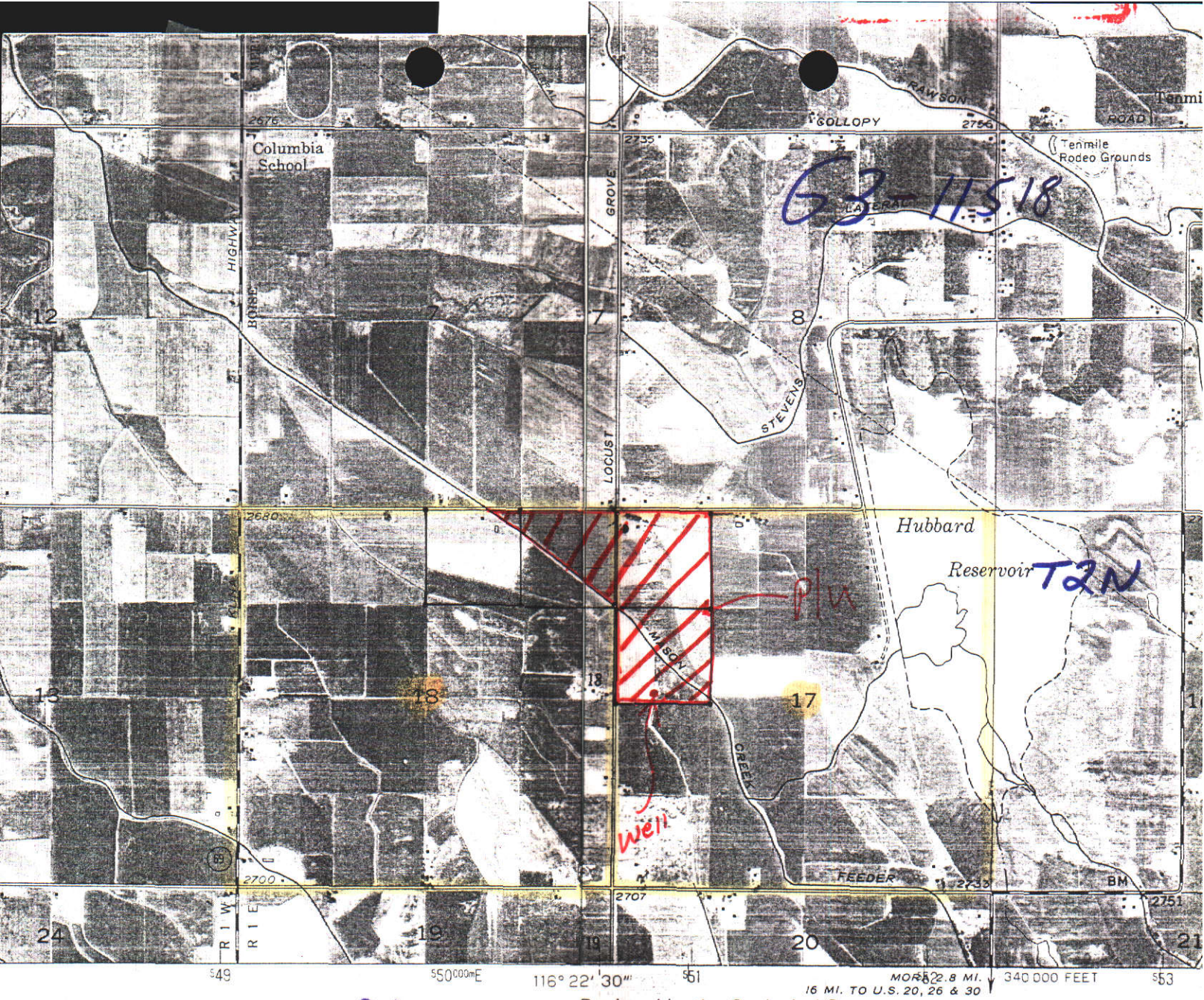



G3-11518

R1E

Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (Transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 15 meters north and 77 meters east as shown by dashed corner ticks

Revisions shown in purple compiled from aerial photographs taken 1976 and other source data. This information not field checked. Map edited 1979

Photoimagery rectified by optical scanning
Where double or mismatched image occur use the mean of image position for map point

Purple tint indicates extension of urban areas

Land lines from Cloverdale, Idaho
1:24,000-scale topographic map dated 1979
There may be discrepancies between positions on land lines and photoimagery

QUADRANGLE LOCATION

MERIDIAN, IDAHO
N4330—W11622.5/7.5

1981

NORTH

This map has been pre
Idaho Code §42-1410 to as
River Basin Adjudication
responsibility is assumed
firms particularly - Bonne
completeness, or usefulne

No govt lots in Plu above.

JL

MICROFILMED
JUL 15 1991

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

T2N R1E

See attached

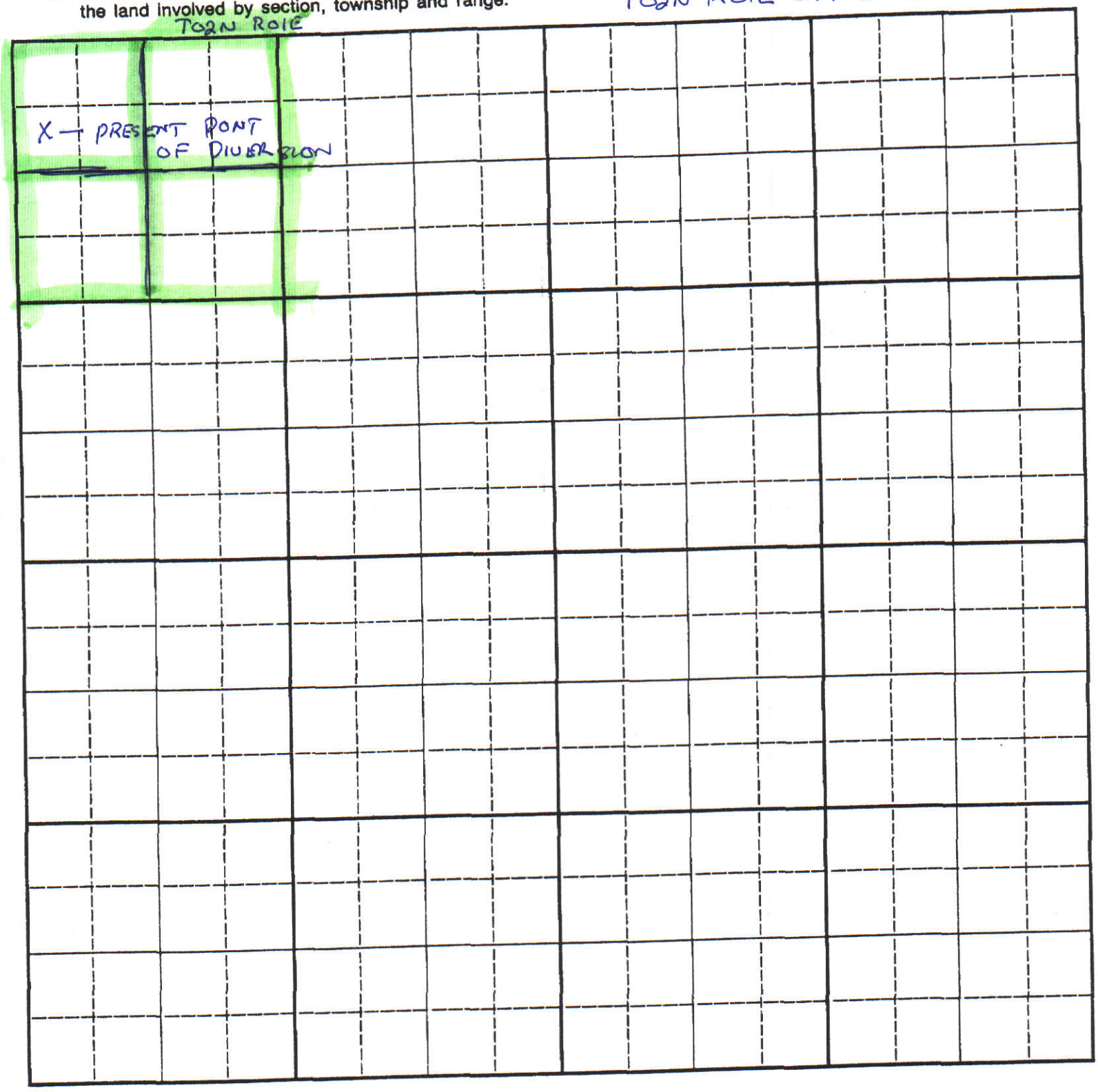
MICROFILMED
JUL 15 1991

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.

Roger J Weber
(Applicant)

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range. T02N R01E S17 SWNW




**SCALE: 2 inches equal 1 mile. Draw plan in ink.**

Page _____ of _____ Transfer No. _____

**STATE OF IDAHO**
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

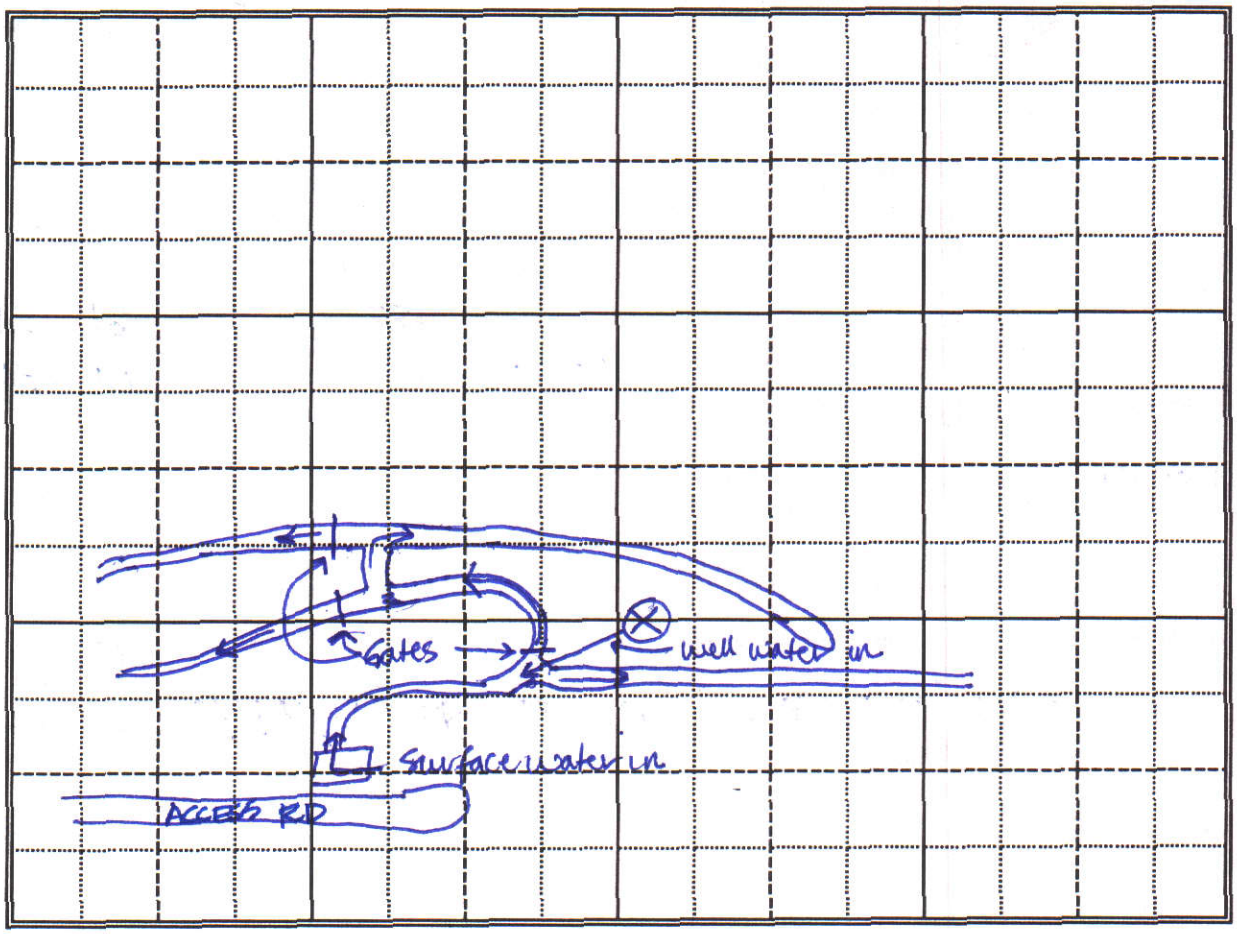
NO CHANGE IN POINT DIVERSION

TOWN ROLE

X — PRESENT POINT DIVERSION

NOW REQUESTED; WILL REQUEST CHANGE POINT DIVERSION WHEN READY TO WATER NEW GOLF COURSE

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




Scale: 1" = NTS.

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

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

__ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| | Hollowshaft | 80 | Q9479-00-G605 | | 8" |
| | Gear drive | | | | |
| | w/ Diesel engine | | | | |

*Code to correspond with No. on map and aerial photo 60

## D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** Theoretical & Pump curve (see below)*

Drive ratio 4:3 Driver rpm=2347 pump rpm=1760

OCT 03 1996

PL = 70-75'
SL = 65'

[redacted] Bowls @ 86' (per owner) Larger pump installed

ZNIE 63-11518

OCT 0 3 1996

Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (Transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 15 meters north and 77 meters east as shown by dashed corner ticks

Revisions shown in purple compiled from aerial photographs taken 1976 and other source data. This information not field checked. Map edited 1979

Photoimagery rectified by optical scanning
Where double or mismatched image occur use the mean of image position for map point
Purple tint indicates extension of urban areas

Land lines from Cloverdale, Idaho
1:24,000-scale topographic map dated 1979
There may be discrepancies between positions on land lines and photoimagery

63-11518

OCT 0 3 1996

IDAHO

MERIDIAN, IDAHO

8. **POSSIBLE CONTAMINATION SOURCES:**

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

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:**

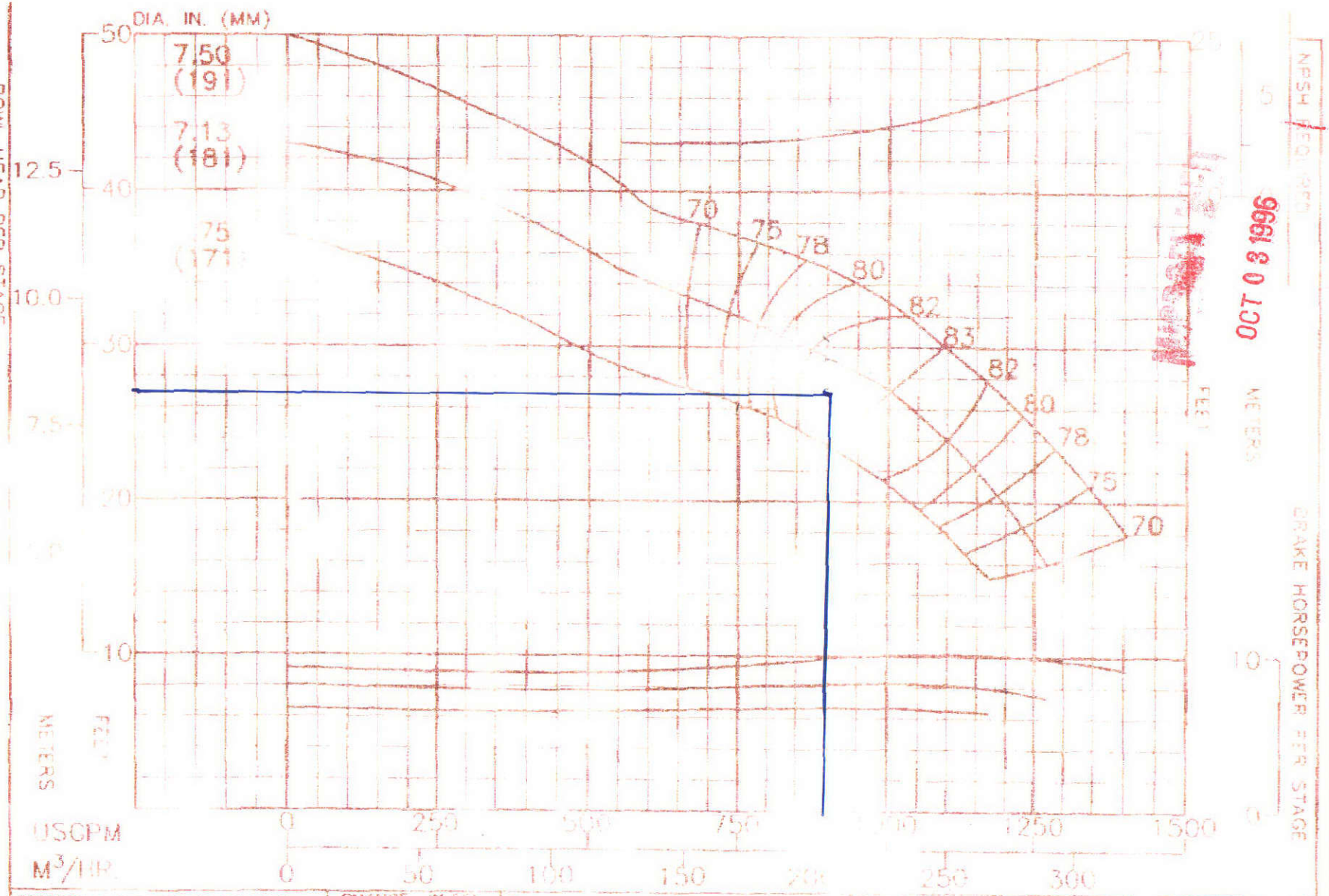
Well was modified 6/92. Concrete pad chipped away to make modifications, not re-poured. Gap between casing & pump column under gear drive base not closed. No port installed.

CJHodges
Signature of Dept. Representative & Title

10/28/93
Inspection Date

**PHOTOS, DRAWINGS, OTHER**

OCT 03 1996




| PERFORMANCE BASED ON PUMPING CLEAR WATER AT SPECIFIC GRAVITY WITH LISTED MATLS. COLUMN LOSSES NOT INCLUDED | CHANGE IN EFF. STAGES | POINTS |
|---|---|---|
| | 1 | -15 |
| | 2 | -3 |
| | 3 | 0 |

BOWL – CAST IRON – LINED
IMPELLER – BRONZE

**Ingersoll-Dresser Pumps**

| | | |
|---|---|---|
| IMPELLER | 6.5/7 | KG/M |
| STANDARD | 8.2 | 12.2 |
| EYE AREA – 22.2 SQ. IN. | | |

RPM 1770

ENCLOSED IMPELLER

$N_s$ = 4500

© 1993 Ingersoll Dresser Pump Company
Printed in U.S.A.

OCT 03 1996

Ingersoll-Dresser Pumps
IDAHO
2084665078
TO:
P02

63-11518

P/D & discharge

Surface water diversion & P/U in SWNW S17

OCT 0 3 1996

63-11518

P/u in NWNW
S17
looking to SE

Highway crossing and
P/u in NENE S18

OCT 0 3 1996

RECEIVED
AUG 04 1999
Department of Water Resources

**State of Idaho**
**Department of Water Resources**
**ASSIGNMENT OF PERMIT**

I, Northwest Farm Credit Services, ACA, hereby assign to Roger L. Welsh and Maureen N. Welsh

of 3606 Hubbard Road (Address) Kuna (City) ID (State) 83635 (Zip)

X All my right, title, and interest in and to Permit No. ~~63~~ 63-11518 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage).

Made this 3rd day of August, 1999.

NORTHWEST FARM CREDIT SERVICES, ACA
Permit Holder

Kip Dennis
Kip Dennis Authorized Agent

STATE OF IDAHO )
)ss.
County of Canyon )

On this 3rd day of August, 1999, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he executed the same.

Shirley F. Farrar
Notary Public
Residing at Nampa, Idaho
My commission expires August 2, 2000

SEAL

SHIRLEY F. FARRAR NOTARY PUBLIC STATE OF IDAHO

8.4.99 WR 2 database updated. Ket

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**OF THE STATE OF IDAHO**

| | |
|---|---|
| IN THE MATTER OF AMENDED LICENSE NO. 63-11518 IN THE NAME OF ROGER L. WELSH AND MAUREEN N. WELSH | **PRELIMINARY ORDER AMENDING LICENSE** |

This matter having come before the Idaho Department of Water Resources (department), as a result of the request of the license holders to review the acreage and rate of diversion on License No. 63-11518, the department makes the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. On September 14, 1996, the department issued License No. 63-11518 (license) to Roger L. Welsh and Maureen N. Welsh (petitioners) with certain conditions and limitations.

2. Following denial of a petition for reconsideration on January 14, 1997, pursuant to Section 67-5243(3), Idaho Code, the license became final on February 12, 1997.

3. By letter dated March 18, 1997, petitioners requested the department to review the correctness of the acreage and rate of diversion on the license and to amend the place of use under the license to 100 acres.

4. After review of pertinent aerial photography, the department has determined that it should issue an amended license increasing the irrigated acreage from 99 to 100 acres and increasing the authorized rate of diversion from 1.98 cfs to 2.0 cfs.

**CONCLUSIONS OF LAW**

1. Section 42-219, Idaho Code, provides in pertinent part as follows:

> Upon receipt by the department of water resources of all the evidence in relation to such final proof, it shall be the duty of the department to carefully examine the same, and if the department is satisfied that the law has been fully complied with and that the water is being used at the place claimed and for the purpose for which it was originally intended, the department shall issue to such user or users a license confirming such use.

2. The department should issue an amended license providing for the diversion of 2.0 cfs of water for the irrigation of 100 acres of land.

3. This order amending the license relates only to changes in the authorized rate of diversion and acres irrigated and does not reopen for purposes of further administrative or judicial review any other elements or conditions of the license.

**ORDER**

IT IS, THEREFORE, HEREBY ORDERED that the department issue Amended License No. 63-11518 in the form attached.

Dated this 2nd day of May, 1997.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

AMENDED

# WATER RIGHT LICENSE

AMENDED

**WATER RIGHT NO. 63-11518**

**Priority:** April 15, 1991 Maximum Diversion Rate: 2.00 CFS

This is to certify, that ROGER L WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83634 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1991; and has submitted Proof of Beneficial Use on June 29, 1993. An examination indicates that the works have a diversion capacity of 2.000 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 | 2.00 CFS | |

**LOCATION OF POINT(S) OF DIVERSION:** SWNW , Sec. 17, Township 02N, Range 01E
ADA County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 39 | | 76 |
| | | 18 | NENE | 23 | NWNE | 1 | | 24 |

Total number of acres irrigated: 100

## CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 450.0 af for the lands above.

State of Idaho
Department of Water Resources

AMENDED

# WATER RIGHT LICENSE

AMENDED

**WATER RIGHT NO. 63-11518**

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 2ND day of MAY, 1997.

Acting for KARL J. DREHER, Director

# WATER RIGHT SUMMARY

| ACTION | RIGHT NO. | NAME | AMOUNT CFS |
|---|---|---|---|
| Original Application | 63-11518 | Roger L Welsh | 2.00 |
| ~~Full Assignment~~ | ~~63-11518~~ | ~~Northwest Farm Credit Services, ACA~~ | ~~2.00~~ |
| Full Assignment | 63-11518 | Roger L Welsh<br>Maureen N Welsh<br>Northwest Farm Credit Services, ACA | 2.00 |

RECEIVED
JUL 08 1993

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**OF THE STATE OF IDAHO**

| | | |
|---|---|---|
| IN THE MATTER OF WATER RIGHT LICENSE NO. 63-11518 IN THE NAME OF ROGER L. WELSH AND MAUREEN N. WELSH | ) | **ORDER DESIGNATING A FINAL ORDER** |

This matter having come before the Idaho Department of Water Resources (department), as a result of a request from a license holder to issue an amended license, the department makes the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. On September 14, 1996, the department issued water right License No. 63-11518 in the name of Roger L. Welsh and Maureen N. Welsh (petitioners). When issued, the department did not designate the license as being a recommended order, a preliminary order or final order.

2. On December 4, 1996, the petitioners submitted a letter to the department asking the department to issue an amended license.

**CONCLUSIONS OF LAW**

1. IDAPA Rule 37.01.01750 (Rule of Procedure 750) provides as follows:

> If an order does not designate itself as recommended, preliminary or final at its release, but is designated as recommended, preliminary or final after its release, its effective date for purposes of reconsideration or appeal is the date of the order of designation. If a party believes that an order not designated as a recommended order, preliminary order or final order according to the terms of these rules should be designated as a recommended order, preliminary order or final order, the party may move to designate the order as recommended, preliminary or final, as appropriate.

2. The department should designate the issuance of water right License No. 63-11518 as a final order and should allow the petitioners to file a petition for reconsideration as provided in IDAPA Rule 37.01.01740 (Rule of Procedure 740).

**ORDER**

IT IS THEREFORE, HEREBY ORDERED that the issuance of water right License No. 63-11518 is designated as a final order of the department with the effective date for purposes of reconsideration or appeal being the date of this order.

IT IS FURTHER HEREBY ORDERED that the petitioner may file a petition for reconsideration with the Director as provided in IDAPA Rule 37.01.01740 (Rule of Procedure 740).

Dated this 12th day of December, 1996.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 63-11518**

**Priority:** April 15, 1991 Maximum Diversion Rate: 1.98 CFS

This is to certify, that ROGER L WELSH
MAUREEN N WELSH

3606 HUBBARD RD
KUNA ID 83634 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1991; and has submitted Proof of Beneficial Use on June 29, 1993. An examination indicates that the works have a diversion capacity of 2.000 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 | 1.98 CFS | |

**LOCATION OF POINT(S) OF DIVERSION:** SWNW , Sec. 17, Township 02N, Range 01E
ADA County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 39 | | 76 |
| | | 18 | NENE | 23 | | | | 23 |

Total number of acres irrigated: 99

## CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 445.5 af for the lands above.

DRAFT

OCT 08 1996

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 63-11518**

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 14TH day of SEPTEMBER, 1976.

Acting for KARL J. DREHER, Director

Form 217

RECEIVED

JUN 29 1993

Department of Water Resources
Western Regional Office

OFFICE USE ONLY
Amt. of Fee $ 125.00
Date 6-29-93
Receipt No. 0016454
Receipt by

## STATE OF IDAHO
## DEPARTMENT OF WATER RESOURCES

# PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11518 Telephone No. 888-6955
2. Name(s) of Permit Holder(s): Farm Credit % Roger Welsh
3. Mailing Address: 3606 Hubbard Rd Kuna 83634
4. Source of Water: Groundwater

   If **GROUNDWATER**, Well Driller's Name: Doty Date Drilled: 7/92

   *OPTIONAL:*
   Pump horsepower: 65 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

   Irrigation 100 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2 cfs **OR** _____ 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

8. Fee Enclosed: $ 125.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   Roger Welsh 8-6955
   Name Telephone No.

   _____
   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.

JUL 08 1993

6/29/93 x Roger L Welsh
Date Signature (and title, if on behalf of a company or organization)

State of Idaho

Department of Water Resources

RECEIVED
APR 2 2 1993
Department of Water Resources

**ASSIGNMENT OF PERMIT**

I, ~~Northwest Farm Credit Services, ACA~~ Roger L. Welsh, Maureen N. Welsh and, hereby assign to Northwest Farm Credit Services, ACA

of 411 Blaine Street Caldwell, Idaho 83605
Address

All my right, title, and interest in and to Permit No. ~~63~~ 63-11518 to appropriate the public waters of the State of Idaho.

~~The following described portion of my right, title, and interest in and to Permit No. to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)~~

Made this 21st day of April, 1993.

NORTHWEST FARM CREDIT SERVICES, ACA
Water Right Holder

Dwight O. Comfort, Branch Manager

State of Idaho )
ss
County of Canyon )

On this 21st day of April, 1993, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (they) executed the same.

Notary Public residing at
Emmett, Idaho

s e a l

My commission expires:
3-9-94

JUL 0 6 1993

4/23/93 - database updated c.z.

State of Idaho

Department of Water Resources

RECEIVED
JUN 1 1992
Department of Water Resources

**ASSIGNMENT OF PERMIT**

I, Roger L. Welsh, hereby assign to NORTHWEST FARM CREDIT SERVICES, ACA

of 411 Blaine Street Caldwell, Idaho 83605
Address

All my right, title, and interest in and to Permit No. 63 G3-11518 to appropriate the public waters of the State of Idaho.

~~The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)~~

Made this 6th day of May, 19 92.

Roger L Welsh
Permit Holder Roger L. Welsh

Maureen N Welsh
Spouse of Permit Holder Maureen N. Welsh

State of Idaho )
ss
County of Canyon )

On this 6th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Marlene D. Colley
Notary Public residing at
Caldwell, Idaho

s e a l

My commission expires:
Feb. 21, 1993

MICROFILMED
JUN 25 1992

State of Idaho
Department of Water Resources

# Permit To Appropriate Water

NO. 63-11518

**Proposed Priority:** April 15, 1991 **Maximum Diversion Rate:** 2.00 CFS

This is to certify, that **ROGER L. WELSH**
RT. 3 3606 HUBBARD RD.
KUNA, ID 83634

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 | 2.00 CFS |

**LOCATION OF POINT(S) OF DIVERSION:** SWNW Sec. 17, Township 02N, Range 01E ADA County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 38.5 | | 75.5 |
| | | 18 | NENE | 23 | NWNE | 1.5 | | 24.5 |

Total number of acres irrigated: 100

**CONDITIONS/REMARKS:**

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1993.**
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. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

20th day of June, 1991.

MICROFILMED

JUL 15 1991

for R. Keith Higginson, Director

Form 202
6/85

Ident. No. 63-11518

# STATE OF IDAHO
## DEPARTMENT OF WATER RESOURCES
# APPLICATION FOR PERMIT

**To appropriate the public waters of the State of Idaho**

1. Name of applicant ROGER L. WELSH Phone 888-6955

   Post office address RT 3, 3606 HUBBARD RD, KUNA, ID 83634

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

3. Location of point of diversion is SW ¼ of NW ¼ of — ¼, Govt. Lot —

   Sec. 17 Township 2N Range 1E B.M. BM County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 2.00 (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) 2.00 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. well, pump, ditches.
   Drilling Permit 63-91-W-123. Supplemental irrigation

   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

   reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

   _____ to _____ inclusive.

   c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.

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

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

   2 years (*minimum 1 year*).

MICROFILMED

JUL 15 1991

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 | |
| 2N | 1E | 17 | | | | | | | 38.5 | | | | | | | | | | 38.5 |
| 2N | 1E | 17 | | | | | | 37 | | | | | | | | | | | 37.0 |
| 2N | 1E | 18 | 23 | | | | | | | | | | | | | | | | 23.0 |
| 2N | 1E | 18 | | 1.5 | | | | | | | | | | | | | | | 1.5 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 100.0

10. Describe any other water rights used for the same purposes as described above. Boise-Kuna & New York Irrig. Districts

11. a. Who owns the property at the point of diversion? ROGER L. WELSH

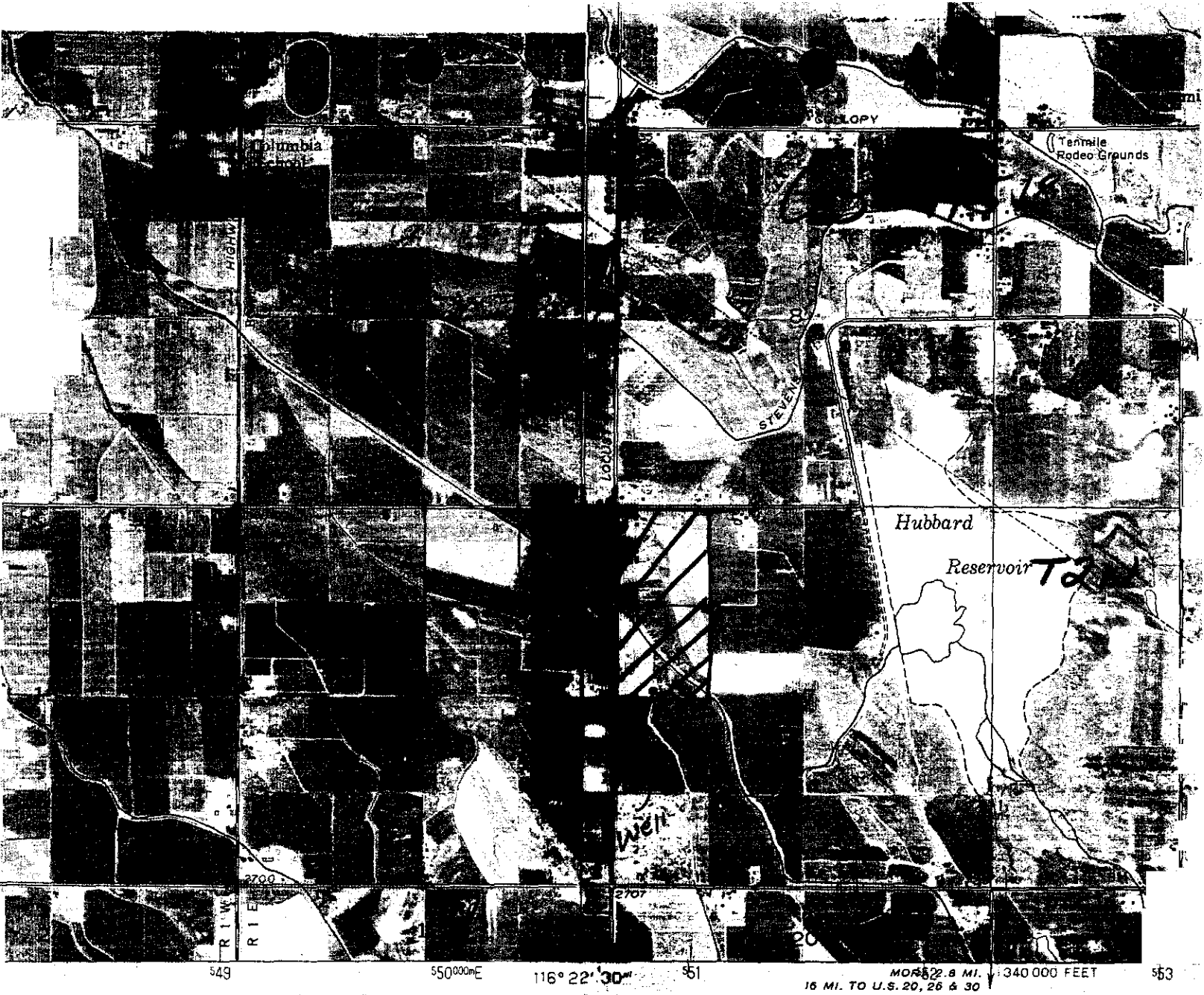
b. Who owns the land to be irrigated or place of use? ROGER L. WELSH

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: _____

MICROFILMED

JUL 15 1991




RIE

Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (Transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 15 meters north and 77 meters east as shown by dashed corner ticks

Land lines compiled from aerial photographs prior to 1976 and other source data. This information not field checked. Map edited 1979

Where double or mismatched image occur use the center of image position for map point

Land lines from Cloverdale, Idaho
1:24,000-scale topographic quadrangles dated 1979
There may be discrepancies between topographic features on land lines and photoimagery

QUADRANGLE LOCATION

MERIDIAN, IDAHO
N4330—W11622.5/7.5

1981

NORTH

This map has been pre
Idaho Code §42-1410 to as
River Basin Adjudication.
responsibility is assumed
firms particularly - Bonne
completeness, or usefulne

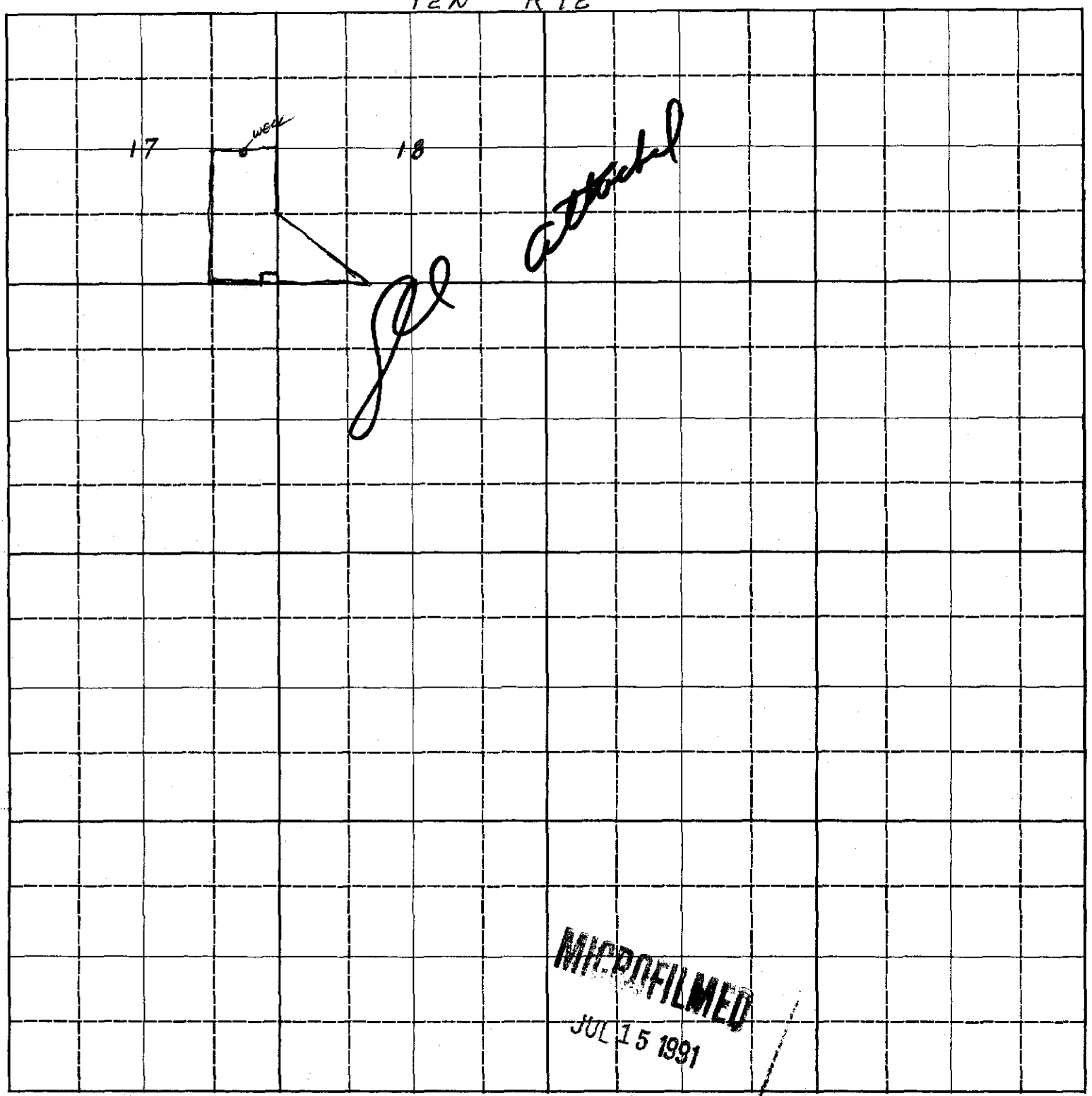
No govt lots in plat above.

SL

MICROFILMED
JUL 15 1991

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

T2N R1E




MICROFILMED
JUL 15 1991

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.

Roger J. Weeks
(Applicant)

Received by SR Date 4/15/91 Time 2:00 Preliminary check by IW

Fee $ 65.00 Receipted by SR # W013211 Date 4/15/91

Publication prepared by GG Date 4-24-91 Published in ID Statesman 5/2 & 5/9/91

Publication approved [illegible] Date 5-22-91

## 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:

JUL 15 1991

MAY 10 1991

Department of Water Resources
Western Regional Office

# The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

## LEGAL ADVERTISING INVOICE

| Amount Due |
|---|
| 111.00 |

| Account Number | Identification |
|---|---|
| 47628 | Notice of Application for Water Right |

| Ordered By | P.O. Number | Rate | Run Dates |
|---|---|---|---|
| Gail Garrett | | nt | May 2, 9, 1991 |

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

| Estimated Inches | Real Inches |
|---|---|
| | |
| # Affidavits | Legal Number |
| 1 | 8300 |

**NOTICE OF APPLICATION FOR WATER RIGHT**

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

**63-11505**
CONNOLLY, WALLACE R.
CONNOLLY, EDA RAE
4983 BROOKSIDE LANE
BOISE, ID 83703
Source: GROUNDWATER
Diversion Pt: SWNE Sec 34 T 05N R 01E
Use:
IRRIGATION (.800 CFS)
FISH PROPAGATION (2.220 CFS)
DOMESTIC (.110 CFS)
Total Diversion: (3.000 CFS)
Date Filed: 4/1/1991
In: T05N R01E S27 SWSE S34 SWNE
40.0 ACRES TOTAL

**63-11517**
LATHEN, WILLIAM C.
LATHEN, REBECCA J.
3301 N. POLLARD LANE
STAR, ID 83669
Source: WASTE WATER
Tributary: BOISE RIVER
Diversion Pt: SWSW Sec 33 T 05N R 01W
Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 4/11/1991
In: T05N R01W S33 SWSW
5.0 ACRES TOTAL

**63-11518**
WELSH, ROGER L.
RT. 3 3606 HUBBARD RD.
KUNA, ID 83634
Source: GROUNDWATER
Diversion Pt: SWNW Sec 17 T 02N R 01E
Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 4/15/1991
In: T02N R01E S17 NWNW SWNW S18 NENE NWNE
100.0 ACRES TOTAL

**63-11519**
BOISE HUNTINGTON INC.
MICHAEL D. THOMPSON TREAS.
173 E. MALLARD DR.
BOISE, ID 83706
Source: GROUNDWATER
Diversion Pt: LOT 10 (NWSE) Sec 14 T 03N R 02E
Use: IRRIGATION (.220 CFS)
Total Diversion: (.220 CFS)
Date Filed: 4/8/1991
In: T03N R02E S14 Lot 9 (NESW) Lot 10 (NWSE)
11.0 ACRES TOTAL

**63-11521**
BRECKENRIDGE OWNERS ASSOCIATION
12301 W. EXPLORER DR. #200
BOISE, ID 83704
Source: GROUNDWATER
Diversion Pt: SESW Sec 25 T 03N R 02E
Use: IRRIGATION. (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 4/15/1991
In: T03N R02E S25 SESW
2.8 ACRES TOTAL

**63-11523**
WARD STABLES
5250 HOODOO LANE
KUNA, ID 83634
Source: GROUNDWATER
Diversion Pt: NESW Sec 16 T 02N R 01E
Use: DOMESTIC (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 4/11/1991
In: T02N R01E S16 NESW NWSW SESW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 20, 1991.
R. KEITH HIGGINSON, Director
Pub. May 2, 9, 1991 8300

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

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of May 2, 19 91

and ending with the issue of May 9, 19 91

Jill Roberts

STATE OF IDAHO )
ss.
COUNTY OF ADA )

On this 9th day of May in the year of 1991, before me, a Notary Public, personally appeared Jill Roberts, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at Boise, ID
My commission expires: 1/3/93

RECEIVED
JUL 15 1991

Thomsen and Stephens PA
Law Office

RECEIVED
MAR 2 6 2001
WATER RESOURCES
WESTERN REGION

Curt R. Thomsen
Alan C. Stephens
James D. Holman *
G. Lance Nalder
Stephen H. Telford
J. Michael Wheiler
Michael J. Whyte
T. Jason Wood
Charles C. Spence **
*Also member Nebraska Bar
**Also member Colorado and Wyoming Bars

RECEIVED
MAR 2 9 2001
Department of Water Resources

March 23, 2001

STEVE LESTER
WATER RIGHTS SUPERVISOR
DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082

**RE: Thomsen Golf, Inc. - Application for Transfer for License No. 6311518**

Dear Mr. Lester:

Thank you for your letter of February 23, 2001, returning the application we previously submitted to your office to Gary Spackman on February 8th.

As we discussed on March 19, I have some concerns about the process to be followed in this matter. Apparently, Thomsen Golf may be able to effect a change in ownership by submitting another form and further information, but the formal process will require some further proof as to the amount of water put to use by the present owner and some additional matters of acreage equivalency between the prior use and any new use, will also be involved.

I am uncertain as to the extent of the water right that is subject to being transferred. In previous discussions with your office, there has been a question raised concerning the extent of the water right involved. Your office raised the issue that this water right is actually a "secondary" right and therefore any transfer of ownership would only carry with it the amount of water that has actually been applied to beneficial use. We have discussed this matter with Mr. Spackman in an effort to calculate the amount of water that was actually used on this "secondary" right which would then become a "primary" right in the hands of Thomsen Golf, Inc. Mr. Spackman has done some calculations in conjunction with the right owner, Mr. Welsh. Nothing about acreage equivalencies has been provided or formulated.

2635 Channing Way ◆ Idaho Falls, Idaho 83404 ◆ (208) 522-1230 ◆ FAX (208) 522-1277

Thomsen Golf must know specifically what level of water usage goes with this right as part of any change of ownership. We must understand the exact amount of water we could use to develop another nine-hole golf course. If this right is insufficient to do that, then Thomsen Golf will have to find another source and abandon this effort.

I have been attempting to get the Department to help me quantify this number specifically and reliably for the future without reaching ultimate success. You have now suggested that Thomsen Golf will need the services of a hydrologist-consultant to provide the necessary data to process this matter. We will attempt to do so.

Thank you for your time on this matter.

Thank you for your help.

Sincerely,

Curt R. Thomsen

CRT:lb
0310-007\Dept Water003 Ltr

cc: F. Thomsen
J. Thomsen
KC Thomsen

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 23, 2001

RECEIVED
FEB 27 2001
Department of Water Resources

CURT R THOMSEN
THOMSEN & STEPHENS PA
2635 CHANNING WY
IDAHO FALLS ID 83404

*Re: Application for Transfer for License No. 63-11518*

Dear Mr. Thomsen:

Your recently filed application for transfer for the above referenced water right is returned with this letter. The $290 transfer filing fee will be refunded to you within a few weeks. The transfer process involves changing an element(s) of a water right, such as the point of diversion or nature of use. The transfer process is not available to record just an ownership change.

Changes in ownership can be recorded with the enclosed form, *"notice of change in water right ownership."* License No. 63-11518 was perfected after the November, 1987 commencement of the Snake River Basin Adjudication (SRBA). Therefore, a SRBA claim is not required and has not been filed for the water right. Note the change in ownership fee will apply for 63-11518.

Approved transfers generally include a condition of approval requiring the proposed change to be accomplished within one year of the date of transfer approval. The appropriate time to file a transfer application can be determined from at least that factor. I enclosed an information sheet to assist in a future transfer process should you decide to pursue such an option.

Please contact me at your earliest convenience if you need more information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure
CC: IDWR State Office

Thomsen and Stephens PA
Law Office

RECEIVED
FEB 1 2 2001
WATER RESOURCES
WESTERN REGION

Curt R. Thomsen
Alan C. Stephens
James D. Holman *
G. Lance Nalder
Stephen H. Telford
J. Michael Wheiler
Michael J. Whyte
T. Jason Wood
Charles C. Spence **
*Also member Nebraska Bar
**Also member Colorado and Wyoming Bars

February 8, 2001

GARY SPACKMAN
DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

**RE: Thomsen Golf, Inc.**
**Application to Transfer Water Right**
**Application to Lease Water Right to Water Supply Bank**
**Permit No. 63-11518 (Welsh )**

Dear Mr. Spackman:

This letter will follow up our conversations concerning the referenced application. We had previously submitted an application in August, 2000 concerning Water Permit No. 63-11518 presently owned by Roger and Maureen Welsh. Presently this water right is utilized in Township 02N, Range 01E, Sections 17 and 18 and the point of diversion is in the Southwest Quarter of the Northwest Quarter of Section 17. As explained, Thomsen Golf, Inc. owns a nine-hole golf course facility found in Blocks 10 and 11, Indian Lakes Subdivision, Ada County, State of Idaho. We are presently pursuing leasing ground from the Idaho Department of Lands to construct an additional nine-hole golf course.

To that end, we have entered into a purchase agreement with Welsh (copy attached to applications) to acquire Welsh's Water Permit No. 63-11518 referenced above. As there are a number of matters that must be completed to finalize either an acquisition or lease of ground, and to actually begin construction of the facility, Thomsen Golf, Inc. wishes to acquire the water right and place it in the Water Bank to avoid any loss for non-use or abandonment. We also submitted the Water Bank application to the Department in August, 2000, which is apparently holding same pending approval of the transfer of the water right, which will involve a determination of how much of the Welsh permit may be considered a primary right based on past beneficial use, which will now be available to Thomsen Golf, Inc. Mr. Saxton of your Department has advised this office that such a procedure is appropriate and can be accomplished with the approval of the IDWR.

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Accordingly, enclosed is an Application for Transfer of Water Right (without requesting a change in the point of diversion at present); the application to put the same water right after transfer into the Water Supply Bank is still in the Departments's hands. When we are ready to use the water, a request for change in point of diversion will be submitted. Our check in the amount of $290.00 as the application fee is also enclosed.

We understand that you have received information from Mr. Welsh which will allow the Department to determine the extent of the permit right which may be used by Thomsen Golf Inc. as a primary water right. If you need any additional information or data, or believe that the application has not been correctly filled out, please contact me at your earliest convenience.

We would appreciate your consideration in processing the application and advising us as soon as possible concerning approval of the transfer, and also advising on placement of the water right in the Water Bank. Both items are linked and it is essential that we not lose the any approved transferred water right during the time necessary to begin construction of the golf course and utilization of the water right for irrigation purposes on the new golf course.

Thomsen Golf Inc. is not changing the type of use, and the water will be used for irrigation purposes on the new golf course.

Thank you for your consideration.

Sincerely,

Curt R. Thomsen

CRT:lb
0310-007\Dept Water Ltr
Enclosures and check

cc: F. Thomsen
J. Thomsen
KC Thomsen

RECEIVED
NOV 29 2000
WATER RESOURCES
WESTERN REGION

Gary,
this is the $H_2O$ Information from Boise Kuna Irrigation Company on How much Project $H_2O$ Ordered over the last 10 years. We are entitled to 3.75 acre feet of $H_2O$, so the differences Well $H_2O$ from the Well. I will get back with you about this next time I'm down from Oregon.

Thank you,
Roger J Wells.

Jim sure Curt Thomas will appreciate this info.

R

| | | | |
|---|---|---|---|
| - 1991 | AUG | 11.90 AF | |
| - 1992 | MAY | 7.14 AF | Transferring land to other ground |
| | JUN | 2.06 AF | |
| | JUL | 12.01 AF | |
| | AUG | 4.00 AF | |
| - 1993 | JUN | 5.95 AF | |
| | JUL | 14.88 AF | |
| | AUG | 35.70 AF | |
| | SEP | 29.75 AF | |
| - 1994 | JUN | 37.76 AF | |
| | JUL | 2.97 AF | |
| | AUG | 92.22 AF | |
| | SEP | 26.77 AF | |
| - 1995 | | Ø | |
| - 1996 | MAY | 11.90 AF | |
| | JUN | 56.52 AF | |
| | JUL | 53.55 AF | |
| | AUG | 44.62 AF | |
| - 1997 | | 208.27 AF | |
| - 1998 | | 104.02 AF | |
| - 1999 | | 342.90 AF | [40.15 AF / R-4]* |
| - 2000 | | 246.19 AF | |

Dennis Sower

DATA COMPILED BY DENNIS SOWER
ASST. CLERK @ DIV. 2 WATERMASTER OFC.

DOYLE MCPHERSON

Lisa ✓ DOYLE 2/13/01 [illegible]
Please mail a copy of this to:
Curt Thomsen
2635 Channing Way
Idaho Falls, ID
83404

Thanks, Gary

Thomsen and Stephens PA
Law Office

RECEIVED
SEP - 5 2000
Department of Water Resources

Curt R. Thomsen
Alan C. Stephens
James D. Holman *
G. Lance Nalder
Stephen H. Telford
J. Michael Wheiler
Michael J. Whyte
T. Jason Wood
Charles C. Spence **
*Also member Nebraska Bar
**Also member Colorado and Wyoming Bars

August 31, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
P O BOX 83720
BOISE ID 83720-0098

**RE: Thomsen Golf, Inc.**
**Application to Transfer Water Right**
**Application to Lease Water Right to Water Supply Bank**
**Permit No. 63-11518 (Welsh to Thomsen)**

Dear Sirs: License

This letter will follow up my conversations with Mr. Saxton and others at your office concerning Water ~~Permit~~ No. 63-11518 presently owned by Roger and Maureen Welsh. Presently this water right is utilized in Township 02N, Range 01E, Sections 17 and 18 and the point of diversion is in the Southwest Quarter of the Northwest Quarter of Section 17. As explained, Thomsen Golf, Inc. owns a nine-hole golf course facility found in Blocks 10 and 11, Indian Lakes Subdivision, Ada County, State of Idaho. We are presently pursuing purchasing property existing near the nine-hole course, or leasing ground from the Idaho Department of Lands to construct an additional nine-hole golf course.

To that end, we have entered into a purchase agreement with Welsh (copy attached to applications) to acquire Welsh's Water Permit No. 63-11518 referenced above. As there are a number of matters that must be completed to finalize either an acquisition or lease of ground, and to actually begin construction of the facility, Thomsen Golf, Inc. wishes to acquire the water right and place it in the Water Bank to avoid any loss for non-use or abandonment. Mr. Saxton has advised this office that such a procedure is appropriate and can be accomplished with the approval of the IDWR.

Accordingly, enclosed is an Application for Transfer of Water Right (without requesting a change in the point of diversion at present) and an application to put the same water right after transfer into the Water Supply Bank. When we are ready to use the water, a request for change in point

2635 Channing Way ◆ Idaho Falls, Idaho 83404 ◆ (208) 522-1230 ◆ FAX (208) 522-1277

of diversion will be submitted. Our check in the amount of $250.00 as the application fee is also enclosed.

If you need any additional information or data, please contact me at your earliest convenience.

We would appreciate your consideration in processing the applications and advising us as soon as possible concerning approval of the transfer and approval to place the water right in the Water Bank. Both items are linked and it is essential that we not lose the water right during the time necessary to begin construction of the golf course and utilization of the water right for irrigation purposes on the new golf course.

Thank you for your consideration.

Sincerely,

Curt R. Thomsen

CRT:lb
0310-007\Dept Water Ltr

Enclosures and check

RECEIVED

SEP - 5 2000

Department of Water Resources

Form No. 42-1761
3-92

Water Supply Bank No. _____

Water Right No. _____

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES
## APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Name of Seller/Lessor Thomsen Golf, Inc. Phone (208) 362-5771

Post office address 4700 Umatilla Avenue, Boise, ID 83709

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____ (Name)

   in case of _____ vs _____

   dated _____ in _____ (Name of court) county of _____

   b. License No. 63-11518 Issued by the Idaho Department of Water Resources.

   c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Ground Water tributary to Snake River

3. Date of priority April 15, 1991

4. Water is used for the following purposes:

   amount 2.0 cfs for irrigation purposes from 3-15 to 11-15

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

5. Total amount of water under right: a. 2.0 cfs cubic feet per second
   &/or
   b. _____ acre feet per annum

6. Location of point of diversion is SW ¼ of NW ¼ of Section 17

   Township 02N Range 01E, B.M. in Ada County

   Additional points of diversion, if any _____

7. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 02N | 01E | 17 | | | | | | 37 | 39 | | | | | | | | | | 76 |
| | | 18 | 23 | 1 | | | | | | | | | | | | | | | 24 |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 100

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

Entire for Lease

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

_____

3. Place of use:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated _____

## C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

   Purchase by Thomsen Golf, Inc. from Welsh

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

   3-15 to 11-15 each year for irrigation - farming; see Affidavit of Welsh re: usage and documentation.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

   Groundwater - complete availability

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

   Not to applicant's knowledge. The farm ground is going out of production. Thomsen Golf will use to water new nine-hole golf course.

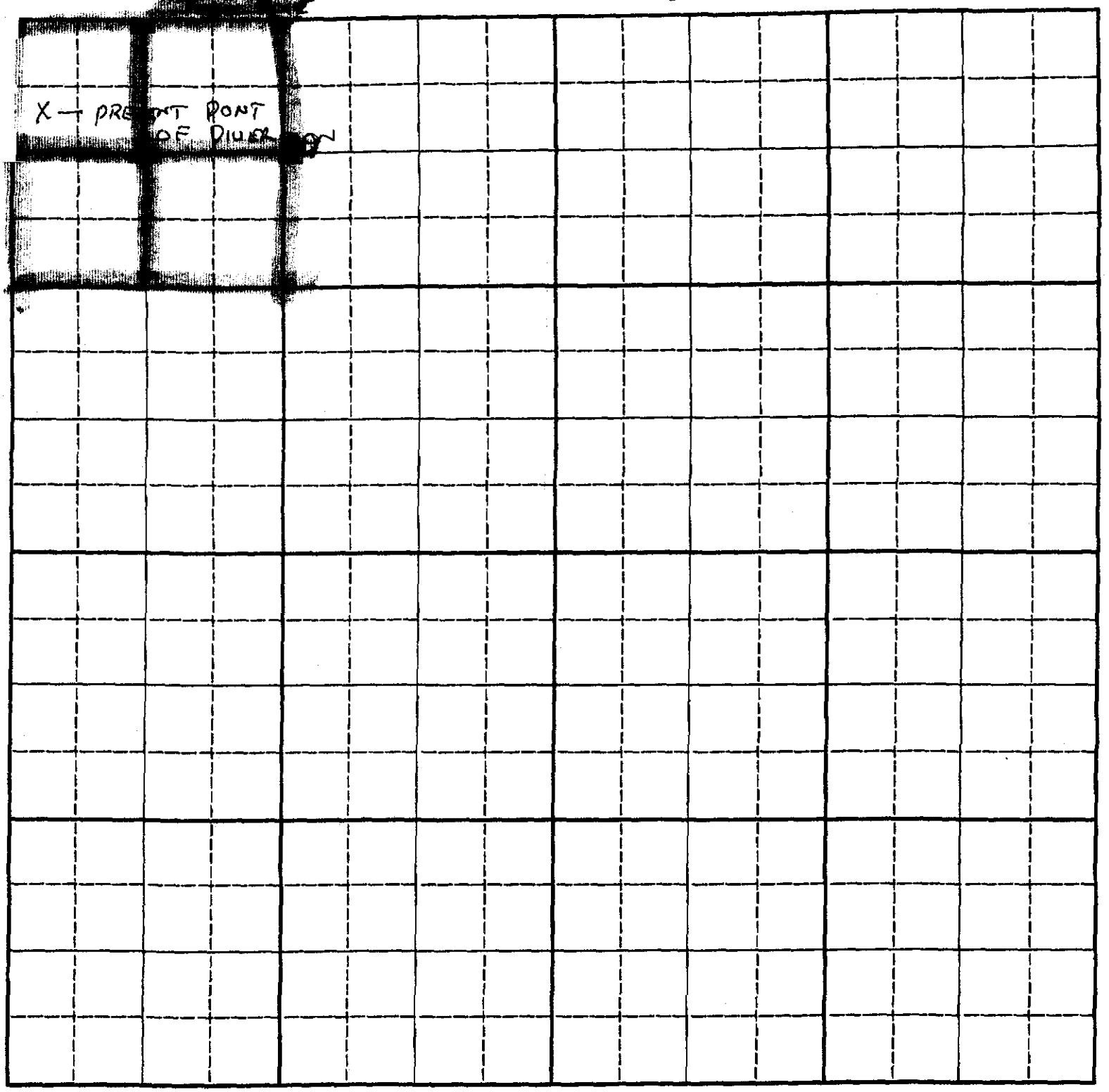
5. If the water right is a permit, describe the work accomplished toward developing the right.

   N.A.

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached. N.A.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.
   See attached documentation.

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range. T02N R01E S17 SWNW




**SCALE: 2 inches equal 1 mile. Draw plan in ink.**

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

X For lease for period from 2000 (year) to 2005 (year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

To be set per Water Bank

3. Payment contingent on subsequent ~~sale or~~ leasing of this right, or portion thereof, is: at discretion of Water Bank

_____ Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

8-22-00 (Date) K.C. Thomsen (Signature of applicant)

K.C. Thomsen, President
Thomsen Golf, Inc.

***FOR DEPARTMENT USE ONLY***

Received by VZ Date 9-5-00 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

# MEMORANDUM AGREEMENT - WATER RIGHTS

THIS AGREEMENT, made this 21 day of MAY, 2000, by and between Thomsen Golf, Inc., an Idaho corporation doing business as Indian Lake Golf Course (hereafter Thomsen) and Roger and Maureen Welsh, husband and wife, of 3606 Hubbard, Kuna, Idaho (hereafter Welsh), as follows:

## RECITALS

1. Welsh owns certain groundwater water rights and irrigation equipment incident to certain real property consisting of approximately 100 acres located near Kuna, Idaho. Welsh is in the process of subdividing that property and the GROUNDWATER water rights and equipment are not necessary in the development and Welsh therefore desires to sell same.

2. Thomsen Golf, Inc. operates the Indian Lake Golf Course with a street address of 4700 Umatilla Avenue, Boise, Idaho 83709. Thomsen desires to acquire groundwater water rights for its future use in connection with its golf course properties and projects.

3. Thomsen's ability to use any groundwater rights and irrigation equipment is conditioned upon approval of a transfer of groundwater rights and point of diversion to their property, or property they control, near the golf course site.

4. Thomsen desires to acquire the groundwater rights and associated equipment owned by Welsh subject to specified conditions precedent.

NOW, THEREFORE, in consideration of the mutual promises, conditions and undertakings of this agreement, the parties agree as follows:

1. Description of the Water Rights and Property to Be Purchased. Welsh represents that they have clear ownership of, and rights to the GROUNDWATER rights described in Exhibit A attached hereto and to the irrigation equipment described in Exhibit B attached hereto, and are possessed of all right and authority to transfer those groundwater rights and equipment to Thomsen.

2. Purchase of Water Rights and Equipment. Thomsen agrees to buy, and Welsh agrees to sell, the groundwater rights and equipment itemized on Exhibits A and B attached hereto, subject to the terms and conditions of this agreement, for the sum of Twenty Five Thousand and No/100 Dollars ($25,000.00), payable as provided below and subject to the conditions subsequent provided below.

3. Payment Terms. Thomsen shall deposit in an escrow account for the benefit of Welsh, the sum of $25,000.00 cash. The escrow funds shall be released to Welsh upon fulfillment of the conditions subsequent stated below. The designated escrow agent shall be Pioneer Title Co. of Boise, Idaho. Thomsen shall pay for all costs associated with set up of the escrow account and any fees assessed incident to disbursement of the escrowed amounts.

4. Conditions Subsequent. Thomsen and Welsh agree that the escrowed funds may only be released to Welsh upon the occurrence and completion of the following conditions:

a. Receipt of all necessary governmental approvals, including approval by the Idaho Department of Water Resources, approving the transfer of the groundwater rights reflected in Exhibit A to the ownership, title and possession of Thomsen Golf, Inc. Transfer

of groundwater rights shall not be deemed to have occurred until all the requisite appeal periods and administrative periods have passed and the required governmental authorities, or any court adjudications, have been issued and title and possession of the groundwater rights are approved.

b. All governmental authorities have approved a transfer in the point of diversion for the groundwater rights described in Exhibit A from the present points of diversion operated by Welsh to points of diversion near or on the Indian Lake Golf Course as designated and controlled by Thomsen.

Welsh agrees to execute all further and necessary documents required to accomplish the conditions stated in paragraphs 4a and b above.

Thomsen will act with all due diligence and deliberate speed to accomplish obtaining the governmental approvals as contemplated in paragraphs 4a and b above, at the sole expense and cost of Thomsen.

Thomsen and Welsh agree that in the event the conditions stated in paragraphs 4a and b above are not completed, all escrowed funds shall be returned to Thomsen without any claim, right or demand by Welsh.

5. Integrated Agreement. Thomsen and Welsh agree, acknowledge and represent that this agreement is the final integrated written expression of the parties' agreement. The parties acknowledge and agree that this written agreement supersedes all previous oral discussions, negotiations, agreements or any side agreements pertaining to the subject matter of this agreement with the intent that this agreement is the sole and only final integrated written

expression of the parties' understandings and agreements. No amendment of this agreement may be made except in writing and signed by all parties to this agreement.

6. Idaho Law. This agreement shall be construed in accordance with the laws of the State of Idaho and shall not be construed, in the event of ambiguity, against any party drafting this agreement.

7. Binding Authority. This agreement shall bind all the parties, their heirs, successors and assigns.

8. Memorandum. The parties agree that a Notice may be recorded reflecting the existence of this memorandum agreement with reference to the groundwater rights described in Exhibit A attached hereto which are considered real property in the State of Idaho to provide record notice to all persons that Thomsen and Welsh have entered into an agreement affecting those groundwater rights.

9. Attorney Fees. In the event of any dispute between the parties, whether litigated or not, the prevailing party in any such dispute shall be entitled to recover from the losing party all costs and attorney fees, including attorney fees on appeal incurred by the prevailing party.

DATED this 21 day of MAY, 2000.

THOMSEN GOLF, INC.

By: KC Thomsen
Its: President

Roger Welsh
Roger Welsh

Maureen Welsh
Maureen Welsh

STATE OF IDAHO )
) ss.
County of Ada )

On this 21 day of May, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Kent Thomsen, known or identified to me to be the President of the corporation that executed the foregoing instrument and the person who executed the same on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my official seal the day and year in this certificate first above written.

MARCIE BAKER NOTARY PUBLIC STATE OF IDAHO

(Seal)

Marcie Baker
Notary Public for Idaho
Residing at: Meridian
My Commission Expires: 4-10-06

STATE OF IDAHO )
) ss.
County of Ada )

On this 21 day of May, 2000, before me the undersigned, a Notary Public in and for said State, personally appeared **Roger Welsh and Maureen Welsh, husband and wife**, known to me to be the persons who executed the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)

Notary Public for Idaho
Residing at: Boise
My Commission Expires: 11/2/2000

CRT:clm
0310-007\Memorandum Agmt

## EXHIBIT A

DESCRIPTION OF WATER RIGHTS

All GROUNDWATER rights owned by Roger and Maureen Welsh pertaining to property located at Township 24 North, Range 1 East, E.B.M.. Sections 17 and 18, Ada County, State of Idaho. having a priority date of April 15, 1991 bearing a water right license nos. 6311518, with a maximum diversion rate of 2.0 CFS (per the attached license).

NO SURFACE WATER RIGHTS ARE CONVEYED HEREIN BY WELSH TO THOMSEN GOLF INC.

**EXHIBIT B**

IRRIGATION EQUIPMENT

Pump ID# Q9479-00-6-605

# AFFIDAVIT OF ROGER L. WELSH

STATE OF IDAHO )
)ss.
County of Ada )

ROGER L. WELSH, being first duly sworn upon oath, deposes and states:

1. This affidavit is made from my personal knowledge.

2. I and my wife are the owner of Water Right License No. 63-11518. A copy of the license is attached hereto.

3. This particular groundwater right is appurtenant to approximately 100 acres of property located generally at sections 17 and 18, T2N, R01E, Ada County, State of Idaho (Section 17 in the NW1/4NW1/4 and in the SW1/4NW1/4 -76 acres; Section 18 NE1/4NE1/4 and in the NW1/4NE1/4 -24 acres). The present point of diversion is in the SW1/4NW1/4, Section 17. This groundwater right has been utilized by my wife and I in our farming operation. We use and apply the water for irrigation purposes between March 15 and November 15, of each given year. The last year we utilized the water right was 1996, between March 15 and November 15 for irrigation of the described property, and in the Spring of 2000 for early irrigation to check out the pump system. We used the water right in 1991 through 1993, between March 15 and November 15 for irrigation of the described property.

4. Attached hereto are pumping bills and other documents evidencing our utilization of this groundwater right for the periods of time noted, 1991-93, 1996 and 2000.

5. We have not abandoned, forfeited, or lost any right or ability to utilize the referenced groundwater right.

6. This matter is presently involved in the water rights adjudication process. A copy of the claim to this water right as submitted in the adjudication is attached to this affidavit.

7. Attached to this affidavit is proof of our ownership of the land described above.

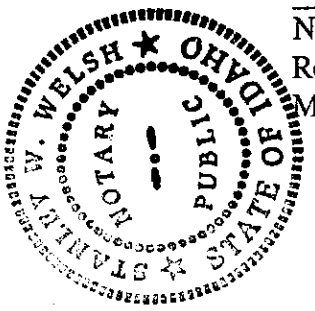
DATED this 10 day of August, 2000.

Roger L. Welsh

SUBSCRIBED AND SWORN to on oath before me this 10 day of Aug, 2000.

Notary Public of Idaho
Residing at: Rexburg
My Commission Expires: 11/21/2000

(Seal)




CRT:tjr
0310-007\Welsh-Roger Aff

State of Idaho
Department of Water Resources

AMENDED AMENDED

# WATER RIGHT LICENSE

**WATER RIGHT NO. 63-11518**

**Priority:** April 15, 1991 Maximum Diversion Rate: 2.00 CFS

This is to certify, that ROGER L WELSH
MAUREEN N WELSH

3606 HUBBARD RD
KUNA ID 83634 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1991; and has submitted Proof of Beneficial Use on June 29, 1993. An examination indicates that the works have a diversion capacity of 2.000 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 | 2.00 CFS | |

**LOCATION OF POINT(S) OF DIVERSION:** SWNW , Sec. 17, Township 02N, Range 01E
ADA County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 39 | | 76 |
| | | 18 | NENE | 23 | NWNE | 1 | | 24 |

Total number of acres irrigated: 100

## CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 450.0 af for the lands above.

State of Idaho
Department of Water Resources

AMENDED

# WATER RIGHT LICENSE

AMENDED

**WATER RIGHT NO. 63-11518**

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 2ND day of MAY, 1997.

Acting for KARL J. DREMER, Director

# PRODUCERS SUPPLY CO-OP., INC.

1302 CALDWELL BLVD.
PETROLEUM PRODUCTS A SPECIALTY
LIQUID AND DRY FERTILIZER

**34810**

P.O. DRAWER J • NAMPA, IDAHO 83653 • PHONE (208) 466-7841
P.O. BOX 853 PARMA, IDAHO 83660 PHONE (208) 722-5508
TOLL FREE (800) 339-7841

Date 4-5 19 96

Sold To Roger Welch

Address 47210-1

•"Conventional Gasoline This product does not meet the requirements for reformulated gasoline, and may not be used in any reformulated gasoline covered area". •Additized Detergent Gasoline•

**UN-DYED**
THE PRICE OF DIESEL FUEL:
☐ DOES ☐ DOES NOT
INCLUDE FEDERAL MOTOR FUEL TAXES AND DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE.

**DYED**
THIS PRODUCT IS DYED DIESEL FUEL NON-TAXABLE USE ONLY.
PENALTY FOR TAXABLE USE. IF THIS BOX ☒ MARKED, OFF HI/WAY NOT LEGAL FOR MOTOR VEHICLE USE.

The State Tax in effect on this date on liquid motor fuel oil as defined by laws of the State of Idaho is included in the price below and has been paid. The original invoice is the only invoice upon which claim can be made for refund of tax.

| OPERATOR | Cash / Charge | TRUCK NO. | TIME A.M. / P.M. |
|---|---|---|---|
| TM | Charge ☒ | 39 | |

| YOUR SALE NO. | GALLON READING - FINISH | 10ths |
|---|---|---|
| AA 576 | 00215 | 0 |
| AA 575 | 00000 | 0 |
| PREVIOUS SALE NO. | GALLON READING - START | |

**GALLONS DELIVERED**

| PRODUCT | GALS. | PRICE | TOTAL AMT. | |
|---|---|---|---|---|
| #5 DSL | 215.0 | .85 | 184 | 69 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| RECEIVED QUANTITY SHOWN ABOVE | | | 184 | 69 |

CUSTOMER SIGN HERE AFTER DELIVERY FOR THE COMPANY

# PRODUCERS SUPPLY CO-OP., INC.

1302 CALDWELL BLVD.
PETROLEUM PRODUCTS A SPECIALTY
LIQUID AND DRY FERTILIZER

**36107**

P.O. DRAWER J • NAMPA, IDAHO 83653 • PHONE (208) 466-7841
P.O. BOX 853 PARMA, IDAHO 83660 PHONE (208) 722-5508
TOLL FREE (800) 339-7841

Date 6-17 19 96

Sold To Roger Welch

Address C 47210

•"Conventional Gasoline This product does not meet the requirements for reformulated gasoline, and may not be used in any reformulated gasoline covered area". •Additized Detergent Gasoline•

**UN-DYED**
THE PRICE OF DIESEL FUEL:
☐ DOES ☐ DOES NOT
INCLUDE FEDERAL MOTOR FUEL TAXES AND DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE.

**DYED**
THIS PRODUCT IS DYED DIESEL FUEL NON-TAXABLE USE ONLY.
PENALTY FOR TAXABLE USE. IF THIS BOX ☒ MARKED, OFF HI/WAY NOT LEGAL FOR MOTOR VEHICLE USE.

The State Tax in effect on this date on liquid motor fuel oil as defined by laws of the State of Idaho is included in the price below and has been paid. The original invoice is the only invoice upon which claim can be made for refund of tax.

| OPERATOR | Cash / Charge | TRUCK NO. | TIME A.M. / P.M. |
|---|---|---|---|
| T. A | Charge ☒ | 39 | |

| YOUR SALE NO. | GALLON READING - FINISH | 10ths |
|---|---|---|
| AA 839 | 00270 | 0 |
| AA 838 | 00000 | 0 |
| PREVIOUS SALE NO. | GALLON READING - START | |

**GALLONS DELIVERED**

| PRODUCT | GALS. | PRICE | TOTAL AMT. | |
|---|---|---|---|---|
| #5 DSL | 270.0 | .1[illegible] | 261 | 73 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| RECEIVED QUANTITY SHOWN ABOVE | | | 261 | 73 |

CUSTOMER SIGN HERE AFTER DELIVERY FOR THE COMPANY

ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

# SECOND HALF TAX BILL

PARCEL NUMBER S1417223000

TAX YEAR 1998

| FULL 2ND HALF AMOUNT | LESS PAYMENTS | AMOUNT DUE BY -------> 6/21/99 |
|---|---|---|
| $442.64 | $.00 | $442.64 |

WELSH ROGER L & MAUREEN N
3606 HUBBARD
KUNA ID 83634

PAR #3000 OF W2NW4
SEC 17 2N 1E
#220000-S
#8944353
02N01E173000 2N 1E 17

PAYMENTS RECEIVED AFTER 5/13/99 ARE NOT REFLECTED ON THIS BILL.

PROPERTY ADDRESS 03150 S LOCUST GROVE

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO ADA COUNTY TREASURER. PAYMENTS BY CHECK SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX BECOMES DELINQUENT, YOU WILL BE CHARGED 2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE WILL BE APPLIED & A DELINQUENT NOTICE WILL BE SENT FOR THE REMAINING AMOUNT DUE, INCLUDING LATE CHARGE & INTEREST.

BILL NUMBER 1-0106724

# PRODUCERS SUPPLY CO-OP., INC.

1302 CALDWELL BLVD.
PETROLEUM PRODUCTS A SPECIALTY

**90544**

P.O. DRAWER J • NAMPA, IDAHO 83653 • PHONE (208) 466-7841
P.O. BOX 88 PARMA, IDAHO 83660 PHONE (208) 722-5508

Date 7-25-22

Sold To Rojas, Mark

Address

Account #

*"Conventional Gasoline This product does not meet the requirements for reformulated gasoline, and may not be used in any reformulated gasoline covered area". *Additized Detergent Gasoline*

**UN-DYED**
THE PRICE OF DIESEL FUEL:
☐ DOES ☐ DOES NOT
INCLUDE FEDERAL MOTOR FUEL TAXES AND DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE.

**DYED**
THIS PRODUCT IS DYED DIESEL FUEL NON-TAXABLE USE ONLY.
PENALTY FOR TAXABLE USE. IF THIS BOX ☒ MARKED, OFF HIWAY NOT LEGAL FOR MOTOR VEHICLE USE.

The State Tax in effect on this date on liquid motor fuel oil as defined by laws of the State of Idaho is included in the price below and has been paid. The original invoice is the only invoice upon which claim can be made for refund of tax.

| OPERATOR | Cash / Charge | TRUCK NO. | TIME A.M. / P.M. |
|---|---|---|---|
| Tim | Charge ☒ | 61 | |

| YOUR SALE NO. | GALLON READING - FINISH | 10ths |
|---|---|---|
| AA 229 | 288 | 0 |
| AA 228 | 000 | 0 |
| PREVIOUS SALE NO. | GALLON READING - START | |

**GALLONS DELIVERED** ➡

| PRODUCT | GALS. | PRICE | TOTAL AMT. | |
|---|---|---|---|---|
| UNLEADED | | | | |
| DYED DIESEL | 273.3 | 1.00 | 273 | 31 |
| UN-DYED DIESEL | | | | |
| | | | | |
| | | | | |
| | | | | |
| RECEIVED QUANTITY SHOWN ABOVE | | | 273, | 31 |

CUSTOMER SIGN HERE AFTER DELIVERY FOR THE COMPANY

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 2000

Curt R. Thomsen
2635 Channing Way
Idaho Falls, ID 83404

**RE: LICENSE NO. 63-11518 AND APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK**

Dear Mr. Thomsen:

Returned is the Application for Transfer which you submitted to this office on September 5, 2000, together with your check in the amount of $250 in connection with License No. 63-11518 ("license"). The application appears to be for the purpose of changing only the owner of the water right, since it does not show any other proposed changes. An application for transfer can be used to change the point of diversion, place of use, nature of use or season of use of a water right but not solely the owner of a water right. It also appears to be premature to file the application to change elements of the water right if Thomsen Golf, Inc. does not yet own it. Incidentally, the fee submitted with the application for transfer was not the correct amount.

The department can consider the Application to Lease the Water Right to the Water Supply Bank, however, provided the present owner (Roger and Maureen Welsh) submit to the department their written agreement for the right to be leased to the bank.

With respect to the license, please note Conditions of Approval Nos. 5 and 6, which apply to use of the water right and to any owner of the water right. The conditions show that diversion and use of groundwater under the license is supplemental to the use of surface water and requires use of the full allotment of surface water. I point this out, since Exhibit A of the Memorandum Agreement between Thomsen Golf, Inc. and the Welshes exclude the conveyance of surface water which appears to be the primary right of the Welshes. This is a potential problem in any future transfer of the water right, especially if the intent of a transfer is to make the groundwater right into a primary or stand alone water right.

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

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 2

c: IDWR Regional Office

Form 1-222
12-82 (Internet)

RECEIVED
SEP -5 2000
Department of Water Resources

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant Thomsen Golf, Inc. Phone (208) 362-5771

Post Office address 4700 Umatilla Avenue, Boise, ID 83709

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other Ownership
2. Describe the reason for the proposed changes To transfer ownership from present owner (Welsh) to buyer, Thomsen Golf, Inc.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

1.

| Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use | | |
|---|---|---|---|---|---|---|
| 63-11518 | 4-15-91 | 2.0 cfs | irrigation | 3-15 | to | 11-15 |
| | | | | | to | |
| | | | | | to | |
| | | | | | to | |

2. Total amount of water being transferred 2.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to Snake River
4. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | SW | NW | 17 | 02N | 01E | Ada | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| 02N | 01E | 17 | | | | | | 37 | 39 | | | | | | | | | | 76 |
| | | 18 | 23 | 1 | | | | | | | | | | | | | | | 24 |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | 100 |

## PART 1

6. General Information:

a. Description of diversion system Groundwater - pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. *If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.*

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land is going out of production as farm land and into residential development

d. Remarks:

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

Page _____ of _____ Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 63-11518 *issued by the Idaho Department of Water Resources.*

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. *Transfer No.* _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to Snake River

4. Date or priority 4-15-91

5. Water is used for the following purpose:

amount 2.0 cfs (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15

amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | SW | NW | 17 | 02N | 01E | Ada | |
| | | | | | | | | |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| 02N | 01E | 17 | | | | | | 37 | 39 | | | | | | | | | | 76 |
| | | | 23 | 1 | | | | | | | | | | | | | | | 24 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 100

9. Describe any other water rights used for the same purpose as described above N.A.

# PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No if yes, describe _____

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(If the entire right is to be changed by the applicant, omit part B and C.)* Entire

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres _____

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Page _____ of _____

Transfer No. _____

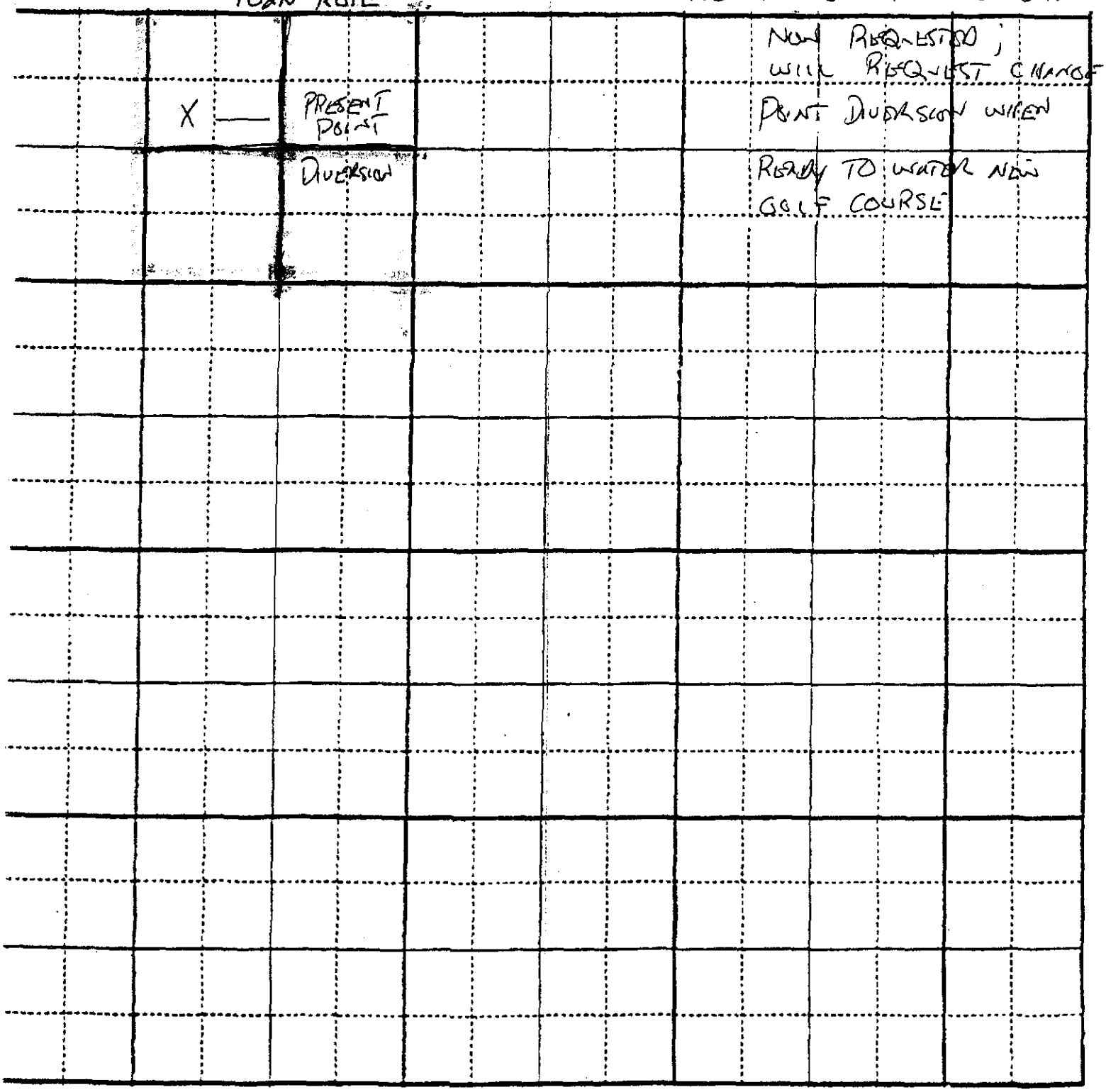
**STATE OF IDAHO**
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

A. **Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

NO CHANGE IN POINT DIVERSION




NOW REQUESTED; WILL REQUEST CHANGE POINT DIVERSION WHEN READY TO WATER NEW GOLF COURSE

Page _____ of _____ Transfer No. _____

## PART 3

**8. CHANGES IN NATURE OF USE**

| 1 New Nature of Use | Amount (cfs/ac-ft) | Hours/days/year | Period of Use |
|---|---|---|---|
| irrigation | 2.0 cfs | continuous | 3-15 to 11-15 |
| | | | to |

2. Quantity and quality of return flows and location of discharge:

Groundwater recharge from irrigated lands

3. Describe effects on other water uses resulting from the proposed change:

N.A.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

THOMSEN GOLF, INC.

By: K C Thomsen
Its President (Signature of Applicant)

Subscribed and sworn to before me this 8-22-00 day of Aug 19 2000

Lori Schooler
(Notary Public)

LORI R. SCHOOLER NOTARY PUBLIC STATE OF IDAHO

My commission expires 8-2003

## FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by LLS Date 9-5-00 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

**THOMSEN AND STEPHENS, P.A.**
**ATTORNEYS-AT-LAW**
**GENERAL ACCOUNT**
2635 CHANNING WAY PH. (208) 522-1230
IDAHO FALLS, ID 83404

**THE BANK OF COMMERCE**
IDAHO FALLS, ID 83403
92-41/1241

26002

08/31/2000

SEP - 5 2000

PAY TO THE ORDER OF Idaho Dept. of Water Resources $ **250.00

Two Hundred Fifty and 00/100********** DOLLARS

Idaho Dept. of Water Resources

MEMO

310.007 - Thomsen

⑈026002⑈ ⑆124100417⑆ 12 0205695 0⑈

THIS DOCUMENT CONTAINS A COLORED BACKGROUND ON WHITE PAPER. MICROPRINT IS LOCATED BELOW THIS WARNING BAND. TO VERIFY THE ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE

**THOMSEN AND STEPHENS, P.A. / ATTORNEYS-AT-LAW / GENERAL ACCOUNT** 26002

| | | | |
|---|---|---|---|
| Idaho Dept. of Water Resources | | 08/31/2000 | |
| Case Expense:Other hourly | Transfer of water right | | 250.00 |

SEP - 5 2000

| | | |
|---|---|---|
| General | 310.007 - Thomsen | 250.00 |

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 7, 1997

ROGER WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83643

RE: Water Right No. 63-11518

Dear Mr. and Mrs. Welsh:

I have enclosed a copy of the preliminary order amending water right license 63-11518 and a copy of the amended license document. The preliminary order is issued by the Department pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

## PETITION FOR RECONSIDERATION

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

## EXCEPTIONS AND BRIEFS

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

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

## ORAL ARGUMENT

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

## CERTIFICATE OF SERVICE

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

## FINAL ORDER

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

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

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

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

## APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

Respectfully,

Shelley Walter Keen

Shelley Walter Keen
Water Rights Supervisor

Enclosure

K:\NAMELTRS\WELSH.DOC

CERTIFICATE OF MAILING

I hereby certify that on the **6th** day of **May, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

**Water Right No. 63-11518**

ROGER L WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83634

Kari Lynn Townsend
Secretary

RJZ
RECEIVED
MAR 19 1997
Department of Water Resources

**COSHO, HUMPHREY, GREENER & WELSH, P.A.**

COUNSELORS AND ATTORNEYS AT LAW
CARNEGIE BUILDING
815 WEST WASHINGTON STREET
BOISE, IDAHO 83702

TELEPHONE (208) 344-7811
FACSIMILE (208) 338-3290

**STANLEY W. WELSH**

OFFICE ADMINISTRATOR
KRISTINE THOMSEN

ALFA®
AMERICAN LAW FIRM
ASSOCIATION

March 18, 1997

Phillip J. Rassier
Deputy Attorney General
Natural Resources Division
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Roger L. Welsh and Maureen N. Welsh
CHG&W File No. 12557-001

Dear Phil:

Thank you for your letter of March 6, 1997. I do appreciate the fact that you had someone review the matter in additional detail. On behalf of Roger and Maureen Welsh, I do request that the license be amended to change the place of use to 100 acres.

Very truly yours,

Dictated by Mr. Welsh and mailed without signature in his absence to avoid delay.

Stanley W. Welsh

SWW/ms
c: Roger Welsh

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

March 6, 1997

COPY

Stanley W. Welsh
COSHO, HUMPHREY, GREENER & WELSH, P.A.
815 West Washington Street
Boise, Idaho 83702

Re: License No. 63-11518 in the Name of Roger L. Welsh and Maureen N. Welsh

Dear Stan:

As we discussed in our telephone conversation of February 18, 1997, the time for appeal of the Department of Water Resources' order of December 12, 1996, designating the issuance of the above-referenced license as a final order expired on February 11, 1997.

I did, however, request the Department to review the license to determine whether the place of use properly should have been described as 100 acres rather than the 99 acres appearing on the license. After staff review of the aerial photography , I am informed that the Department is prepared to amend the license to change the place of use to 100 acres upon receipt of a written request.

Sincerely,

Phil Rassier

Phillip J. Rassier
Deputy Attorney General
Natural Resources Division

**Natural Resources Division - Water Resources Unit**
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400

**MEMORANDUM**

**To:** File 63-11518

**From:** L. Glen Saxton

**RE:** **CONTACTS RELATIVE TO THE LICENSE**

**Date:** March 21, 1997

This memo summarizes a number of contacts which were represented in the file by inter-office memos which normally are not kept as a part of a water right file:

- On January 15, 1997, attorney Stan Welsh called wanting to know the department's response to his petition. I advised that the department had received the petition and was reviewing it.

- On February 12, 1997, the right holder, Roger Welsh called and requested the status of the petition and about licensing 100 acres instead of 99 acres.

- On February 14, 1997, Phil Rassier talked with attorney Stan Welsh about whether the surface water shares could be transferred off the land and why the license was for 99 acres instead of 100 acres. Phil asked Welsh to provide information to the department about the nature of the irrigation district rights appurtenant to the land.

- On February 18, 1997, the department prepared an amended license showing 100 acres of land and a rate of diversion of 2.0 cfs.

RECEIVED
DEC 24 1996
Department of Water Resources

**STANLEY W. WELSH**
COSHO, HUMPHREY, GREENER & WELSH, P.A.
Counselors and Attorneys at Law
The Carnegie Building
815 West Washington Street
Boise, Idaho 83702
Telephone (208) 344-7811
Facsimile (208) 338-3290

Attorneys for Petitioners Roger L. Welsh and Maureen N. Welsh

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

| | | |
|---|---|---|
| IN THE MATTER OF WATER RIGHT LICENSE NO. 63-11518 IN THE NAME OF ROGER L. WELSH AND MAUREEN N. WELSH | ) | **PETITION FOR RECONSIDERATION** |

ROGER L. AND MAUREEN N. WELSH hereby petition the Department of Water Resources for a reconsideration of the Final Order entered with regards to the above-referenced matter.

Pursuant to IDAPA Rule 37.01.01740 (Rule of Procedure 740), the petitioners petition for a reconsideration of the order entered December 12, 1996, with regards to the issuance of the water right license. Petitioners request that the water right issued be modified so that the conditions are limited to the conditions set forth in the original permit.

DATED this 23rd day of December, 1996.

COSHO, HUMPHREY, GREENER & WELSH, P.A.

STANLEY W. WELSH
Attorneys for Petitioners

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY That on the 23rd day of December, 1996, a true and correct copy of the within and foregoing instrument was served upon:

L. Glen Saxton
Chief, Water Allocation Bureau
State of Idaho Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000
Fax: 208-327-7866

X by U. S. MAIL
_ by HAND DELIVERY
X by FACSIMILE
_ by OVERNIGHT MAIL

STANLEY W. WELSH

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 12, 1996

ROGER L. AND MAUREEN WELSH
3606 HUBBARD RD
KUNA ID 83634

**RE:** In the Matter of Water Right License No. 63-11518 in the name of Roger L. Welsh and Maureen N. Welsh

Dear Interested Party:

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

Section 67-5246 provides as follows:

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

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

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

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

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

(a) the petition for reconsideration is disposed of; or

(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

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

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

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

**PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4), Idaho Code.

**APPEAL OF FINAL ORDER TO DISTRICT COURT**

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

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

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one

(21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

Shelley Watter Keen

for L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:ph

Enclosure

c: Western Region
Stanley W. Welsh. Attorney

**CERTIFICATE OF MAILING**

I hereby certify that on the **12th** day of **December, 1996**, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER DESIGNATING A FINAL ORDER** to the person(s) listed below:

**ROGER L AND MAUREEN WELSH**
**3606 HUBBARD RD**
**KUNA ID 83634**

**WATER RIGHT NO. 63-11518**

Patti Harrell

Patti Harrell
Secretary

# MEMORANDUM

**DATE:** December 9, 1996

**TO:** Glen Saxton

**FROM:** Shelley W. Keen

**RE:** Request for Amendment of License 63-11518

---

We have received a request to amend License 63-11518, issued in September, to "eliminate the conditions which were not set forth in the original permit." I would like your guidance on how to proceed.

The "new" conditions are our standard conditions for groundwater rights supplemental to a surface water supply. The permit was issued in 1991 before the Basin 63 moratorium was put in place. At that time, the relationship of groundwater rights to surface water was less of a concern than it is now. However, the application clearly states that Boise-Kuna and New York Irrigation District water was being used to irrigate the place of use.

Cindy Hodges wrote in her field report that the place of use was irrigated only with groundwater in 1991, 1992, and 1994. It was not irrigated in 1993 and 1995. In 1996 it was being irrigated with surface water, and the well was not in use. We have no indication where the surface water went from 1991 through 1995.

The issue appears to be this:

- On the one hand the application appears to show an intent to develop a supplemental right, and the department is now very deliberate in requiring that supplemental groundwater development remain supplemental.

- On the other hand, the permit did not require the groundwater to be developed as a supplemental use, and it was apparently developed as a primary source.

Last January Norm drafted the following condition to be applied to licenses if the intent of the permit holder was to replace a surface water use with groundwater. It is intended to put the right holder on notice that future conjunctive management rules may require the resumption of surface water use. Perhaps this condition will work in this case.

> Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.

# COSHO, HUMPHREY, GREENER & WELSH, P.A.

COUNSELORS AND ATTORNEYS AT LAW
CARNEGIE BUILDING
815 WEST WASHINGTON STREET
BOISE, IDAHO 83702

OFFICE ADMINISTRATOR
KRISTINE THOMSEN

STANLEY W. WELSH

TELEPHONE
(208) 344-7811

FAX
(208) 338-3290

ALFA®
AMERICAN LAW FIRM
ASSOCIATION



RECEIVED
DEC 0 4 1996
Department of Water Resources


December 2, 1996

Ms. Shelly W. Keen
Water Rights Supervisor
State of Idaho
Department of Water Resourches
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Roger Welsh

Dear Ms. Keen:

This office represents Roger and Maureen Welsh.

I have enclosed herewith a copy of your letter dated September 16, 1996. Also enclosed herewith is a copy of the original permit. The license issued contained additional conditions beyond those set forth in the permit. We request that the license be re-issued and eliminate the conditions which were not set forth in the original permit.

Please give me a call if you have any questions regarding this matter.

Very truly yours,

Dictated by Mr. Welsh and mailed without signature in his absence to avoid delay.

Stanley W. Welsh

SWW/prc
Encl.


ACKNOWLEDGED
JAN 10 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 16, 1996

ROGER L WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83634

RE: WATER RIGHT NO. 63-11518

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a $100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 63-11518**

Priority: April 15, 1991 Maximum Diversion Rate: 1.98 CFS

This is to certify, that ROGER L WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83634 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1991; and has submitted Proof of Beneficial Use on June 29, 1993. An examination indicates that the works have a diversion capacity of 2.000 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 | 1.98 CFS | |

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 17, Township 02N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 39 | | 76 |
| | | 18 | NENE | 23 | | | | 23 |

Total number of acres irrigated: 99

## CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 445.5 af for the lands above.

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO. 63-11518**

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 14TH day of SEPTEMBER, 1976.

Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

# Permit To Appropriate Water

NO. 63-11518

JUL 5 199

Department of Water Resources
Western Regional Office

Proposed Priority: April 15, 1991 Maximum Diversion Rate: 2.00 CFS

This is to certify, that ROGER L. WELSH
RT. 3 3606 HUBBARD RD.
KUNA, ID 83634

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 | 2.00 CFS |

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 17, Township 02N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 02N | 01E | 17 | NWNW | 37 | SWNW | 38.5 | | 75.5 |
| | | 18 | NENE | 23 | NWNE | 1.5 | | 24.5 |

Total number of acres irrigated: 100

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1993.**
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. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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 20th day of June, 1991.

R. Keith Higginson, Director
for

# MEMORANDUM

**DATE:** October 25, 1996

**TO:** File 63-11518

**FROM:** Shelley W. Keen

**RE:** Phone call from Roger Welsh

---

Roger Welsh called this afternoon to discuss License 63-11518. He thinks that the license should show 24 acres in the NE¼NE¼, Section 18, T2N, R1E. Mr. Welsh is going to submit information from the ASCS to support his assertion. I reminded him that the information must show that the 24 acres were irrigated prior to 1993.

Mr. Welsh is also concerned by the conditions on his license making the right supplemental to surface water. He told me that when he got Permit 63-11518, which does not have conditions requiring the right to be developed as supplemental to surface water, he moved his surface water to other lands and developed 63-11518 as a primary right. Mr. Welsh is going to submit a letter asking the department to amend his license to recognize that it is a primary right.

MICROFILMED
NOV 0 7 1996

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 16, 1996

ROGER L WELSH
MAUREEN N WELSH
3606 HUBBARD RD
KUNA ID 83634

RE: WATER RIGHT NO. 63-11518

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a $100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 0 3 1996

# LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11518 DATE 9/3/96 REVIEWER: *SHARLA*

| | Change | OK | |
|---|---|---|---|
| NAME | ___ | ✓ | Address Change NO |
| SOURCE | ___ | ✓ | Is change clarification of originally intended source? ___ If not, prepare Notice of Intent to Void ___ |
| POINT OF DIV | ___ | ✓ | Amendment required NO |
| PLACE OF USE | ___ | ✓ | Amendment required NO |

Does map agree with written description? ✓ yes ___ no

OVERLAPS ___ P/D ___ P/U

RATE OF DIV

Permitted Rate 2.0 cfs

Fee limit 2.0 cfs $125.00

Measured ___ cfs

Theoretical 2.0 cfs

Pump curve info = 900 gpm

80X8.8X.7/86+(2.31X60)=2.19

Recommended Total Div Rate 1.98 cfs

| ANNUAL VOLUME/ NATURE OF USES | Change | OK | Use | Volume Calculation |
|---|---|---|---|---|
| | ___ | ✓ | Irr. | 99 X 4.5 = af |
| | | | | af |
| | | | | af |
| | | | | af |
| | | | SUBTOTAL | 445.5 af |

Flow rate 1.98 cfs X 246 days X 1.98 = 964.4 af

Total volume recommended 445.5 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS WBB

CONDITIONS ___ Watermaster Control WD# ___

___ GW Measurement/Measuring Device

R33 Overlap 065

___ Use-specific conditions

Advancement of Priority Date Required ___ yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo ~~WBB~~

1st Amend Letter N/A

2nd Amend Letter ___

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 13 1996
Department of Water Resources

## A. GENERAL INFORMATION

Permit No. 63-11518

1. Owner: Roger L. Welsh Phone No. 888 6955

Current Address: 3606 Hubbard Rd Kuna ID 83634

2. Accompanied by: NONE EXAM DATE: 10/28/93

Address: Phone No.

Relationship to Permit Holder:

3. Source: groundwater tributary to

## B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-2388 (Boise Kuna I.D.)

2. Other water rights with the same point of diversion: None

## C. DIVERSION AND DELIVERY SYSTEM

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

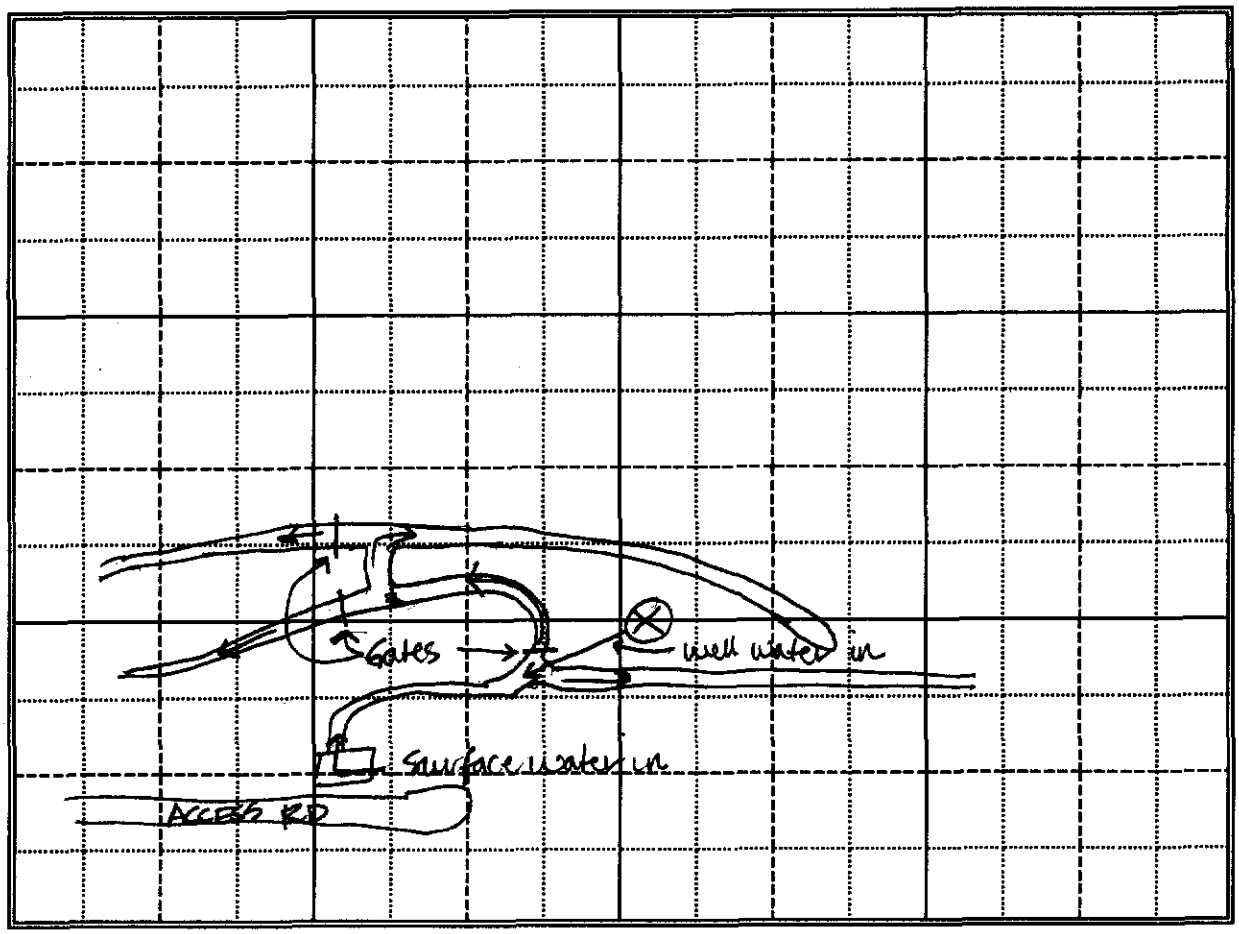
| Ident No. | Gov't Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|---|---|---|---|---|---|---|---|---|---|
| | | | SW | NW | 17 | 2N | 1E | Ada | Site visit, Map |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

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

| TWP | RGE | SEC | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 2N | 1E | 17 | | | | | | 37 | 39 | | | | | | | | | | 76 |
| 2N | 1E | 18 | | | | 23 | | | | | | | | | | | | | 23 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | 99 |

OCT 03 1996

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




Scale: 1" = NTS

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

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

__ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| | Hollowshaft | 80 | Q1479-00-G605 | | 8" |
| | Gear Drive | | | | |
| | w/Diesel engine | | | | |

*Code to correspond with No. on map and aerial photo 6D

**D. FLOW MEASUREMENTS**

1.

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

2. **Measurements:** Theoretical & Pump curve (see below)*
Drive ratio 4:3 Driver rpm=2347 pump rpm=1760

OCT [illegible]

PL = 70-75'
SL = 65'
Bowls @ 86' (per owner)
Large pump installed

**E. NARRATIVE/REMARKS/COMMENTS**

12" well with 80 HP gear drive supplies supplemental irrigation flows to 99 acres. At time of exam system was not operational. ~~So~~ Acreage had not been farmed in 1993 but had been farmed in 1992. Stubble remaining - cultivation evident. Delivery verified by locating and walking delivery ditches. Road crossing in NWNW S17 provides flows to Sec. 18.

Well is open discharge to same delivery ditches as from surface water. No overlaps except w/ I.D. water.

* Layne pump sent pump curve & supplied following data: 81' TDH, 23 brake horsepower, 3 stage, no trim figure. Pump rated design capacity = 900 gpm.
System is obviously oversized (engine 60HP, gear drive 80HP) and engine must be operated throttled down. According to pump curve, at 27' head per stage, a pump operating at about 82% efficiency would deliver 900 gpm. This appears to be a reasonable expectation.

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

OCT 0 8 1996

**F. FLOW CALCULATIONS** \ Additional Computation Sheets Attached

Measured Method: 900 gpm or 2.00 cfs from pump curve.

Check: $\frac{25 HP * 8.8 * .7}{81} = 1.90$ cfs

(actual horsepower estimated. BHP = 23)

allow 1.98 cfs

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 99 x 4.5 = 445.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.98 x 246 x 1.9835 = 966

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 445.5

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 | 1.98 | 445.5 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | Totals: | 1.98 cfs | 445.5 |

**2. Recommended Amendments**

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

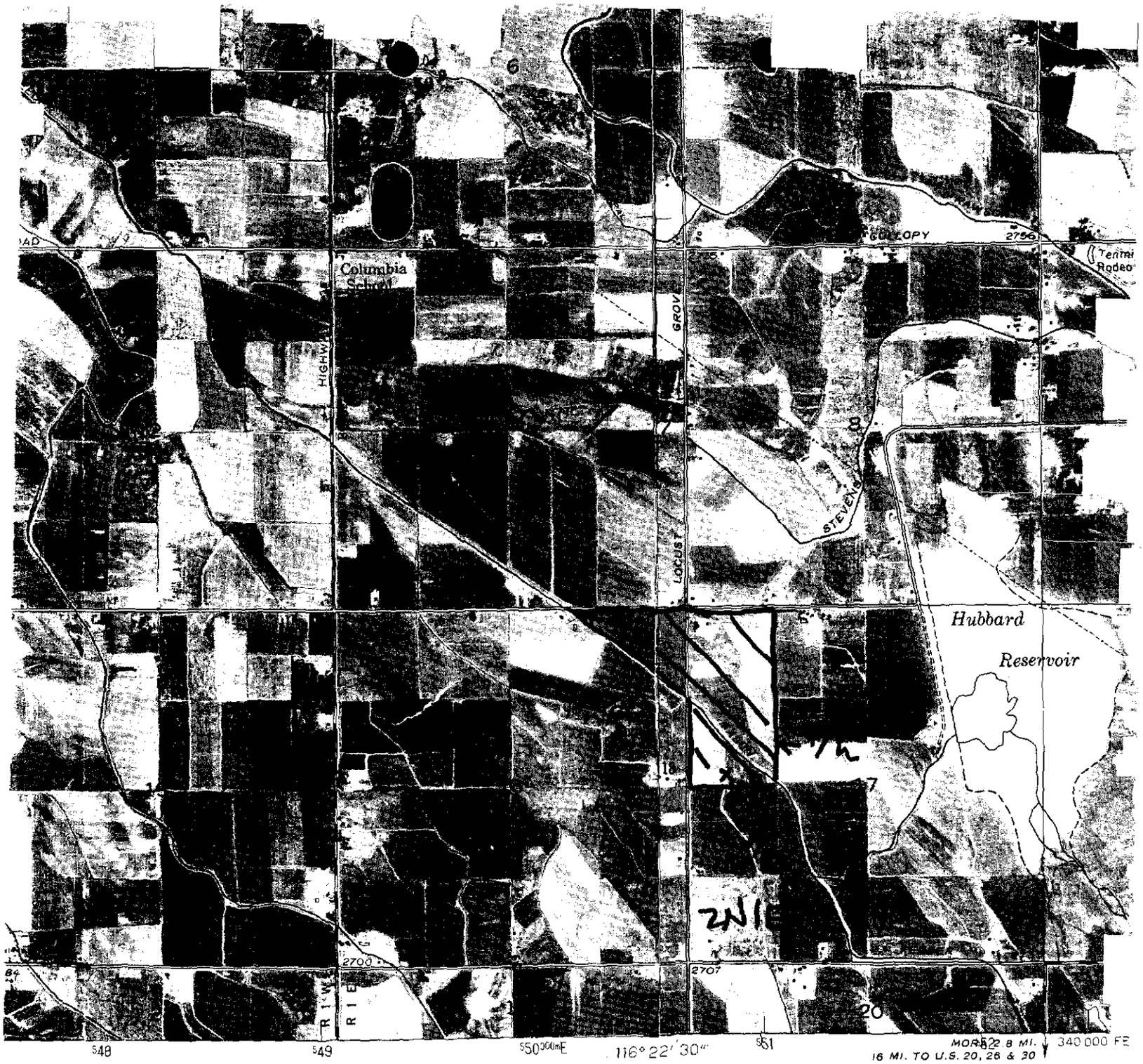
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

**I. AUTHENTICATION**

Field Examiner's Name Cindy J Hodges Date 8.8.96

Reviewer _____ Date _____

SEAL




Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone
(Transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 15 meters north and 77 meters east as shown by dashed corner ticks

Revisions shown in purple compiled from aerial photographs taken 1976 and other source data. This information not field checked. Map edited 1979

Photoimagery rectified by optical scanning
Where double or mismatched image occur use the mean of image position for map point
Purple line indicates extension of urban areas

Land lines from Cloverdale, Idaho
1:24,000-scale topographic map dated 1979
There may be discrepancies between positions on land lines and photoimagery

63-11518

IDAHO

MERIDIAN, IDAHO

238(4)-1
5/93

# IDAHO DEPARTMENT OF WATER RESOURCES

## WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-91-W-123-000, OTHER APPLICABLE NO: 63-11518 -001 (Modification)

2. OWNER: Welsh, Roger Phone: 888 6955
Address: 3606 Hubbard Rd Kuna 83634

3. WELL LOCATION: Twp 2N, Rge. 1E, Sec. 17, SW 1/4 NW 1/4
County _____ (Provide sketch map and photo on reverse.)

4. DRILLER: DOTY Lic. No. 42
When Drilled? 5/17/91

5. WELL CONSTRUCTION: *remarks
Casing Diameter 12 inches Water tight cap? [ ] Yes [N] No Access Port: [ ] Yes [N] No
Casing ≥ 12 inches above ground? [N] Yes [ ] No - Describe _____
Depth of Casing 93 ft. Method Drilled Rotary
Condition of Well Casing: [N] Good [ ] Fair [ ] Poor Describe _____
Control Valve? [ ] Yes [N] No Pressure Gauge: [ ] Yes [N] No
Condition of Piping and Valving OK
Auger to a depth of _____ ft. Evidence of Annular Seal [ ] Yes [ ] No
Are there obvious constuction problems that may be a source for contamination or waste of water?
[N] Yes [ ] No (Describe in Remarks and Attach Photo - On Reverse)
*

6. HYDROLOGIC INFORMATION:
Depth to Static Water 65 ft. Water Temperature COLD °F
Flowing Artesian [ ] Yes [N] No Pressure: _____ (psi)
Water Sample Taken? [ ] Yes [N] No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

| | | |
|---|---|---|
| [ ] Domestic | [N] Irrigation | [ ] Stock |
| [ ] Test | [ ] Municipal | [ ] Industrial |
| [ ] Abandoned | [ ] Waste Disposal/Injection | [ ] Not Used |

[ ] Other: _____

OCT 0 3 2

**MEMORANDUM**

August 12, 1996

TO: 63-11518

FROM: Cindy Hodges

*RE: File Information*

I conducted this exam in 1993 and had not yet completed the recommendation because I was waiting to receive a pump curve or other information from the owner. This summer, I was contacted by two different parties regarding the purchase of this right. As a result of the ensuing conversations with those parties and with Mr. Welsh, I have some additional information regarding the use of this right in combination with the appurtenant surface water rights.

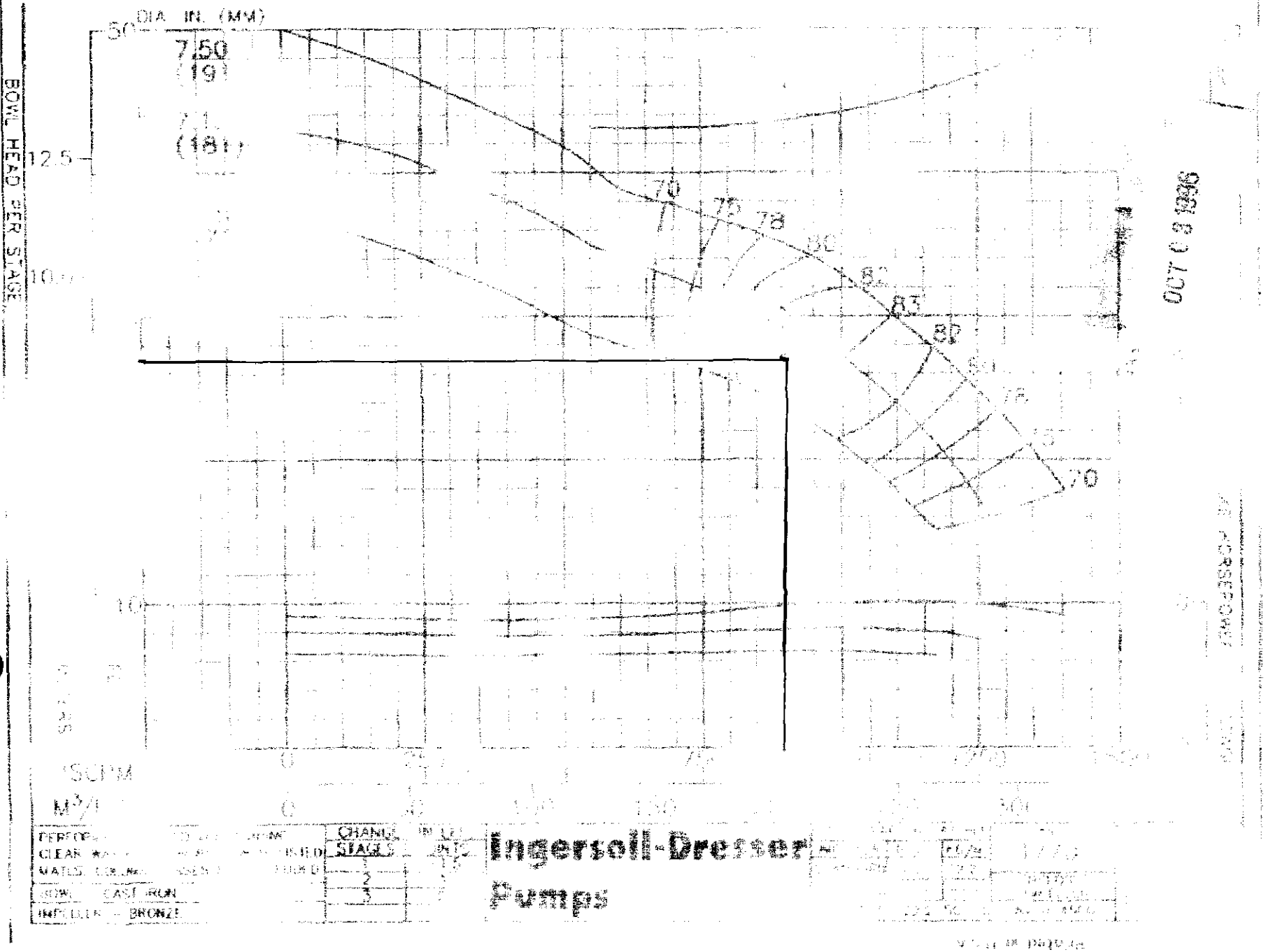
When I was contacted by the interested purchasing parties, they indicated that Mr. Welsh was considering the sale of the right separate from the land. I advised both parties that it was my understanding that the ground water right had been developed as supplemental to surface water diversions, and therefore might not be able to be removed as a primary irrigation right.

Mr. Welsh contacted me later and offered the following details regarding development of the right:

Well was drilled in 1991 and used for irrigation in 1991, 1992 and 1994. However, surface water was *not* used for those years because the appurtenant shares were moved to other lands within the District. No irrigation occurred from any source on these lands in 1993 or 1995; I do not know the disposition of the surface shares for those years. For 1996, surface shares have been moved back to these acres and the well is not in use.

Since the above permit was awarded in 1991, without the prohibitive conditioning found on the 1992 and later permits, the transfer of surface water shares off the land in question does not necessarily invalidate the permit. However, does it substantiate the development of ground water as a primary irrigation source, enabling the right to be sold for that purpose?

The above information should not delay or modify licensing of this right, but it could become important if the sale of the right becomes imminent. Because the intent of the application was to provide supplemental water, I have recommended this right as a supplemental right. In the event the right is proposed for transfer, the right holder should be obligated to provide the evidence that the right was developed in the manner described.


DIA. IN. (MM)
7.50
(19)
(181)
BOWL HEAD PER STAGE
Back of Sheet 520.28
50
12.5
10
70
72
78
80
82
83
80
76
70
10
GPM
M³/H
0
30
60
90
120
150
180
CHANGE IN LENGTH
STAGES
2
3
BOWL CAST IRON
IMPELLER BRONZE
Ingersoll-Dresser
Pumps

Layne of IDAHO, INC.

P.O. Box 1005 Nampa, Idaho 83651 208-466-7376

FAX 208 466 5078

FAX COVER SHEET

DATE: 7-16-96

TO: Cindy

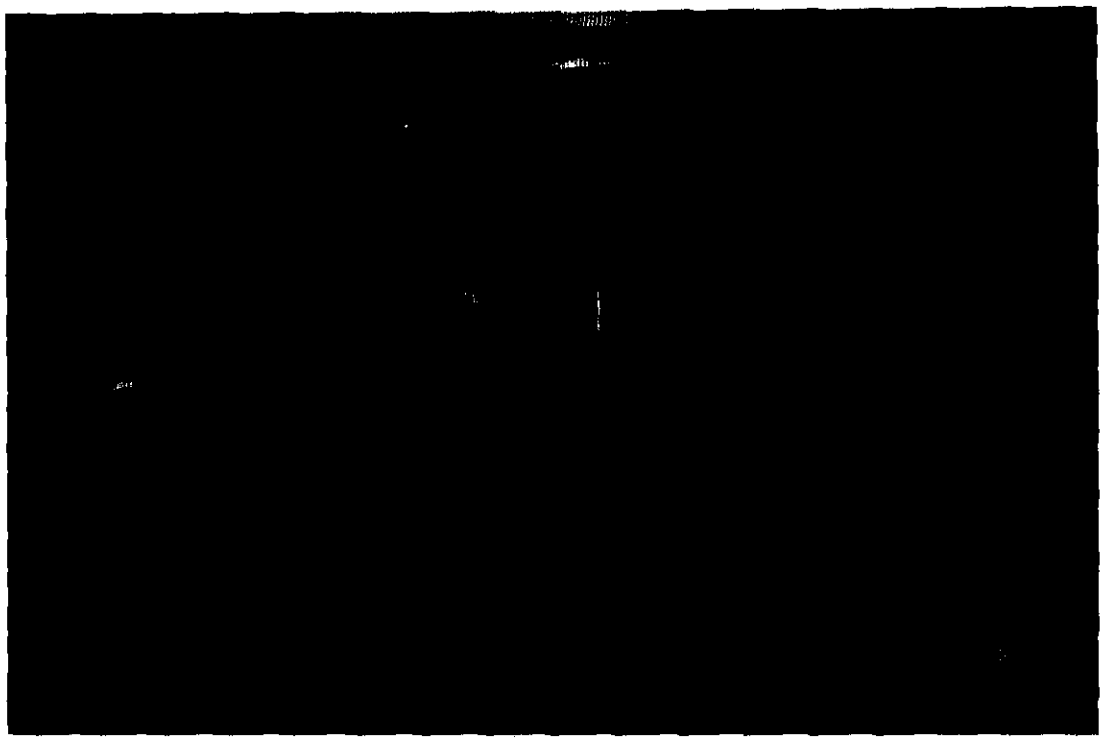
NO. PAGES: 2

FROM: Maryellen

RE: Pump Curve for Roger Welsh

OCT 03 1996

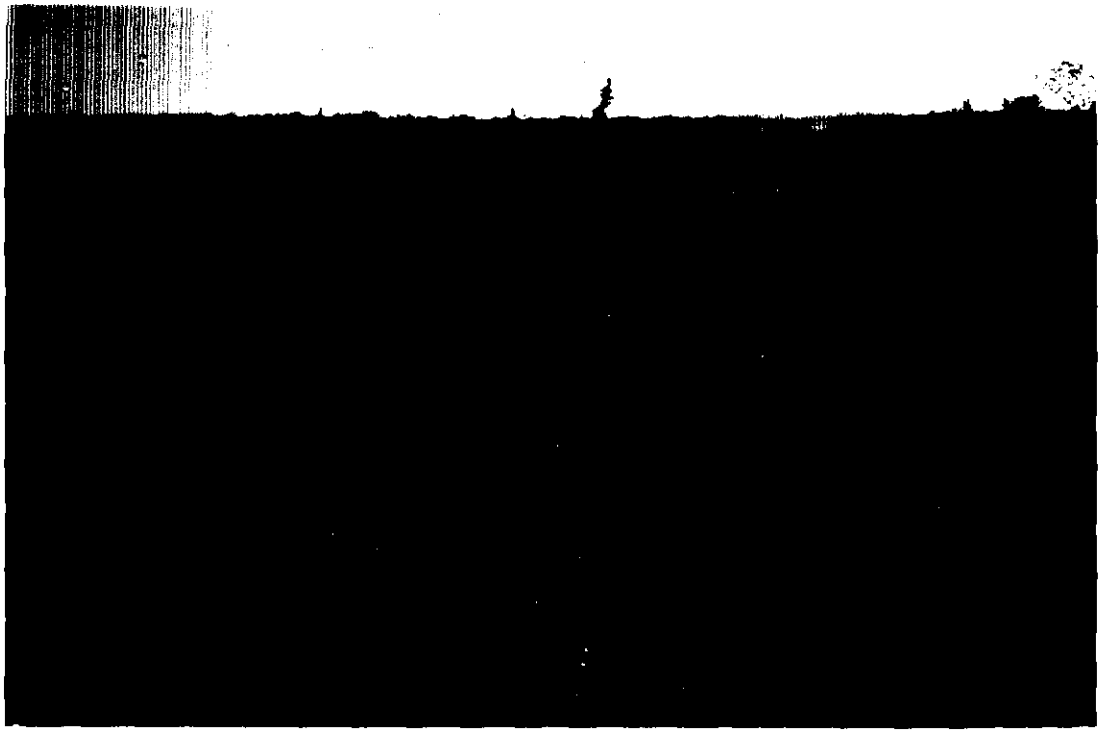
63-11518



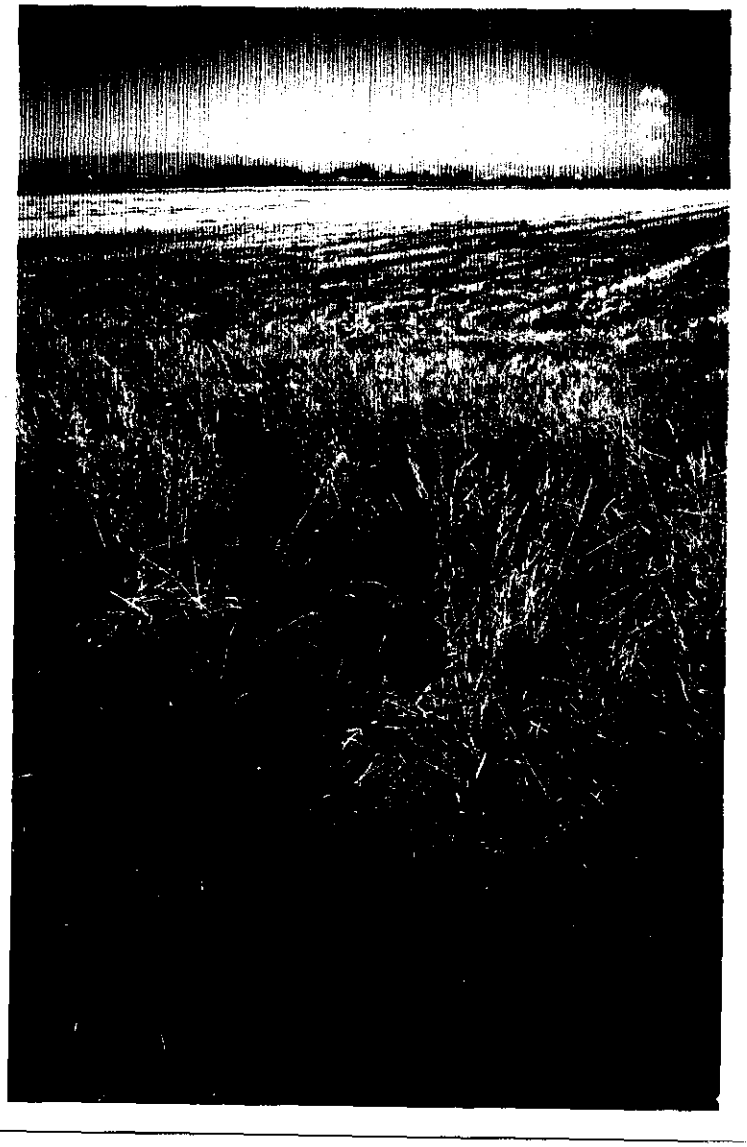
P/D & discharge

Surface water diversion & P/U in SWNW S17

63-11518



P/u in NWNW S17 looking to SE



Highway crossing and P/u in NENE S18

OCT 0 8

July 2, 1993

ROGER L WELSH
MAUREEN N WELSH
RT 3
3606 HUBBARD RD
KUNA ID 83634

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11518

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.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

JUL 08 1993

**ANALYSIS SHEET**
**FOR**
**PROOF OF BENEFICIAL USE**

Permit No. 63-11518 Reviewed by Klg Date 7/1/93

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 -100

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-D3
200 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs a flow

DATA ENTRY
New Address

Proof Made 6/29/93
7/2/93 Klg

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

April 23, 1993

ROGER L WELSH
MAUREEN N WELSH
RT 3 3606 HUBBARD RD
KUNA ID 83624

and

NORTHWEST FARM CREDIT SERVICES, ACA
411 BLAINE ST
CALDWELL ID 83605

Re: Permit No. 63-11518

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Water Resource Agent

JUL 08 1993

April 30, 1993

NORTHWEST FARM CREDIT SERVICES ACA
411 BLAINE ST
PO BOX 730
CALDWELL ID 836060730

PROOF DUE NOTICE

RE: PERMIT NO. 63-11518

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

CERTIFIED MAIL
NO. 140138

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED
JUL 08 1993

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** AMMENDMENT TO ORIGINAL

Name ROGER WELSH

Address 3606 HUBBARD RD. KUNA, ID 83634

Drilling Permit No. 63-91-W-123

Water Right Permit No. 63-11518

**2. NATURE OF WORK**

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

**3. PROPOSED USE**

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

**4. METHOD DRILLED**

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

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| .250 inches | 12 inches | + 2 feet | 93 feet |
| inches | inches | feet | feet |
| inches | inches | feet | feet |

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

| Number | From | To |
|---|---|---|
| perforations | feet | feet |
| perforations | feet | feet |
| perforations | feet | feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 93' Material used in seal: ☒ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

**7. WATER LEVEL**

Static water level 65 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
*Describe artesian or temperature zones below.*

**8. WELL TEST DATA**

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| X | NO TEST/NO RETURN THROUGH CRACKS IN ROCK | |

**9. LITHOLOGIC LOG**

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 16 | 0 | 4 | TOP SOIL | | X |
| 16 | 4 | 8 | CLAY | | X |
| 16 | 8 | 36 | BASALT | | X |
| 16 | 36 | 43 | RED CINDER | | X |
| 16 | 43 | 71 | BASALT | | X |
| 16 | 71 | 74 | RED CINDER NO RETURN | | |
| 16 | 74 | 85 | HARD BASALT W/CRACKS | X | |
| 16 | 85 | 89 | CLAY | X | |
| 16 | 89 | 93 | BROKEN BASALT | X | |
| 12 | 93 | 100 | CEMENTED GRAVEL | X | |
| CHANGES: | | ** | CASING, BORE DIAM., SURFACE SEAL DEPTH. | | |

RECEIVED
JUL 10 1992
Department of Water Resources

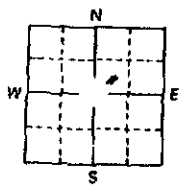
JUL 23 1992
Department of Water Resources
Western Regional Office

**10.**

Work started 5-27-92 finished 6-12-92

**LOCATION OF WELL**

Sketch map location must agree with written location.




Subdivision Name _____

Lot No. _____ Block No. _____

JUL 8 1993

County ADA

SW ¼ NE ¼ Sec. 17, T. 2 N (N ☒ S ☐) R. 1 E (E ☒ W ☐)

**11. DRILLER'S CERTIFICATION**

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

Firm Name BILL DOTY DRILLING CO., INC. Firm No. 42
Address 106 CALLOWAY CALDWELL, ID 83605 Date 7-7-92
Signed by Drilling Supervisor _____
and
(Operator) _____
*(If different than the Drilling Supervisor)*

USE ADDITIONAL SHEETS IF NECESSARY

Form 238-7
11/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# 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.**

USE TYPEWRITER OR BALLPOINT PEN

**1. WELL OWNER**

Name ROGER WELSH

Address 3606 HUBBARD RD. KUNA, ID 83634

Drilling Permit No. 63-91-W-123-400

Water Right Permit No. 63-11518

**2. NATURE OF WORK**

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

**3. PROPOSED USE**

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

**4. METHOD DRILLED**

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

**5. WELL CONSTRUCTION**

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| .250 inches | 12 inches | + 2 feet | 93 feet |
| inches | inches | feet | feet |
| inches | inches | feet | feet |

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

| Number | From | To |
|---|---|---|
| perforations | feet | feet |
| perforations | feet | feet |
| perforations | feet | feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

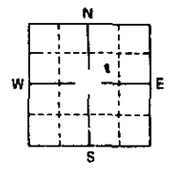
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 93 Material used in seal: ☒ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

**6. LOCATION OF WELL**

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




Subdivision Name _____

Lot No. _____ Block No. _____

County ADA

SW ¼ NE ¼ Sec. 17, T. 2 N (N ☒ S ☐) R. 1 E (E ☒ W ☐)

**7. WATER LEVEL**

Static water level 65 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
*Describe artesian or temperature zones below.*

**8. WELL TEST DATA**

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| X | NO TEST/NO RETURN THROUGH CRACKS IN ROCK | |

**9. LITHOLOGIC LOG**

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 16 | 0 | 4 | TOP SOIL | | X |
| 16 | 4 | 8 | CLAY | | X |
| 16 | 8 | 36 | BASALT | | X |
| 16 | 36 | 43 | RED CINDER | | X |
| 16 | 43 | 71 | BASALT | | X |
| 16 | 71 | 74 | RED CINDER NO RETURN | - | - |
| 16 | 74 | 85 | HARD BASALT WITH CRACKS | X | |
| 16 | 85 | 89 | CLAY | X | |
| 16 | 89 | 93 | BROKEN BASALT | X | |
| 12 | 93 | 100 | CEMENTED GRAVEL | X | |

RECEIVED
AUG 12 1992
Department of Water Resources
Western Regional Office

RECEIVED
OCT 07 1992
Department of Water Resources

**10.**

Work started 5-27-92 finished 6-1-92

**11. DRILLER'S CERTIFICATION**

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

Firm Name BILL DOTY DRILLING CO., INC. Firm No. 42
Address 106 CALLOWAY CALDWELL, ID 83605 Date 7-29-92
Signed by Drilling Supervisor _____
and
(Operator) _____
*(If different than the Drilling Supervisor)*

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

Drilling Permit No. 63-91-W-123

Water Right No. 63-11518

## REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Roger Welsh, Applicant, requests issuance of Drilling Permit prior to approval of a water right. The request is made for the following reason(s):

well driller's schedule

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

4/15/91
Date

x Roger Welsh
Applicant's Signature

Applicant's Title

APPROVED

JUL 08 1993

Form 235-1

7/90

Drilling Permit No. 63-91-W-123

Water Right Permit No. 63-11518 (pending)

Injection Permit No. _____

State of Idaho
Department of Water Resources

# APPLICATION FOR DRILLING PERMIT

RECEIVED
APR 16 1991
Department of Water Resources

1. **Applicant (please print)** ROGER L. WELSH

2. **Mailing Address** RT 3, 3606 HUBBARD RD
KUNA, ID 83634 Telephone 888-6955

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

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

Sec. 17, Twp. 2N, Rge. 1E, County ADA

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. Irrig 2.00 cfs

( ) 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 12" Proposed Maximum Depth 150'

C. Anticipated bottom hole temperature:

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

6. Construction Start Date About 5/1/91

7. Anticipated Well Driller Adamson
NOTE: The actual well driller must be identified prior to drilling.

JUL 08 1991

8. Applicant's signature Roger L Welsh Date 4/15/91

Title _____
(Owner, Firm Representative, Other)

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 4/15/91.

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 and Regulations.

SPECIFIC CONDITIONS:

10. Water cannot be diverted from this well until Permit No. 63-11518 is approved.

David R. Tuthill Jr.
Signature of Authorized Department Representative

Manager, Western Region
Title

Receipt No. W013211 Receipted by R Fee $200 Date 4/15/91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

Form 238-7
6/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# 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.**

USE TYPEWRITER OR BALLPOINT PEN

## 1. WELL OWNER

Name ROGER WELSH

Address 3606 HUBBARD RD. KUNA,ID.

Owner's Permit No. 63-91-W-123

## 2. NATURE OF WORK W.R. [illegible] 1518

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

## 3. PROPOSED USE

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

## 4. METHOD DRILLED

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

## 5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

| Thickness | Diameter | From | To |
|---|---|---|---|
| .250 inches | 12 inches + | 2 feet | 9 feet |
| inches | inches | feet | feet |
| inches | inches | feet | feet |
| inches | inches | feet | feet |

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

| Number | From | To |
|---|---|---|
| perforations | feet | feet |
| perforations | feet | feet |
| perforations | feet | feet |

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from ____ feet to ____ feet
Surface seal depth 8 Material used in seal: ☒ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____
*see waiver
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

## 6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____

Lot No. _____ Block No. _____

County ADA

SW ¼ NE ¼ Sec. 17, T. 2N N ☐ S ☐ R. 1E E ☐ W ☐

## 7. WATER LEVEL

Static water level 65 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
*Describe artesian or temperature zones below.*

## 8. WELL TEST DATA

X ☒ Pump ☐ Bailer ☒ Air ☐ Other _____

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|---|---|---|
| X NO TEST/NO RETURN THROUGH CRACKS IN ROCKS | | |

## 9. LITHOLOGIC LOG

| Bore Diam. | Depth From | Depth To | Material | Water Yes | Water No |
|---|---|---|---|---|---|
| 16 | 0 | 4 | TOP SOIL | | X |
| 16 | 4 | 8 | CLAY | | X |
| 12 | *see surface seal waiver per DWR Mark Slifka | | | | |
| 12 | 8 | 36 | BASALT | | X |
| 12 | 36 | 43 | RED CINDER | | X |
| 12 | 43 | 71 | BASALT | | X |
| 12 | 71 | 74 | RED CINDER NO RETURN | | |
| 12 | 74 | 85 | HARD BASALT W/ CRACKS | X | |
| 12 | 85 | 89 | CLAY | X | |
| 12 | 89 | 93 | BROKEN BASALT | X | |
| 12 | 93 | 100 | CEMENTED GRAVEL | X | |

RECEIVED MAY 13 1991 Department of Water Resources

RECEIVED MAY 14 1991 Department of Water Resources Western Regional Office

## 10.

Work started 5-4-91 finished 5-7-91

## 11. DRILLERS CERTIFICATION

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

Firm Name BILL DOTY DRILLING CO., INC. Firm No. 42
Address 106 CALLOWAY CALDWELL, ID. 83605 Date 5-9-91
Signed by (Firm Official) [signature]
and
(Operator) [signature]

RECEIVED DEC 04 1991

RECEIVED JUL 08 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

June 24, 1992

NORTHWEST FARM CREDIT SERVICES, ACA
411 BLAINE ST
CALDWELL ID 83605

Re: Permit No. 63-11518

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

JUN 25 1992

**Farm Credit Services**

411 Blaine Street
P.O. Box 730
Caldwell, Idaho 83606-0730
208/459-0871 208/454-9201
FAX 208/459-4858

RECEIVED
JUN 1 1992
Department of Water Resources

May 28, 1992

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Roger L. Welsh Loan No. 30539-441

Dear Sir:

We have enclosed our Assignment of Permit for Permit No G3-11518 issued to Roger L. Welsh and Maureen N. Welsh.

Mr. and Mrs. Welsh have pledged this security for the above mentioned loan.

Please send copies of all notices and correspondence to Northwest Farm Credit Services, ACA. P. O. Box 730, Caldwell, Idaho 83606-0730.

Thank you for your cooperation in this matter.

Sincerely,

NORTHWEST FARM CREDIT SERVICES, ACA

Marlene D. Colley

Marlene D. Colley
Operations Assistant

JUN 25 1992

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 27, 1991

ROGER L. WELSH
RT. 3 3606 HUBBARD RD.
KUNA, ID 83634

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11518

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water.

MICROFILMED
JUL 15 1991

Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED
JUL 16 1991

**APPLICATION FOR PERMIT REVIEW**

Application #: 63-11518 Reviewer: Pam Skaggs PS
Date: 6-17-91

✓Existing:
✓No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
✓Groundwater:
✓GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.2 cfs - N/A
✓Drilling Permit:
Approved w/permit - P99
✓Not included - 046-P23 (All GW, even existing wells)
✓Location:
✓Water Districts - WD No. 63
Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)
✓Groundwater Existing - 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(Cons.), 041(DCMI, w/Irr or Irr & Dom)
Non Trust - 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 or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)
Ownership:
Non land owner - 004
Protested:
Agreement - 020

MICROFILMED
JUL 15 1991

✓Beneficial Use Due Date: - 07-01-1993
Other Conditions Recommended _____

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: lm DATE: 4/16/91 APPLICATION: 63-11518

REQUIRED INFORMATION

✓ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
✓ Address:
✓ Source: (See USGS Quad for names of water sources)
✓ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
✓ County:
✓ Quantity: (flow and/or volume)
✓ Period of use:
✓ Nature of proposed use: (Include description of use)
✓ Description of diverting works:
✓ Time required for beneficial use of water:
✓ Place of use or acres irrigated:
✓ Map:
✓ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
✓ Fee:
✓ Yes ____ No* In form to receipt:

Gov't. Lots:
✓ P/D
✓ P/U

ADDITIONAL INFORMATION

| YES | NO | |
|---|---|---|
| | ✓ | Overlapping place of use: (Describe source & relationship to present application on the back.) |
| | ✓ | Overlapping point of diversion: |
| | | Field check required: Field check by: _____ |
| | | Field report attached: |
| | ✓ | Critical groundwater area: |
| | ✓ | Groundwater management area: |
| | ✓ | Diversion within interim protected river area |
| | ✓ | Send dam safety information: |
| | ✓ | Send power requirement letter: |
| | ✓ | Send fish farm requirement letter: |
| | ✓ | Power residency affidavit: |
| | ✓ | Power efficiency form: |
| | ✓ | Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.) |
| | ✓ | Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.) |
| | ✓ | *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT |

DATE REQUESTED: _____

| | | |
|---|---|---|
| | ✓ | Additional information on reverse side: |

RECEIVED
MAY 29 1991
Department of Water Resources

PROCESSING

APPLICATION NO. 63-11518

| YES | NO | |
|---|---|---|
| ✓ | | In form for advertising: |
| | ✓ | Statewide advertising: |
| ✓ | | Fee amount, receipt number and date recorded on application: |

SEND COPIES TO

| YES | NO | | YES | NO | |
|---|---|---|---|---|---|
| | ✓ | I.D. Health and Welfare | | ✓ | U.S. BLM |
| | ✓ | I.D. Fish and Game | | ✓ | U.S. Forest Svc. |
| | ✓ | I.D. Lands | | ✓ | Water Dist. # |
| | ✓ | Adjudication Bureau | | ✓ | Other |

FINAL REGIONAL PROCESSING REVIEW

| YES | NO | |
|---|---|---|
| ✓ | | Affidavit of publication received: |
| ✓ | | Application published correctly: If not, record action taken. |
| ✓ | | Publication dates and paper recorded on application: |
| | ✓ | Protests received. Final date for protest May 20, 1991 |
| | ✓ | Protest dates, resolution of protest recorded on application: |
| | ✓ | Recommendations attached: Approve, DRT |
| | ✓ | Measuring device required: |
| | ✓ | Measuring port required: |
| | ✓ | Water delivered by water master? District # |
| ✓ | | Special conditions of approval or cover letter: |

26A (Allow 2 yrs) Drilling permit issued

| | | |
|---|---|---|
| | ✓ | See below for additional information |

Recommended Date or Priority 4/15/91

Recommended by: DRT Date 5/22/91

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

63-11518

WELSH, ROGER L.
RT. 3 3606 HUBBARD RD.
KUNA, ID 83634

Source: GROUNDWATER

Diversion Pt: SWNW Sec 17 T 02N R 01E

Use: IRRIGATION ( 2.000 CFS)
Total Diversion: ( 2.000 CFS)

Date Filed: 4/15/ 1991

| | | | |
|---|---|---|---|
| In: | T02N R01E S17 | NWNW | SWNW |
| | S18 | NENE | NWNE |

100.0 ACRES TOTAL

JUL 15 1991