

( ) For your information

( ) Response required

K Gustafson
signature

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 30, 1992

Dear Interested Party:

Enclosed is a copy of the Order Denying Petition for Rehearing.

The only option now available is to seek judicial review of the matter pursuant to Section 42-1701(4), Idaho Code.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

L. Glen Saxton

L. Glen Saxton
Chief, Water Allocation Bureau

Enclosure: Order
Certificate of Mailing

RECEIVED
APR 26 1993

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 18, 1992

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Road
Parma, ID 83660

Re: Permit No. 63-11551 and 63-11474

Dear Permit Holder:

Enclosed are copies of the Final Order approving your Application for Amendment of a Permit and Application for a Permit. Also enclosed are the approved Amendment and the approved Application.

Any person who does not agree with the decision of the department may request a rehearing before the Director within 20 days, or may appeal directly to the district court within 30 days of the date the decision is mailed.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

L. Glen Saxton

L. Glen Saxton
Chief, Water Allocation Bureau

Enclosures

c: IDWR - Regional Office

MICROFILMED

MAY 20 1992

MEMORANDUM

To: File 63-11551

From: L. Glen Saxton

RE: **RESPONSE TO EXCEPTION OF RIM RANCHES BY SSI FOOD SERVICES INC.**

Date: May 14, 1992

Dave Tuthill called today and advised that protestant SSI Food Services, Inc. does not plan to respond to the exceptions filed by the applicant Rim Ranches, Inc.

Hence, the department can issue the final decision.

RECEIVED
MAY 20 1992

RECEIVED
MAY 12 1992
Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.	**RESPONSIVE MEMORANDUM OF APPLICANT TO EXCEPTIONS FILED BY SSI FOOD SERVICES, INC.**

RESPONSIVE MEMORANDUM

The Applicant, Rim Ranches, Inc., files this response to the Exceptions of Protestant SSI Food Services, Inc.:

SSI Exception "A. Findings of Fact-Paragraph 19": Applicant Rim Ranches objects to this SSI Exception because the evidence at the hearing does not support such an Exception or Finding of Fact.

SSI Exception "B. Findings of Fact-New Paragraph 25": No Response.

SSI Exception "C. Findings of Fact-New Paragraph 26": No Response.

SSI Exception "D. Findings of Fact-New Paragraph 27": Applicant Rim Ranches objects to this SSI Exception because the evidence at the hearing does not support such an Exception or Finding of Fact.

SSI Exception "E. Order-New Paragraph 8": Applicant objects

MICROFILMED
MAY 20 1992

to this Exception of SSI because it is ambiguous and does not specify as to what surface water rights SSI may be referring to. Further, the Exception is not supported by the evidence at the hearing or the law and authority.

SSI Exception "F. Order New Paragraph 9": Applicant Rim Ranches objects to this SSI Exception because the evidence at the hearing does not support such an Exception, and the law and authority does not support such an Exception. Furthermore, Applicant submits that the adoption of such an exception is unfair and unwarranted because as the evidence at the hearing clearly indicated, there are times before the Irrigation District Water turn-on in early spring, and times during the summer, as well as times after the Irrigation District Water is finished, that the Applicant will need to utilize the well water to supplement its ordinary and usual farm irrigation needs.

SSI Exception "G. Order-New Paragraph 10": Applicant objects to the extent it is inconsistent with the Applicant's filed Tender.

SSI Exception "H. Order-New Paragraph 10 (Sic 11)": Applicant Rim Ranches objects to this SSI Exception because the evidence at the hearing does not support such an Exception, and the law and authority does not support such an Exception.

Dated this 12th day of May, 1992.

SCHROEDER & LEZAMIZ LAW OFFICES

By _____
JOHN T. SCHROEDER

MICROFILMED
MAY 20 1992

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Responsive Memorandum to the Exceptions filed by SSI Food Services, Inc. was mailed, postage pre-paid by first class mail, to the following Counsel:

Richard B. Eismann, Esq.
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416

Dated this 12th day of May, 1992.

SCHROEDER & LEZAMIZ LAW OFFICES

By John T. Schroeder
JOHN T. SCHROEDER

MAY 20 1992

RECEIVED
MAY - 4 1992
Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.	**RIM RANCHES, INC.'S LIMITED EXCEPTION TO MEMORANDUM DECISION DATED APRIL 17, 1992**

LIMITED EXCEPTION OF APPLICANT

The Applicant, Rim Ranches, Inc., takes the following limited exception to the Memorandum Decision dated April 17, 1992. The Decision states the following on Page 8 of the Decision:

> " 2. The permit holder is responsible to ensure that pumpage under these water rights does not cause the water level in any irrigation of commercial well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under these water rights."

Applicant Rim Ranches, Inc., agrees to this decision and proposed Order, but Applicant desires that the decision and Order state that said finding/order is without prejudice as to Applicant's right to claim that irrigation or domestic wells, other than those of Applicant's, are directly or indirectly affecting any prior water right and therefore said other wells must also contribute to any compensation or mitigation to the reduced water level of any prior water right.

MICROFILMED
MAY 20 1992

The Applicant also takes a limited Exception to the following on Page 8 and 9 of the Decision:

> " 3. The permit holder is responsible to ensure that pumpage under these water rights does not directly cause the water level in any domestic well drilled and in use prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides a reasonable compensation or mitigation, as determined by the director, to the prior water right holder for the reduced water levels."

Applicant Rim Ranches, Inc., agrees to this decision and proposed Order, but Applicant desires that the decision and Order state that said finding/order is without prejudice as to Applicant's right to claim that irrigation or domestic wells, other than those of Applicant's, are directly or indirectly affecting any prior water right and therefore said other wells must also contribute to any compensation or mitigation to the reduced water level of any prior water right.

Applicant respectfully requests oral argument on this limited Exception, if the Department should request any such argument.

Dated this 04th day of May, 1992.

SCHROEDER & LEZAMIZ LAW OFFICES

By John T. Schroeder
JOHN T. SCHROEDER
Attorney for Applicant
Rim Ranches, Inc.

RECEIVED
MAY 20 1992

CERTIFICATE OF MAILING

I HEREBY CERTIFY That a true and correct copy of the foregoing Exception was mailed to the following individuals and Counsel by first class mail, postage pre-paid:

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, Idaho 83676

Kay & Marie Yasuda
25724 Fern Lane
Wilder, Idaho 83676

Mr. Dale Smith, Esq.
Attorney for Mills
P.O. Box 950
Fruitland, Idaho 83619

Don & Shirley Mills
Route 2, Penny Lane
Wilder, Idaho 83676

Rolly & Margaret Lincoln
27254 Fern Lane
Wilder, Idaho 83676

Jim & Eva Dowling
Fern Lane
Wilder, Idaho 83676

Mr. Tim Hetrick
1217 3rd Street S.
Nampa, Idaho 83651

SSI Food Services
c/o Mr. Richard B. Eismann
3016 Caldwell Blvd.
Nampa, Idaho 83651-6416

E.A. Brewer
Larry Carlson
Fern Lane
Wilder, Idaho 83676

MICROFILMED
MAY 20 1992

Mr. Sherl Chapman
410 S. Orchard
Suite 144
Boise, Idaho 837056

Dated this 04th day of May, 1992.

SCHROEDER & LEZAMIZ LAW
OFFICES

By John T. Schroeder
JOHN T. SCHROEDER

MICROFILMED
MAY 20 1992

ORIGINAL

RECEIVED
MAY 04 1992
Department of Water Resources

Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498
JS/4/RBE

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551 AND PERMIT NO. 63-11474 IN THE NAME OF RIM RANCHES, INC.

RIM RANCHES, INC.,

Applicant,

IRWIN AND BETTY HETRICK; TIM HETRICK; DON AND SHIRLEY MILLS; and SSI FOOD SERVICES, INC.,

Protestants.

EXCEPTIONS TO PROPOSED MEMORANDUM DECISION AND ORDER OF THE DEPARTMENT AND REQUEST FOR ORAL ARGUMENT BEFORE THE DIRECTOR

SSI Foods Services, Inc. hereby makes exception to the Proposed Memorandum Decision and Order Approving Application for Permit and Application for Amendment as follows:

MICROFILMED
MAY 20 1992

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

A. Findings of Fact - Paragraph 19. There should be added to the findings in paragraph 19 as disclosed by the evidence introduced at the hearing the following:

> Additional reduction of water in the year 1992 will serve to reduce recharge even more than in the past since the Boise Project Board of Control anticipates it will supply approximately one acre foot per acre for the year 1992.

B. Findings of Fact - New Paragraph 25. A new finding of fact to be numbered 25 should be added which should read and provide as follows:

> 25. The applicant filed at the hearing a tender of conditions, a copy of which is marked Exhibit A, attached hereto and by this reference incorporated herein.

C. Findings of Fact - New Paragraph 26. A new finding of fact to be numbered 26 should be added which should read and provide as follows:

> 26. The applicant agreed at the hearing that no irrigation water provided through the Wilder Irrigation District for the subject lands would be transferred to any other lands.

D. Findings of Fact - New Paragraph 27. A new finding of fact to be numbered 27 should be added which should read and provide as follows:

> 27. An interruption in the supply of water from the well operated and maintained by SSI Food Services, Inc. would have extreme adverse effects on

MICROFILMED
MAY 20 1992

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

the economy of the community and on the business of SSI Food Services, Inc. resulting in interruption of employment of its 250 to 300 employees who mostly live in the Wilder, Parma, Homedale and Caldwell areas, its loss of customer relations by failure to make deliveries timely and its reduction in purchases of meat products locally which average some $900,000.00 per week.

E. Order - New Paragraph 8. A new order provision to be numbered 8 should be added which should read and provide as follows:

> 8. The permit holder shall not transfer any water available through such surface water rights for use on any other lands.

F. Order - New Paragraph 9. A new order provision to be numbered 9 should be added which should read and provide as follows:

> 9. The permit holder shall utilize water from the surface water rights until such surface water rights are exhausted before diverting water under these water rights.

G. Order - New Paragraph 10. A new order provision to be numbered 10 should be added which should read and provide as follows:

> 10. The permit holder shall install a flow meter approved by the Department on the well identified in the applications and amendment to application which may be monitored by the Department as the Department deems necessary.

MICROFILMED
MAY 20 1992

H. Order - New Paragraph 10. A new order provision to be numbered 11 should be added which should read and provide as follows:

> 11. The permit holder shall upon the issuance by the Director and service upon the permit holder of a summary order so requiring cease diverting all water from these water rights when it appears to the Director that the commercial well of SSI Food Services, Inc. is failing to produce the quantity of water allowed by the permit held by SSI Food Services, Inc. because of reduced underground water levels which summary order shall be for the period of time determined by the Director to be a reasonable period of time within which SSI Food Services, Inc. may initiate and complete modification to its well and pumping system so that it is not deprived of water from its commercial well.

ORAL ARGUMENT REQUESTED: SSI Food Services, Inc. hereby requests oral argument before the Director on the Proposed Memorandum Decision and on these Exceptions.

DATED: MAY - 4 1992

SIGNED: _____

Richard B. Eismann
Counsel for SSI Food Services, Inc.

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

MICROFILMED
MAY 20 1992

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct copy hereof was this date mailed to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Rd.
Parma, ID 83660

Don & Shirley Mills
Route 2, Penny Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd St. So.
Nampa, ID 83651

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, ID 83676

Rolly & Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

Kay & Marie Yasuda
25724 Fern Lane
Wilder, ID 83676

Jim & Eva Dowling
Fern Lane
Wilder, ID 83676

E. A. Brewer
Larry Carlson
Fern Lane
Wilder, ID 83676

W. F. Schroeder
P. O. Box 220
Vale, OR 97918

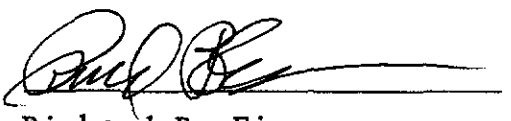
John T. Schroeder
P. O. Box 267
Boise, ID 83701

Sherl Chapman
410 S. Orchard, Suite 144
Boise, ID 83705

Dale Smith
Box 950
Fruitland, ID 83619

Keith Anderson
432 Summit Ridge Road
Boise, ID 83702

DATED: MAY - 4 1992

SIGNED: 

Richard B. Eismann

MICROFILMED
MAY 20 1992

5/4
RBE

RECEIVED
MAR 0 3 1992
Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.

Applicant tenders the annexed conditions to the granting of their applications and amendment to application pending for hearing before the Department.

March 3, 1992.

Schroeder & Lezamiz

By John F. Schroeder

William F. Schroeder P.C.

By

Rim Ranches, Inc.

By Ray Olendorf

Certificate of Service
I certify that on March 3, 1992 I served a copy of this Tender upon the lawyer for the protestant(s) identified in the annexed Tender of Conditions by sending the same by telecopy transmission to the office of said lawyer.

John F. Schroeder

MICROFILMED
MAY 2 0 1992

EXHIBIT A

TENDER OF CONDITIONS

WHEREAS, Rim Ranches, Inc. has applied for the withdrawal and use of groundwater and that such applications have been accepted and pend before the Idaho Department of Water Resources, identified by its numbers 63-11551 and 63-11474; and

WHEREAS, SSI Food Services, Inc. has protested; [1]

Applicant tenders its acceptance of the following conditions to the granting of the applications:

1. A flow meter, as determined by the Department will be installed on the well identified in the applications and amendment to the application, to be monitored by the Department.

2. Applicant will annually use water deliverable by the Wilder Irrigation District for the irrigation of land described within the applications and the amendment to the application, to the extent, as, and when such water is made available by the District for the irrigation of such lands.

3. Applicant will not withdraw ground water from the well identified in the applications and amendment to the application, at a rate of flow in excess of 3.9 cubic feet per second.

4. The place of use of the ground water withdrawn pursuant to the granting of the applications will be limited to the

---

[1] See, letter from Rim Ranches, Inc. to Department of Water Resources, September 23, 1991. Rim Ranches, Inc. objects to the extent that the protest as to 63-11551 was out of time and that the Department nevertheless allowed protestant intervenor status and thereby impermissibly enlarged the protest period. Rim Ranches further renews its objection to the filing of Richard B. Eismann as constituting a protest to both applications for the reasons stated in said letter. Objections are waived upon the granting of the applications upon the tendered conditions.

RECEIVED
MAY 20 1992

EXHIBIT A

lands described in the applications and amendment thereto, consisting in total of approximately 300 acres.

5. Such determinations which may be made pursuant to these conditions may be commenced by the Department upon the application of applicants or protestant as a contested case hearing before the Department.

5. These conditions bind the applicant, its successors and assigns.

March 5, 1992.

Rim Ranches, Inc.

By Ray Oleen
President.

FAXED 3.3.92

RECEIVED

MAY 20 1992

EXHIBIT A

APPLICATION FOR PERMIT REVIEW

Application #: 63-11551 Reviewer: Brenda Miller
Date: 5-4-92

SYSTEM COMPLETED:
- No - 26A-P17
  - Complete in 1 year - P16
- Yes
  - Proof not submitted - P16
  - Proof submitted - N/A

GROUNDWATER:
- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
  - NMR <fl ch>, A of C _____
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:
- Approved w/permit - P99
- Not included - 046-P23(All GW, even existing wells)

SURFACE WATER: not in w/d - 01C-P03 (=/GT.2 w/pump), NMR <flow chart>

LOCATION:
- Water Districts - WD No. _____
  - Surface water - 005, 005-01H-P01(LT.2 w/pump) 005-01J-P08(GT.2), NMR <flow chart>
  - Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - _____ (1, Blank or Other)
- Trust - 051-052-053-P74(Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:
(Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:
- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
- Power - _____ Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021(restricted areas)

OWNERSHIP:
- Non land owner - 004

PROTESTED:
- Agreement - 020 06-01-1994 (~~03-01-1994 from Dec~~)

Beneficial Use Due Date: - ~~03-01-1994 (from Dec)~~

Other Conditions Recommended See attached Proposed Memorandum & Decision.

Rim Ranches, Inc. Hearing 3/5/1992
App for Permit No. 63-11551 & App for Amendment No. 63-11474
Hearing Officer: Glen Saxton
Notes by: Dave Tuthill

Applicant - Ray Obendorf (Pres.)
Represented by William & John Schroeder
Expert Witness: Sherl Chapman

Protestants:

Don & Shirley Mills.
Shirley Mills present & represented by Dale Smith

Irvin & Betty Hetrick
Tim Hetrick
} Represented by Dennis Sallaz

SSI Kirk Smith
Ben Bariola
} Represented by Richard Eismann

Issues

Dale Smith: Protection from lowering of water table
(Injury to water right)

Dennis Sallaz: Injury to domestic use
(Protesting both application and amend

SSI: Injury to existing water rights
Injury to local public interest

MICROFILMED
MAY 20 1992

Ray Obendorf
- Farmed in Wilder area since 1940.
- Employs 6 full time workers
- Grows a variety of crops

Normal allotment is 3.75 afa
1992 delivery was 1.65 afa

All 300 acres have primary water rights. These rights have been insufficient in recent years.

"all I intend to pump is 3.9 cfs" (Later clarified to be 3.87 cfs)

$57,000 585' deep well drilled by Riverside Electric
First 100 ft unperforated.
24" case with 16" case inside
Water found from 20' to 30' on down
Test pump showed 300" of water could be yielded.

Rim Ranches paid for installation of a metering device.
Hetricks wells are 600' distant from the Rim Ranches well

Rim Ranches well affects Hetricks wells.
$6054.50 is cost to Hetricks to date. Applicant is prepared to pay this cost.

MICROFILMED
MAY 20 1992

? Tender to SSI?
Tender related to 3.9 cfs?
Pumped water is more expensive than Boise River water.

Oberdorf, Cont.

When there is ample water the well will not be used.
In a poor water year the well will be used most of the time, intermittently.
Water not intended to be needed after Oct 15th.

X Exam

Sallaz - Q? Did you want a permanent release from Hetricks?
A Yes

Note: Water rights are functioned on a long-term basis. A one-time payment should not be conducted to release future liabilities.

Eismann - Water level ~~reduced~~ lowered to 257' by pumping

Would be willing to accept a condition to not lower bowls below 400'.

Cond of approval: Surface Water should not be diverted from this ground to other ground.

Is willing to use excess water from Wilder Irr Dist before using water from the well.

Keith E. Anderson

(Note: Parties stipulated that # 2 of the SSI Tender also includes water supplies available through the Wilder Irr Dist)

MICROFILMED
MAY 20 1992

There is an adequate supply of water in the aquifer to provide for this project.

Anderson, Cont.

Shirley Mills

- Mills grandparents homesteaded the place
- Original well drilled in 1935
- Water level at 110' this summer (prior level at 85')
- In July, 1991, (July 9) the pump was lowered to 115' (lowest point possible)
- Noticed air entrainment in July & Aug
- Well supplies 3 houses
- This well was initially drilled in 1961. At that time there were 3 homes on the well. The well was originally drilled in 1961.
- Batt well (supplemental) is within 150' of Mills well. (Wilder Farms well) (See Exhibit 2)
-

Tim Hetrick

Resided here for 4 years. House was built in 1950.
Parents' house was built prior to 1950.
Wells were drilled in 1946.
Original water depth was 40'.
1988 depth to water was 75' at Hetrick (E). (New pump installed)
Oberdorf well started pumping 7/4/1991.
7/5/91 Hetrick (E) out of water. / Pump lowered to 190'. 302' deep
7/6/91 Hetrick (W) out of water. / Pump lowered to 210'. 304' deep
8/3/91 Hetrick (W) well was contaminated (perhaps related to meas device).
Concerned about the long-range future of domestic water supply.
Water is now at about 100' deep in both wells.
New Apps in area Harris Orchards
Wild Ida Corp
Doug Gross

} Prot. Exhibit No. 1

MICROFILMED
MAY 20 1992

Kirk Smith

Pres SSI foods since 1984 - Agribusiness

Processing plant 110,000 – 120,000 sf 25-35 million $

Rebuilt Dec 89

$8-10 Million sales/month

250-300 employees, to increase by 100 mid-March

County tax = $18,000/mo

12" well, 400' deep, pump at 165', plus a domestic well, drilled in late 1988

Daily overhead - $25,000/day

Questions:

Economic pumping depth?

Backup well?

Records of depth-to-water? 110' now. Went to 146' last summer.

Primary Water use - cleanup, cooking

Sherl Chapman

Questions: What would you estimate is the saturated aquifer thickness below the SSI plant? See below

- This is in the Glenns Ferry formation.

Upper beds are ~~thicker than~~ more water-bearing than lower layers.

Thickness is 800' to 1000' or more.

As you go deeper, quality tends to deteriorate

MICROFILMED
MAY 20 1992

Chapman (cont)

Any studies here (relative to water quality)

1-2 AFA applied this year

Baker's projected impacts should be considered to be minimal. Report could have gone further to quantify recharge vs. withdrawal.

"Needs to be establishment of acceptable level of impact to other wells".

Q: At what depth have you found that water quality begins to deteriorate. 500'-1000'

Suggestion: Require that the Oberdorf well be shut off when SSI well is drawn down to 200'.

2 Limitations

- Reasonable pumping limits
- Average annual withdrawal shall not exceed average annual recharge

Suggests that the Baker Report is inadequate. More info is necessary, to determine average annual withdrawal & recharge.

Saturated thickness of 500'-600' with high water quality is anticipated.

Record closed

MICROFILMED
MAY 20 1992

List of Exhibits

	Applicants	Admitted?
1	Resume of Keith Anderson	Yes
2	Map of Area	Yes
3	Semi-Log Plot of Drawdowns - Continuous Pumping	Yes
4	" " " " "	

	Protestants	
1	Page 10A, Idaho Press-Tribune	Yes
2	Well Drillers Report	Yes

MICROFILMED
MAY 20 1992

Applicant's Exhibit No. 1
Admitted by G. Saxton 3/5/1992

KEITH E. ANDERSON
SENIOR CONSULTANT

EDUCATION: B.S., California Institute of Technology
M.S., University of Rochester

REGISTRATION: Professional Engineer in Idaho, California, Hawaii, Montana, Nebraska, ~~North Dakota, Nevada,~~ Oregon, Utah, ~~Washington,~~ and Wyoming
Professional Geologist in Idaho, California, and Oregon
Certified Engineering Geologist in California

SUMMARY:

Mr. Anderson has 49 years of professional experience in engineering and geology, devoted entirely to water projects and problems with particular specialization in the fields of hydrology, groundwater, irrigation, and drainage. His world-wide background includes general hydrologic investigations and feasibility studies as well as the planning, design, construction, and operation and maintenance of hydraulic facilities. Author of the Water Well Handbook.

EXPERIENCE:

JAMES M. MONTGOMERY, CONSULTING ENGINEERS, INC.

As a Senior Consultant, Mr. Anderson provides specialized technical services to James M. Montgomery, Consulting Engineers, Inc. (JMM) on world-wide water resources projects. Prior to mid-1990, as a Principal Engineer and Vice President of JMM, Mr. Anderson was responsible for the technical supervision and management of engineering projects throughout the United States and abroad, in the fields of surface water and groundwater hydrology, hydrogeology, irrigation and agricultural development, water quality, water rights and litigation, and groundwater contamination and hazardous wastes.

Prior to 1985, when his firm merged with JMM, Mr. Anderson was a partner in Anderson & Kelly, established in 1966 to provide expanded services and facilities as specialized consultants in engineering and geology on water problems to clients world-wide. The Anderson & Kelly partnership was a continuation of the independent consulting office begun Mr. Anderson in 1957. During his career, Mr. Anderson has worked on more than a thousand projects involving groundwater, irrigation, and drainage. For fifteen years he served as a consultant to the World Bank in the appraisal or supervision of many large irrigation, water supply, and agricultural projects throughout the world.

His broad groundwater experience has included such representative projects as:

- Groundwater evaluation, development, and management on the island of Lanai, Hawaii for municipal water supply and irrigation of 15,000 acres of pineapple.
- Designs for construction or rehabilitation of wells in the 50 mgd well field along the Columbia River for Portland, Oregon.
- Large-scale groundwater exploration, evaluation, and development for municipal supplies in King County, Washington including drilled wells and infiltration galleries.
- Evaluation of shallow groundwater for the potential irrigation of 500,000 acres in the Yellow River plan of China.

MAY 8 1992

- Investigation of the feasibility of draining agricultural lands by large-scale pumping of wells in eastern South Dakota.
- Evaluation of the effects of industrial operations on groundwater quality in the Pacific Northwest.
- Development of fresh and brackish water supplies from wells for fertilizer production in a coastal area of Costa Rica.

He has participated in studies evaluating seepage losses from reservoirs, investigated the relationship between groundwater and adjacent streams or lakes, worked on the evaluation and monitoring of large well fields for municipal use, studied return-flow problems, conducted well-interference studies, made "safe-yield" evaluations of aquifers, worked on projects for drainage or dewatering with pumped wells, and served as an expert witness in many State and Federal courts.

U.S. BUREAU OF RECLAMATION

As Regional Drainage and Groundwater Engineer, Mr. Anderson was responsible for the drainage and groundwater activities of the Bureau in the Columbia River Basin, including phases of investigation, design, construction, and operation and maintenance.

While serving as Area Geologist in Oregon and Montana, Mr. Anderson was in charge of geologist explorations for two major dams on the Clark Fork River, as well as groundwater studies for irrigation water supply on several major projects.

IOWA GEOLOGICAL SURVEY

Mr. Anderson assisted the State Geologist in the operation of an agency devoted primarily to engineering geologic investigations and water-supply studies, particularly ground water.

MISSOURI GEOLOGICAL SURVEY

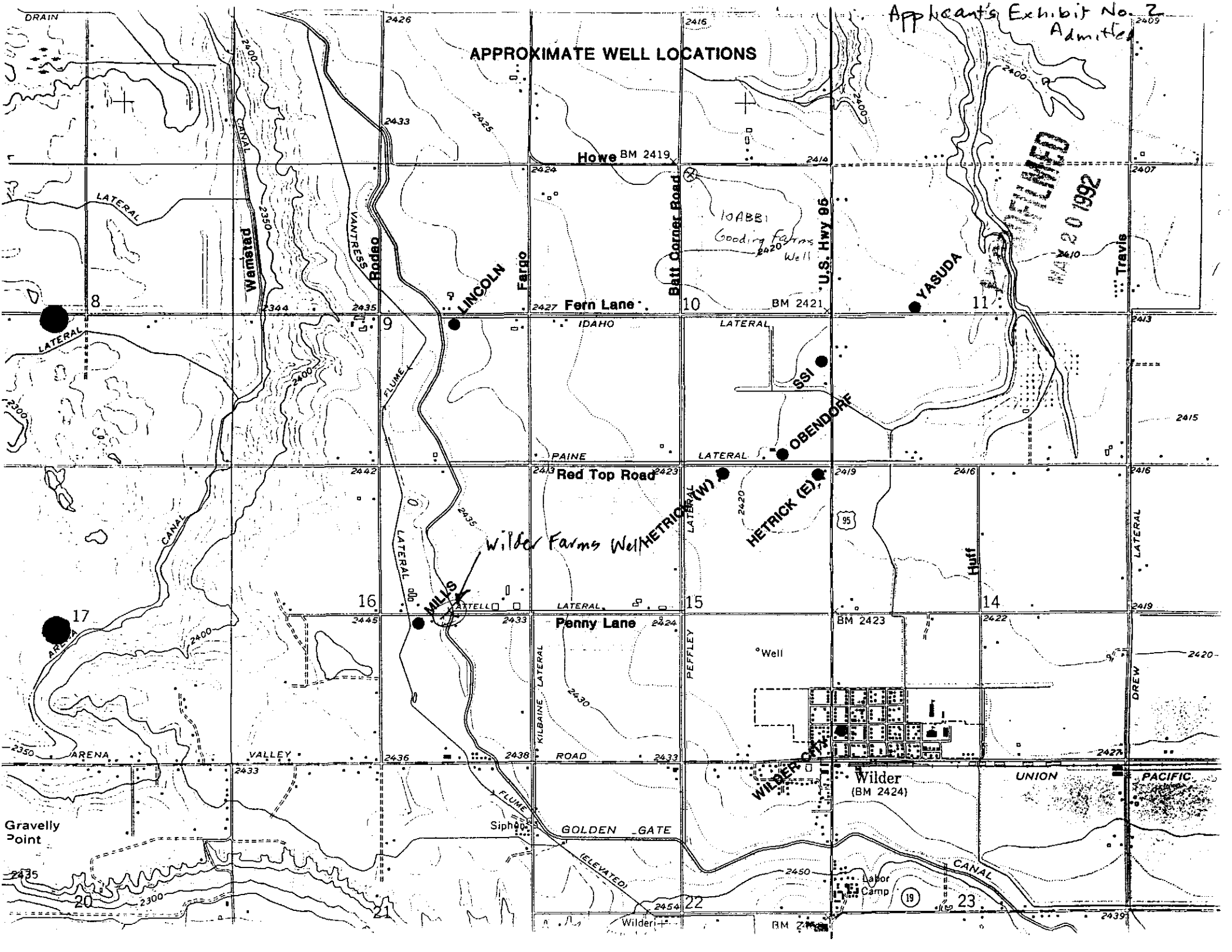
As Groundwater Engineer, Mr. Anderson conducted statewide investigations of water-supply facilities, including construction and rehabilitation of existing works. His work also included the geologic and groundwater aspects of dam and reservoir construction and operation.

U.S. GEOLOGICAL SURVEY

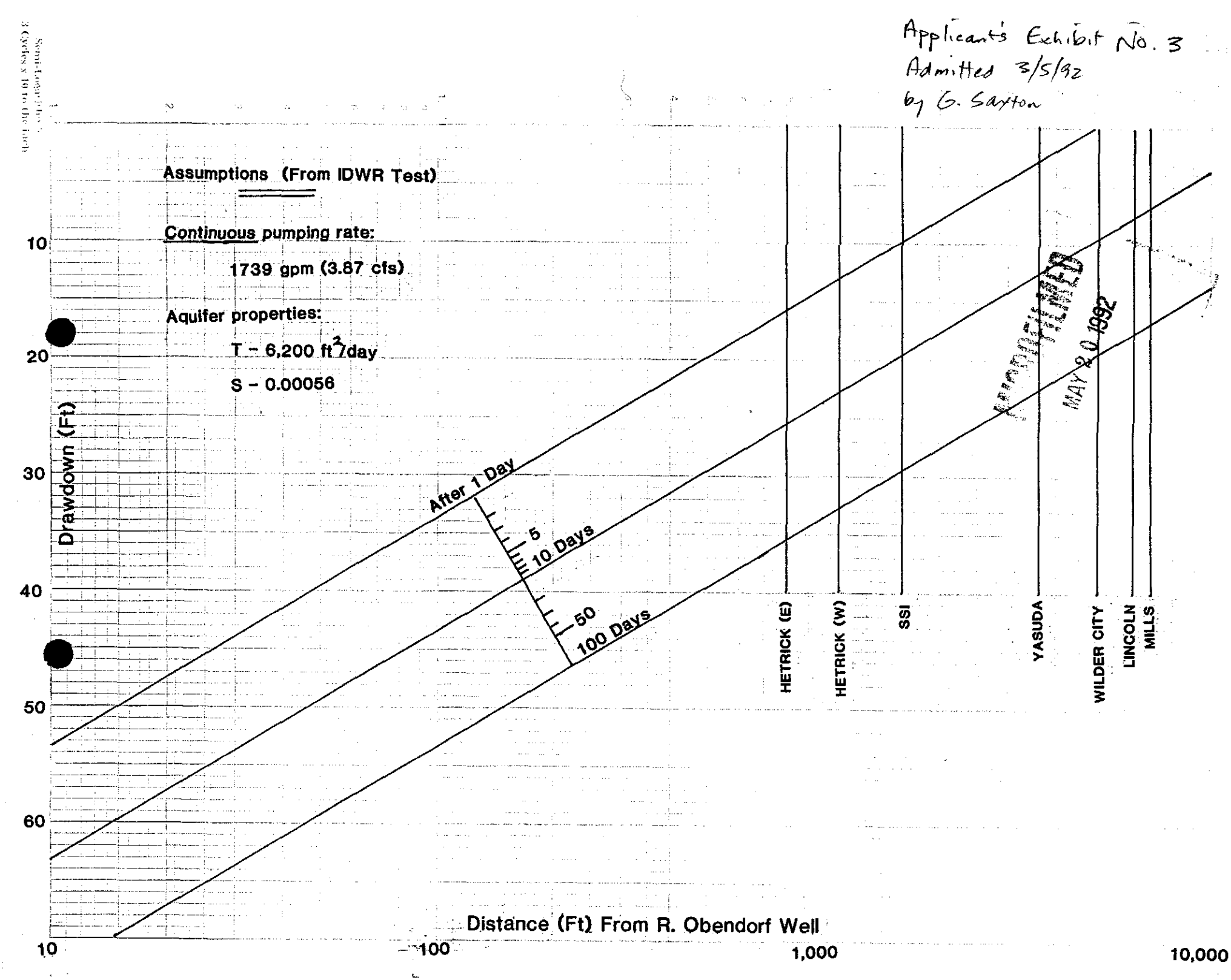
Mr. Anderson's service as a Groundwater Geologist included water-supply investigations and subsurface geologic studies in Washington, D.C. and the State of Iowa.

ORGANIZATIONS: American Society of Civil Engineers
National Society of Professional Engineers
Idaho Society of Professional Engineers
Consulting Engineers of Idaho
International Commission on Irrigation and Drainage
American Geophysical Union
National Water Well Association
American Water Works Association
Idaho Association of Professional Geologists

MICROFILMED
MAY 20 1992


Applicant's Exhibit No. 7
Admitted
APPROXIMATE WELL LOCATIONS
FILED
MAY 20 1992
DRAIN
CANAL
LATERAL
Wamstad
VANTRESS FLUME
Rodeo
LINCOLN
Fargo
Howe BM 2419
Batt Corner Road
U.S. Hwy 95
10ABB1
Gooding Farms Well
YASUDA
Travis
Fern Lane
IDAHO
PAINE
SSI
OBENDORF
Red Top Road
HETRICK (W)
HETRICK (E)
Wilder Farms Well
MILLS
LATERAL 40
Penny Lane
KILBAINE LATERAL
PEFFLEY LATERAL
Huff
DREW LATERAL
ARENA VALLEY
ROAD
Well
BM 2423
WILDER CITY
Wilder
(BM 2424)
UNION PACIFIC
Gravelly Point
Siphon
GOLDEN GATE
(ELEVATED)
Labor Camp
BM 2454
Wilder
8
9
10
11
16
15
14
17
20
21
22
23
19
95

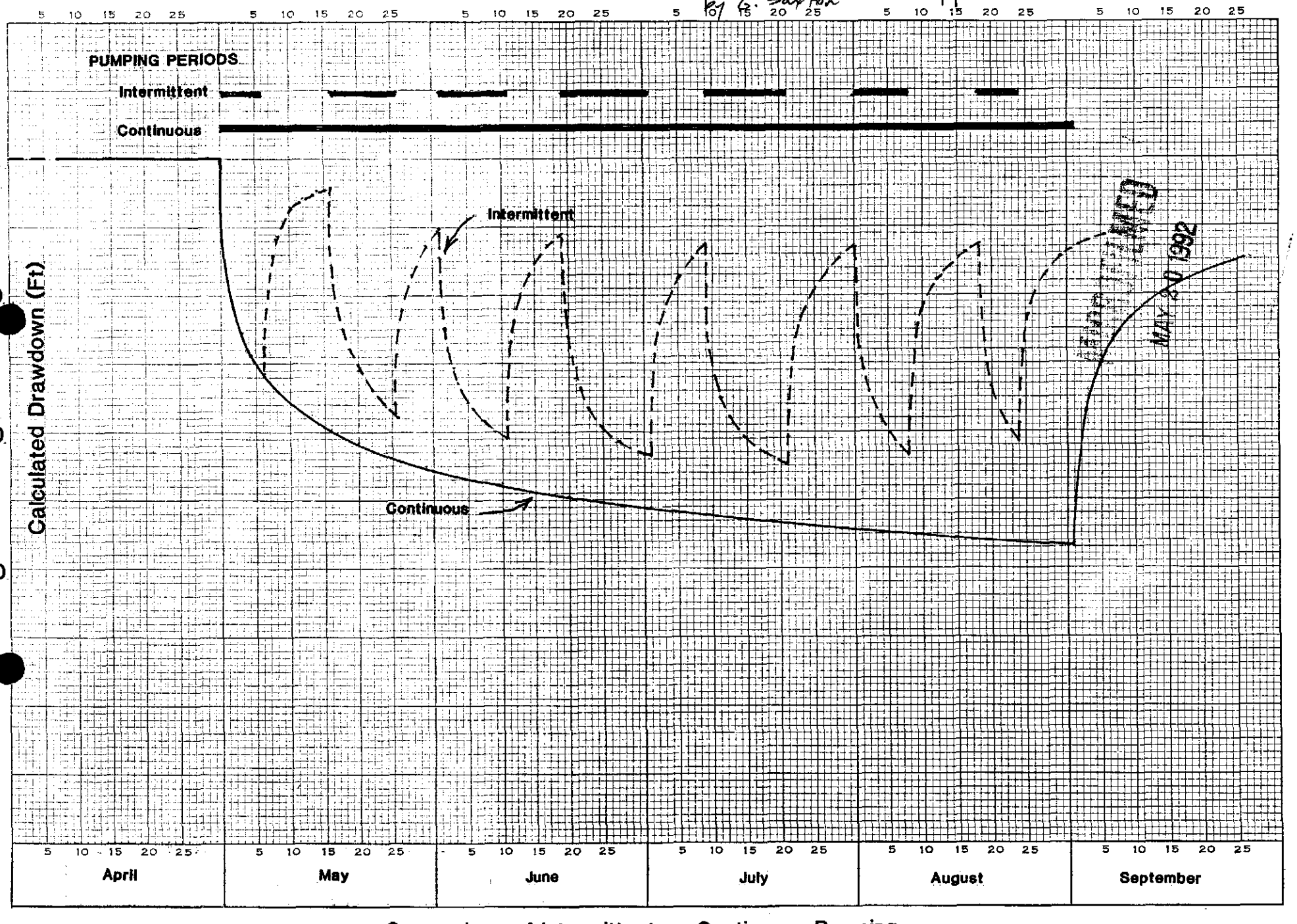
Applicant's Exhibit No. 3
Admitted 3/5/92
by G. Saxton



RECEIVED
MAY 20 1992

Admitted 3/5/92
By G. Sayton

Applicant's Exhibit No. 4



Comparison of Intermittent vs Continuous Pumping

(Drawdowns 2,000 Ft From Obendorf Well, Pumping at 1,739 gpm)

Protestants Exhibit No. 2
Admitted by LGS 3/5/1992

Form 238-7
6/89

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

Rim Ranches
Name Ray Obendorf
24034 Batt Corner Rd
Address Parma, ID 83660

Owner's Permit No. 63-91-W-118

2. NATURE OF WORK

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

3. PROPOSED USE

Domestic X Irrigation Test Municipal
Industrial Stock Waste Disposal or Injection
Other (specify type)

4. METHOD DRILLED

Rotary Air Hydraulic X Reverse rotary
Cable Dug Other

5. WELL CONSTRUCTION

Casing schedule: X Steel Concrete Other

Thickness	Diameter	From	To
.230 inches	16 inches	+ 2 feet	580 feet
inches	inches	feet	feet
inches	inches	feet	feet
inches	inches	feet	feet

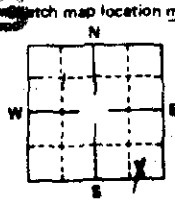
Was casing drive shoe used? Yes X No
Was a packer or seal used? Yes X No
Perforated? X Yes No
How perforated? X Factory Knife Torch Gun
Size of perforation .040 inches by 2½ inches

Number		From	To
24RowX.04	perforations	193.5" feet	294.1" feet
MeshX2½ sl	perforations	319.1" feet	339.1" feet
on 6"cente	perforations	364.1" feet	394.1" feet

Well screen installed? X Yes No
Manufacturer's name Roscoe Moss
Type Full flow louvered Model No.
Diameter 16" Slot size 1/8 Set from 168.9' feet to 193.9' feet
Diameter 16" Slot size 1/8 Set from 339.1' feet to 364.1' feet
Gravel packed? X Yes No Size of gravel 3/8minus
Placed from 19 feet to 582 feet
Surface seal depth 19' Material used in seal: Cement grout
X Bentonite X Puddling clay
Sealing procedure used: Slurry pit Temp. surface casing
X Overbore to seal depth
Method of joining casing Threaded X Welded Solvent Weld
Cemented between strata
Describe access port 2" pipe approx 30°
Dia 16" Slot 1/8 Set 434.4" to 555.0'

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name
Lot No. Block No.
County Canyon
SE ¼ SE ¼ Sec. 10, T. 4 N X S, R. 5 E X W

7. WATER LEVEL

Static water level 41 feet below land surface.
Flowing? Yes X No G.P.M. flow
Artesian closed-in pressure p.s.i.
Controlled by: Valve Cap Plug
Temperature 72 °F. Quality Clear w/sulfur odor
Describe artesian or temperature flows below

8. WELL TEST DATA

X Pump Bailer Air Other

Discharge G.P.M.	Pumping Level	Hours Pumped
1800	183	2 hrs
2100	230	2 hrs
2700	260	3 hrs

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
28"	0	12	Top soil		X
"	12	21	Clay		X
"	21	27	Coarse sand	X	
"	27	31	Gravel & rock up to 6"	X	
"	31	60	Brown clay		X
"	60	67	Sand & pea gravel	X	
"	67	136	Brown clay		X
"	136	142	Coarse sand	X	
"	142	170	Blue clay		X
"	170	172	Coarse blue sand	X	
"	172	174	Blue clay		X
"	174	198	Coarse to fine sand	X	
"	198	225	Blue clay		X
"	225	227	Coarse sand & pea gravel	X	
"	227	242	Blue clay		X
"	242	254	Coarse to fine sand	X	
"	254	297	Blue clay & pea gravel		X
"	297	313	Fine sand	X	
"	313	315	Coarse sand	X	
"	315	317	Blue clay		X
"	317	322	Coarsesand & pea gravel	X	
"	322	339	Blue clay		X
"	339	343	Pea gravel	X	
"	343	345	Blue clay		X
"	345	360	Coar to fine sand	X	
"	360	363	Blue clay		X
"	363	365	Coarse to fine sand	X	
"	365	369	Blue clay		X
"	369	404	Fine & coarse sand	X	
"	404	556	Blue clay		X
"	556	582	Fine & coarse sand	X	
"	582		Hard clay stone		X

10.

Work started 4-25-91 finished 5-24-91

11. DRILLERS CERTIFICATION

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

Firm Name Riverside Drilling Firm No. 333
PO Box 720
Address Parma, ID 83660 Date 5-31-91
Signed by (Firm Official) Terry L. Dunphy
and
(Operator) Terry Dunphy

MAY 20 1992

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

Re: Rim Ranches, #63-11551 and 63-11474

Place: Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605

Date: March 5, 1992

Hearing conducted by: Glen Saxton

ROSTER OF ATTENDANCE

Name	Address	Representing
Sherl Chapman	Boise 410 S Orchard Suite 144	SSI
Richard B Evans	Nampa Idaho	SSI
Kirk G. Smith	Caldwell, ID	SSI
Ben Barbiola	" "	"
Mabel Yasuda	Weiser, Idaho	Self
Eva Dowling	" "	"
James Dowling	" "	
Andy Bowers	" "	"
Shirley Mills	27341 Jenny Lane	Self
Dale Smith	Box 950 Fruitland	Don Shirley Mills
Tim Hetrick	1217 3rd St So Nampa	Self
Irvin Hetrick	26375 Red Top Rd Wilder	Self
Becky Hetrick	26373 Red Top Rd Wilder	Self
[illegible]	1000 S Roosevelt	Hetrick
Ray Oberdorf	24034 Battcomer Rd Parma	Self
William F Schroeder	PO Box 70 Vale, OR	Applicant
John T. Schroeder	P.O. Box 267 Boise 83701	Applicant
Steven J. Baker	1301 N. Orchard	Idaho Dept. of Water Resources
Keith E Anderson	432 Summit Ridge, Boise	Applicant

MICROFILMED
MAY 20 1992

RECEIVED
MAR 0 3 1992
Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.

Applicant tenders the annexed conditions to the granting of their applications and amendment to application pending for hearing before the Department.

March 3, 1992.

Schroeder & Lezamiz

By John T. Schroeder

William F. Schroeder P.C.

By

Rim Ranches, Inc.

By Ray Olvendorf

Certificate of Service
I certify that on March 3, 1992 I served a copy of this Tender upon the lawyer for the protestant(s) identified in the annexed Tender of Conditions by sending the same by telecopy transmission to the office of said lawyer.

John T. Schroeder

MICROFILMED
MAY 2 0 1992

TENDER OF CONDITIONS

WHEREAS, Rim Ranches, Inc. has applied for the withdrawal and use of groundwater and that such applications have been accepted and pend before the Idaho Department of Water Resources, identified by its numbers 63-11551 and 63-11474; and

WHEREAS, Tim Hetrick, a single person, Irwin Hetrick and Betty Hetrick, husband and wife, have protested; [1]

WHEREAS, said protestants claim that they withdraw and use ground water for domestic purposes; now therefore,

Applicant tenders its acceptance of the following conditions to the granting of the applications:

1. It will be determined what is the historic pumping level from which sufficient ground water has been withdrawn from the well claimed by protestants, to accommodate the previous historic domestic use of protestants.

2. In the event it is subsequently determined that the withdrawal and use of ground water pursuant to permits issued upon the pending applications, is the cause of lowering the water table below the level determined pursuant to the foregoing paragraph 1, it will be determined what would be the expense reasonably incurred for protestants to change their method or means of diversion in order to maintain their right to use the ground water to the extent

---

[1] See, letter from Rim Ranches, Inc. to Department of Water Resources, September 23, 1991. Rim Ranches, Inc. objected to the extent that the protest of Irwin Hetrick and Betty Hetrick is only as to number 63-11551. Rim Ranches further reserves its contention that protestants withdrawal and use is limited to a reasonable ground water pumping level if such withdrawal and use commenced later than 1978. Both the objection and the contention are waived upon the granting of the applications upon the tendered conditions.

MAY 20 1992

of their established historic domestic use.

3. In the event applicant fails or refuses to pay protestant the expense finally determined pursuant to the foregoing paragraph 2, within such reasonable time as may be fixed by the Department, the withdrawal and use by applicant of ground water pursuant to any authority issued by the Department upon the applications shall be forthwith terminated.

4. Such determinations which may be made pursuant to these conditions may be commenced by the Department upon the application of applicants or protestant as a contested case hearing before the Department.

5. These conditions bind the applicant, its successors and assigns.

March 5, 1992.

Rim Ranches, Inc.

By Ray Olmsted
President.

MAR 20 1992

RECEIVED
MAR 03 1992
Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.	)

Applicant tenders the annexed conditions to the granting of their applications and amendment to application pending for hearing before the Department.

March 3, 1992.

Schroeder & Lezamiz

By John T. Schroeder

William F. Schroeder P.C.

By

Rim Ranches, Inc.

By Ray Olendorf

Certificate of Service
I certify that on March 3, 1992 I served a copy of this Tender upon the lawyer for the protestant(s) identified in the annexed Tender of Conditions by sending the same by telecopy transmission to the office of said lawyer.

John T. Schroeder

MICROFILMED
MAY 20 1992

SSI

TENDER OF CONDITIONS

WHEREAS, Rim Ranches, Inc. has applied for the withdrawal and use of groundwater and that such applications have been accepted and pend before the Idaho Department of Water Resources, identified by its numbers 63-11551 and 63-11474; and

WHEREAS, SSI Food Services, Inc. has protested; [1]

Applicant tenders its acceptance of the following conditions to the granting of the applications:

1. A flow meter, as determined by the Department will be installed on the well identified in the applications and amendment to the application, to be monitored by the Department.

2. Applicant will annually use water deliverable by the Wilder Irrigation District for the irrigation of land described within the applications and the amendment to the application, to the extent, as, and when such water is made available by the District for the irrigation of such lands.

3. Applicant will not withdraw ground water from the well identified in the applications and amendment to the application, at a rate of flow in excess of 3.9 cubic feet per second.

4. The place of use of the ground water withdrawn pursuant to the granting of the applications will be limited to the

---

[1] See, letter from Rim Ranches, Inc. to Department of Water Resources, September 23, 1991. Rim Ranches, Inc. objects to the extent that the protest as to 63-11551 was out of time and that the Department nevertheless allowed protestant intervenor status and thereby impermissibly enlarged the protest period. Rim Ranches further renews its objection to the filing of Richard B. Eismann as constituting a protest to both applications for the reasons stated in said letter. Objections are waived upon the granting of the applications upon the tendered conditions.

MICROFILMED
MAY 20 1992

lands described in the applications and amendment thereto, consisting in total of approximately 300 acres.

5. Such determinations which may be made pursuant to these conditions may be commenced by the Department upon the application of applicants or protestant as a contested case hearing before the Department.

5. These conditions bind the applicant, its successors and assigns.

March 5, 1992.

Rim Ranches, Inc.

By Ray Olendorf
President.

MICROFILMED
MAY 20 1992

RIM RANCHES, INC.
C/O RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

W F SCHROEDER PC
PO BOX 220
VALE OR 97918

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

JOHN T. SCHROEDER, ESQ.
P.O. BOX 267
BOISE, ID 83701

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

SHERL CHAPMAN
410 S ORCHARD SUITE 144
BOISE ID 83705

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

SSI FOOD SERVICES INC
C/O RICHARD B EISMANN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

addendum - by Steve Baker sent to people on this list. At 2-26-92

KAY & MARIE YASUDA
25724 FERN LN
WILDER ID 83676

JIM & EVA DOWLING
FERN LN
WILDER ID 83676

E A BREWER &
LARRY CARLSON
FERN LN
WILDER ID 83676

Copy also forwarded to Keith Anderson, Montgomery Eng. 3/3/92

FILMED
MAY 20 1992

ADDENDUM TO
REPORT ENTITLED

"EFFECTS OF GROUND-WATER DEVELOPMENT IN THE WILDER AREA, SOUTHWEST CANYON COUNTY, IDAHO"

by
Steven J. Baker

Idaho Department of Water Resources
Boise, Idaho

RECEIVED
MAY 20 1992

February, 1992

TABLE OF CONTENTS

INTRODUCTION 1

WELL INTERFERENCE SIMULATIONS 1

CONCLUSIONS 4

LIST OF FIGURES

Figure 1. Drawdown distribution for simulation #1a 6
Figure 2. Drawdown distribution for simulation #1b 7
Figure 3. Drawdown distribution for simulation #1c 8
Figure 4. Drawdown distribution for simulation #2a 9
Figure 5. Drawdown distribution for simulation #2b 10
Figure 6. Drawdown distribution for simulation #2c 11
Figure 7. Drawdown distribution for simulation #3a 12
Figure 8. Drawdown distribution for simulation #3b 13
Figure 9. Drawdown distribution for simulation #3c 14
Figure 10. Drawdown distribution for simulation #4a . . . 15
Figure 11. Drawdown distribution for simulation #4b . . . 16
Figure 12. Drawdown distribution for simulation #4c . . . 17
Figure 13. Drawdown distribution for simulation #5a . . . 18
Figure 14. Drawdown distribution for simulation #5b . . . 19

LIST OF TABLES

Table 1. Parameters used in well interference simulations . 3
Table 2. Computed drawdowns at domestic wells 04N-05W-15AAA1 and 04N-05W-15ABA1 5

RECLAIMED
MAY 20 1992

INTRODUCTION

Well owners located near Wilder are currently protesting an application for a new irrigation well. A report by the Idaho Department of Water Resources (Baker, Nov. 1991) entitled "Effects of ground-water development in the Wilder area, southwest Canyon County" addressed this issue. In the report, an attempt was made to assess the potential effects of pumping the protested well on the local aquifer system. Because of some questions over how realistic the pumping rates and pumping period used in these simulations were, additional drawdown simulations have been performed that are thought to more closely simulate the actual ground-water use in the area. This report presents the results of these findings.

WELL INTERFERENCE SIMULATIONS

Because of the far-reaching effects that were observed from the previous drawdown simulations, it seemed necessary to include all non-domestic wells within a two-mile radius from the protested well instead of just one mile that was used. A total of 16 well owners were identified from water right data in the area (seven more than were used in the original study). Locations of the wells are shown on each of the drawdown distribution maps (Figures 1 - 14).

All simulations use the same values for the hydraulic properties as were used in the original simulations. They include transmissivity equal to 6200 ft^2/day and storativity equal to 5.6×10^{-4}.

Two different approaches were used to simulate the pumping conditions in the area. The first set of simulations are based on maximum pump capacities and includes a cyclic pumping schedule that is representative of supplemental irrigation use. These simulations are numbered 1 through 4 and are shown on Figures 1 to 12. The second set of simulations are based on average continuous discharge rates that are needed to satisfy the maximum consumptive use requirements during the main portion of the irrigation season. These simulations are numbered 5 and are shown on Figures 13 and 14.

Discharge rates used in the first set of simulations were either measured during IDWR field exams, or if a field exam was not performed, they were computed from information obtained from the well owners regarding pump horsepower, pumping level, and back pressure at the wellhead. The overall pumping efficiency was also needed in the computations and was estimated to be 45 percent. This value for efficiency represents an average value that was computed from the wells where field exams were performed. The following formula was used to calculate theoretical discharge rate for these wells:

$Q_t = ((HP * 8.8 * OE) / (PL + (2.31 * BP)) * 448.86$

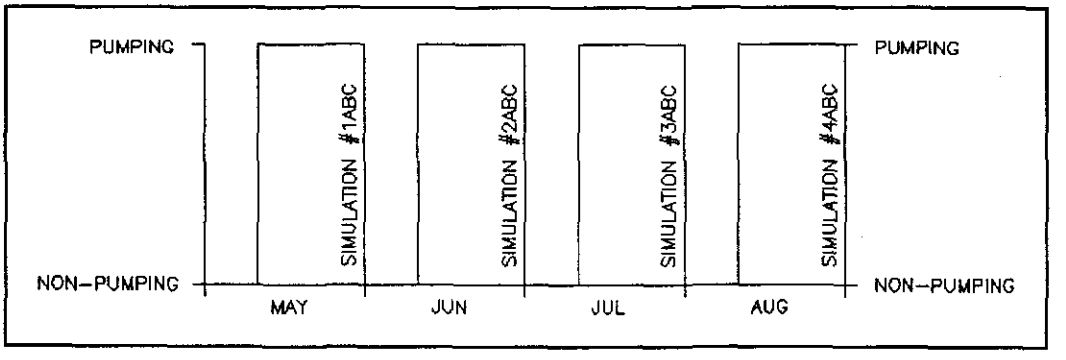
where

Q_t = theoretical discharge rate, in gallons per minute (gpm)
HP = horsepower of pump
OE = estimated overall efficiency
PL = pumping level, in feet (ft)
BP = back pressure at wellhead, in pounds per square inch (psi)

The measured and theoretical discharge rates for each of the wells used in the simulations are included on Table 1.

Three discharge rates were used for the protested well 04N-05W-10DDC1 for the first set of simulations. One rate was equal to zero and was included to show the distribution of drawdown without the effects of this well pumping. Simulations labeled with a letter "A" denote this pumping scenario. Another discharge rate that was used was based on the average rate that was measured during the 28-day aquifer test. Simulations using this pumping scenario are labeled with a letter "B". The last simulated rate of discharge was equal to the rate of diversion stated on the water right application. Simulations labeled with a letter "C" indicate this pumping scenario.

The cyclic pumping schedule used in the first set of simulations is based on an average schedule for supplemental irrigation use that was reported by well owners in the area. It consists of four 30-day periods, each of which represents the main months of the irrigation season: May, June, July, and August. Each 30-day period is composed of 10 days of non-pumping followed by 20 days of pumping. The figure shown below illustrates this idealized pumping schedule that was used in the simulations. The numbers used to label the first set of simulations correspond to each of pumping periods. For example, simulations numbered 1 represent the drawdown distribution at the end of first pumping period.



Idealized pumping schedule used in simulations

RECEIVED
MAY 20 1992

Table 1. Parameters used in well interference simulations

Water right number: A - Application; C - Claim; L - Licensed; P - Permit.

Use of water: H - Domestic; I - Irrigation; I_s - Irrigation (supplemental use); N - Industrial; P - Public Supply.

Well number(s)	Well owner	Water right number(s)	Use of water	Measured[1] or Theoretical[2] discharge rate (gpm)	Average continuous[3] discharge rate (gpm)
04N-05W-03ADA1	Rim Ranches	63-08531(L)	I_s	848[1]	523
03BCC1	Gooding Farms	63-10465(L) 63-10580(P)	I_s	1162[1]	654
03CDC1	Yoshie Yamada	63-08567(L)	I_s	911[1]	314
10ABB1	Gooding Farms	63-10579(P)	I_s	543[2]	340
10DAD1,2	SSI Food Services	63-10727(L) 63-11254(P)	I/N	399[1]	327
10DDC1	Rim Ranches	63-11474(P) 63-11551(A)	I_s	1739[1] 2693[4]	1275
13BBC1	Buckeye Ranch	63-10578(L)	I_s	1095[1]	629
14CAD1	Phil Church	63-20543(P)	I_s	426[2]	157
14CC1,2,3,4	City of Wilder	63-08164(L) 63-11253(P)	I/P	265[2]	265
15AAA1	Hetrick	--	H	--	--
15ABA1	Hetrick	--	H	--	--
16ADC1	Wilder Farm's	63-80649(L)	I_s	1023[1]	604
22BAD1	Batt	63-11124(P)	I_s	794[2]	586
23BBC1	Batt	63-04428(C)	I_s	889[2]	412
23BCB1	Housing Authority	63-11333(P)	I_s	157[2]	144
23DAD1	Gross	63-04455(C)	I_s	180[2]	170
23DCC1	O Bar L Inc.	63-08665(L)	I_s	269[1]	269
24ACD1	Wilder Land Co.	63-08703(L)	I_s	1338[1]	429

[1] - measured by IDWR personnel during water right field exam or August 1991 aquifer test.
[2] - based on pump HP and estimated total dynamic head with an assumed overall efficiency of 45 percent.
[3] - based on consumptive use (4.5 AF/A for sole & 2.25 AF/A supplemental) for a 120-day irrigation period.
[4] - amount listed on water right application.

1992

Discharge rates for the second set of simulations (number 5) were computed using the following formula:

Q_a = (IA * CU * 226.7) / 120-day pumping period

where

Q_a = average continuous discharge rate, in gpm
IA = total irrigated acreage stated on water right
CU = consumptive use, in acre-feet per acre (AF/A)
for sole irrigation use, CU = 4.5 AF/A
for supplemental irrigation use, CU = 2.25 AF/A

A 120-day continuous pumping period was used because it was thought to represent the main portion of irrigation season from May to August.

The average continuous discharge rates for each of the wells used in the simulations are included on Table 1.

A similar approach to the first set of simulations was used to assess the difference between not pumping and pumping the protested well (04N-05W-10DDC1). The simulation labeled "5A" illustrates the drawdown distribution without the well pumping. Whereas, the one labeled "5B" shows the effects of pumping it at an estimated average continuous discharge rate.

Computed drawdowns at the two domestic wells (04N-05W-15AAA1 and 04N-05W-15ABA1) near the protested irrigation well are listed on Table 2 for each of the simulations.

CONCLUSIONS

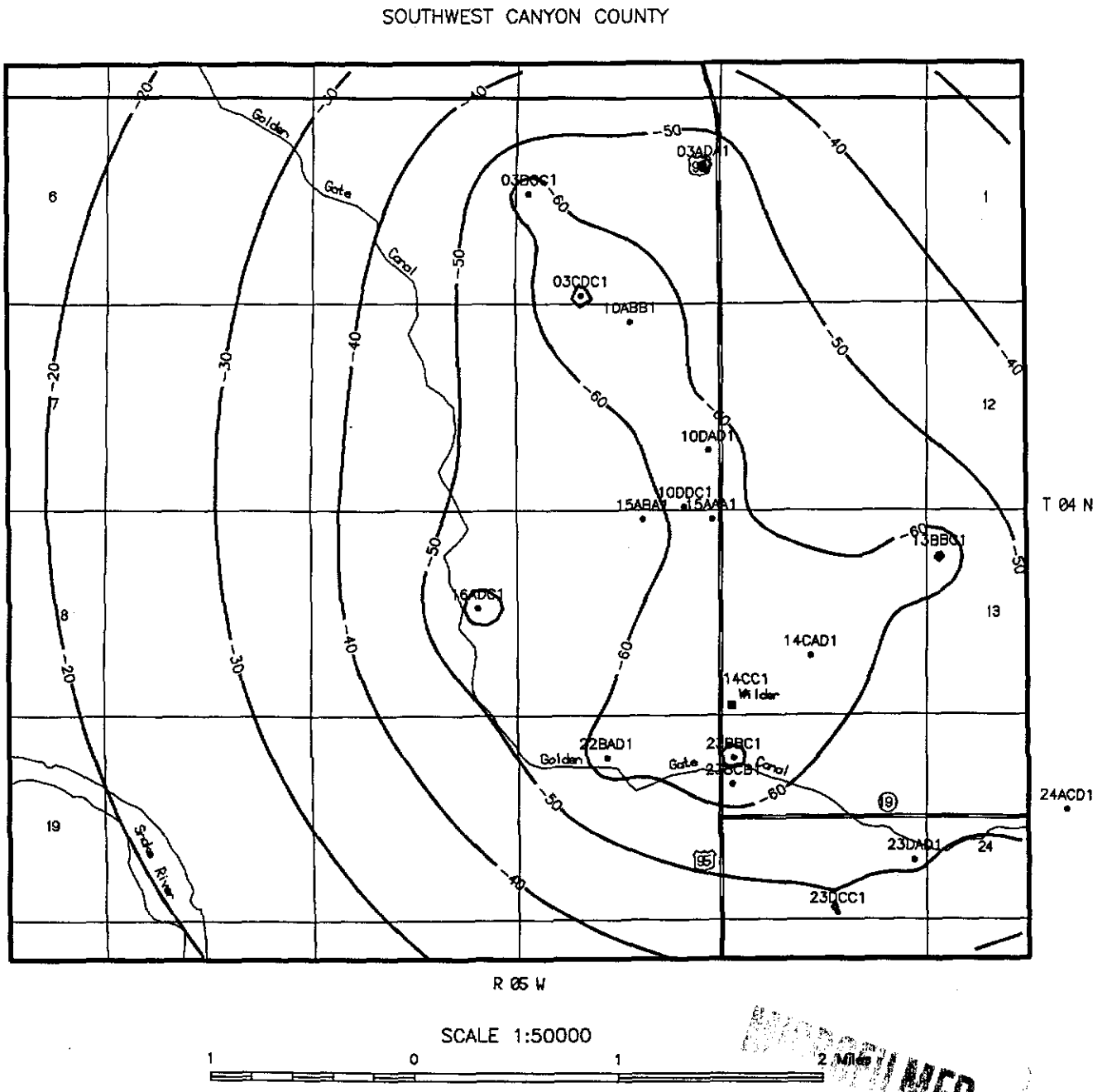
As was mentioned in the previous report on the Wilder area, well interference during the irrigation season, especially May through August appears to be significant problem. This is primarily due to the relatively low hydraulic properties of the local aquifer system that were computed from the aquifer test and is also evident by the fine-grained stratified nature of the aquifer material that has been described on Well Driller's Reports for wells in the area.

RECEIVED
MAY 20 1992

Table 2. Computed drawdowns at domestic wells 04N-05W-15AAA1 and 04N-05W-15ABA1

Simula -tion No.	Pumping Schedule **P** - Pumping; **R** - Recovery	Well 04N-05W-10DDC1 pumping rate (gpm)	Drawdown at well 04N-05W-15AAA1 (ft)		Drawdown at well 04N-05W-15ABA1 (ft)	
			Total	Difference	Total	Difference
1a	**R**: One 10-day period	0	60	--	59	--
1b	**P**: One 20-day period	1739	89	29	85	26
1c		2693	104	44	99	40
2a	**R**: Two 10-day periods	0	73	--	72	--
2b	**P**: Two 20-day periods	1739	103	30	99	27
2c		2693	120	47	114	42
3a	**R**: Three 10-day periods	0	79	--	78	--
3b	**P**: Three 20-day periods	1739	111	32	107	29
3c		2693	128	49	123	45
4a	**R**: Four 10-day periods	0	84	--	83	--
4b	**P**: Four 20-day periods	1739	117	33	113	30
4c		2693	135	51	130	47
5a	**P**: One 120-day period	0	60	--	60	--
5b		1275	87	27	84	24

RECEIVED
MAY 20 1992



MICROFILMED
MAY 20 1992

Figure 1. DRAWDOWN DISTRIBUTION FOR SIMULATION #1A

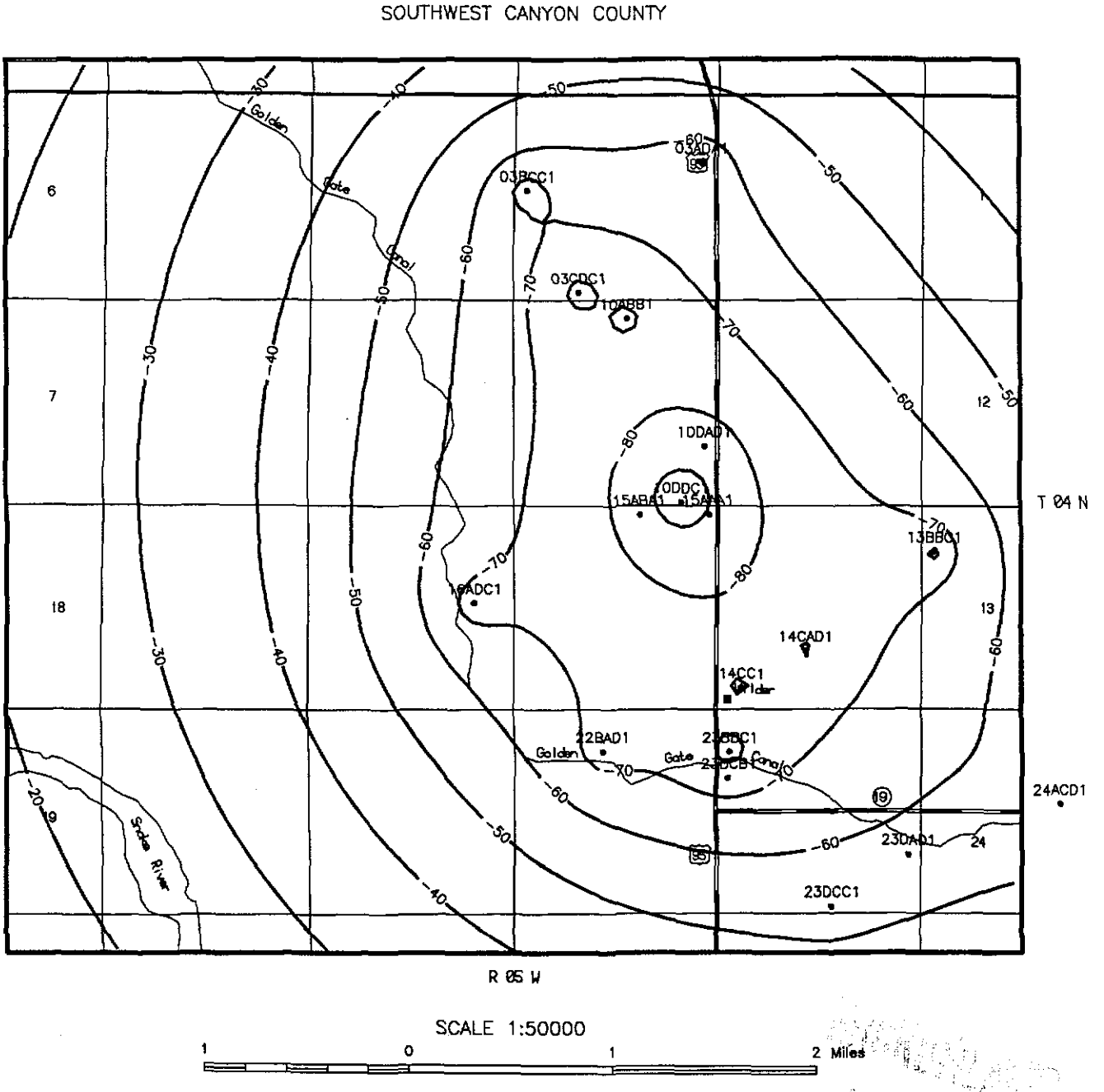


Figure 2. DRAWDOWN DISTRIBUTION FOR SIMULATION #1B

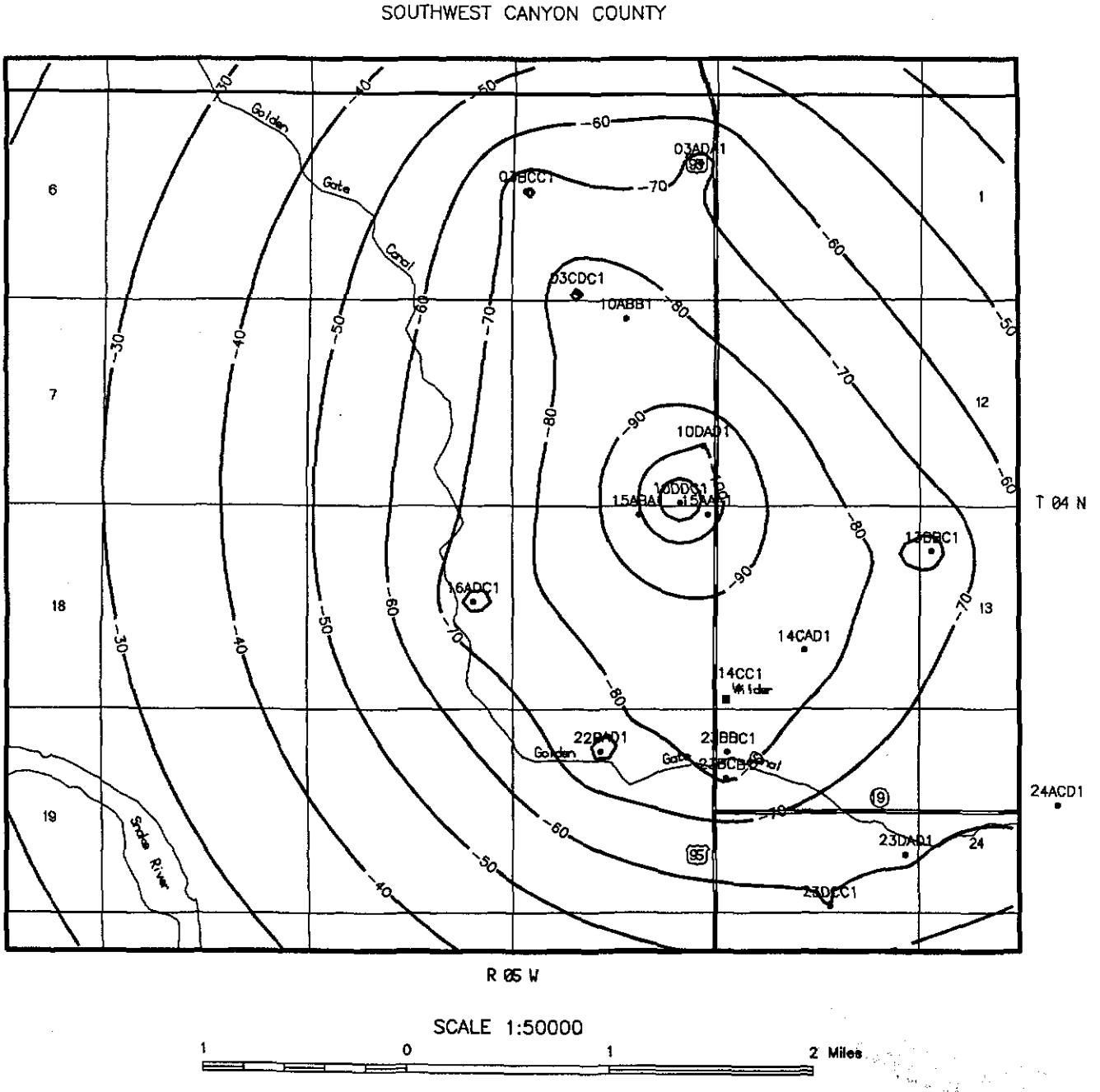
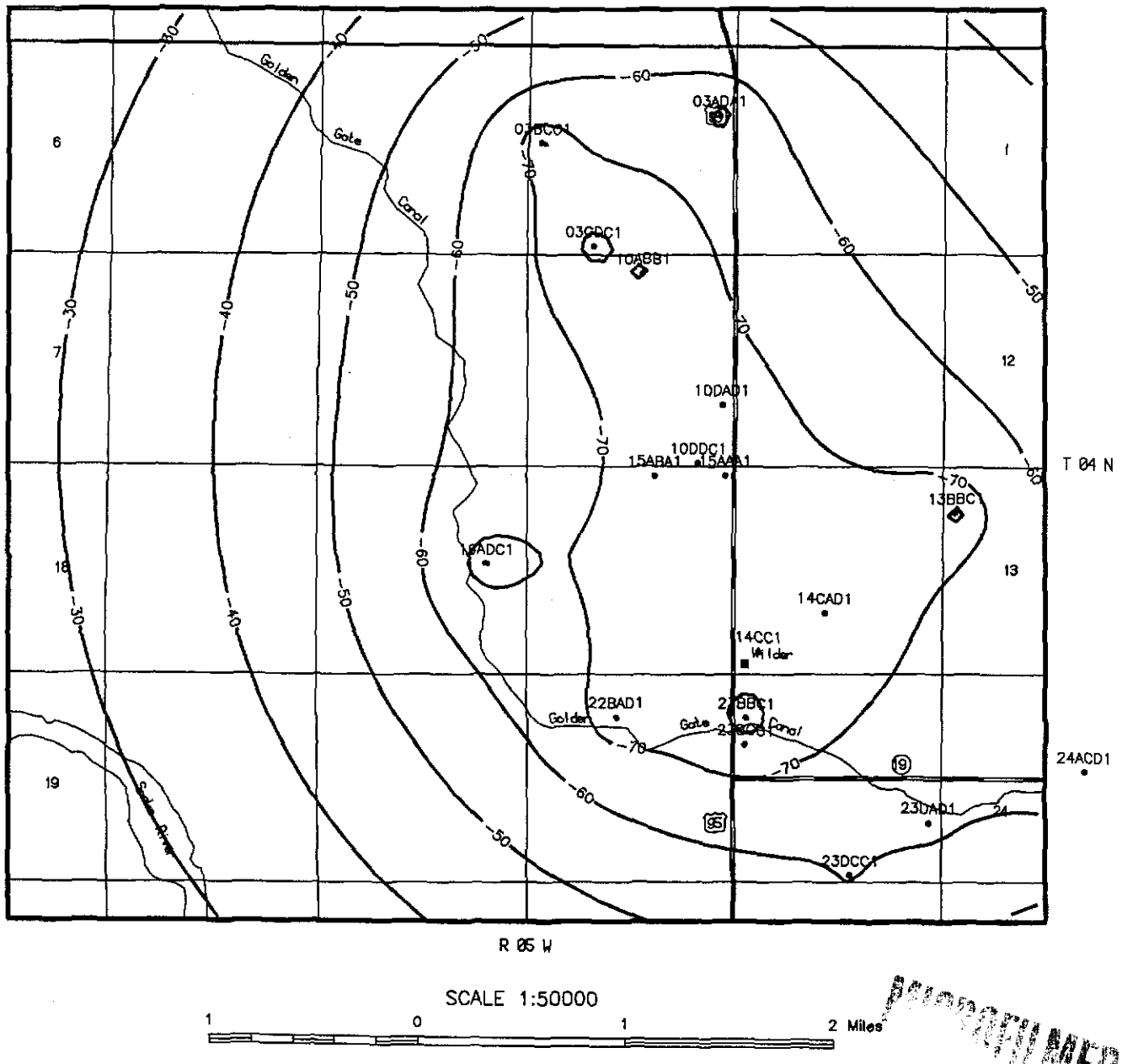


Figure 3. DRAWDOWN DISTRIBUTION FOR SIMULATION #1C

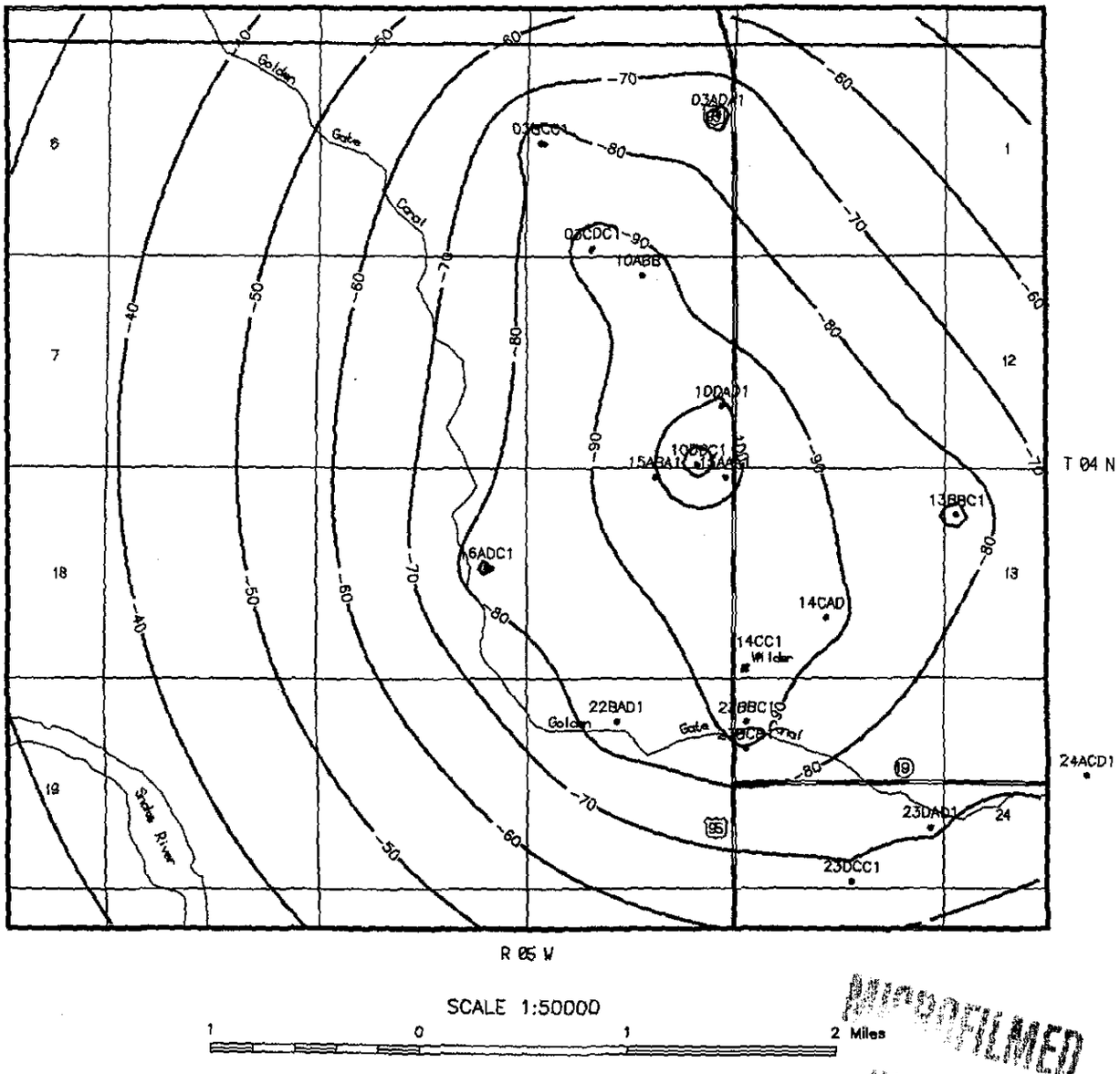
SOUTHWEST CANYON COUNTY



RECEIVED
MAY 20 1992

Figure 4. DRAWDOWN DISTRIBUTION FOR SIMULATION #2A

SOUTHWEST CANYON COUNTY



MICROFILMED
MAY 20 1992

Figure 5. DRAWDOWN DISTRIBUTION FOR SIMULATION #2B

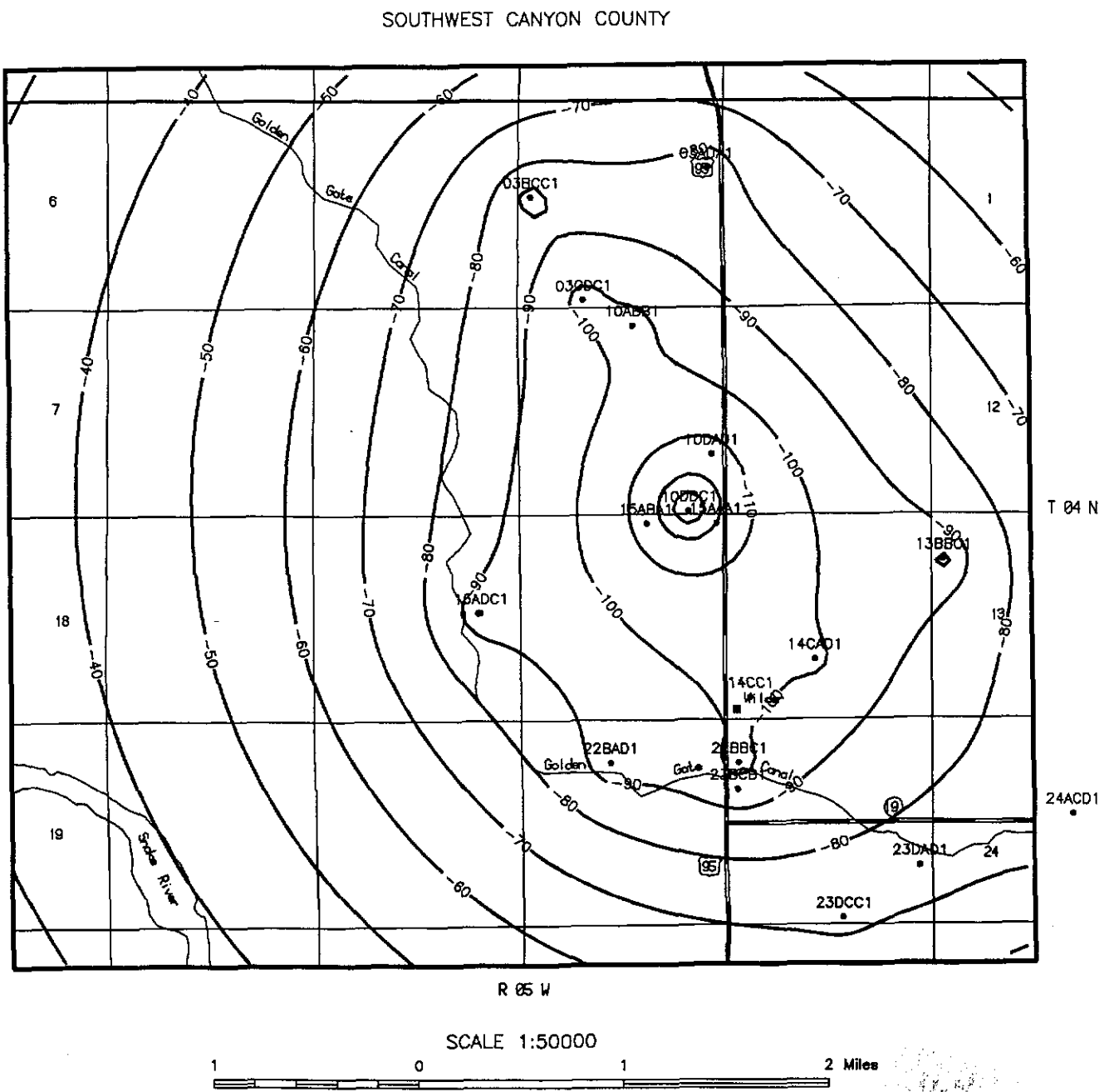
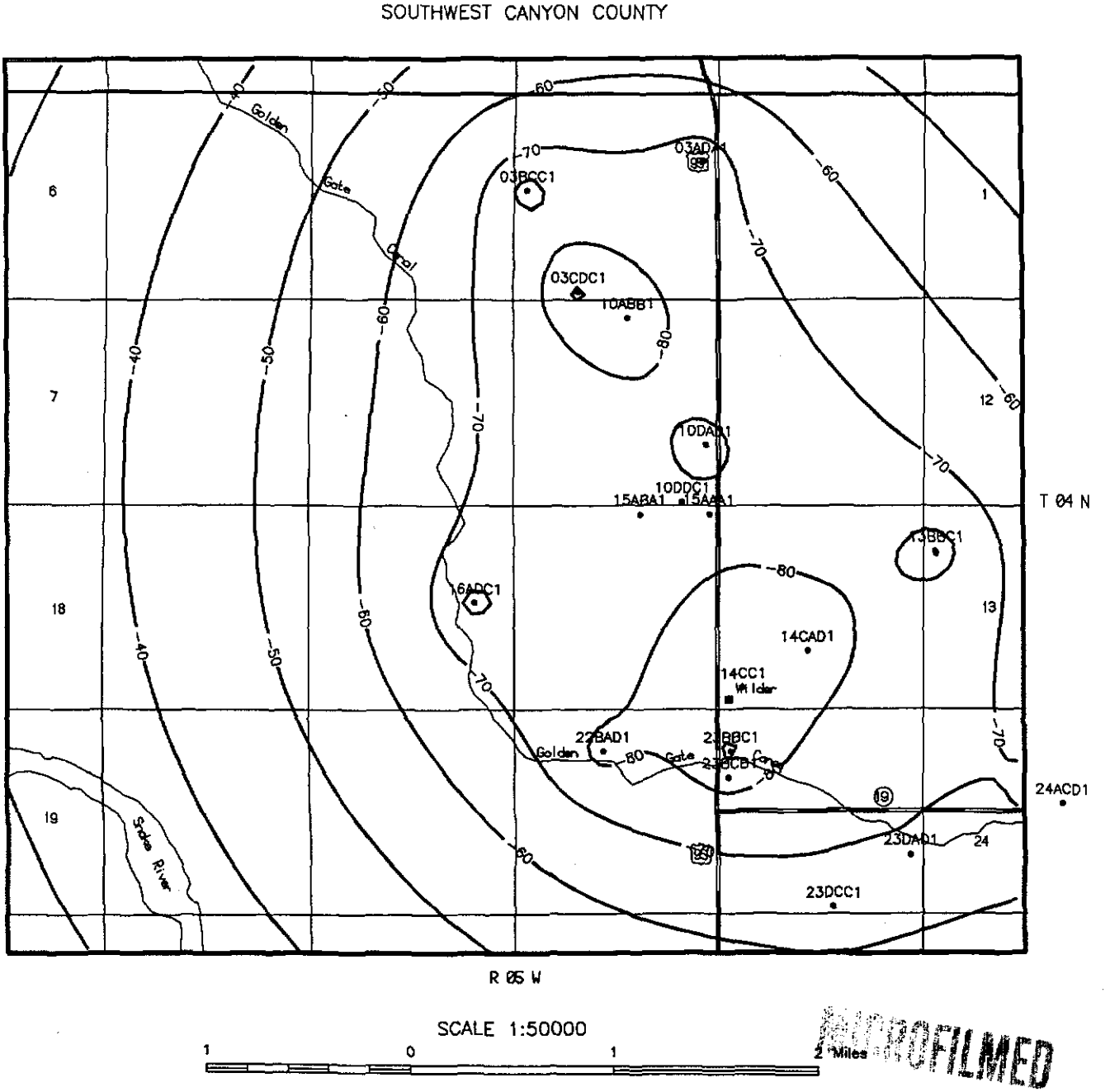


Figure 6. DRAWDOWN DISTRIBUTION FOR SIMULATION #2C



MICROFILMED
MAY 20 1992

Figure 7. DRAWDOWN DISTRIBUTION FOR SIMULATION #3A

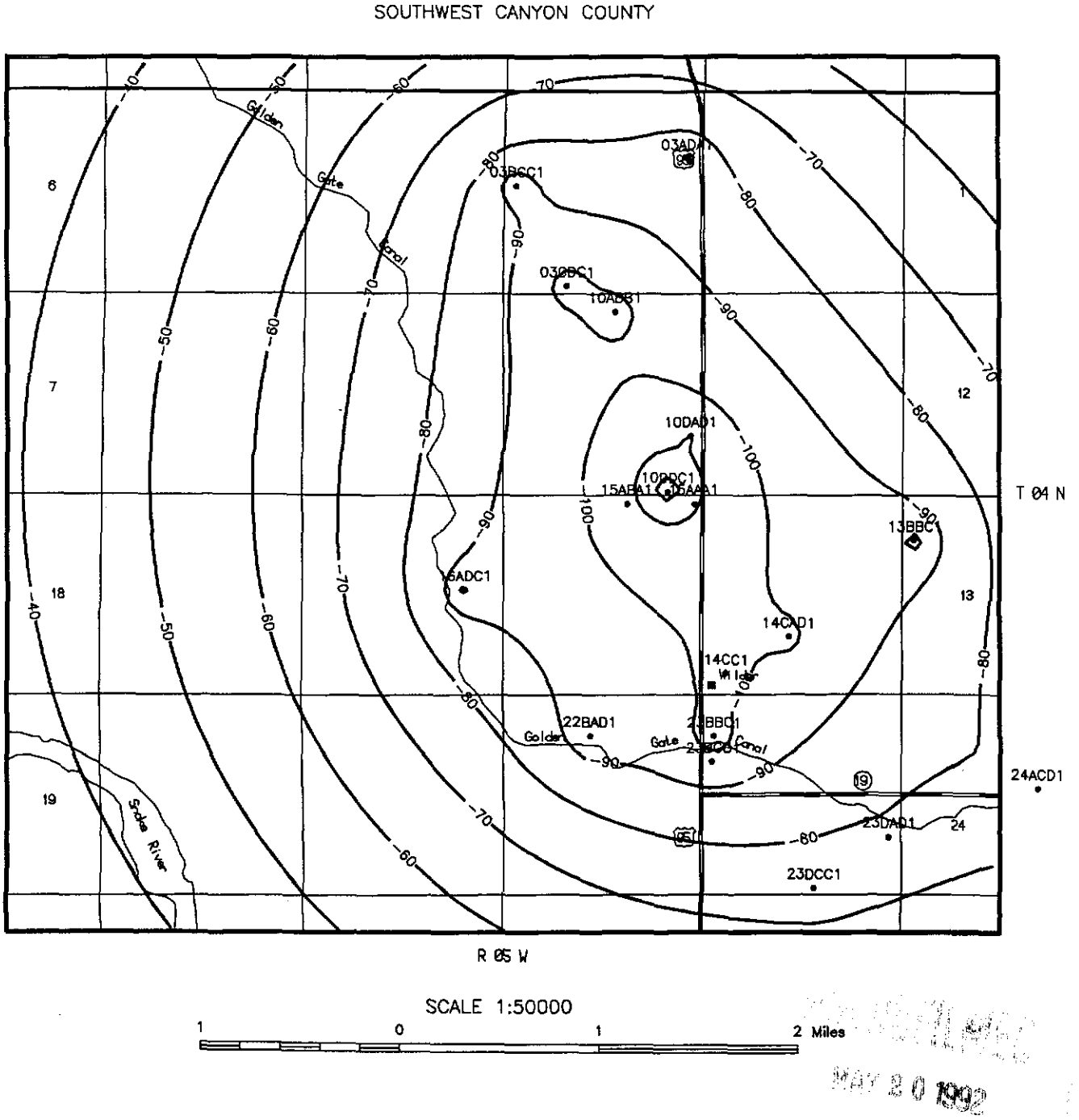
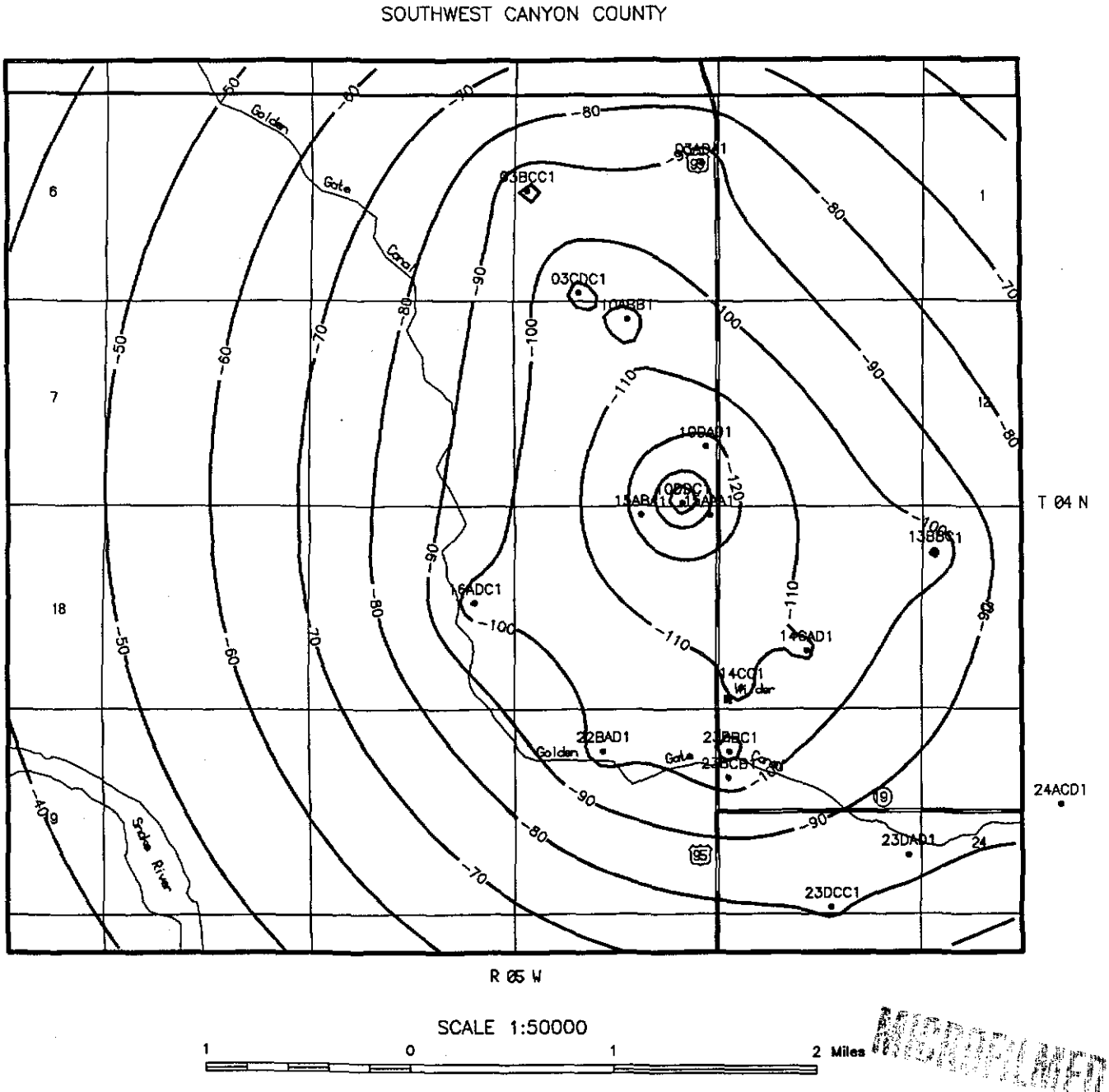
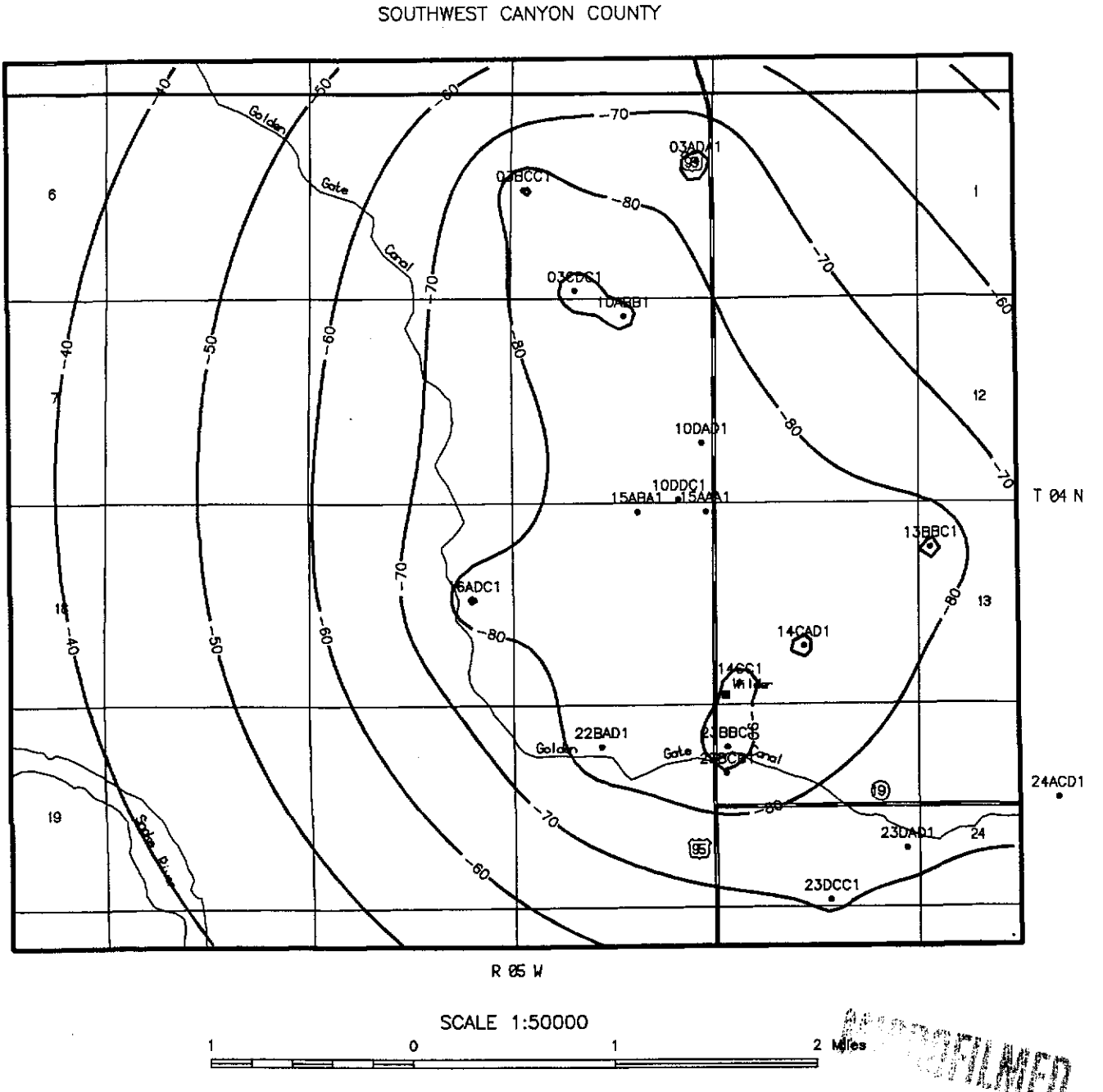


Figure 8. DRAWDOWN DISTRIBUTION FOR SIMULATION #3B



RECLAIMED
MAY 20 1992

Figure 9. DRAWDOWN DISTRIBUTION FOR SIMULATION #3C



MICROFILMED
MAY 20 1992

Figure 10. DRAWDOWN DISTRIBUTION FOR SIMULATION #4A

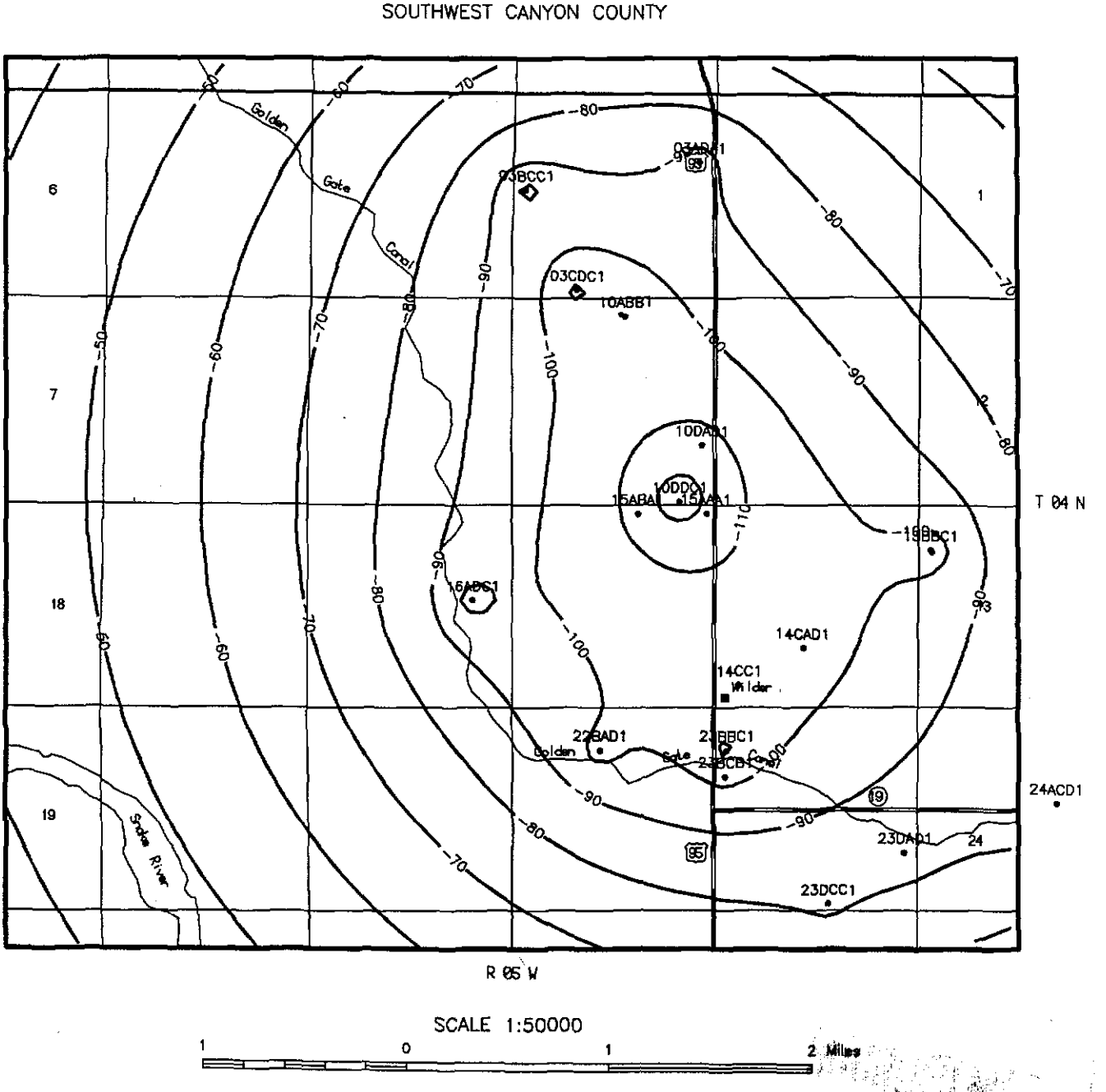
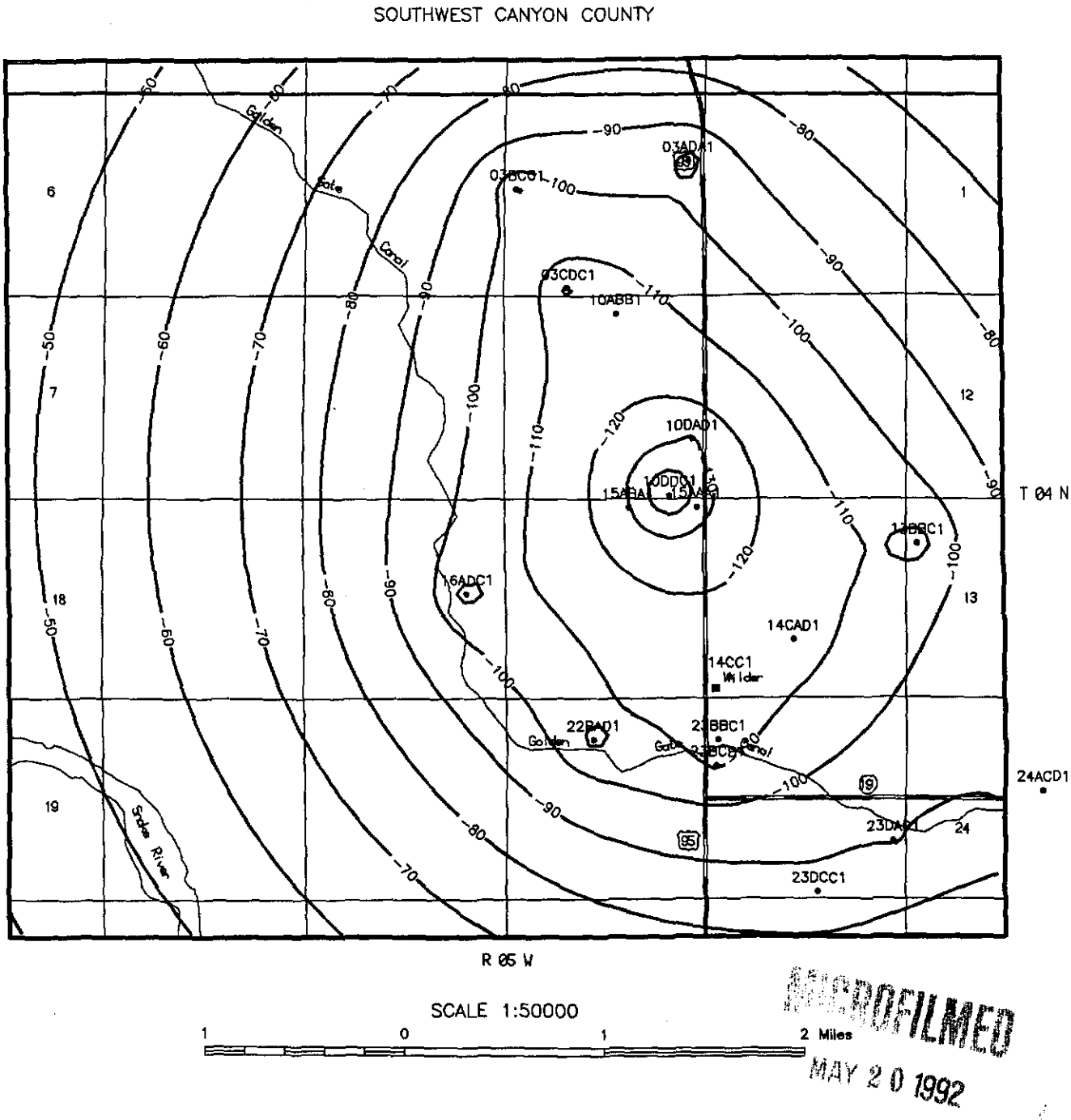


Figure 11. DRAWDOWN DISTRIBUTION FOR SIMULATION #4B



MICROFILMED
MAY 20 1992

Figure 12. DRAWDOWN DISTRIBUTION FOR SIMULATION #4C

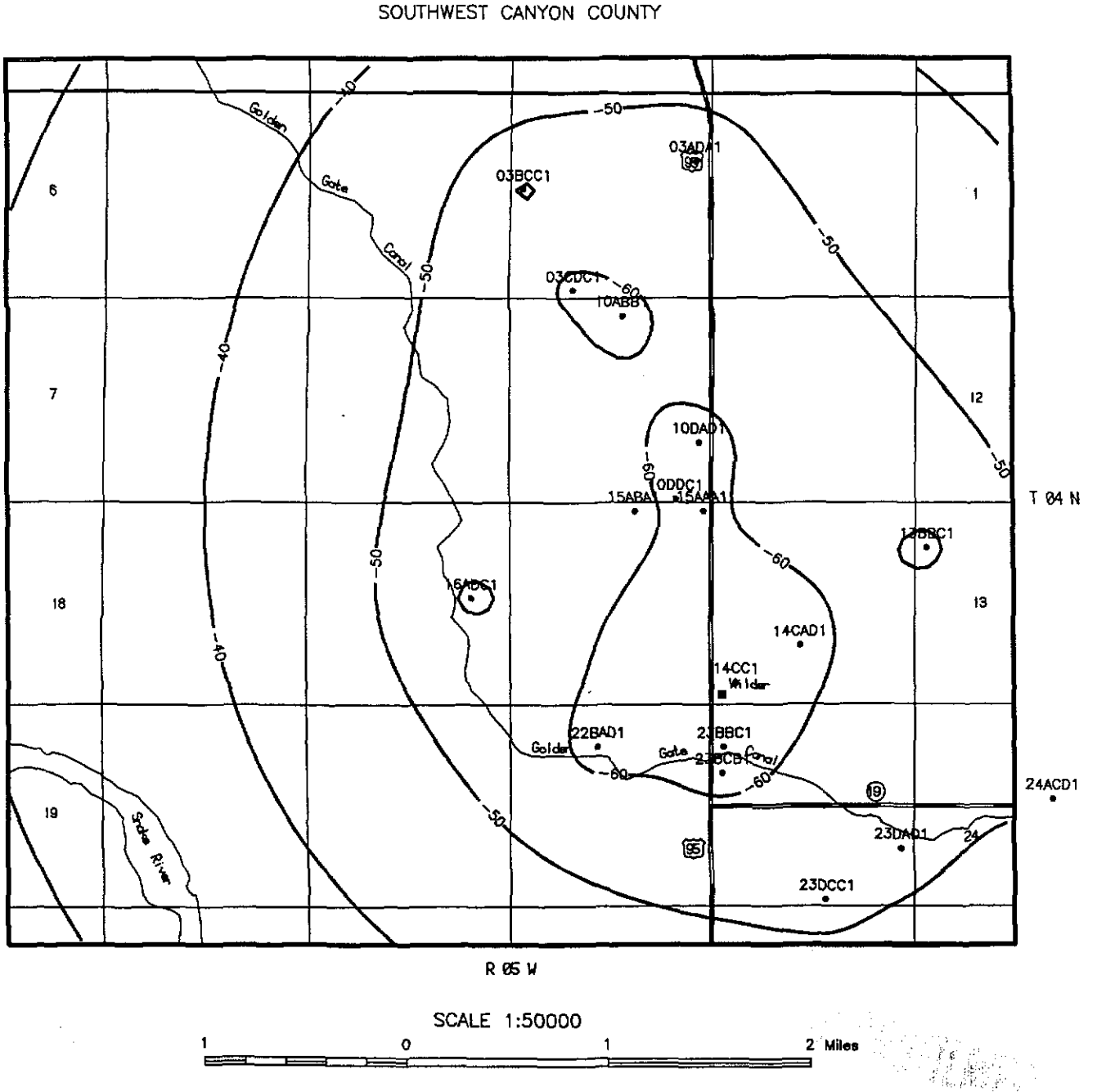
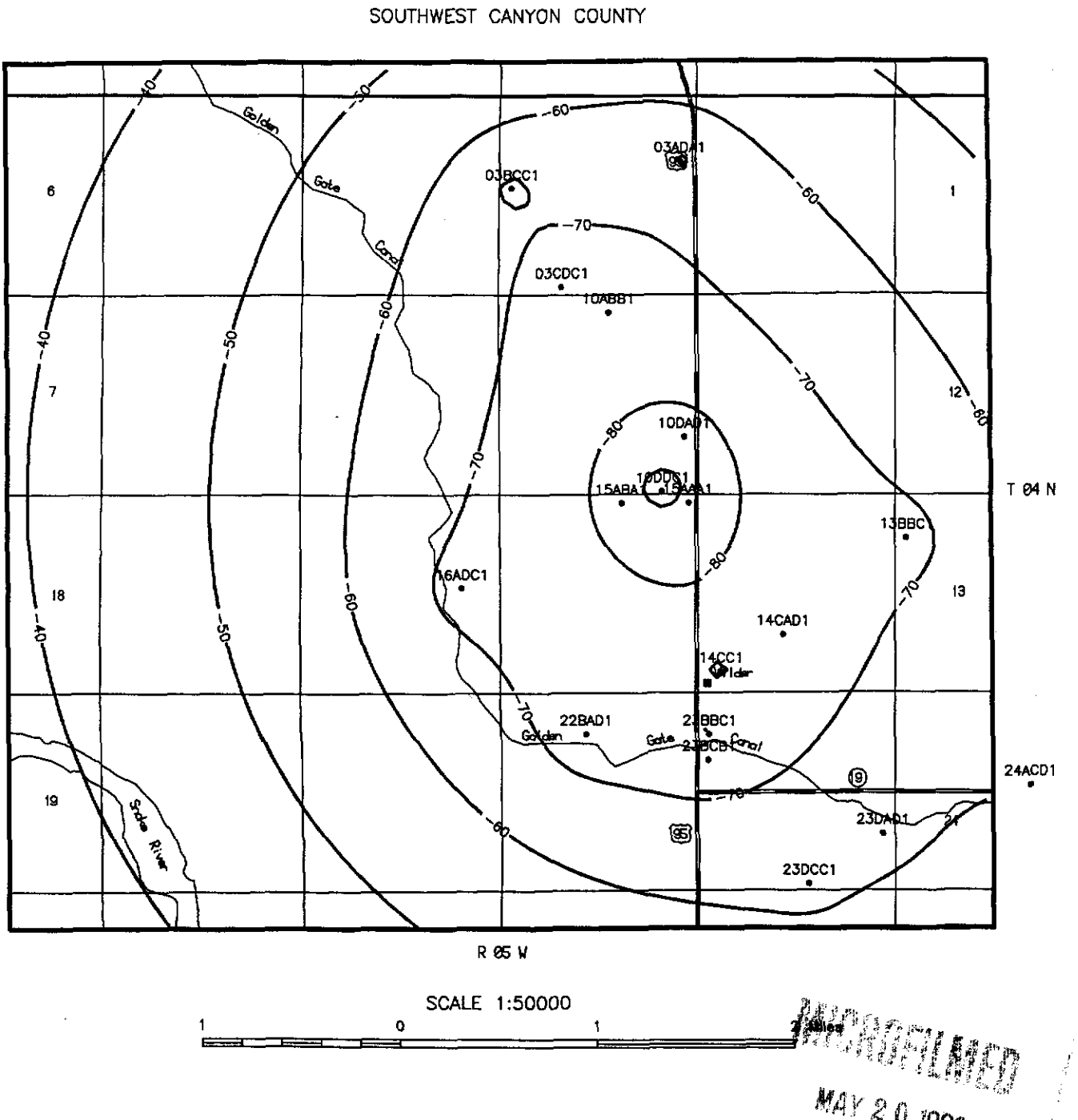


Figure 13. DRAWDOWN DISTRIBUTION FOR SIMULATION #5A



RECEIVED
MAY 20 1992

Figure 14. DRAWDOWN DISTRIBUTION FOR SIMULATION #5B

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

January 29, 1992

ROLLY L & MARGARET LINCOLN
27254 FERN LN
WILDER ID 83676

Re: Protested Application for Permit #63-11551 and Amended Permit #51-11474, both in the Name of Rim Ranches, Inc.

Dear Mr. & Mrs. Lincoln:

In response to your letter received at this office on January 29, 1992, we are removing your name from the list of protestants in the above-referenced matter.

If we can be of further assistance please advise this office.

Sincerely,

David R. Tuthill Jr.

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

DRT:st

CC: Rim Ranches, Inc.

MICROFILMED
MAY 20 1992

RECEIVED
JAN 29 1992
Department of Water Resources
Western Regional Office

To Whom it May Concern:

We were never in protest of this matter. We were originally an interested party and in ~~no~~ way was that changed in any way.

We did have a domestic water problem but it was long before the well was drilled by Rim Ranches.

Please remove our names from any further action in this matter immediately.

MICROFILMED
MAY 20 1992

Kelly L. Lincoln
Margaret Lincoln

P 860 399 243

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SSI FOOD SERVICES INC.
C/O RICHARD B EISMAN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

Postage	$ .29
Certified Fee	.75
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	.75
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$1.79
Postmark or Date	

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆ U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 860 399 240

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

ROLLY L & MARGARET L
27254 FERN LANE
WILDER ID 83676

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

MAY 20 1991

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 860 399 239

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

Postage	$ 29
Certified Fee	1 —
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1 —
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$ 2 29
Postmark or Date	

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 660 399 238

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

Postage	$1.29
Certified Fee	1 —
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1 —
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$2 29
Postmark or Date	

MAY 20 1992

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 860 399 237

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

Postage	$ 29
Certified Fee	1 -
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1 -
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$2 29
Postmark or Date	

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆ U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 860 399 236

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

RIM RANCHES, INC.
C/O RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

Postage	$ 29
Certified Fee	1 —
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1 —
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$ 2 29
Postmark or Date	

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.	NOTICE OF HEARING

On June 4, 1991, Rim Ranches, Inc. filed Application for Permit No. 63-11551. On July 15, 1991, Rim Ranches, Inc. filed an Application for Amendment of Permit No. 63-11474. Both applications are presently protested by Don & Shirley Mills, Tim Hetrick, Irwin and Betty Hetrick, Rolly & Margaret Lincoln, and SSI Food Services, Inc.

A conference was held on August 2, 1991 to review both applications, and aquifer information was subsequently gathered. Another conference held on December 12, 1991 failed to result in the resolution of the protests.

The Department has set the matter of protests to both applications for a hearing to be held on Thursday, March 5, 1992, at 9:00 a.m., at the Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of

MAY 2 0 1992

Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 27th day of January, 1992.

David R. Tuthill

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

I hereby certify that on the 27th day of January, 1992, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor

Sue Taylor
Secretary

Certified Mail

RIM RANCHES, INC.
C/O RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

ROLLY L & MARGARET LINCOLN
27254 FERN LANE
WILDER ID 83676

SSI FOOD SERVICES INC
C/O RICHARD B EISMANN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

Non-Certified Mail

KAY & MARIE YASUDA
25724 FERN LN
WILDER ID 83676

JIM & EVA DOWLING
FERN LN
WILDER ID 83676

E A BREWER &
LARRY CARLSON
FERN LN
WILDER ID 83676

W F SCHROEDER PC
PO BOX 220
VALE OR 97918

JOHN T. SCHROEDER, ESQ.
P.O. BOX 267
BOISE, ID 83701

SHERL CHAPMAN
410 S ORCHARD SUITE 144
BOISE ID 83705

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

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

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

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

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

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

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

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

BURDEN OF PROOF

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

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

PROCEDURE

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

CONFERENCE

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

3 0 1992

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

HEARING

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

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

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

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

EXHIBITS

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

Schroeder & Lezamiz
Law Offices
447 West Myrtle
Post Office Box 267
Boise, Idaho 83701

RECEIVED
JAN 15 1992
Department of Water Resources
Western Regional Office

JOHN T. SCHROEDER
MARGARET M. LEZAMIZ
W. ALAN SCHROEDER*

*Admitted in Idaho & Washington

TELEPHONE (208) 384-1627
FAX (208) 384-1833

January 15, 1992

HAND DELIVERED

Mr. David R. Tuthill, Jr., P.E.
Manager, Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474, in the Name of Rim Ranches, Inc.

Dear Mr. Tuthill:

In relation to the above-mentioned matter, we offer the following:

1. **Hearing Date.** We have contacted Mr. Eismann's office and reviewed our schedules. The Hearing Date of March 05, 1992 (Thursday) has been approved by Mr. Eismann as well as us. Thank you for your consideration in this regard.

2. **Proposal.** As a matter of pre-hearing dialogue between the Applicant and the Protestants, the Applicant would like to present a proposal to the Protestants in hopes of resolving the case. This proposal would be presented by Applicant without prejudice to its claims under the present Applications. However, to present the proposal the Applicant would like to know the names and addresses of the Protestants. Our notes from the Conference reflect some names, but not a complete list of the Protestants or their addresses. If your Secretary could compile same we would be happy to retrieve it so that our proposal could be promptly mailed out.

If you have questions, please call or write.

Sincerely yours,

John T. Schroeder

JTS/j
cc Mr. Richard B. Eismann, Esq.
Mr. William F. Schroeder, Esq.
Mr. Ray Obendorf

RECEIVED
MAY 20 1992

List of Protestants
In the Matter of Protested
Application for Permit and
Application for Amendment,
Rim Ranches, Inc.

SSI FOOD SERVICES INC
C/O RICHARD B EISMANN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

ROLLY L & MARGARET LINCOLN
27254 FERN LANE
WILDER ID 83676

MAY 20 1992

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

January 14, 1992

William F. Schroeder, Esq.
P.O. Box 220
Vale, OR 97918

John T. Schroeder, Esq.
P.O. Box 267
Boise, ID 83701

RE: Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474, in the Name of Rim Ranches, Inc.

Gentlemen:

We are in receipt of your correspondence dated January 2 and 10, 1992. The purpose of this letter is to respond to issues addressed in both letters.

1. **Hearing Date.** Per your request we will not send out notices confirming March 4, 1992 as the hearing date, but instead will await further information from you regarding an acceptable date. Based on past experience I have found that Mr. Eismann has a busy schedule, so perhaps you should call his office to coordinate acceptable dates. This office will attempt to accommodate your wishes, with the understanding that we need to hold the hearing as early in March as possible.

2. **Power Records and Canal Delivery Records.** You have requested that this office instruct the protestants in this matter to make power consumption records available as a condition to objections being heard. In this particular case, all protestants except SSI, Inc. have domestic wells, and the SSI, Inc. use is to a large extent commercial/industrial. Yesterday Mr. Keith Anderson called this office to discuss various aspects of the filings, and he indicated that the primary interest in power records relates to pumping for irrigation uses. Accordingly, the Department will not instruct the protestants to make power consumption records available unless the applicant makes a showing as to why the protestants' power consumption information is necessary. Delivery records of the Wilder Irrigation District are available for inspection by any member of the District. The records are located at the Wilder Irrigation District Office, 709 East Cleveland Blvd., Caldwell.

MICROFILMED

MAY 20 1992

3. **Pumping of Existing Model at 6.0 cfs.** You have objected to the use of "worst case" conditions in the evaluation of these applications. However, at the last conference in this matter Mr. Obendorf stated that he would not rule out increasing the capacity of diversion for his proposed supplemental uses. If the applicant agrees to limit the rate of diversion under this project to some rate of flow less than 6.0 cfs, we will reduce the rate of flow in the modeling effort accordingly.

Please feel free to provide further information or comment on any of the above matters.

Sincerely,

David R. Tuthill

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

cf: Norm Young, Steve Baker

MAY 20 1992

Schroeder & Lezamiz
Law Offices
447 West Myrtle
Post Office Box 267
Boise, Idaho 83701

JOHN T. SCHROEDER
MARGARET M. LEZAMIZ
W. ALAN SCHROEDER*

*Admitted in Idaho & Washington

TELEPHONE (208) 384-1627
FAX (208) 384-1833

January 10, 1992

HAND DELIVERED

Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application of Rim Ranches, Inc.

Attn: Mr. David R. Tuthill, Jr. P.E.

Dear Mr. Tuthill:

Thank you for your letter dated December 31, 1991. On behalf of Rim Ranches, Inc., the Applicant, and William F. Schroeder, Co-Counsel, we respond to your December 31, 1991 as follows:

1. **Hearing Date.** With regard to the proposed Wednesday, March 04, 1992 hearing date, William F. Schroeder and a principle witness are **not** available on said day. I will be in contact with William Schroeder in the next four days and will communicate with you immediately thereafter as to his available days. Please consider not setting another proposed hearing date until we write you again in the next four days. Thank you for your consideration in this matter.

2. **Power Records and Canal Delivery Records.** As written to you on January 02, 1992, the Applicant Rim Ranches, Inc., stated that we would obtain the applicable records at our expense and time. The letter by William F. Schroeder requested the Department to require the mailing matrix to permit the applicant access to the records of their power consumption (and if possible Canal delivery records) which are maintained by the power company, as a condition to their objection being heard. To assist the Department in this regard, the Applicant would prepare any proposed Order from the Department and personal delivery of same to the mailing matrix to facilitate this request. In other words, the applicant wishes to do all the work to carry out this request so that the Department is not burdened. At your earliest convenience, please let us know if we can proceed in this manner.

MAY 20 1992

3. **Pumping of Existing Model at 6.0 cfs.** Paragraph 4 of your December 31, 1991 letter references pumping of the Rim Ranches well at 6.0 cfs for designated periods. On behalf of the Applicant, we have no objection to having Mr. Baker run the IDWR model at different rates of pumping and for different periods of time as set forth in paragraph 4 of your letter. The Applicant does object, however, to the use of "worst case" conditions in the evaluation of a water-right application; whether from surface water or groundwater sources.

The Applicant's request for access to power records from surrounding irrigation wells was to enable the Applicant to, in conjunction with canal delivery records, establish a "typical" or "average" pumping regime. This regime could then be evaluated as to the effects on regional water levels.

We will be in contact by letter with you within the next four days regarding the available dates. Thank you for your time and consideration.

Sincerely yours,

John T. Schroeder

JTS/j
cc Rim Ranches, Inc.
Mr. Ray Obendorf
William F. Schroeder, Esq.

MAY 20 1992

RECEIVED
JAN - 2 1992
Department of Water Resources
Western Regional Office

William F. Schroeder P.C.
Lawyers
A Street East at Glenn

W. F. Schroeder
Of Counsel:
Larry A. Sullivan
David D. Powell

P.O. Box 220
Vale, Oregon 97918
Telephone (503)473-3141
Telecopy (503)473-2651

January 2, 1992

HAND DELIVERED

Idaho Department of Water Resources
2735 Airport Way
Boise, Id. 83705-5082

Re: Application of Rim Ranches, Inc.

Attn: David R., Tuthill, Jr.

Dear Mr. Tuthill:

We received your letter of December 31.

Apparently, our letter of December 27 was unclear. We did not intend to be understood as requesting the Department to obtain the power records at its expense.

As you know, unlike records of municipalities, the records of private companies such as the power company supplying the power involved, are not public records, at least as far as we know and, therefore, the applicant has no unilateral access to them. The applicant needs these records to expand upon the investigation made by the Department.

The Department does have the power to require the mailing matrix to permit the applicant access to the records of their power consumption which are maintained by the power company, as a condition to their objection being heard, and it is the exercise of this power that our letter intended to solicit.

A simple letter to your mailing matrix instructing the recipient to forthwith instruct its power supplier to make available to applicant the records of power consumption by the recipient, at the expense of applicant, would be sufficient. The applicant or its designee would then communicate directly with the company as to its needs.

PROCESSED
MAY 20 1992

We note the proposed hearing date of March 4. We have a trial in Canyon City, Or which is scheduled to commence on March 2 and it is likely this trial will not be completed by March 4. However, we are not making further inquiries in an effort to accomodate your proposal and we will respond before January 15 and, in addition, register our objections to your determinations, as necessary.

Very truly yours,
WILLIAM F. SCHROEDER P.C.
By William F Schroeder Jr

MAY 20 1992

MEMO

DATE: AUGUST 12, 1991

FROM: LORI WHITE

RE: WILDER GROUNDWATER AQUIFER ASSESSMENT

AUGUST 7, 1991: 10:30 A.M. Began pump test. Monitered the water level effects on the three wells involved for 90 minutes. Was unable to perform a sonar measurement because the 12 inch discharge pipe was not running full.

Riverside Electric is monitoring all three wells every day for protested applicant Rim Ranches, Inc. Contact person is Terry at 722-6731. The Hetricks are monitoring the domestic wells also.

8/7-9/4: Received several phone calls from Betty Hetrick regarding her domestic well water. After the submersible pump was installed by Riverside Electric, their domestic water became murky and brown. We had Betty's water tested at Hibbs Lab. The water tested positive for Coliform. The lab suggested that Betty chlorinate her well, which she did several times with no signs of improvement. betty was going contact DEQ for further testing.

SEPT. 4, 1991: 10:30 A.M. Shut down pump test. Monitered the water level effects on the three wells involved for 90 minutes.

Riverside Electric continued to monitor the three wells until the original static water level of 114' for the Obendorf well was achieved which was Sept. 11, 1991. The Hetricks continued to monitor their domestic wells 2 weeks following shut down.

9/16/91: Contacted the irrigation well owners located within a one mile radius of the Obendorf well. Estimated the volume of water they actually used in a standard irrigation season based on theoretical information they provided or previous licensing field exams. If the wells are used as a supplemental source with canal water, the volume computations were based on a 120 days within the irrigation season of actual well use and 2.25 acre feet/acre/annum.

1/6/1992: Conducted the same procedure for volume estimates on the additional irrigation well owners located within a 2 mile radius of the Obendorf well.

RECEIVED
MAY 20 1992

MEMO

DATE: 1/6/1992

TO: STEVE BAKER

FROM: LORI WHITE

SUBJECT: ESTIMATED PUMPING RATES

OBENDORF TEST WELL: 63-11474 & 63-11551
P/D--T4N R5W, SEC 10, SW SE SE

SUPPLEMENTAL USE ASSUMPTIONS: 120 DAYS OF GROUNDWATER USE DURING IRRIGATION SEASON AND 2.25 ACRE FEET/ACRE/ANNUM.

IRRIGATION WELLS WITHIN A 1 MILE RADIUS OF THE TEST WELL:

RIM RANCHES, INC.: LIC. 63-08531 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 3, NE SE NE
FIELD EXAM 7/9/86, MEASURED **1.89 CFS**
THEORETICAL: $\frac{100 \times 8.8 \times .7}{200 + 2.31 \times 5}$ = **2.91 CFS**
1"/ACRE = **2.46 CFS**
REQUIRED--123 ACRES X 2.25 = 276.8 AFA
POTENTIAL--1.89 CFS X 120 X 1.9835 = 449.9 AFA

GOODING FARMS: LIC. 63-10465 & PERMIT 63-10580 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 3, SW SW NW
FIELD EXAM ON LIC. 6/13/87, MEASURED **2.59 CFS**
THEORETICAL: $\frac{125 \times 8.8 \times .7}{140 \text{ (OPEN DISCHARGE)}}$ = **5.5 CFS**
1"/ACRE = **3.08 CFS**
REQUIRED--154 ACRES X 2.25 = 346.5 AFA
POTENTIAL--2.59 CFS X 120 X 1.9835 = 616.5 AFA

PERMIT 63-10579 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 10, NW NW NE
THEORETICAL: $\frac{125 \times 8.8 \times .7}{260 + (2.3 \times 65)}$ = 1.88 CFS
1"/ACRE = **1.6 CFS**
REQUIRED--80 ACRES X 2.25 = 180 AFA
POTENTIAL--1.6 CFS X 120 X 1.9835 = 380.8 AFA

YAMADA: LIC. 63-08567 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 3, SW SE SW
FIELD EXAM 7/9/86, MEASURED **2.03 CFS**
THEORETICAL: $\frac{75 \times 8.8 \times .7}{200 \text{ (OPEN DISCHARGE)}}$ = **2.31 CFS**
1"/ACRE = **1.48 CFS**
REQUIRED--74 ACRES X 2.25 = 166.5 AFA
POTENTIAL--1.48 CFS X 120 X 1.9835 = 352.3 AFA

MAY 2 0 1992

CHURCH: ADJUDICATION 63-20543 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 14, SE NE SW
THEORETICAL: 12 X 8.8 X .7 = **1.48 CFS**
50 (OPEN DISCHARGE)
1"/ACRE = **.72 CFS**
REQUIRED--36 ACRES X 2.25 = 81 AFA
POTENTIAL--.72 CFS X 120 X 1.9835 = 171.4 AFA

WILDER FARMS: LIC. 63-08649 (SUPPLEMENTAL USE)
P/D--T4N R5W, SEC 16, SW SE NE
FIELD EXAM 9/23/81, MEASURED **2.28 CFS**
THEORETICAL: 60 X 8.8 X .7 = **2.46 CFS**
50 (OPEN DISCHARGE)
1"/ACRE = **2.84 CFS**
REQUIRED--142 ACRES X 2.25 = 319.5 AFA
POTENTIAL--2.28 CFS X 120 X 1.9835 = 542.7 AFA

SSI: PERMITS 63-10727 & 63-11254 (NOT SUPPLEMENTAL)
P/D--T4N R5W, SEC 10, SE NE SE (2 WELLS)
FIELD EXAM 1991, MEASURED **.89 CFS**
IRRIGATION:
1"/ACRE = **.46 CFS**
REQUIRED--23 ACRES X 4.5 = 103.5 AFA
POTENTIAL-- .46 CFS X 246 X 1.9835 = 224.5 AFA
INDUSTRIAL:
.43 CFS REMAINING
180,000 GPD X 365 = 65,700,000/325,850 = 201.6 AFA

CITY OF WILDER: LIC. 63-08164 & PERMIT 63-11253
P/D--T4N R5W, SEC 14, SE SW SW & SW SW SW (2 WELLS)
MUNICIPAL USE

ADDITIONAL IRRIGATION WELLS WITHIN A 2 MILE RADIUS OF THE TEST WELL:

BUCKEYE RANCH: LIC. 63-10578 (SUPPLEMENTAL USE)
(PAULSEN) P/D--4N 5W, SEC 13, SW NW NW
FIELD EXAM 6/13/89, MEASURED **2.44 CFS**
THEORETICAL: 125 X 8.8 X .7 = **4.16 CFS**
185 (OPEN DISCHARGE)
1"/ACRE = **2.96 CFS**
REQUIRED--148 ACRES X 2.25 = 333 AFA
POTENTIAL--2.44 CFS X 120 X 1.9835 = 580.8 AFA

O BAR L INC.: LIC. 63-08665 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 23, SW SW SE
FIELD EXAM 7/17/86, MEASURED **.60 CFS**
THEORETICAL: 20 X 8.8 X .7 = **1.37 CFS**
90 (OPEN DISCHARGE)
1"/ACRE = **1.58 CFS**
REQUIRED--79 ACRES X 2.25 = 177.8 AFA
POTENTIAL--.60 CFS X 120 X 1.9835 = 142.8 AFA

MAR 20 1992

WILDER LAND CO.: (BATT)

LIC. 63-08703 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 24, SE SW NE
FIELD EXAM 7/21/86, MEASURED 2.98 CFS, ALLOWED **2.02 CFS**
THEORETICAL: $\frac{100 \times 8.8 \times .7}{210}$ (OPEN DISCHARGE) = **2.93 CFS**
1"/ACRE = **2.02 CFS**
REQUIRED--101 ACRES X 2.25 = 227.3 AFA
POTENTIAL--2.02 CFS X 120 X 1.9835 = 480.8 AFA

GROSS:

STATUTORY CLAIM 63-04455 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 23, SE NE SE
THEORETICAL: $\frac{22.5 \times 8.8 \times .7}{75 + (2.3 \times 65)}$ = **.62 CFS**
REQUIRED--40 ACRES X 2.25 = 90 AFA
POTENTIAL--.62 CFS X 120 X 1.9835 = 147.6 AFA

HOUSING AUTHORITY OF WILDER:

PERMIT 63-11333 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 23, NW SW NW
THEORETICAL: $\frac{15 \times 8.8 \times .7}{55 + (2.3 \times 50)}$ = **.54 CFS**
REQUIRED--34 ACRES X 2.25 = 76.5 AFA
POTENTIAL--.54 CFS X 120 X 1.9835 = 128.5 AFA

BATT:

PERMIT 63-11124 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 22, SE NE NW
THEORETICAL: $\frac{125 \times 8.8 \times .7}{280}$ (OPEN DISCHARGE) = **2.75 CFS**
REQUIRED--138 ACRES X 2.25 = 310.5 AFA
POTENTIAL--2.75 CFS X 120 X 1.9835 = 654.6 AFA

STATUTORY CLAIM 63-04428 (SUPPLEMENTAL USE)
P/D--4N 5W, SEC 23, SW NW NW
THEORETICAL: $\frac{15 \times 8.8 \times .7}{30}$ (OPEN DISCHARGE) = **3.08 CFS**
1"/ACRE = **1.94 CFS**
REQUIRED--97 ACRES X 2.25 = 218.3 AFA
POTENTIAL--1.94 CFS X 120 X 1.9835 = 461.8 AFA

LOWE:

PERMIT 63-11488
WELL WAS NEVER DRILLED, ACRES USE CANAL WATER ONLY

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

December 31, 1991

Distribution: See Attached List

RE: Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474, in the Name of Rim Ranches, Inc.

Dear Interested Party:

At the water right conference for the above-referenced matter held on December 12, 1991, we discussed the possibility of additional ground water modeling in the Wilder area, and I agreed to consider requests in this regard.

In a letter dated December 18, 1991, Mr. Eismann requested the Department to run the model for the full amount of the Rim Ranches applications (6.0 cfs) for pumping periods of 14, 30, 60, 90 and 150 days. In a letter dated December 27, 1991, Mr. John T. Schroeder requested that the Department obtain power records for surrounding water users for use in the model.

I have discussed both requests with Department hydrogeologist Mr. Steve Baker. We made the following determinations:

1. The paper prepared by Mr. Baker entitled "Effects of Ground-Water Development in the Wilder Area, Southwest Canyon County, Idaho", dated November 1991, used an assumption that the maximum amount of water provided by a supplemental irrigation well for lands served by the Wilder Irrigation District is 2.22 acre-feet per acre. We feel that this is a reasonable worst-case scenario for drought year situations such as the ones experienced in recent years in the Boise River Basin.

2. Power records for wells in the vicinity of the proposed diversion could be used to estimate the amounts of water that have been pumped from the wells. However, this information would not provide the worst case scenario upon which the model is based, and power record research is beyond the scope of the Department's investigation. While there may be value in this type of research and the Department would not object to the applicant conducting the research at his own expense, the Department will not at this time conduct the power record research as requested.

MICROFILMED
MAY 20 1992

3. The above-referenced application for permit and application for amendment identify supplemental irrigation of 300 acres served by the Wilder Irrigation District. The assumed maximum amount of water pumped for this supplemental use is 2.22 acre-feet per acre per year for 300 acres, or 666 acre-feet per year. If this volume is pumped at a rate of 6.0 cfs, a total pumping period of 56 days is required. If this volume is pumped at a rate of 3.87 cfs (the pumping rate for the presently installed system), a total pumping period of 87 days is required.

4. Mr. Baker has agreed to run the existing model, with and without pumping of surrounding wells, assuming pumping of the Rim Ranches well at 6.0 cfs for periods of 14, 30 and 56 days, and assuming pumping of the Rim Ranches well at 3.87 cfs for periods of 14, 30, 56 and 87 days. Copies of the resulting plots will be sent by this office to the parties on the attached distribution list when they are published.

While we have not agreed to conduct all of the requested investigations, we are hopeful that the modeling that we have agreed to conduct can be utilized by the parties to review the parameter sensitivities for various pumping scenarios in the Wilder area.

If any party objects to the above determinations, please contact this office no later than January 15, 1992. Mr. Baker will plan to run the model during the latter part of the month, and we will attempt to send out the results soon thereafter.

The tentative date for a hearing in this matter is Wednesday, March 4, 1992. Please reserve this date on your calendar and advise this office no later than January 15, 1992 if you cannot attend. If we receive no objections to this date we will plan to distribute formal hearing notices next month.

Sincerely,

David R. Tuthill

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

cf: Glen Saxton, Norm Young, Steve Baker

MAY 20 1992

List of Interested Parties
In the Matter of Protested
Application for Permit and
Application for Amendment,
Rim Ranches, Inc.

SSI FOOD SERVICES INC
C/O RICHARD B EISMANN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

KAY & MARIE YASUDA
25724 FERN LN
WILDER ID 83676

JIM & EVA DOWLING
FERN LN
WILDER ID 83676

E A BREWER &
LARRY CARLSON
FERN LN
WILDER ID 83676

RIM RANCHES, INC.
C/O RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

ROLLY L & MARGARET LINCOLN
27254 FERN LANE
WILDER ID 83676

W R SCHROEDER PC
PO BOX 220
VALE OR 97918

JOHN T. SCHROEDER, ESQ.
PO BOX 267
BOISE ID 83701

SHERL CHAPMAN
410 S ORCHARD SUITE 144
BOISE ID 83705

MAY 20 2002

Schroeder & Lezamiz
Law Offices
447 West Myrtle
Post Office Box 267
Boise, Idaho 83701

RECEIVED
DEC 27 1991
Department of Water Resources
Western Regional Office

JOHN T. SCHROEDER
MARGARET M. LEZAMIZ
W. ALAN SCHROEDER*

*Admitted in Idaho & Washington

TELEPHONE (208) 384-1627
FAX (208) 384-1833

December 27, 1991

HAND DELIVERED

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

Re: Application of Rim Ranches, Inc.

Dear Mr. Tuthill:

As you know, William F. Schroeder from Vale, Oregon, and our office, represent Rim Ranches, Inc. Please send any correspondence to Counsel at the following addresses:

William F. Schroeder, Esq.
P.O. Box 220
Vale, Oregon 97918

and,

John T. Schroeder, Esq.
P.O. Box 267
Boise, Idaho 83701

You had mentioned at the Conference that you were interested in setting a hearing date as soon as possible. If you have some dates in mind, or if you wish us to send to you our unavailable dates, please let us know.

Also, at the Conference we requested that the Department of Water Resources produce, or obtain, the power records for the surrounding water users. The purpose of this Request for Production was that the power records are a very good source of data to substantiate present and past water use. From our notes of the Conference, it appears that the Department was going to respond to this request and apparently take what steps may be necessary to obtain those records. We would appreciate having that information

PROCESSED
MAY 20 1992

at your earliest convenience so that we may begin preparations for the hearing. If I have misunderstood anything in this regard, please let me know.

Thank you for your consideration, and if you have questions, please call or write.

Sincerely yours,

John T. Schroeder

JTS/j
cc William F. Schroeder, Esq.
Rim Ranches, Inc.

RECEIVED
MAY 20 1992

INTER-DEPARTMENT MEMO

TO: Steve Baker

SUBJECT: Attached Letter

FROM: Dave Tuttle

DATE: 12/23/91

In response to this letter and to the comments recd at the Rim Ranches conf, would it be possible to run the Wilder model using the following parameters:

6.0 cfs pumping rate for 14 days, 30 days, 90 days, 150 days

3.87 cfs pumping rate for 14 days, 30 days, 90 days, 150 days

At this point I do not envision reviewing power records to improve the accuracy of pumping assumptions for neighboring wells. Could you plz call me to discuss this request?

Thanks, Dave

signature

( ) **For your information**

(x) **Response required**

RECEIVED
DEC 19 1991
Department of Water Resources
Western Regional Office

EISMANN LAW OFFICES

Telephone (208) 467-3100
Facsimile (208) 466-4498

3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

RICHARD B. EISMANN
DEBRA L. EISMANN

December 18, 1991

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

Re: In the Matter of Application for Amendment to Permit No. 63-11474 and Application for Permit No. 63-11551 in the Name of Rim Ranches, Inc.

Dear Dave:

I would like to see Mr. Baker run through his computer model the full amount of the Obendorf applications for a 14-day period, a 30-day period, a 60-day period, a 90-day period and a 150-day period.

I would appreciate it if you would review this with Mr. Baker and let me know is this is something the Department would do and if it is, about when we could have the results.

In reviewing this matter with Mr. Chapman and my client, it appears that the hearing should be fixed in the time frame of approximately 90 days from the date of our conference.

If you have any questions or if I can be of any assistance, please contact me.

Thank you for your cooperation.

Very truly yours,

DICTATED BY MR. EISMANN AND
MAILED WITHOUT SIGNATURE IN
HIS ABSENCE TO

Richard B. Eismann
RBE/js/4

RECEIVED
MAY 20 1992

CLT: SSI Food Services, Inc.
Mr. Sherl L. Chapman

12/12/1991

Conference for Water Rts No. 63-11474 (Amendment), and
63-11551 (App for Permit)

Notes by Conference Officer: D. Tuthill

Other IdWR Employees in Attendance: Lori White & Stem Baker

Protestants to 63-11551

- ✓ Irwin & Betty Hetrick
- ✓ Tim Hetrick
- ✓ Don & Shirley Mills
- — Rolly & Margaret Lincoln
- + Intervenor SSI

Protestants to Amendment - 63-11474

- All protestants to 63-11551

Late Protest. Advised for Information Only/No Intervention granted

- Kay & Marie Yasuda
- Jim & Eva Dowling
- E.A. Brewer
- Larry Carlson

Note: All protestants represented except for Lincolns

Applicant - Present and represented by John & Bill Schroeder

Ray Oberdorf

- Requests supplemental water from this application
- Wilder Irr Dist
- Only be pumped in a poor water year (good) Normal supply of water 3.75 af (poor) Less than 3.75 af
- Maximum pumping of 100 days out of 150
- Water from Wilder Irr Dist to be used first: other water to be used after
- Would consider using Wilder Irr Dist
- Would use more than 0.02 cfs/acre
- Well will produce 300 mi, (6.00 cfs), but at a higher drawdown

MICROFILMED
MAY 20 1992

Steve Baker - Presented results of his study

Assumption: Capacity pumping (average discharge rate) for 150 days

Short term: Within 1 irrigation season

Long Term: More than 1 year

Aquifer test assumed an interconnected aquifer

If days are decreased from 150 to 75, There will be a low amount of % change. Most % drawdown.

Protestants

1. Quantity was reduced/cumulative effect
2. Long term cumulative
3. Not made in good faith.
4. SSI employs 250 people/dependent on water supply] Cumulative effect
5. Not enough water to go around

Potential Remedies

1. Use of Irr Dist water prior to ground water

Parties will respond on a determination of date for hearing

MICROFILMED
MAY 20 1992

Re: Rim Ranches, #63-1[redacted]4 (amendment) and 63-11551

Place: Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605

Date: December 12, 1991

Hearing conducted by: David R. Tuthill, Jr.

ROSTER OF ATTENDANCE

Name	Address	Representing
Steve Baker	Boise	IDWR
LORI WHITE	"	"
Betty Hetrick	Wilder	
Irvin Hetrick	Wilder	
Ray Oberdorf	Parma	Self
[illegible] Oberdorf	Parma	✓
Tim Hetrick	Wilder	SECF
Mike Gooding	Parma	Gooding Farms, Inc.
Dave Poulsen	WILDER	Poulsen Bros.
[illegible] Mills	Wilder	Don + Shirley Mills
[illegible]	Parma	Oberdorf Hop Inc.
Dale Smith	WILDER	SSI
Ben Barker	wilder	SSI
Evan Dunkley	Wilder	Self
Joni Dunkley	"	"
Myrtle Yzaguirre	Wilder	Self
Ray Yzaguirre	Wilder	Self
Stanley Chapman	416 Canal Board Rd	SSI
Kris Dreyer	23605 Lake Parma	Simplot Farms

MICROFILMED
MAY 20 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-11551, AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474, BOTH IN THE NAME OF RIM RANCHES, INC.	NOTICE OF CONFERENCE

On June 4, 1991, Rim Ranches, Inc. filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. This application was numbered as 63-11551. The application for permit was protested by Don & Shirley Mills, Tim Hetrick, Irwin and Betty Hetrick and Rolly & Margaret Lincoln. On July 15, 1991, Rim Ranches, Inc. filed an application for amendment of permit no. 63-11474. The application for amendment was protested by Kay & Marie Yasuda, Jim & Eva Dowling, E.A. Brewer and Larry Carlson. SSI Food Services, Inc. filed a timely protest to the application for amendment and petitioned for and was granted intervention in the application for permit. Due to the fact that both applications propose diversions from the same well, protestants to the application for permit are also considered to have status as protestants to the application for amendment.

RECEIVED
MAY 20 1992

The Department has set the matter of protest for a conference to be held on Thursday, December 12, 1991, at 1:30 p.m., at the Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 6th day of November, 1991.

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

I hereby certify that on the 7th day of November, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

RIM RANCHES, INC.
C/O RAY OBENDORF
24034 BATT CORNER RD
PARMA ID 83660

DON & SHIRLEY MILLS
ROUTE 2 PENNY LANE
WILDER ID 83676

TIM HETRICK
1217 3RD ST S
NAMPA ID 83651

IRWIN & BETTY HETRICK
26373 RED TOP RD
WILDER ID 83676

ROLLY L & MARGARET LINCOLN
27254 FERN LANE
WILDER ID 83676

SSI FOOD SERVICES INC
C/O RICHARD B EISMANN
3016 CALDWELL BLVD
NAMPA ID 83651-6416

MAY 20 1992

KAY & MARIE YASUDA
25724 FERN LN
WILDER ID 83676

JIM & EVA DOWLING
FERN LN
WILDER ID 83676

E A BREWER &
LARRY CARLSON
FERN LN
WILDER ID 83676

Non-Certified Mail

W F SCHROEDER PC
PO BOX 220
VALE OR 97918

SHERL CHAPMAN
410 S ORCHARD SUITE 144
BOISE ID 83705

MAR 20 1992

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

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

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

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

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

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

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

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

BURDEN OF PROOF

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

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

PROCEDURE

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

CONFERENCE

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

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

HEARING

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

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

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

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

RECEIVED
MAY 20 1992

EXHIBITS

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

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

October 29, 1991

SSI Food Services, Inc.
c/o Richard B. Eismann
3016 Caldwell Blvd.
Nampa, ID 83651-6416

RE: ORDER GRANTING INTERVENTION - APPLICATION FOR PERMIT NO. 63-11551 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474 BOTH IN THE NAME OF RIM RANCHES, INC.

Dear Mr. Eismann:

Enclosed is an order granting leave to intervene in the above referenced matter. The department will advise you of any conferences and/or hearings scheduled in connection with this matter and will allow you to participate as a full party in any conference or hearing which the department schedules.

Sincerely,

Karen Gustafson

KAREN GUSTAFSON
Sec/Records Mgr.

c: Rim Ranches, Inc.
Don and Shirley Mills
Tim Hetrick
Irwin and Betty Hetrick
Rolly and Margaret Lincoln
IDWR - W. Region

MAY 20 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PETITION TO INTERVENE IN PROTESTED APPLICATION FOR PERMIT NO. 63-11551 AND APPLICATION FOR AMENDMENT OF PERMIT NO. 63-11474 BOTH IN THE NAME OF RIM RANCHES, INC.	**ORDER GRANTING PETITION TO INTERVENE**

On September 12, 1991, SSI Food Services, Inc. (petitioner) submitted to the Department of Water Resources (department) a petition for Leave to Intervene in any hearing scheduled by the department in connection with protested Application for Permit No. 63-11551 and protested Application for Amendment of Permit No. 63-11474.

Petitioner owns real property in Canyon County, and owns Permit No. 63-10611 for the diversion of ground water in the vicinity of the permit and application owned by Rim Ranches, Inc. Petitioner has shown sufficient interest in the above referenced matter for the department to grant the petitioner leave to intervene into the matter.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petition of SSI Food Services, Inc. requesting Leave to Intervene in any conference and/or hearing scheduled by the department in connection with protested Application for Permit No. 63-11551 and Application to Amend Permit No. 63-11474 is GRANTED.

Dated this 29th day of October, 1991.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

MAY 20 1992

William F. Schroeder P.C.
Lawyers
A Street East at Glenn

RECEIVED
SEP 23 1991
Department of Water Resources
Western Regional Office

W. F. Schroeder
Of Counsel:
Larry A. Sullivan
David D. Powell

P.O. Box 220
Vale, Oregon 97918
Telephone (503)473-3141
Telecopy (503)473-2651

September 23, 1991

Department of Water Resources
2735 Airport Way
Boise, Id. 83705

Attention: David R. Tuthill, Jr., Manager.

Dear Mr. Tuthill:

We enclose the applicant's objections pursuant to your letter of September 16.

We have tried to analyze the filings in regard to the Application No. 63-11551 which was filed on June 4, 1991 (with a protest closure date of July 22, 1991) and the Amendment to Permit No. 63-11474 which was filed on July 15, 1991 (with a protest closure date of August 26, 1991)

On July 8 the protest of Irvin and Betty Hetrick was written and on July 13 the protest of Don and Shirley Mills was written. Because both preceded the Amendment to Permit 63-11474, the protests pertain only to Application No. 63-11551. On July 23 you gave notice of conference upon these protests and identified them as protests to Application No. 63-11551. These are not protests to Amendment to Permit No. 63-11474 and they are not properly recognized in that proceeding.

Neither are Kay and Marie Yasuda, Jim and Eva Dowling, and E.A. Brewer and Larry Calson, properly recognized in the proceeding pertaining to Application No. 63-1151 or Amendment to Permit No. 63-11474. Their protests were received following the closure dates in both proceedings and their time has expired for an application to intervene.

Assuming that the letter of one Richard B. Eismann is sufficient to be a protest of SSI Food Services, Inc. and assuming that its content satisfies the requirements for a protest, it applies only to the proceedings in the Amendment to Permit 63-11474 and, as you correctly decided by your letter of August 27, it was past the closure time in the proceeding in Application No. 63-1151.

RECEIVED
MAY 30 1992

SEP 2 3 1991
Department of Water Resources
Western Regional Office

The applicant challenges the letter of Mr. Eismann as constituting a protest of SSI Food Services, Inc. because the letter was not executed by an officer of the corporation nor does it contain any authority of the corporation to Mr. Eismann to make such a protest.

As we understand the records at this point in the two proceedings, there are pending the protests of Irvin Hetrick, et ux and Don Mills, et ux. to the Application No. 63-1151 and neither has any standing in the other proceeding. And there is no protest to the Amendment to Permit 63-11474 except to the extent that the letter of Mr. Eismann will be so recognized.

Very truly yours,

Rim Ranches, Inc.

By Ray Obendorf
Ray Obendorf, President.

MAY 2 0 1992

John T. Schroeder, Esq.
P.O. Box 267
Boise, Id. 83701

William F. Schroeder, Esq.
P.O. Box 220
Vale, Or. 97918

Lawyers for Applicant

SEP 2 2 1991

Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

In the Matter of Application

of Rim Ranches, Inc.,

No. 63-11551.

Objection to Granting to the Petition of SSI Food Services, Inc. for Leave to Intervene.

The applicant, by his lawyers identified above, object to the Department granting the petition of SSI Food Services, Inc. for leave to intervene, for the following reasons:

(1) The petition requests affirmative relief that the application not be granted, but it fails to contain a statement of the nature and quantity of evidence it will present if such petition is granted.

(2) The petition is not timely in that it was not filed within five days after petitioner received notice of the proceeding.

September 2_, 1991.

RIM RANCHES, INC.

By Ray Obendorf
Ray Obendorf, President

William F. Schroeder P.C.
P.O. Box 220
Vale, OR 97918
503/473-3141

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 16, 1991

RIM RANCHES INC
24034 BATT CORNER RD
PARMA ID 83660

Re: Water Right Application #63-11551

Dear Applicant:

Enclosed is a copy of a letter and Petition For Leave to Intervene from Richard B. Eismann, Attorney for SSI Food Services, Inc. Please advise this office no later than September 26, 1991, regarding any formal objections to their becoming intervenors in this matter.

Sincerely,

David R. Tuthill Jr.

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

DRT:st

Encl.

MICROFILMED
MAY 20 1992

COPY

RECEIVED
SEP 12 1991
Department of Water Resources
Western Regional Office

Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11551 IN THE)
NAME OF RIM RANCHES, INC.)

PETITION FOR LEAVE TO INTERVENE

DEFINITIONS: When used in this petition the terms following shall have the meanings following:

--- "moving party" means the petitioner, SSI Food Services, Inc. whose address is 2615 E. Cleveland Boulevard, Caldwell, ID 83605.

--- "moving counsel" means Richard B. Eismann who is counsel for SSI Food Services, Inc.

--- "application" means Application for Permit No. 63-11551 in the name of Rim Ranches, Inc.

RECEIVED
MAR 30 1992

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

--- "this action" means the proceedings before the Department of Water Resources for the State of Idaho in the matter of the Application for Permit No. 63-11551 in the name of Rim Ranches, Inc.

PETITION TO INTERVENE, ETC.: This petition is made by the moving party to have the Director or the Board of the Department of Water Resources enter its order granting leave for the moving party to intervene in this action.

GROUNDS OF PETITION TO INTERVENE, ETC.: This petition to intervene is made on the grounds following:

1. Moving party owns real property situated in Canyon County, Idaho, and holds State of Idaho Water Permit No. 63-10611.

2. Moving party's water rights will be adversely affected if the application in this action is granted.

3. The proposed uses stated in the application will reduce the quantity of water available for the existing water rights including the water right of moving party.

4. The water supply is insufficient for the existing water rights and the proposed uses stated in the application.

5. The proposed uses under the application will conflict with the local public interest.

6. The proposed uses under the application will be contrary to conservation of water resources within the State of Idaho.

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

1992

7. The ends of justice will be served by granting this petition.

BASIS OF PETITION: This petition is made and based upon the grounds set forth in this petition and the testimony and evidence which will be produced at the continued hearing in this action and all of the records and files in this action.

SERVICE BY MAIL: The undersigned hereby certifies that a true copy hereof was this date mailed to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Road
Parma, ID 83660

Irwin Hetrick and
Betty Hetrick
26373 Red Top Road
Wilder, ID 83676

Don Mills and
Shirley Mills
Route 2, Penny Lane
Wilder, ID 83676

Rolly L. Lincoln and
Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd Street South
Nampa, ID 83651

DATED: SEP 11 1991

SIGNED:

Richard B. Eismann
Counsel for SSI Food Services, Inc.

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

RECEIVED
SEP 12 1991
Department of Water Resources
Western Regional Office

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

Telephone (208) 467-3100
Facsimile (208) 466-4498

RICHARD B. EISMANN
DEBRA L. EISMANN

September 11, 1991

R. Keith Higginson, Director
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Re: Petition for Leave to Intervene
In the Matter of Application for Permit No. 63-11551
in the Name of Rim Ranches, Inc.

Dear Mr. Higginson:

Enclosed please find the original and two copies of Petition for Leave to Intervene on behalf of SSI Food Services, Inc.

DM 9/12/91

Please file this petition in the above referenced proceedings, conform one copy with your filing data and return the conformed copy to me in the envelope provided. The other copy is for your use.

If anything further is needed, please advise.

Thank you very much.

Very truly yours,

DICTATED BY MR. EISMANN AND
MAILED WITHOUT SIGNATURE IN
ABSENCE TO AVOID DELAY

Richard B. Eismann
RBE/js/4
Enclosures

CLT: SSI Food Services, Inc. w/enc.
Mr. Sherl L. Chapman w/enc.

MICROFILMED
MAY 20 1992

RECEIVED
SEP 12 1991
Department of Water Resources
Western Regional Office

Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11551 IN THE)
NAME OF RIM RANCHES, INC.)

PETITION FOR LEAVE TO INTERVENE

DEFINITIONS: When used in this petition the terms following shall have the meanings following:

--- "moving party" means the petitioner, SSI Food Services, Inc. whose address is 2615 E. Cleveland Boulevard, Caldwell, ID 83605.

--- "moving counsel" means Richard B. Eismann who is counsel for SSI Food Services, Inc.

--- "application" means Application for Permit No. 63-11551 in the name of Rim Ranches, Inc.

MAY 20 1992

--- "this action" means the proceedings before the Department of Water Resources for the State of Idaho in the matter of the Application for Permit No. 63-11551 in the name of Rim Ranches, Inc.

PETITION TO INTERVENE, ETC.: This petition is made by the moving party to have the Director or the Board of the Department of Water Resources enter its order granting leave for the moving party to intervene in this action.

GROUNDS OF PETITION TO INTERVENE, ETC.: This petition to intervene is made on the grounds following:

1. Moving party owns real property situated in Canyon County, Idaho, and holds State of Idaho Water Permit No. 63-10611.

2. Moving party's water rights will be adversely affected if the application in this action is granted.

3. The proposed uses stated in the application will reduce the quantity of water available for the existing water rights including the water right of moving party.

4. The water supply is insufficient for the existing water rights and the proposed uses stated in the application.

5. The proposed uses under the application will conflict with the local public interest.

6. The proposed uses under the application will be contrary to conservation of water resources within the State of Idaho.

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

MAR 20 1992

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

7. The ends of justice will be served by granting this petition.

BASIS OF PETITION: This petition is made and based upon the grounds set forth in this petition and the testimony and evidence which will be produced at the continued hearing in this action and all of the records and files in this action.

SERVICE BY MAIL: The undersigned hereby certifies that a true copy hereof was this date mailed to:

Rim Ranches, Inc.
c/o Ray Obendorf
24034 Batt Corner Road
Parma, ID 83660

Irwin Hetrick and
Betty Hetrick
26373 Red Top Road
Wilder, ID 83676

Don Mills and
Shirley Mills
Route 2, Penny Lane
Wilder, ID 83676

Rolly L. Lincoln and
Margaret Lincoln
27254 Fern Lane
Wilder, ID 83676

Tim Hetrick
1217 3rd Street South
Nampa, ID 83651

DATED: SEP 11 [illegible]

SIGNED:

Richard B. Eismann
Counsel for SSI Food Services, Inc.

AUG 27 1991

Department of Water Resources
Western Regional Office

Aug 24, 1991

David R. Tuthill, Jr. P.E.
Manager Western Regional Office
Airport Way,
Boise, Idaho 83705

Dear Sir:

This is to inform you that we are protesting the Application Number 63-11474 and to Amend Number 63-11537.

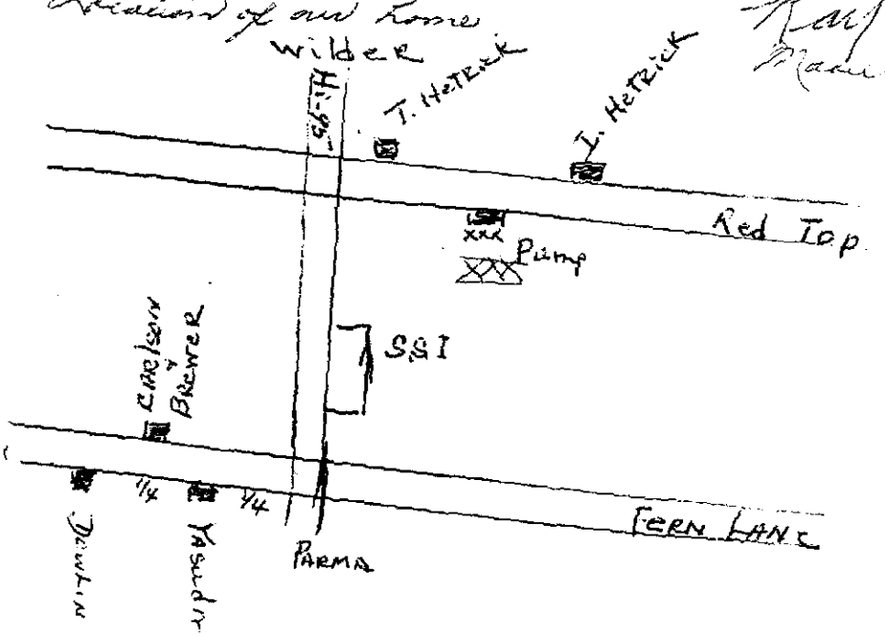
We moved to our present home in 1952. Our well is 258 ft. deep and our intake is 85 ft. In June we had to lower the intake valve to another 20 ft.

We are concerned about the increase in pumping water will lower our water table and cause more problems.

Please keep us informed as what is being done.

Sincerely,
Kay Yanda
Mark Yanda

Location of our home



RECEIVED
MAY 20 1992

Our neighbor, [redacted] and Eva Dowling, lives ¼ miles East of our place and have requested that their signature be placed on the protest. They are gone at this time.

Earlier they returned to the office signed a protest too.

Jim + Eva Dowling

We live east about ½ mile of Yaudes and we are protesting the application #63-11474 and to amend number #63-11351.

We, too had to drop our intake pipe to another 20 ft in July.

E A Brewer

Larry Carlson a.a.

AUG 26 1991

EISMANN LAW OFFICES

Telephone (208) 467-3100
Facsimile (208) 466-4498

3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

RICHARD B. EISMANN
DEBRA L. EISMANN

Department of Water Resources
Western Regional Office

August 26, 1991

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

Re: Protest Relating to Permit No. 63-11474, etc.

Gentlemen:

I represent SSI Food Services, Inc. My client owns that real property situated in Canyon County, Idaho and holds State of Idaho water Permit No. 63-10611

This letter is to protest the issuance and the amendment of Permit No. 63-11474 and the issuance of Permit No. 63-11551. This protest is made on each and all the grounds following:

1. The proposed use will reduce the quantity of water available for existing water rights including the water rights of SSI Food Services, Inc.

2. The proposed water supply is insufficient for the existing water rights and the purposes intended by Rim Ranches, Inc.

3. The proposed use under the subject permit will conflict with the local public interest.

4. The proposed use will be contrary to conservation of water resources within the state of Idaho.

Very truly yours,

Richard B. Eismann
RBE:lh/1 for js/4

CLT: Client

MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 28, 1991

Kay & Marie Yasuda
25724 Fern Lane
Wilder, ID 83676

Jim & Eva Dowling
Fern Lane
Wilder, ID 83676

E.A. Brewer & Larry Carlson
Fern Lane
Wilder, ID 83676

Re: Application for Permit #63-11551 and Application for Amendment of a Permit #63-11474 in the name of Rim Ranches, Inc.

Dear Protestants:

We are in receipt of your letter dated August 24, 1991, in which you expressed concerns about the approval of the above-referenced application for permit and application for amendment of a permit. Please be advised, however, that the letter was not received by the state office until August 27, 1991. Pursuant to Idaho Code, we cannot officially accept the protest as valid at this time because the final date for protest was August 26.

You may be aware that other protests were received by this office in a timely manner. Therefore, both applications are currently officially protested.

Pursuant to Rule 6 of the Rules and Regulations, Practice and Procedure for this Department dated October 19, 1983, you may request to become a full party to this action by requesting leave for intervention. Enclosed we are providing a copy of the rules and regulations.

MICROFILMED
MAY 20 1992

Please feel free to contact this office if you have questions about the procedure for intervention or other matters related to the applications.

Sincerely,

David R. Tuthill Jr.

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

DRT:st

CC: Rim Ranches, Inc.

Encl: Rules & Regulation, Practice & Procedure
Protest

RECEIVED
MAR 20 1992

Director or the Board that such party will or may be a party aggrieved by any ruling, order or decision of the Director, for purposes of court review or appeal.

Rule 6,2. Form and Content of Petitions. Petitions for leave to intervene must be in writing and must clearly identify the proceeding in which it is sought to intervene, setting forth the name and address of the petitioner, making a clear and concise statement of the direct and substantial interest of the petitioner in such proceeding, stating the manner in which such petitioner will be affected by such proceeding, outlining the matters and things relied upon by such petitioner as a basis for his request to intervene in such cause, and if affirmative relief is sought, the petition must contain a clear and concise statement of relief sought and basis thereof, together with a statement as to the nature and quantity of evidence petitioner will present if such petition is granted.

6,3. Filing of Petitions. Petitions to intervene and proof of service of copy thereof on all other parties of record shall be filed within five days after receiving notice of the proceeding, or if no notice is received, not less than five days prior to the date set for hearing and, if filed thereafter, shall state a substantial reason for such delay; otherwise such petition will not be considered.

Rule 7. FILING AND SERVICE

7,1. Filing of Pleadings. An original and one legible copy of all pleadings shall be filed with the Director or the Board, as the case may be, showing service by the party on all other parties in said action.

7,1,1. Any petition of appeal to the Board from a decision of the Director must be served on the Chairman of the Board and the Director at the central office of the Department of Water Resources. Service of the petition upon the Chairman and the Director is complete when mailed to and actually received in the central office of the Department of Water Resources.

7,2. Service by Parties after Initiation of Proceeding. After any proceeding has been originally instituted, all answers, briefs and subsequent papers filed by any party must be served on all parties of record concurrently with the filing thereof with the Director or the Board.

7,3. Service by Director. All pleadings, notices, findings of fact, opinions and orders required to be served by the Director or the Board may be served by mail and service thereof shall be deemed complete when a true copy of such paper or document, properly addressed and stamped is deposited in the United States mail.

7,4. Time for
shall be
thereof
of said
Director
be made,
of the Di

Rule 8. CONFEREN

8,1. General.
all inter
mulating
and of dc
for the
testimony
of the
hearing,
duct and
The partie
matter by
pursuant
action is
requiremen

8,2. Action Tal
agreements
recorded i
so approve
proceeding
injustice.

8,3. Recessing
Director or
together fc
may recess
carrying o
Board shall

Rule 9. HEARINGS

9,1. Opportunity
the Directo
applicant f
tration, or
issued by
ditional sp
viously bee
shall be en
the denial
tor, within
conditional

Rule 4. PARTIES

4,1. Classification of Parties. Parties to proceedings before the Director or the Board shall be styled applicant, claimant, petitioner, complainant, respondent, intervenor, or protestant according to the nature of the proceedings and the relationship of the parties thereto.

4,2. Staff. The Idaho Department of Water Resources staff may appear at any hearing and shall have all rights of participation as a party to the proceeding and, if counsel is desired, the attorney for the Department may represent the staff. In appeals of the Director's decisions to the Board, the Director shall be represented by the Department's counsel.

Rule 5. APPEARANCES AND PRACTICE

5,1. Rights of Parties. At any hearing, all parties named in the preceding rule shall be entitled to enter an appearance, to introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceeding. Other parties determined by the Director or the Board to be directly and/or substantially affected by the proceedings may enter an appearance, introduce evidence and, subject to the discretion of the Director or the Board, may otherwise participate in the conduct of the proceedings.

5,2. Taking of Appearances. Parties shall enter their appearances at the beginning of the hearing by giving their names and addresses and stating their position and representation, or interest in writing to the Director or Board if such has been requested, who will include the same in the minutes of the hearing. The Director or Board may, in addition, require appearances to be stated orally, so that the identity and interest of all parties present will be known to those at the hearing.

5,3. Notice. All notices, pleadings and orders may be served upon such attorneys or representatives entering an appearance, and such service shall be considered valid service for all purposes upon the party represented. No change of counsel or representation will be effective until notification of such change is received by the Director or the Board, as the case may be.

Rule 6. INTERVENTION

6,1. Leave to Intervene Necessary. Persons, other than the original parties to the proceeding, who are directly and substantially affected by the proceeding, shall secure an order from the Director or the Board granting leave to intervene before being allowed to participate; provided, that the granting of leave to intervene or otherwise appear, in any matter or proceeding, shall not be construed to be a finding or determination of the

MAR 20 1992

MEMO

DATE: AUGUST 12, 1991

FROM: LORI WHITE

RE: WILDER GROUNDWATER AQUIFER ASSESSMENT

AUGUST 7, 1991: 10:30 A.M. Began pump test. Monitered the water level effects on the three wells involved for 90 minutes. Was unable to perform a sonar measurement because the 12 inch discharge pipe was not running full.

Riverside Electric is monitoring all three wells every day for protested applicant Rim Ranches, Inc. Contact person is Terry at 722-6731. The Hetricks are monitoring the domestic wells also.

8/7-9/4: Received several phone calls from Betty Hetrick regarding her domestic well water. After the submersible pump was installed by Riverside Electric, their domestic water became murky and brown. We had Betty's water tested at Hibbs Lab. The water tested positive for Coliform. The lab suggested that Betty chlorinate her well, which she did several times with no signs of improvement. betty was going contact DEQ for further testing.

SEPT. 4, 1991: 10:30 A.M. Shut down pump test. Monitered the water level effects on the three wells involved for 90 minutes.

Riverside Electric continued to monitor the three wells until the original static water level of 114' for the Obendorf well was achieved which was Sept. 11, 1991. The Hetricks continued to monitor their domestic wells 2 weeks following shut down.

9/16/91: Contacted the irrigation well owners located within a one mile radius of the Obendorf well. Estimated the volume of water they actually used in a standard irrigation season based on theoretical information they provided or previous licensing field exams. If the wells are used as a supplemental source with canal water, the volume computations were based on a 120 days within the irrigation season of actual well use.

RECEIVED
MAY 20 1992

+r48.135E 06PM

MODE SELECT
INPUT

9/4/91
9 AM

OUTER DIAMETER
12.000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.11200 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.248 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

00-00 00:0400 *R
+ 1.627E 3GPM

00-00 00:0700 *R
+002.20 % AI2

MODE SELECT
T0 CHECK

0437.4 MMSEC
099.39 % T0

MAY 20 1992

MODE SELECT
INPUT

8/29/91
8 AM

OUTER DIAMETER
12.000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.11200 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.248 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

08-29 08:3300 *R
+ 1.620E 3GPM

08-29 08:3300 *R
+002.10 % AI2

MODE SELECT
T0 CHECK

0437.5 MMSEC
099.43 % T0

MAY 20 1992

MODE SELECT
INPUT

OUTER DIAMETER
12.000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.11200 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.248 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

08-23 08:1900 *R
+ 1.703E 3GPM

08-23 08:2000 *R
+002.30 % AI2

MODE SELECT
T0 CHECK

0437.4 MMSEC
099.41 % T0

8/23/91
8:30A

MAY 20 1992

MODE SELECT
INPUT

OUTER DIAMETER
12.000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.11200 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.248 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

08-13 08:3700 *R
+ 1.162E 5GPH

ZERO MODE
ZERO OPR

08-13 08:3700 *R
+ 1.101E 5GPH

08-13 08:3800 *R
+ 1.825E 3GPM

08-13 08:4000 *R
+ 1.851E 3GPM

08-13 08:4200 *R
+002.80 % AI2

MODE SELECT
T0 CHECK

0438.8 MMSEC
099.72 % T0

8/13/91
8:30A

MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 28, 1991

DISTRIBUTION: See List Below

RE: Water Diversion by Rim Ranches, Inc. From a Well Located Within the SE1/4 SE1/4, Sec. 10, Twp 4 N, Rge 5 W, B.M.

Dear Interested Party:

This letter serves as a follow-up to the letter in this regard dated August 2, 1991.

Based on the conditions of the August 2 letter, Rim Ranches, Inc. funded the installation of depth-to-water measuring equipment for the two Hetrick wells, and a thirty (30) day test pumping of the above-referenced Rim Ranches, Inc. well commenced on August 13, 1991. Depth-to-water measurements have been made on the wells periodically since the test began.

The allowed test pumping period will end on Thursday, September 12, 1991. The Department intends to supervise data collection at the time of shutdown, which is tentatively scheduled to be held at 10:00 am.

If any party objects to this shutdown timing, please contact this office. If there is any change to the proposed time all interested parties will be notified.

Sincerely,

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

Rim Ranches, Inc., c/o Ray Obendorf
Irwin and Betty Hetrick
Tim Hetrick
Don and Shirley Mills
Rolly L. and Margaret Lincoln (Interested Parties)
SSI, c/o Richard B. Eismann (New Protestant)
Sherl Chapman (Consultant for SSI)
Steve Baker (IDWR Hydrogeologist)
Lori White (IDWR Senior Water Resource Agent)

RECEIVED
MAY 20 1992

EISMANN LAW OFFICES

Telephone (208) 467-3100
Facsimile (208) 466-4198

3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

RICHARD B. EISMANN
JACK D. SWAFFORD
DEBRA L. EISMANN

FAX COVER SHEET

DATE: 8-26-91

TIME: _____

ATTENTION: Mr David Tuthill

ADDRESSEE'S FAX NO: 334-2348

ADDRESSEE: Western Regional Office

ADDRESSEE'S TELEPHONE NO: 334-2190

TOTAL NUMBER OF PAGES INCLUDING THIS COVER SHEET 3

This is transmitted to you from a Canon FAX-L770. If you are not receiving properl or should for some reason not receive all pages, please te hone this office immediately at (208) 467-3100.

Thank you.

By _____
Operator

MICROFILMED
MAY 20 1992

Note: I notified Steve Chapman's office on 8/28 @ 11:00 am that we will be visiting the well site on 8/29 and again next week, and his participation is welcome Dmr 8/28/91

EISMANN LAW OFFICES

Telephone (208) 467-3100
Facsimile (208) 466-4498

3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

RICHARD B. EISMANN
DEBRA L. EISMANN

August 26, 1991

Mr. David R. Tuthill
Manager, Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Re: Protest Relating to Permit No. 63-11474, etc.

Dear Mr. Tuthill:

I represent SSI Food Services, Inc. which has filed a protest with your department, a copy of which is attached for your convenience in referring thereto.

My client has retained the services of Sherl Chapman in connection with this protest.

My understanding is that your department is in the process of gathering data and information relating to the protest and my client would like to have it's representative, Sherl Chapman, also involved in that same endeavor.

I would appreciate it very much if you would contact Mr. Chapman directly so that he can be brought up to date as to where these matters now stand and to the extent that you now have plans for gathering information and that you are notifying him thereof so that he can be informed and in like turn, keep me informed.

If you have any questions or if this presents any problems, please contact me as soon as possible.

Thank you very much.

Very truly yours,

Richard B. Eismann
RBE:lh/1
Enclosure

CLT: SSI Food Services, Inc.
Sherl Chapman

MICROFILMED
MAY 20 1992

COPY

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651 - 6416

Telephone (208) 467-9100
Facsimile (208) 466-4498

RICHARD B. EISMANN
DEBRA L. EISMANN

August 26, 1991

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

Re: Protest Relating to Permit No. 63-11474, etc.

Gentlemen:

I represent SSI Food Services, Inc. My client owns that real property situated in Canyon County, Idaho and holds State of Idaho water Permit No. 63-10611

This letter is to protest the issuance and the amendment of Permit No. 63-11474 and the issuance of Permit No. 63-11551. This protest is made on each and all the grounds following:

1. The proposed use will reduce the quantity of water available for existing water rights including the water rights of SSI Food Services, Inc.

2. The proposed water supply is insufficient for the existing water rights and the purposes intended by Rim Ranches, Inc.

3. The proposed use under the subject permit will conflict with the local public interest.

4. The proposed use will be contrary to conservation of water resources within the state of Idaho.

Very truly yours,

Richard B. Eismann
RBE:lh/1 for js/4

CLT: Client

MICROFILMED
MAY 20 1992

STUDY/PROJECT REQUEST

To: Wayne Haas **Date Initiated:** August 15, 1991

From: Norm Young **Requested Completion Date:** Sept. 30, 1991

Title: Wilder Ground Water Aquifer Assessment

Problem and/or Purpose: Characterize the ground water aquifer located one mile north of Wilder.

Scope: Prepare a memorandum describing the geology in the area and the estimated storativity and transmissivity of the aquifer. Estimate impacts of new irrigation wells in the area.

Description of Work Requested: A pump test is being performed in the area by protested applicant Rim Ranches, Inc. under the supervision of the Western Regional Office. Assistance requested is to document the results of the pump test, analyze the data, and develop resulting aquifer predictions.

Request Originator: Dave Tuthill, Western Region

Type of Report: Memorandum -- less scope and detail than an Open-file Report.

Anticipated Person-Day Effort: Western Region personnel will be spending about three person-days visiting the site and collecting data. Request four person-days of effort by a geohydrologist to work up the data and prepare a resulting report.

Approved By: _____ Assigned To: _____ Date: _____

MICROFILMED
MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 2, 1991

DISTRIBUTION: See List Below

RE: Water Diversion by Rim Ranches, Inc.

Dear Interested Party:

Today the Department held a water right conference relative to protested Application for Permit No. 63-11551. This conference was attended by the applicant, represented by Mr. Ray Obendorf, and by protestants Mr. Irwin Hetrick, Mrs. Betty Hetrick and Mr. Tim Hetrick. In addition, a letter was submitted by Mr. and Mrs. Don and Shirley Mills.

At the conference a determination was made that a well pumping test would be appropriate for the purpose of gathering data to be used in computations of aquifer characteristics such as transmissivity and storativity. These characteristics can be used to make predictions about aquifer behavior such as the amount of interference between wells, long-term impacts of pumping, etc.

Accordingly, the protestants in attendance allowed their two domestic wells, both of which are located within 1/4 mile of the irrigation well, to be fitted by the applicant with air line and pressure gauges to determine depth to water. These gauges, in addition to the one already on the irrigation well, will be monitored by the protestants, the applicant and the department on a periodic basis to document the impact on the neighboring wells of pumping the irrigation well. The Department intends to analyze the collected data, and will prepare a brief report regarding aquifer characteristics. This report is anticipated to be made available as input for another conference to be held later this year regarding the protests to both the above-identified protested application and the other water right which proposes to use water from the well, Permit No. 63-11474 for which an amendment has been requested.

Water diverted during this well pumping test is hereby allowed to be beneficially used at the locations identified in the amended version of Permit No. 63-11474 for a maximum of 30 days after pumping begins. However, nothing in this letter shall be construed to imply approval of either Application for Permit No. 63-11551 or the amendment of permit No. 63-11474.

RECEIVED
MAY 20 1992

All of the undersigned will be invited to the next conference. In the meantime, the Department welcomes input regarding the conduct of this well pumping test.

Sincerely,

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

Rim Ranches, Inc., c/o Ray Obendorf
Irwin and Betty Hetrick
Tim Hetrick
Don and Shirley Mills
Rolly L. and Margaret Lincoln (Interested Parties)

MAY 20 1992

CONVERSATION MEMORANDUM

DATE 8/12/91

FILE Rim Ranches

NAME OF PARTY Tim Hetrick

EMPLOYEE Dave Tuthill

RE:

1. Requests copies of minutes from conference.
2. Questions final protest date (the protest date is Aug 26 from the amendment that is currently being advertised).
3. Stated that they are planning a civil suit to recover costs of well deepening from Rim Ranches, Inc.

I agreed to send him a copy of my notes from the conference. DT

Done ✓ 8/12/91

MICROFILMED

MAY 20 1992

Conference Notes 63-11551 by D. Tuthill
Rim Ranches Inc. 8/2/91 10:00 am Canyon Co. Courthouse

Ray Oberdorf -
Well is supplemental to Wilder Irr Dist water
Well tested to 300 inches
Max pump rate is 230 inches with pump that was installed
Acknowledges that this well pulled down the Heffricks wells
Re: Lincoln's letter - almost every winter they run out of water - they have another problem there
Groundwater is in addition to water from Wilder Irr dist water - will not use exclusively.

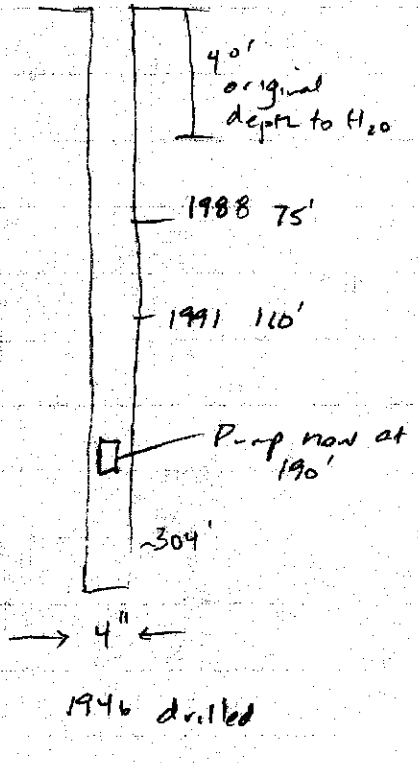
Irwin Heffrick
Water table since the domestic wells were drilled dropped 60', of which 25' were within 24 hours of pumping new well. Had to take out jet pumps and replace with submersible pumps.

MICROFILMED
MAY 20 1992

Proposes:
1. Rim Ranches to pay for submersible pumps.
2. " " " agree to pay for further deepening.
3. Rate of flow limited to 150", for 98 hrs/week.

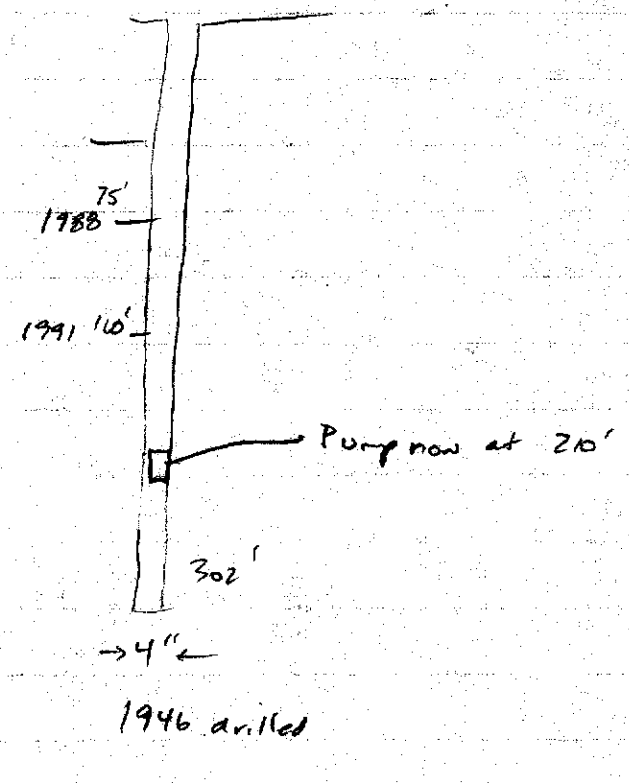
IDWR:
Agrees to allow Rim Ranches to test pump for about 30 days to establish impacts on neighboring wells. Rim Ranches to install eqpt. & monitor wells. IDWR to spot check, and evaluate data.

Irwin Heffrick
Well # 1



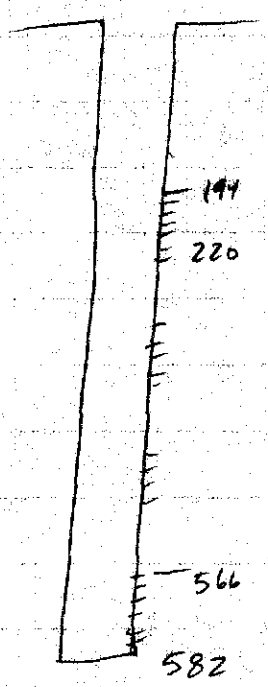
1946 drilled

Tim Heffrick
Well # 2



1946 drilled

Rim Rancher Well



Inverted, Louvered casing/perfor

MICROFILMED
MAY 20 1992

28" hole, 70 yds gravel, top cemented, drilled by Riverside Electric & Pump

Re: Rim Ranches, Inc.

Place: Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605

Date: August 2, 1991

Hearing conducted by: David R. Tuthill, Jr.

ROSTER OF ATTENDANCE

Name	Address	Representing
Ray Olmstead	24034 Batt Corner Rd	myself
Jim Hetrick	26025 Red Top Rd	-
Betty Hetrick	26373 Red Top Rd. Wilder	482-6453 Hetricks
Jim Hetrick Jr.	26373 Red Top Rd Wilder	Hetricks

MICROFILMED
MAY 20 1992

Open Letter to Water Resource Board

Conference: Rein Ranches permit 63-11551

To whom it may Concern; We feel water supply is insufficient for purpose intended.

Our Concern is the 30' drop in our domestic well

Don & I feel no more Irrigation permits should be issued until the local problem is addressed by the local Community.

1. Several neighbors were called by us & we found their wells either not producing adequate water or none at all -
2. we hear of 2-3 a week that are being affected.

No single person is responsible for this Problem. A community solution is necessary. Domestic & Livestock permits should be Protected.

At the present rate - people with domestic wells will be forced to drill new wells.

The problem needs to be brought forward & resolved - Former water rights should supercede new water rights.

RECEIVED
MAY 20 1992

Don & Shirley Mills

Could the water board regulate the amount pumped from irrigation wells so they can maintain an adequate amount in the Aquifer ?

RECEIVED
JUL 17 1991
Department of Water Resources
Western Regional Office

July 15, 1991

To whom it may concern:

In the interest of rural families who have lost the water in their domestic wells in the Wilder-Parma area, I would like you to curtail the issuance of permits for irrigation wells. This is a very serious problem in this area. Thank yo .

Sincerely,

Margaret Lineken

RECEIVED
MAY 20 1992

RECEIVED
JUL 17 1991
Department of Water Resources
Western Regional Office

Parma, Idaho

July 15, 1991

Water Resource Board:

Many rural families in the Wilder-Parma area have been forced to redrill their domestic wells. During the drought times, I am asking you to discontinue issuing permitsfor the drilling of irrigation wells. Thank you.

Sincerely,

Rolly L. Lincoln

MICROFILMED
MAY 20 1992

1217 3rd Street South
Nampa, Idaho 83651
Telephone: 208 467-6508
Residence: 208-482-7745

TIM HETRICK, Special Agent

Ron McLean, District Agent
Robert F. Rice, CLU, General Agent

RECEIVED
JUL 17 1991
Department of Water Resources
Western Regional Office

Northwestern Mutual Life®

July 17, 1991

Water Resource Board
Keith Higginson, Director
1301 N Orchard
Boise, Idaho 83706

Dear Sirs:

You can label this a letter of protest on a certain well * as well as a letter of concern on future wells.

The protest part is on the well drilled by Rim Ranches of Parma, Idaho on the property one mile North and 1/4 mile West of Wilder. It is my understanding that two permits were applied for (one approved for 1/2 mile North on Fern Lane and this one that was not approved). The unapproved well was drilled, hooked up and started. It took all of one day to make my domestic well water level be lowered to the point my pump wouldn't work and I am 1/4 mile away from the irrigation well. When my grandparents drilled the well here in 1946 to a depth of 302 ft., the water table used was the 40-50 ft level. Three years ago the jet pump intake had to be placed at the 100 ft level but the water table was at the 75 ft level. When this new well was started the water turned gaseous so it looked like 7-UP pop when it came from the tap and it lowered the water to where the jet pump wouldn't draw. On the day the plumber pulled the old pipe he measured the level at 103 ft. The next day he measured it at 110 ft. We had to buy a new submersible and go to the 210 ft level to get a steady stream of water for the house. Personally I don't think the unapproved well should be approved or started, but I don't have as much money as Ray Obendorf, the farmer, to fight it court or whatever.

RECEIVED
MAY 30 1992

* Appl. 63-11551
Appl. for Amendment 63-11474
well in SESE 5.10 T4N R5W
PER WATER RIGHT FILES & 7/11/91 FIELD VISIT
SL

1217 3rd Street South
Nampa, Idaho 83651
Telephone: 208 467-6508
Residence: 208-482-7745

Northwestern Mutual Life®

TIM HETRICK, Special Agent

Ron McLean, District Agent
Robert F. Rice, CLU, General Agent

Part 2 of my concern. The water table is obviously dropping. In the last 2-3 years 5 wells have been drilled in this 1 1/2 mile radius of my house. All are large irrigation wells. Phil Batt has a well producing 250-300 inches per day. Dave Paulson a like amount. Fred Gooding has one that pulls 150-200 inches per day. SSI Meat has a huge consumption of water but I don't know the total per day of usage. Fred Batt doesn't run his often but will pull 125-150 / day if on. This is an old well from at least 15+ years ago. Now with Ray Obendorf's new well that pulls up to 300+ inches, my question is, where is this water table eventually going to drop to? If it is possible to not let any more irrigation wells be put in it would probably be in the best interest of the area. The farmers use the well water on the good ground and transfer the district allotment water(with the lower costs) to their marginal ground, which I can' blame them, but maybe the marginal ground needs to be put back to desert of lower water consuming crops.

Thanks for your help in resolving this dilemma waiting to happen.

Sincerely,

Jim Hetrick

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
) NOTICE OF CONFERENCE
FOR PERMIT NO. 63-11551 IN THE)
)
NAME OF RIM RANCHES INC.)

On June 4, 1991, Rim Ranches Inc. filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Irwin &/or Betty Hetrick and Don &/or Shirley Mills.

The Department has set the matter of protest for a conference on Friday, August 2, 1991, at 10:00 a.m., at the Canyon County Courthouse, 1115 Albany, Caldwell, ID 83605. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 23rd day of July, 1991.

David R. Tuthill

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

RECEIVED
MAY 20 1992

I hereby certify that on the 23rd day of July, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Secretary

Certified Mail

Rim Ranches Inc.
24034 Batt Corner
Parma, ID 83660

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, ID 83676

Don & Shirley Mills
Route 2
Wilder, ID 83676

RECEIVED
MAY 20 1992

CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

1. Will the proposed use reduce the quantity of water under existing 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 conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.

I hereby certify that on the 23rd day of July, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Secretary

Certified Mail

Rim Ranches Inc.
24034 Batt Corner
Parma, ID 83660

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, ID 83676

Don & Shirley Mills
Route 2
Wilder, ID 83676

I hereby certify that on the 25th day of July, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Secretary

Tim Hetrick
1217 3rd St. S.
Nampa, ID 83651

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 25, 1991

Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Re: Application for Amendment of Permit No. 63-11474

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of an amendment of the above-referenced permit. 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 amendment 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,

Steve Lester for

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

Enclosure: Copy of protest(s)

FILMED
MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 25, 1991

Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Re: Application for Permit No. 63-11551

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,

for

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

Enclosure: Copy of protest(s)

MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Tim Hetrick
1217 3rd St. South
Nampa, ID 83651

Re: Application for Permit No. 63-11551 in the Name of Rim Ranches Inc.

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,

Steve Lester for

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

DRT/st

MAR 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 25, 1991

Tim Hetrick
1217 3rd St. South
Nampa, ID 83651

Re: Application for Amendment of Permit No. 63-11474 in the Name of Rim Ranches, Inc.

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of an amendment of the above-referenced permit. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the amendment 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 amendment to 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 amendment 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,

Steve Lester for

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

DRT/st

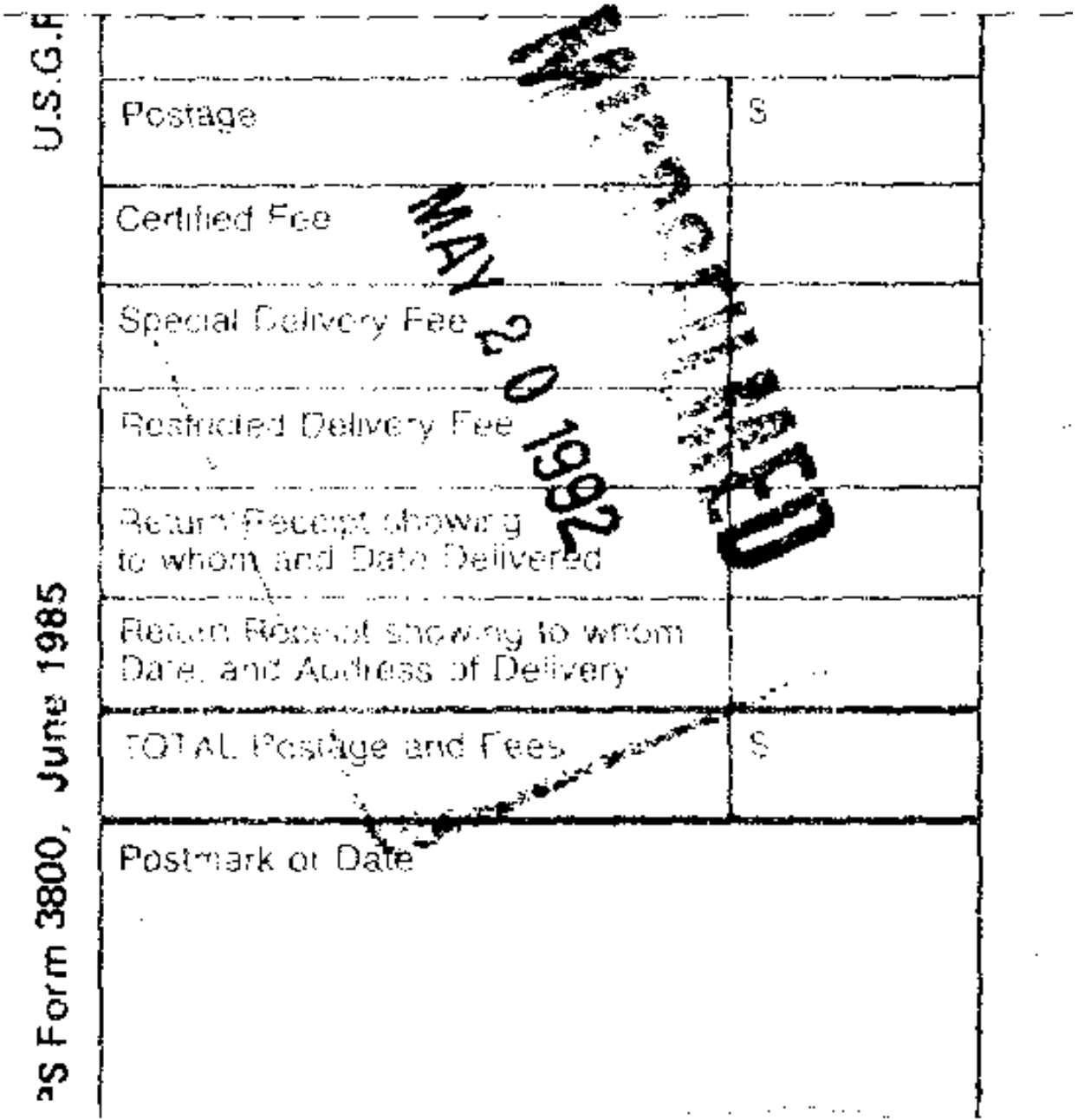
MICROFILMED
MAY 20 1992

P-581 149 853

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, ID 83676



STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P-581 149 852

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Rim Ranches Inc.
24034 Batt Corner
Parma, ID 83660

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, June 1985 U.S.G.

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P-581 149 854

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

Don & Shirley Mills
Route 2
Wilder, ID 83676

Postage	$ .29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$ 2.29
Postmark or Date	

PS Form 3800, June 1985 U.S.G

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. *(see front)*

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P-581 149 864

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Tim Hetrick	
Street and No. 1217 3rd St. S.	
P.O. State and ZIP Code Nampa, ID 83651	
Postage	$ .29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	~~1.00~~
TOTAL Postage and Fees	$ 2.29
Postmark or Date	

PS Form 3800, June 1985

U.S.G.P.O. 153-506

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

63-11551

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Don & Shirley Mills
Route 2
Wilder, ID 83676

4. Article Number
P 581 149 854

Type of Service:
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee and DATE DELIVERED.

8. Addressee's Address *(ONLY if requested and fee paid)*

FILMED
MAY 20 1992
RECEIVED
JUL 29 1991
Department of Water Resources
Western Regional Office

5. Signature — Addressee
X Don Mills

6. Signature — Agent
X

7. Date of Delivery
7-24-91

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

MAY 2 0 1992

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

63-11551

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Tim Hetrick
1217 3rd St. S.
Nampa, ID 83651

MICROFILMED
MAY 20 1992

4. Article Number

P-581 149 864

Type of Service:

- ☐ Registered
- ☐ Insured
- ☒ Certified
- ☐ COD
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

JUL 29 1991

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

BOISE, ID 837
PM
26 JUL
1991

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURNED

MAY 20 1992

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO: Print Sender's name, address, and ZIP Code in the space below.

RECEIVED

JUL 29 1991

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Department of Water Resources
Western Regional Office

63-11551

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Irwin & Betty Hetrick
26373 Red Top½ Rd.
Wilder, ID 836[illegible]

UNFILMED
MAY 20 1992

4. Article Number
P-581 149 853

Type of Service:
- ☐ Registered
- ☐ Insured
- ☒ Certified
- ☐ COD
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X [signature]

6. Signature — Agent
X

7. Date of Delivery
7-24-91

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

JUL 20 1991

Department of Water Resources
Western Regional Office

MICROFILMED

MAY 20 1992

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Rim Ranches Inc.
24034 Batt Corner
Parma, ID 83660

MICROFILMED
MAY 20 1992

4. Article Number

Type of Service:
- ☐ Registered
- ☐ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X

7. Date of Delivery

8. Addressee's Address *(ONLY if requested and fee paid)*

PARMA, ID 83660 JUL 29 1992 U.S.P.S.

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

BOISE, ID 837
PM
29 JUL
1991

ALWAYS
USE ZIP CODE

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

MICROFILMED
MAY 20 1992

RETURN TO: Print Sender's name, address and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED
JUL 30 1991

Department of Water Resources
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

INTER-DEPARTMENT MEMO

TO: Keith Higginson via D. Tuttle **SUBJECT:** WELL DRILLING

FROM: Steve Lester **DATE:** 7/17/91

The attached letters address concerns from three people in the Wilder - Parma area.

The letter from Tim Hetarick is a protest of a well associated with Appl. for Permit 63-11551 & Appl. for Amendment of Permit 63-11474. A copy was retained for the water right files. The protestant also mentions larger concerns about continued drilling in the area.

The two letters from the Lincolns are vague but refer to similar concerns about well drilling in the general area.

(✓) **For your information**

Steve Lester
Signature

( ) **Response required**

CC: 63-11551 & 63-11474

Steve -

This is a new Amendment appl. that is protested (same protestant as in 63-11551, also Rim Rowden).

Steve

1217 3rd Street South
Nampa, Idaho 83651
Telephone: 208 467-6508
Residence: 208-482-7745

TIM HETRICK, Special Agent

Ron McLean, District Agent
Robert F. Rice, CLU, General Agent

JUL 17 1991

Department of Water Resources
Western Regional Office

Northwestern Mutual Life®

July 17, 1991

Water Resource Board
Keith Higginson, Director
1301 N Orchard
Boise, Idaho 83706

Dear Sirs:

You can label this a letter of protest on a certain well * as well as a letter of concern on future wells.

The protest part is on the well drilled by Rim Ranches of Parma, Idaho on the property one mile North and 1/4 mile West of Wilder. It is my understanding that two permits were applied for (one approved for 1/2 mile North on Fern Lane and this one that was not approved). The unapproved well was drilled, hooked up and started. It took all of one day to make my domestic well water level be lowered to the point my pump wouldn't work and I am 1/4 mile away from the irrigation well. When my grandparents drilled the well here in 1946 to a depth of 302 ft., the water table used was the 40-50 ft level. Three years ago the jet pump intake had to be placed at the 100 ft level but the water table was at the 75 ft level. When this new well was started the water turned gaseous so it looked like 7-UP pop when it came from the tap and it lowered the water to where the jet pump wouldn't draw. On the day the plumber pulled the old pipe he measured the level at 103 ft. The next day he measured it at 110 ft. We had to buy a new submersible and go to the 210 ft level to get a steady stream of water for the house. Personally I don't think the unapproved well should be approved or started, but I don't have as much money as Ray Obendorf, the farmer, to fight it court or whatever.

RECEIVED
MAY 20 1992

* Appl. 63-11551
Appl. for Amendment 63-11474
well in SESE S.10 T4N R5W

PER WATER RIGHT FILES & 7/11/91 FIELD VISIT SL

1217 3rd Street South
Nampa, Idaho 83651
Telephone: 208 467-6508
Residence: 208-482-7745

Northwestern Mutual Life®

TIM HETRICK, Special Agent

Ron McLean, District Agent
Robert F. Rice, CLU, General Agent

Part 2 of my concern. The water table is obviously dropping. In the last 2-3 years 5 wells have been drilled in this 1 1/2 mile radius of my house. All are large irrigation wells. Phil Batt has a well producing 250-300 inches per day. Dave Paulson a like amount. Fred Gooding has one that pulls 150-200 inches per day. SSI Meat has a huge consumption of water but I don't know the total per day of usage. Fred Batt doesn't run his often but will pull 125-150 / day if on. This is an old well from at least 15+ years ago. Now with Ray Obendorf's new well that pulls up to 300+ inches, my question is, where is this water table eventually going to drop to? If it is possible to not let any more irrigation wells be put in it would probably be in the best interest of the area. The farmers use the well water on the good ground and transfer the district allotment water(with the lower costs) to their marginal ground, which I can' blame them, but maybe the marginal ground needs to be put back to desert of lower water consuming crops.

Thanks for your help in resolving this dilemma waiting to happen.

Sincerely,

Jim Hetrick

MAY 20 1992

Protest

Don + Shirley Mills
Rt. 2
Wilder, Idaho 83676

July 13, 1991

Keith Higginson
Dir. Dept of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED
JUL 15 1991
Department of Water Resources
Western Regional Office

Mr. Higginson

We are protesting the application for water rights # 63-11551

Rim Ranches Inc
24034 Bath Corner
Parma, Idaho 83660

Groundwater Division SESE Sec. 10 T 04N R 05W

The groundwater level has dropped in this area. We feel enough permits have been issued until the ground water can replenish itself.

We feel no more water rights should be issued in this area, at present, for large irrigation wells.

RECEIVED
MAR 20 1992

Sincerely

Shirley Mills

Don Mills

Don + Shirley Mills
Rt. 2
Wilder, Idaho 83676

BOISE, ID 837
PM
13 JUL
1991

AL
USE ZIP CODE

R. Keith Higginson
Director, Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705

MAY 20 1992

RECEIVED
JUL 10 1991
Department of Water Resources
Western Regional Office

Wilder Idaho
July 8- 1991

Water Resource Board

In May 1991 an irrigation well was drilled on the Ray Obendorf farm next to our farm. (There are within a 2 mile radius eight irrigation wells.
Our great concern was — we'll run out of water in our domestic well-

T4N R5W SE 5.10 PER 7/11/91 SITE VISIT

→ On July 4th the new well was put into operation — July 5th Our well started sputtering and July 6th — No Water. We had the pump repair man from Homedale come on the 8th; (He was too busy to come on Saturday)

In Summer 1988 a new pump was put in our well and there was water at 75 ft, When he measured on Monday the 8th — it was at 100 ft. and today when they came to scale it flow out it measured 110 ft.

MICROFILMED
MAY 20 1992

I'm writting in protest for the well that is on Red Top Rd - 1/4 miles North Wilder - on Highway 19— We would appreciate your concerns and what rights are there.

482-6453 Irvin & Betty Hetrick
26373 Red Top Rd
Wilder, Idaho 83676

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Re: Application for Amendment of Permit No. 63-11474

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of an amendment of the above-referenced permit. 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 amendment 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.

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

Enclosure: Copy of protest(s)

MICROFILMED
MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Re: Application for Permit No. 63-11551

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

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

Enclosure: Copy of protest(s)

MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Don & Shirley Mills
Route 2
Wilder, ID 83676

Re: Application for Amendment of Permit No. 63-11474 in the Name of Rim Ranches, Inc.

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of an amendment of the above-referenced permit. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the amendment 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 amendment to 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 amendment 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 J

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

DRT/st

MAY 20 199[illegible]

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Don & Shirley Mills
Route 2
Wilder, ID 83676

Re: Application for Amendment of Permit No. 63-11474 in the Name of Rim Ranches, Inc.

Dear Protestant:

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

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

DRT/st

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 12, 1991

Irwin & Betty Hetrick
26373 Red Top Rd.
Wilder, ID 83676

Re: Application for Permit No. 63-11551 in the Name of Rim Ranches Inc.

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

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

DRT/st

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 17, 1991

Don & Shirley Mills
Route 2
Wilder, ID 83676

Re: Application for Permit No. 63-11551 in the Name of Rim Ranches Inc.

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.

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

DRT/st

SPECIAL NOTE: _____ Application No. 63-11551

PROTEST INFORMATION SHEET

Protestant - Name(s)

Irwin & Betty Hetrick, Don & Shirley Mills

Tim Hetrick, SSI, Inc.

Address 26373 Red Top Rd., Wilder, ID 83676, Route 2, Wilder, ID 83676

Attorney - Name & Address _____

Date Filed 6-4-91 Protest Date July 22, 1991

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

MICROFILMED
MAY 20 1992

Protest Information submitted in Computer (following hearing): _____

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 11, 1991

Mr. Ray Obendorf
Rim Ranches, Inc.
24034 Batt Corner Road
Parma, ID. 83660

RE: Permit No. 63-11474 and Application for Permit No. 63-11551

Dear Mr. Obendorf:

This letter confirms our conversation that took place earlier today at your home regarding the new well in SESE S.10. Please ignore my letter to you dated 7/9/91 because our meeting covered the information requested in that letter.

Permits 63-11223 and 63-11306 were mentioned during our conversation. These are approved rights unrelated to the new well. 63-11223 concerns a well in T5N R5W S.33, and 63-11306 includes surface water in T5N R5W S.35 and 36.

The well in SESE S.10 must not be used until an approved water right is issued for the well. As we discussed, permit 63-11474 does not include the new well, and application 63-11551, which does include the well, is not an approved right yet. No other rights listing a well in SESE S.10 can be found in our records. Therefore, any use of the well prior to approval of a water right will be treated as an illegal diversion under Idaho Code 42-351.

It appears that **permit 63-11474 should be amended** to show the new well as the point of diversion and perhaps to change the place of use to the appropriate acres. The permit was approved for a proposed diversion in SENE S.10 to irrigate 160 acres in SWNE, SENE S.10 and SWNW, SENW S.11. This information is diagramed on the map attached to the application for amendment of permit 63-11474. The amendment should show a point of diversion change to SESE S.10 and a place of use change, if applicable, to the correct acres. Mark the correct acres on the map and either list the acres in item 3 of the application or let me list them based on your response. Also, complete item 4 of the application and return it with the $20 amendment fee. This office will advertise and process the amendment and thereby correct permit 63-11474.

A second map is attached. It outlines the proposed diversion and acres for application 63-11551. Are the 140 acres in S.11 bordered by Hwy. 95, Red Top Road, Huff Road, and Penny Road the correct acres to be irrigated in 63-11551? If not, show the correct acres on the map and return it with a $20 amendment fee to modify application 63-11551.

RECEIVED
MAY 20 1992

RESPONSE BY 7/22/91 REQUESTED

By amending permit 63-11474 and possibly application 63-11551, the proposed but not yet approved water rights associated with the new well will be correctly recorded and will help clarify the situation. Please respond to this letter by 7/22/91 to avoid additional delays in the water right process. Let me know if additional information is needed.

Sincerely,

Steve Lester

Steve Lester
Sr. Water Resource Agent

Enclosures

FILMED
MAY 20 1992

Appl. for Amendment of Permit -63-11474
63-11551

Photos taken 7-11-91

Pg 1 of 1

Appl for Permit

Looking west at well in SWSESE S.10 T4N R5W. Red Top Road is seen on left.



PHOTO ONE-



MAY 20 1992

PHOTO TWO-

Closer view of well, looking south across Red Top Road. Two 12" open discharge pipes are found, 1 for an earth ditch (east-west flow) and 1 for a cement ditch (north flow).

FIELD VISIT

7/11/91

Rim Rangers (Obendorf) & Hetricks

Met with Ray Obendorf at his home to discuss lack of approved rights to use well S. 10 SCR.
Discussed amending permit & possibly appl for permit. Also covered other rights.
Advised Rim not to use well (illegal diversion) & discussed possible ways to work w/ Hetricks to correct alleged problem.

Met w/ Hetricks to discuss same. Discussed protest process & possible remedies. Encouraged them to work with Ray on this. Both sides sounded like wanted an friendly solution.

Advised to contact if/when it will used ngpis

Visited well site, 2 photos (being developed)
1- View = west to well, Red Top Rd shown
2- View = SW " " close-up.

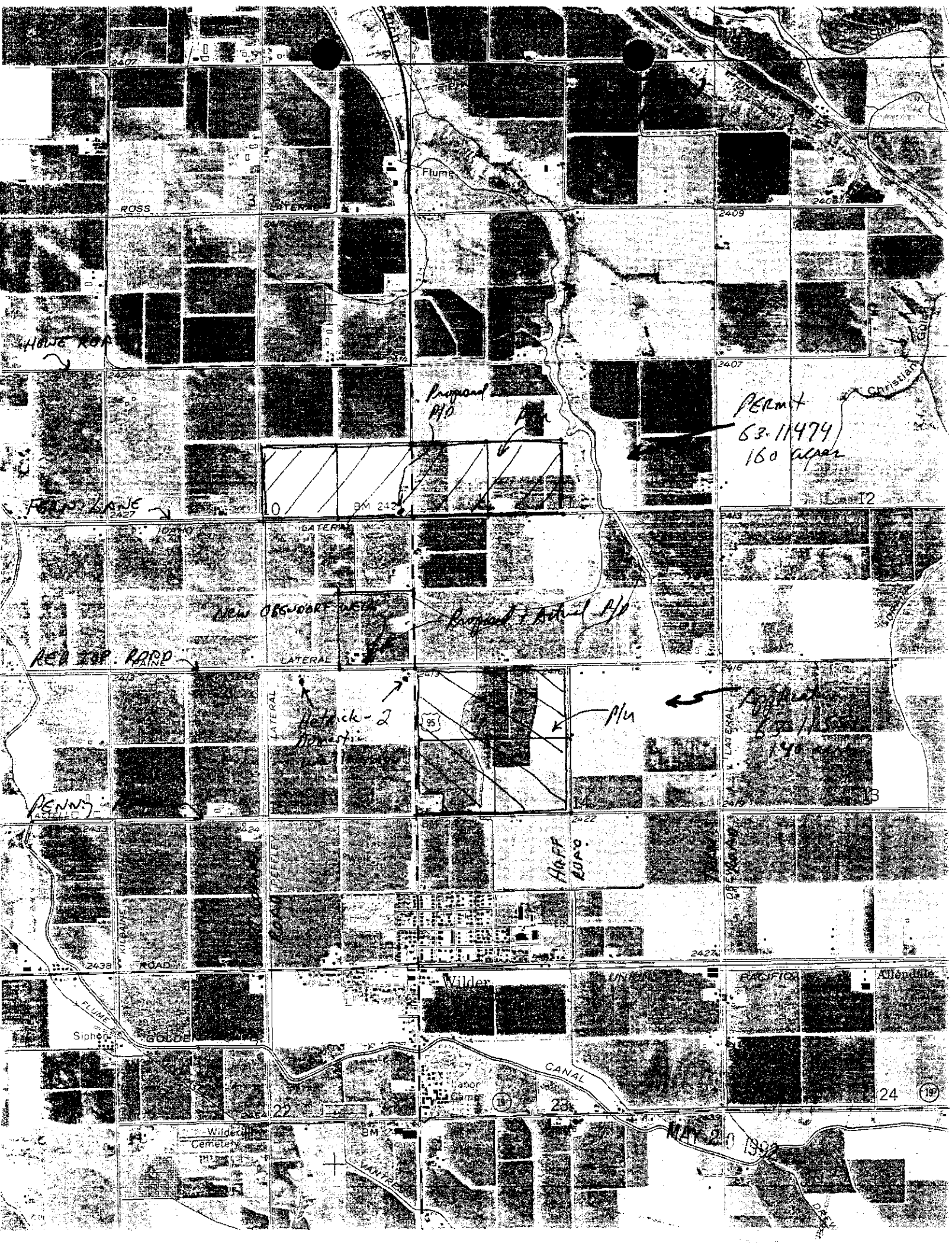
motor
US Elect 150 hp #C2684-01-2-21-75 85-03473

Pump
Johnston Ser. RH047 model 14CC

2 12" open pipes into ditches
1 - cement ditch runs north
1 - earth runs east/west

RECEIVED
MAY 20 1992

Drilling permit - probably in name of Rim Rangers.


Flume
ROSS
LATERAL
HOWE ROAD
FERRY LANE
Proposed P/O
PERMIT
63-11474
160 acres
Christian
BM 242
IDAHO
NEW OBSWOOT WELL
Proposed + Actual P/O
RED TOP ROAD
PAINE
LATERAL
Herrick-2
Domestic
P/U
Applied
63-11475
140 acres
PENN
ROAD
HAFF
ROAD
OBSERVATION
Wilder
PACIFIC
Allendale
Siphon
GOLDE
CANAL
Labor
Camp
Wilder
Cemetery
BM
VANTRE
MAY 20 1902
22
24

ACTION REQUIRED ?

7/10/91
3:55 p.m.

FROM: Steve

TO: Dave

Appl 63. 11551 } share same pld although permit pld stated
Permit 63. 11474 } otherwise

See 7/10/91 conv. & orthophoto.

QUESTION is: should well be shut down or just require amendment to change pld (& possibly plan?) of permit.

Protest letter of 7/8/91 from Hetrick's adequate for legitimate protest?

This is looking more & more like at least a field visit & perhaps an order to cease pumping. I'm not looking for things to do, but the more info that is supplied, the "screwier" this is.

CONVERSATION MEMORANDUM

DATE 7/10/91

FILE 63. 11551
63. 11474

NAME OF PARTY Betty Hobiak 482-6453

EMPLOYEE Steve Lester

RE:

RECEIVED PROTEST LETTER DATED 7/8/91 ON 7/10/91.

PER TELECON:

BELIEVES WELL LOCATION N. OF RED TOP Rd WITHIN 1/4 mile West of Hwy 95 = T4N R5W S.10 SESE

BASED ON 7/8 & 7/10 CONVERSATIONS, CONSIDER letter as ACCEPTABLE protest of Appl. 63. 11551?

PER DATABASE, only P/D in S. 10 SESE is appl 63-11551.

QUESTION - WHERE IS WATER BEING USED? (SAID IN USE 7/8 & ALSO ON 7/10).

IF in P/U of APPL. 63. 11551 = ILLEGAL DIVERSION & REQUIRES JOWR TO SHUT DOWN WELL (PROTEST).

IF in P/U of PERMIT 63-11474, IS THIS AN ILLEGAL DIVERSION REQUIRING SHUT DOWN OR JUST REQUIRING P/U change AMENDMENT to be filed?

MICROFILMED
MAY 20 1992

W/U PROTEST WAS FILED in 63. 11474 (APPROVED 5/13/91). P/D PROPOSED is 1/2 mile N/NE OF WELL in SESE S. 10. ACTUAL P/D is WELL IN QUESTION & IS COMMON P/D TO BOTH RIGHTS.

3:45 P.m.

Betty called to state that water from well is being used on East side of Hwy 95 between Red Top & FERN Roads. This would be in S. 11 SW1/4. She had just spoken to Ray Obendorf (Rim Ranches Inc) & he told her this. I called Ray immediately but no one answered.

PER DATABASE, ONLY WR's in SW1/4 S.11 are irrig. dist. surface water rights

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 9, 1991

Mr. Ray Obendorf
24034 Batt Corner Road
Wilder, ID. 83676

RE: Well Drilling and Water Rights

Dear Mr. Obendorf:

This office was notified that you recently drilled an irrigation well somewhere in the vicinity of Red Top Road northwest of Wilder. I am writing you to verify whether this is correct and, if so, to identify the well drilling permit and water right associated with such activity.

Please provide any information related to the alleged construction by July 17, 1991 by writing to this office or calling 334-2190. Thank you for your cooperation in this matter.

Sincerely,

Steve Lester
Sr. Water Resource Agent

CONVERSATION MEMORANDUM

DATE 7-8-91

FILE

NAME OF PARTY Betty Hatride 482-6453

EMPLOYEE Steve Lester

RE: WELL PROBLEM / COMPLAINT RE:

well drilled for Ray Oberdorf 482-7397
24034 Bath Corner Rd.
Wilder 83676

irrigation
drilled spring 1991
now pumping (as of few days ago)
Hetride domestic well:
2 wells 1 quit, 1 declined when
irrigation pumping began

well at 4N 5W S. 10-15 AREA
1 mile N & ≈ ¼ mi. W. of Hwy 19 outside of
Wilder, on Right side of Red Top Rd.

ACTION:
call Ray O.
what drilly Permit #?
" water right #?
if cannot reach him, letter asking for same with
quick response needed.

7/8/91 4:25 CALLED OBERDORF, NO Reply
7/9/91 7:40 " " " "

SEND Letter, let Betty H. know

RECEIVED
MAY 20 1992

SD-33 Last Name: RIM RANCHES INC STATE

S E L -	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Use Desc
_	RIM RANCHES INC.							
_		C	63-08530	03/03/1977	GROUNDWATER	2.940	01	IRR
_		C	63-08531	03/03/1977	GROUNDWATER	1.890	01	IRR
_		C	63-11474	02/08/1991	GROUNDWATER	3.200	01	IRR
_		C	63-11223	03/19/1990	GROUNDWATER	1.600	01	IRR
_		C	63-11551	06/04/1991	GROUNDWATER	2.800	01	IRR

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

ground water only

		P/D	P/U
License	63.08530	5N 5W S. 33	S. 32 & 33
License	63.08531	4N 5W S. 3	S. 3
Permit	63.11474	4N 5W S. 10 SENE	S. 10 S½NE, S½NW 160 Ac
Permit	63.11223	5N 5W S. 33	S. 32
Pend.	63.11551	4N 5W S. 10 SESE	S. 14 140 Ac NW¼

MICROFILMED
MAY 20 1992

SD-33 Last Name: OBENDORF STATE

S E L	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
	OBENDORF							
	DOROLENE	O	63-03182	02/19/1960	GROUNDWATER	6.680	01	IRR
	RAY	C	63-03182	02/19/1960	GROUNDWATER	6.680	01	IRR
	DOROLENE	C	63-03182	02/19/1960	GROUNDWATER	6.680	01	IRR
	RAY	C	63-03405	03/05/1964	GROUNDWATER	1.130	01	IRR
	RAY	C	63-03583	02/17/1967	GROUNDWATER	1.500	01	IRR
	RAY	C	63-07177	12/12/1968	GROUNDWATER	4.700	01	IRR
	RAY	C	63-07349	07/07/1970	GROUNDWATER	1.660	01	IRR
	RAY	C	63-07533	12/17/1971	GROUNDWATER	0.450	04	STOCK
	RAY	C	63-07903	12/13/1973	GROUNDWATER	3.130	01	IRR
	ORVILLE	C	63-08680	00/00/0000		0.000		
	RAY	C	63-08701	04/18/1977	GROUNDWATER	1.280	01	IRR
	GREG	C	63-09744	06/03/1981	COLE SLOUGH	1.740	01	IRR
	ANN	C	63-09744	06/03/1981	COLE SLOUGH	1.740	01	IRR
	GREG	C	63-10297	00/00/0000		0.000		
	GREG	C	63-10867	08/14/1989	SAND RUN GU	3.000	16	WILDLF

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

ground water only

	P/D	
63-03182	6N 5W	5, 23, 24
63-03405	5N 5W	5, 13
63-07177	6N 5W	5, 23
63-07349	6N 5W	5, 23
63-07903	6N 5W	5, 23
63-08701	5N 5W	5, 28
63-07533	6N 5W	5, 23

NONE 12 4N 5W 5, 10

ENVIRONMENTAL
MAY 20 1992

P/D Index

SD-37 Township: 04N Range: 05W Section: 10 Tract: Lot:

Max # Records 7

S E L	Tract	LOT	RDV	Water Right No.	Name Last, First	OWN	ST	Priority Date	Source	Total Diversion
_	NWNE			63-10579	GOODING FARMS	C	P	03/24/1988	GROUNDWATER	1.600
_	SENE			63-11474	RIM RANCHES IN	C	P	02/08/1991	GROUNDWATER	3.200
_	NWNW			63-04567	HOPKINS, ANDY	C	S	06/01/1916	GROUNDWATER	0.040
_					HOPKINS, IRENE	C				
_	NWSW			63-04556	HOLTON, ROBERT	C	S	06/01/1935	GROUNDWATER	0.070
_	NESE			63-10727	SSI FOOD SERVI	C	P	11/04/1988	GROUNDWATER	2.000
_	NESE			63-11254	SSI FOOD SERVI	C	P	03/15/1990	GROUNDWATER	0.540
_	SESE			63-11551	RIM RANCHES IN	C	A	06/04/1991	GROUNDWATER	2.800
_										
_										
_										
_										
_										
_										
_										
_										
_										

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CJH DATE: 6-13-91 APPLICATION: 63-11551

REQUIRED INFORMATION

Rim Ranches

__ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and ~~other partners~~ must be included.) NA 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

Clarify P/D

DATE REQUESTED: 6-17 received 6-20.

Additional information on reverse side:

PROCESSING

APPLICATION NO. 63-11251

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 July 22, 1991
		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

[redacted]

P/D overlap w/ Wilder Irrig Dist

P/D overlap w/ permit 63-11474 held also by applicant.

(Note P/D is incorrect on 63-11474, correct on this ap, see correspondance) 63-11474 will be corrected during licensing GH 6-20-91.

RIM RANCHES, INC

LIST OF OFFICERS

RAY OBENDORF, - PRES

DOROLENE OBENDORF - SEC/TRES

24034 ~~Bott~~ Corner
Parma, ID 83660
482-7397

MICROFILMED
MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

June 17, 1991

Ray Obendorf
Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Mr. Obendorf:

Per our phone conversation of this morning, enclosed are maps from both permit 63-11474 and your new application, showing point of diversion (well) and place of use. As you can see, permit 63-11474 shows the point of diversion in SENE Section 10, and the new application has the point of diversion in SESE Section 10.

Please mark which point of diversion is correct and mail the maps back to me in care of this office. I will correct whichever document is necessary and proceed with processing the application.

Thank you for your assistance.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

Enclosures

RECEIVED
MAY 20 1992

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JUN 2 6 1991

June 17, 1991

Ray Obendorf
Rim Ranches, Inc.
24034 Batt Corner
Parma, ID 83660

Mr. Obendorf:

Per our phone conversation of this morning, enclosed are maps from both permit 63-11474 and your new application, showing point of diversion (well) and place of use. As you can see, permit 63-11474 shows the point of diversion in SENE Section 10, and the new application has the point of diversion in SESE Section 10.

Please mark which point of diversion is correct and mail the maps back to me in care of this office. I will correct whichever document is necessary and proceed with processing the application.

Thank you for your assistance.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

Enclosures

MICROFILMED
MAY 20 1992

the new appl. is correct in Sec. 10 SESE

Ray O.

Note to file included in 63-11474 to check & amend P/D during licensing. 6-20-91

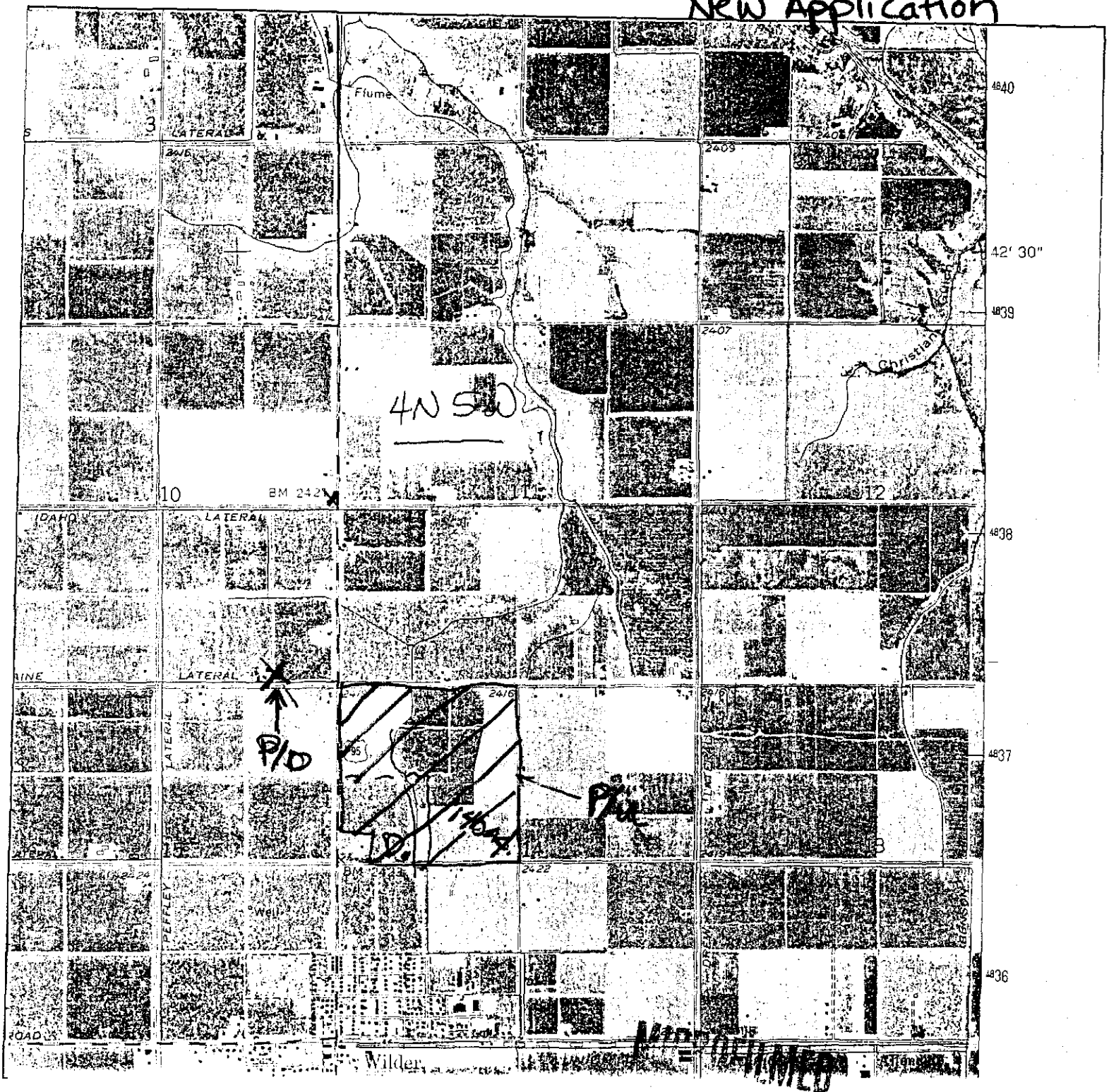
RECEIVED

JUN 2 0 1991

Department of Water Resources

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

NEW Application



Scale: 2 inches equal 1 mile.

MAY 2 0 1992

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.

this is correct

Tim Ranches Inc.
(Applicant)
Ray Oberlander Pres.

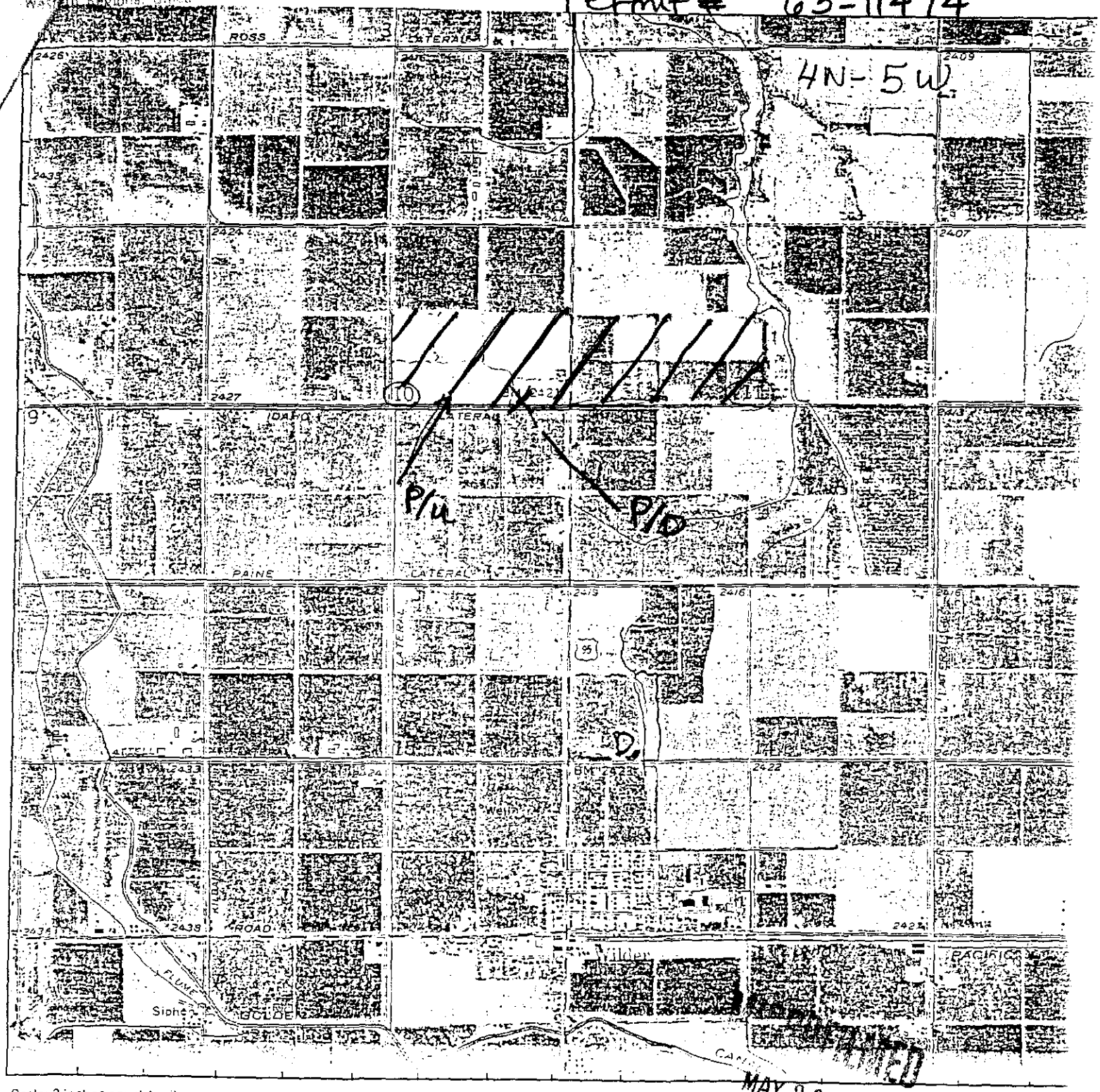
RECEIVED

JUN 20 1991

Department of Water Resources
Western Regional Office

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

Permit # 63-11474



Scale: 2 inches equal 1 mile.

RECEIVED

MAY 20 1992

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.

Kim Ranches Inc
(Applicant)
By Roy Olsen

63-11551

RIM RANCHES INC.
24034 BATT CORNER
PARMA, ID 83660

Source: GROUNDWATER

Diversion Pt: SESE Sec 10 T 04N R 05W

Use: IRRIGATION (2.800 CFS)
Total Diversion: (2.800 CFS) ~ 1,257 gpm

Date Filed: 6/ 4/ 1991

In: T04N R05W S14 NENW NWNW SWNW SENW

140.0 ACRES TOTAL

MICROFILMED
MAY 20 1992