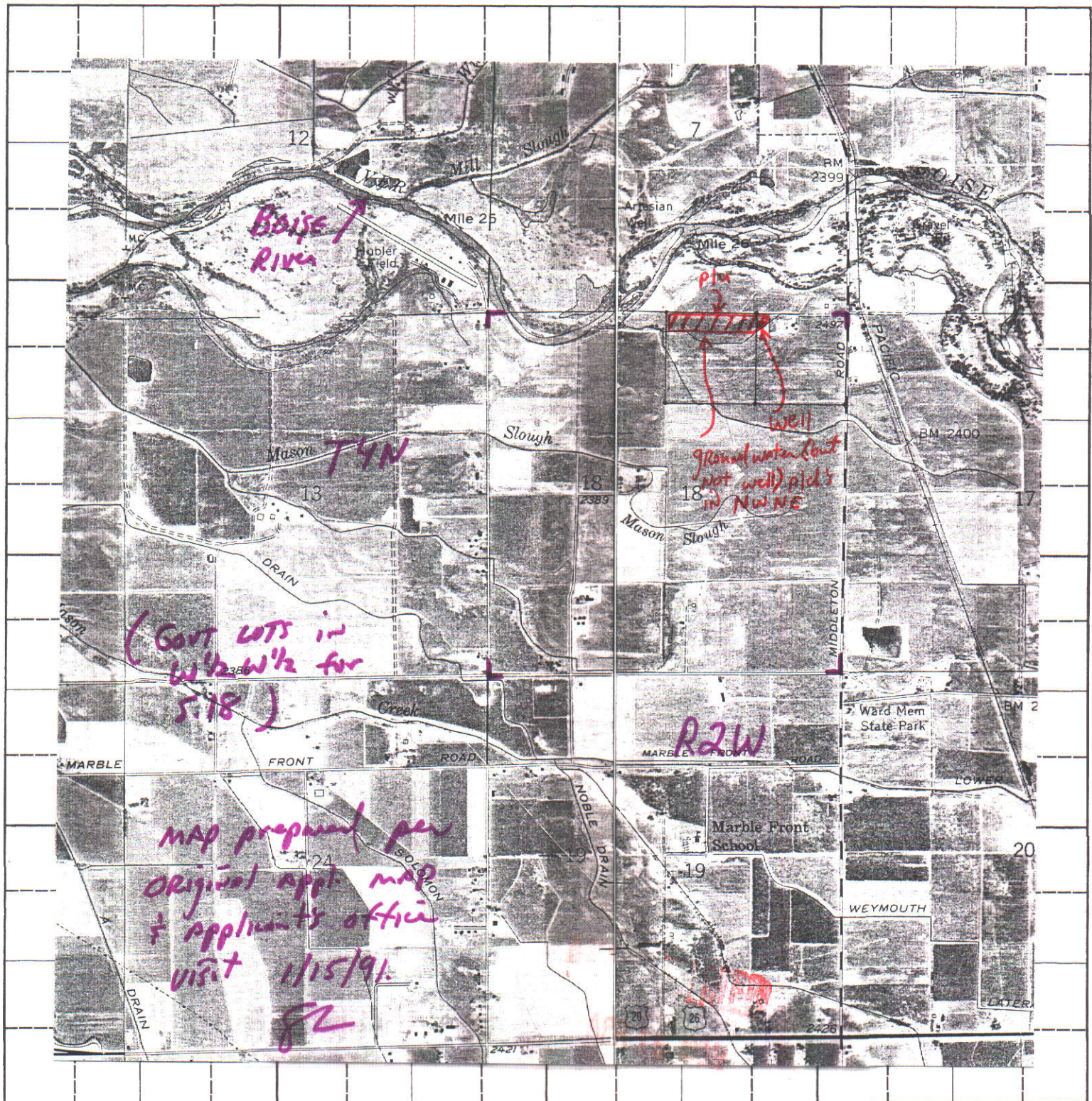


1. *Journal of the American Medical Association*, 1997; 277: 1033-1036.

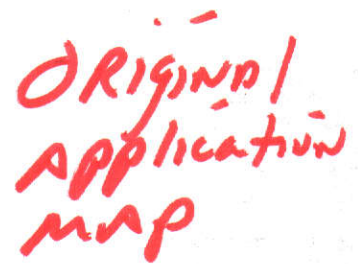


Scale: 2 inches equal 1 mile.

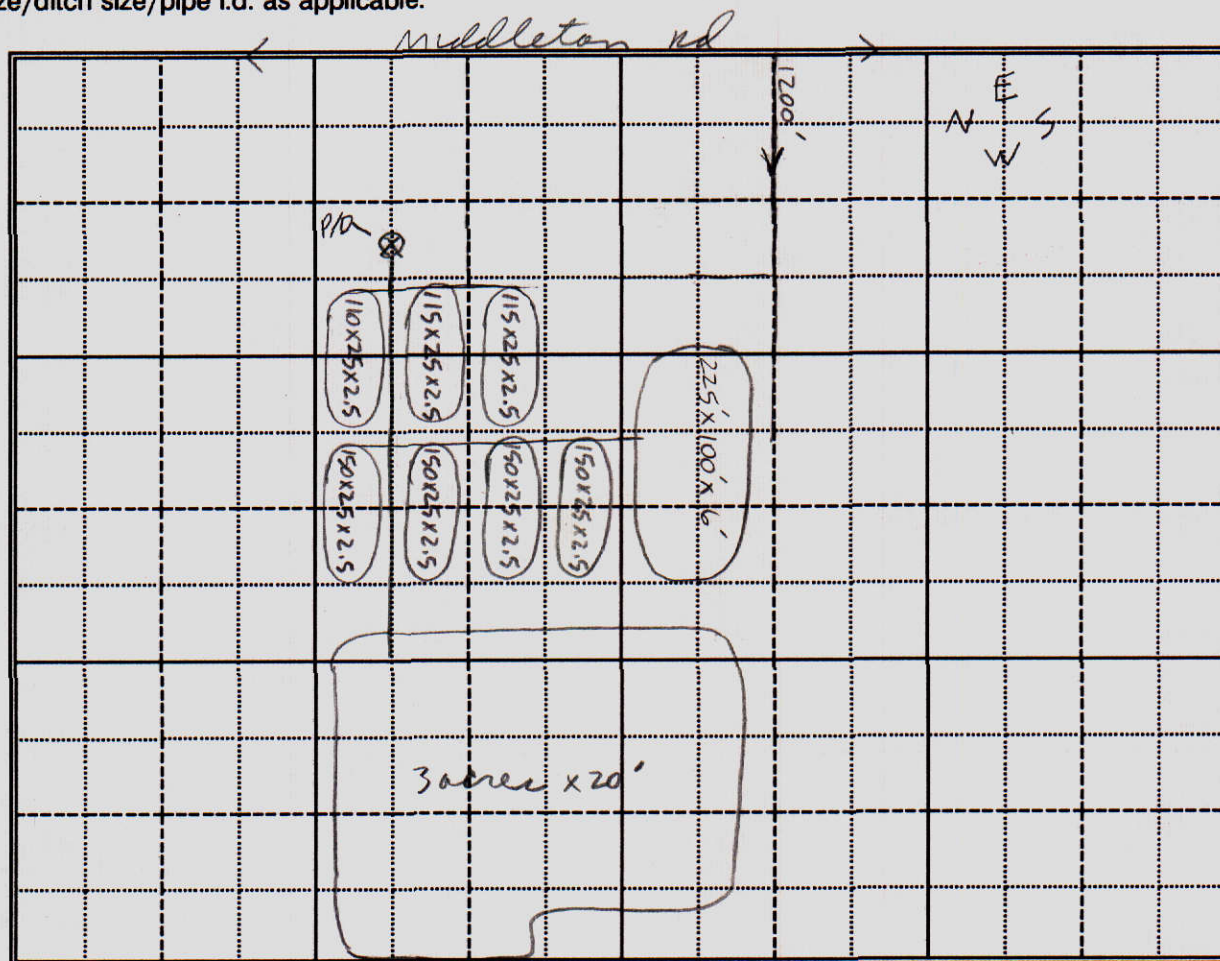
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Application for permit to appropriate the public

Jeannette Thoit
(Applicant)



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



Scale: 1" = _____

☒ Copy of USGS Quadrangle 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
arterian well					

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

D. FLOW MEASUREMENTS

1.

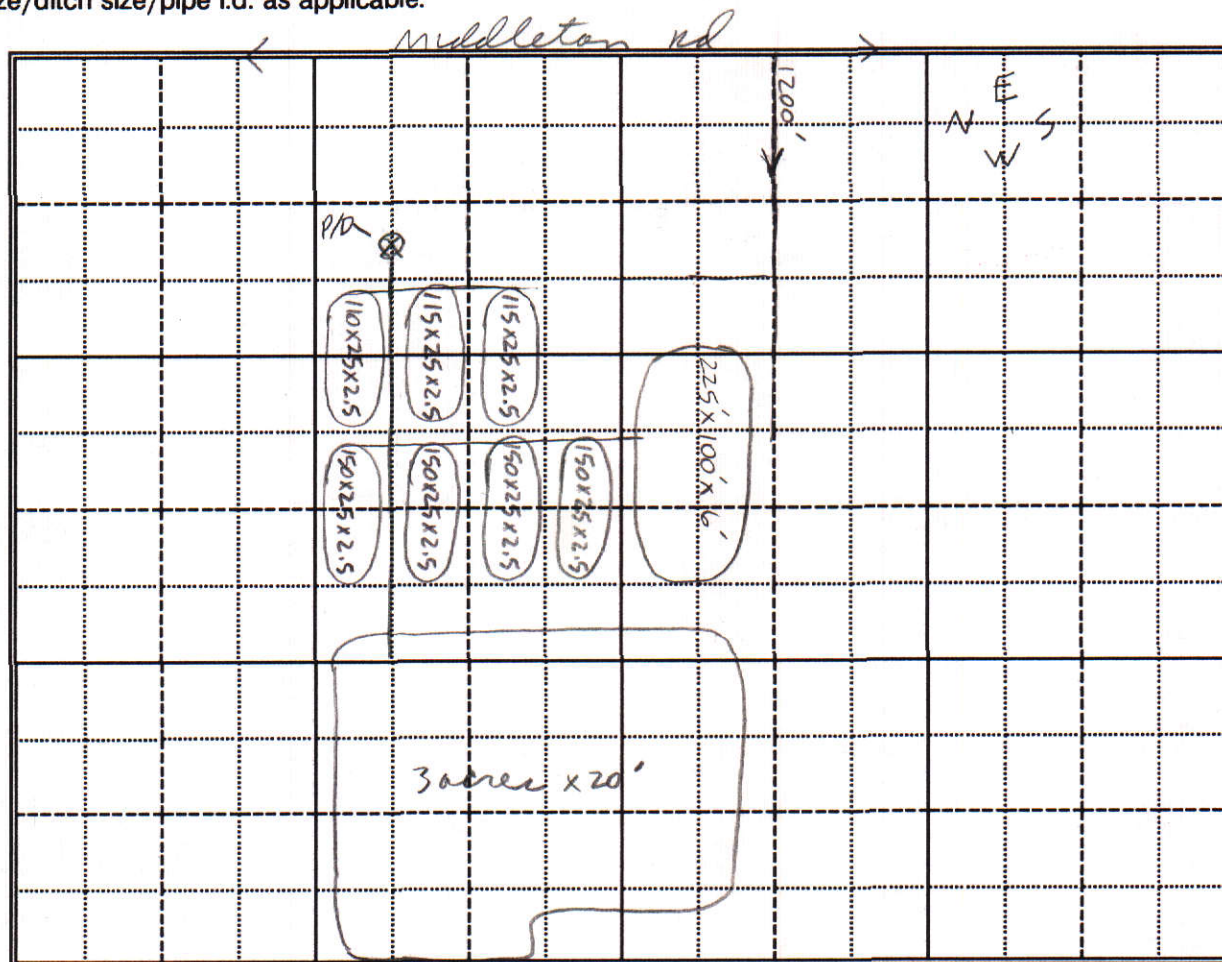
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal bucket						

2. Measurements: _____

RECEIVED

APR 25 1995

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



Scale: 1" = _____

☒ Copy of USGS Quadrangle 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
artesian well					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal bucket						

2. Measurements: _____

RECEIVED

APR 25 1995

1" = 200'

Excavated Pond

Artesian well

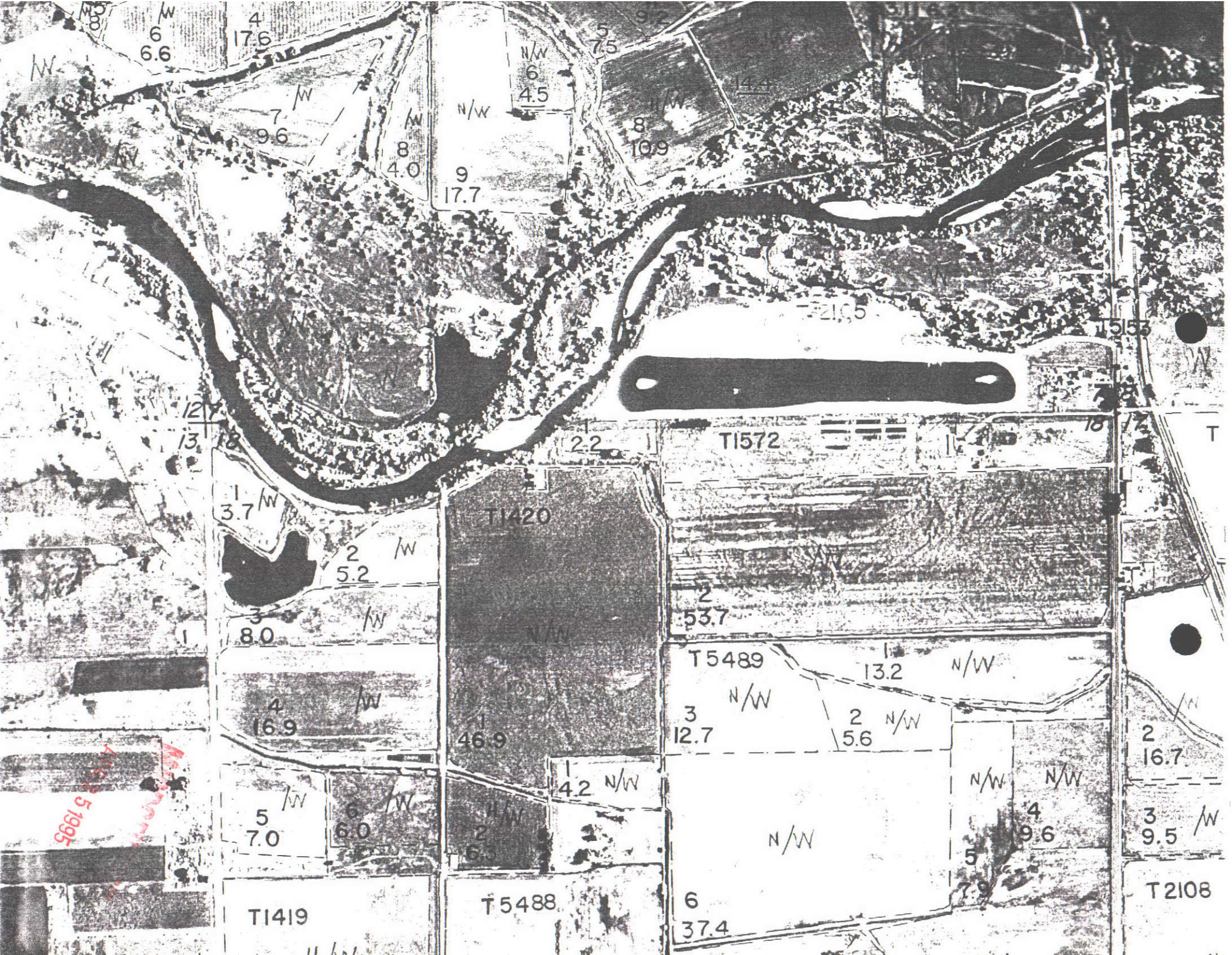
18

APR 23 1995

NWNE

NENE

T4N
R2W
Sec 18
No Gov Lts



6
6.6

4
17.6

N/W
6
4.5

5
7.5

8
10.9

N/W

W
8
4.0

9
17.7

W
7
9.6

12
13

1
3.7 W

2 W
5.2

3 W
8.0

4 W
16.9

5 W
7.0

6 W
6.0

1
46.9

1
4.2 N/W

2
6.3

T1572

2
53.7

T5489

3
12.7

1
13.2 N/W

2 N/W
5.6

N/W

6
37.4

N/W

N/W

4
9.6

2
16.7

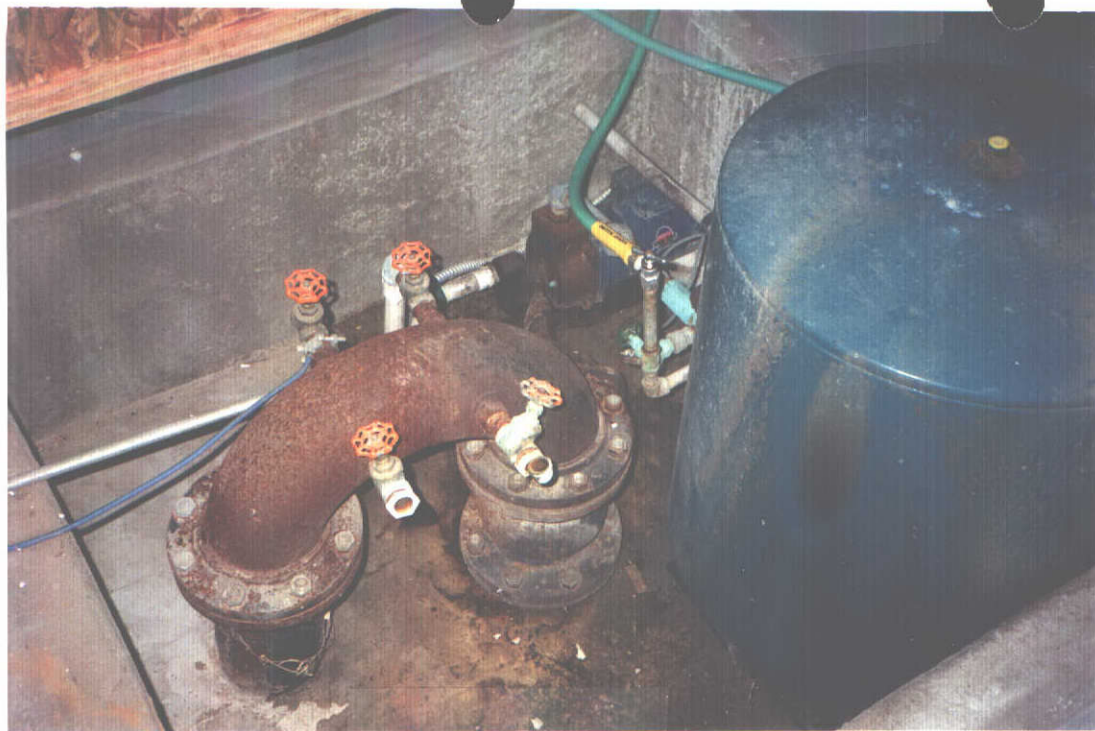
3
9.5 W

T2108

T5488

T1419

1995



6" artesian
well



Fish ponds

PR 2 5 1995

10/20/94

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11440

Priority: March 5, 1990

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

144.8 AF

This is to certify, that MARVIN MOIST
JEANETTE MOIST

21997 MIDDLETON RD
CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 5, 1990; and has submitted Proof of Beneficial Use on March 14, 1994. An examination indicates that the works have a diversion capacity of 0.200 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	0.20 CFS	144.8 AF
FISH PROP. STORAGE	01/01 to 12/31		7.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	144.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 18, Township 04N, Range 02W
CANYON County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04N 02W 18

NENE

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return water shall be treated to insure that the effluent meets interstate stream water quality standards.
6. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

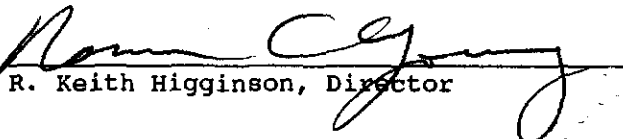
WATER RIGHT NO. 63-11440

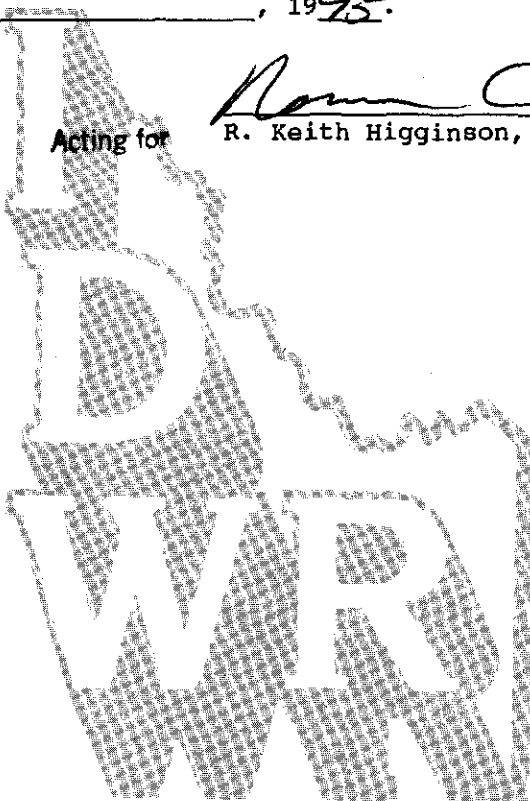
CONDITIONS/REMARKS:

7. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. The facility volume is 7.2 af.

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 20th day of April, 1995.

Acting for


R. Keith Higginson, Director



RECEIVED
MAR 14 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 125.00
Date 4-12-94
Receipt No. 0030024
Receipt by any
no v

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. 63-11440 Telephone No. 585-2743
2. Name(s) of Permit Holder(s): Marva Moist
3. Mailing Address: 21997 Middle Fork Rd. Caldwell ID. 83605
4. Source of Water: Artesian well

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

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

Domestic X 2 (No. of households) Stockwater Sometimes (No. and type of stock)
Irrigation _____ (No. of acres) Other Fish Farming

6. Total rate and/or volume for which proof is submitted 2.00 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: \$ _____ (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.

Same
Name _____ Telephone No. _____

Same
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.

RECEIVED

Feb 9/94 Marva Moist Owner APR 19 1994
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

NO. 63-11440

Proposed Priority: March 5, 1990 Maximum Diversion Rate: 2.00 CFS
This is to certify, that MARVIN MOIST
JEANETTE MOIST
21999 MIDDLETON RD. 21997/8-17-99 JCY
CALDWELL, ID 83605

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	2.00 CFS	
FISH PROP. STORAGE	01/01 to 12/31		7.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	2.00 CFS	
	Totals	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 18, Township 04N, Range 02W
NWNENE Sec. 18, Township 04N, Range 02W
CANYON County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

04N 02W 18 NENE NWNENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed 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. Return water shall be treated to insure that the effluent meets interstate stream water quality standards.
7. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.

APR 15 1991

State of Idaho
Department of Water Resources

PAGE 2

Permit To Appropriate Water

NO. 63-11440

CONDITIONS/REMARKS:

8. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.

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

28th day of March, 1991.

R. Keith Higginson

for
R. Keith Higginson, Director

APR 15 1991

865

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marnie or Jeannette Moist Phone 208 585-2743
Post office address 21999 Middleton Road Caldwell Idaho 83605
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot —
Sec. 18 Township 4N Range 2W B.M. Canyon County; additional
points of diversion if any: NWNE S. 18 T4N R2W *

4. Water will be used for the following purposes:

- Amount 2.00 for Fish Propagation purposes from 1/1 to 12/31 (both dates inclusive) *
- Amount 2.00 for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
- Amount 7.2 for Fish Propagation purposes from 1/1 to 12/31 (both dates inclusive)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) 2.00 and/or (b) 50 7.2 *
- cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Artesian well flowing into sub-filled fish ponds. System has no accurate means of measurement or estimating flow. (See Remarks)
- b. Height of storage dam N/A (excavated ponds) feet; active reservoir capacity 7.2 acre-feet; total reservoir capacity 7.2 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.
- c. Proposed well diameter is 6 inches; proposed depth of well is 400' 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 5 years (minimum 1 year).

* per orthophoto & applicant: 1/15/91 office visit (Jeannette Moist).

SL
1/15/91

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fish Propagation

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
4N	2W	18	F	F															F

Total number of acres to be irrigated F

10. Describe any other water rights used for the same purposes as described above. None

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

12. Remarks: Flow should be determined at time of field exam. Estimate of flow based on maximum production possible? from various wells in the area.

↑ Multiple points of diversion are found in NWNE S.18 T4N R2W.

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



Scale: 2 inches equal 1 mile.

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

Deanne Throat
(Applicant)

Received by B.A.S Date 3/5/90 Time 15:31 Preliminary check by 82
Fee \$ 65⁰⁰ Receipted by B.A.S # W010587 Date 3/5/90
Publication prepared by GG Date 1-30-91 Published in Press-Tribune
2/6 & 2/13/91
Publication approved J Date 3-1-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

MICROFILMED
APR 15 1991

CANYON COUNTY

1990 REAL PROPERTY

ACCOUNT NO.

CONSOLIDATED TAX NOTICE AND RECEIPT

LEVY SHEETS AVAILABLE
KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE
YOUR CANCELLED CHECK IS YOUR RECEIPT

0R34075-010- -0

		TAXING DISTRICT	RATE	AMOUNT	RECEIPT
CODE AREA 113-00 FULL MARKET VALUE 34,750	MOIST, HARVIN C B MOIST, JEANNETTE N-W/H P O BOX 742 MIDDLETON ID 83644-0742	AMB	.000227	7.88	FULL PAYMENT TAX 453.18 PEN. INT. COST TOT. 1ST INSTALLMENT TAX 126.59 PEN. INT. COST TOT. 2ND INSTALLMENT TAX 226.59 PEN.
		HWY 44	.001212	42.12	
		FIRE CO	.000771	26.80	
		SCN #139	.006049	210.20	
		COUNTY	.004356	138.32	
		PEST	.000061	2.12	
		TOTAL LEVY	.012876		
	Parcel No. 04N02W180600 18 4N 20 NE TAX 4 IN N1/2 OF NE	FLD #10	.000163	5.74	

RECEIVED

JAN 15 1991

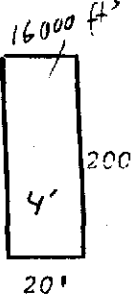
Department of Water Resources
Western Regional Office

1/15/91 office
init.
56-886169 Pca

WEST

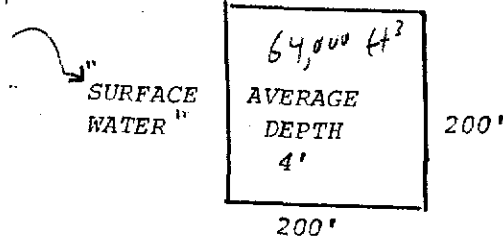
MARVIN AND JEANETTE MOIST
21997 Middleton Road
Caldwell, Idaho 83605
208 585-2743

"SURFACE
WATER"



ground water from
excavation

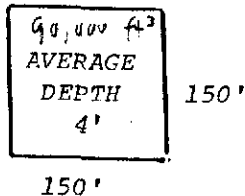
Re: Parcel # 04NO2W180600
Canyon County Acct. OR34075-010--0



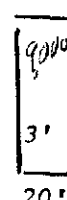
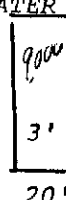
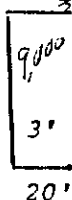
TOTAL POND volume
$$\frac{312,500 \text{ ft}^3}{43,560 \text{ ft}^2/\text{ac}} = 7.2 \text{ A.C.}$$

SOUTH

WELL WATER

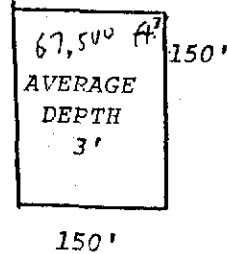


(3) PONDS
1/2 "SURFACE WATER"
1/2 WELL WATER

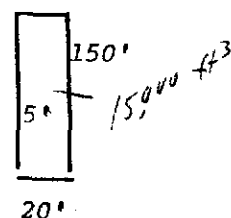
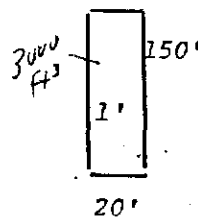


NORTH

WELL WATER



(2) WELL WATER



Does not have any
estimate of lbs. of
fish raised.
shown are estimated
number of fingerlings

TYPE FISH RAISED

Channel Catfish - 50,000 fingerlings
Smallmouth Bass - 50,000 fingerlings
Largemouth Bass - 50,000 fingerlings
Fathead Shiners - 500,000
Redsided Shiners - 500,000

TOTAL = 1,150,000

PONDS

EXCAVATED EARTHEN 50% fill 50% excavated

PIPELINE ON ALL PONDS - except: 200 x 200 pond - "surface water"
30 x 200 pond - "surface water"

APR 15 1991

RECEIVED

JAN 15 1991

Department of Water Resources
Western Regional Office

Water is diverted from well and EAST pond through a series of ponds. Also,
ground water is obtained through excavating land (shown here as "surface water").

SUPPLIED PER 1/15/91 office
visit



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 20, 1995

MARVIN MOIST
JEANETTE MOIST
21997 MIDDLETON RD
CALDWELL ID 83605

RE: WATER RIGHT NO. 63-11440

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.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 06 1994

Department of Water Resources

63-11440

Permit No. 63-12159

A. GENERAL INFORMATION

1. Owner: Marvin + Jeanette Moist Phone No. 585-2743

Current Address: 21997 Middleton Rd Caldwell Id 83605

2. Accompanied by: Marvin EXAM DATE: 10/20/94

Address: same Phone No. _____

Relationship to Permit Holder: owners

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-12159

2. Other water rights with the same point of diversion: 63-12159

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NENE		18	4N	2W	Canyon	USGS Quad, ASCS Photo

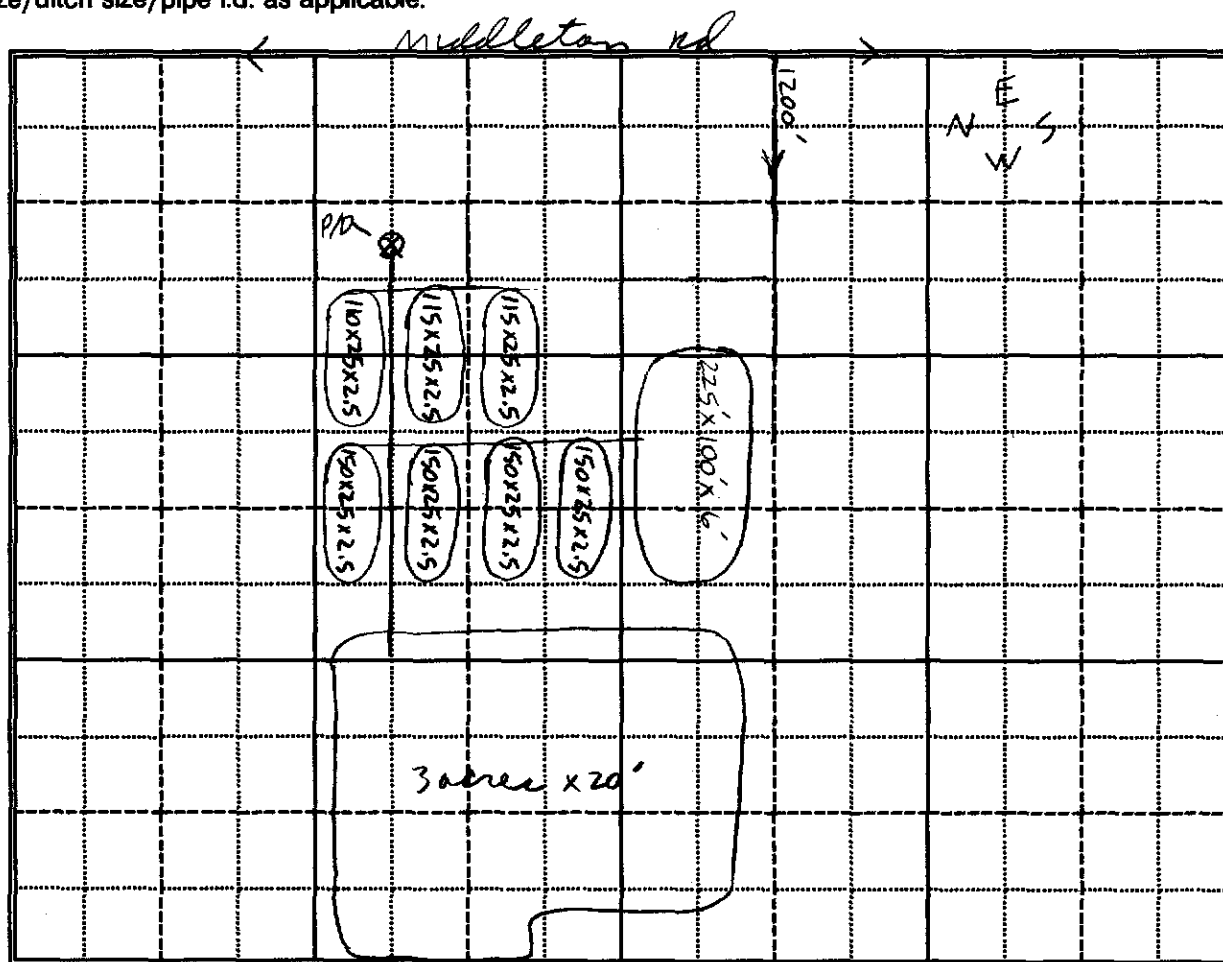
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	18	14	14															
			15	15															

APR 25 1995

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



Scale: 1" = _____

☒ Copy of USGS Quadrangle 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
arterian well					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal bucket						

2. Measurements: _____

APR 25 1995

1800-2000

APR 25 1995

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \text{ gal} \times 60 \text{ sec}}{5 \text{ sec}} = 60 \text{ GPM} + \frac{4 \text{ gal} \times 60 \text{ sec}}{12 \text{ sec}} = 20 \text{ GPM} + 9 \text{ GPM} = 89 \text{ GPM} = .20 \text{ cfs}$$

* account for small flow on 3 other ponds that couldn't be turned off completely or measured due to bucket size + pipe height... estimated 3 GPM/discharge

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

	W X L X D	÷ 43,560 = AF	
1 pond	110' X 25' X 2.5'	" = .2	9 ponds @ 64.5 total AF. allow 7.2 AF per this permit, remaining covered on appl 63-72159
2 ponds	115' X 25' X 2.5'	" = .3	
4 ponds	150' X 25' X 2.5'	" = .9	
1 pond	225' X 100' X 6'	" = 3.1	
1 pond	3 acres X 20'	" = 60.0	

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Fish Prop	1/1	12/31	.20	
Fish Prop Storage	1/1	12/31		7.2
Dir to Storage	1/1	12/31	.20	
Totals:			.20 cfs	7.2 AFA

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 Lois Gramer Date 11/2/94

Reviewer _____ Date _____

SEAL

* See attached adjustment explanation memo. BC

NIP

APR 25 1995

MEMORANDUM

TO: File 63-11440 / Marvin Moist
FROM: Brenda Chapman
DATE: April 11, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

The active flow component of fish propagation did not have a volume listed in the recommendations. Using the attached standard fish propagation worksheet, the volume for the fish propagation use is 144.8 af.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Fish Propagation	1-01 to 12-31	.20	144.8
Fish Prop Stor	1-01 to 12-31		7.2
Div to Storage	1-01 to 12-31	.20	

See item G.

21 APR 1995
2 5 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 63-11440 DATE 4-11-95

NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? ☒ Notice of Intent to Void necessary? ☐

POINT OF DIV Amendment needed? ☒ Overlaps? (Permit 63-12159) DELETE NWNE P/D - 10 MEASUREMENT NOT INCLUDED see exam

PLACE OF USE Amendment needed? ☒ Overlaps? (Permit 63-12159)

DIV RATE Permit/fee limits: Meas Q = .20 Theo Q = Recommend: .20 5 Gallon Bucket

ANNUAL VOLUME Volume Limit: Season: Calculations: Area of all 9 ponds = 60.4 af Permit limit is 7.2 af Flow limit: .20 cfs x 365 x 1.9835 = 144.8 Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses? ☒ Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐ Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS Multiple p/d(s) in 1/4 1/4? ☒ Other FACILITY VOLUME is 313,632 CU or 7.2 af (WITHOUT THE LARGE POND) YES

NEW CONDITIONS Watermaster control - District (63) NOT ON THIS PERMIT MEASURING/LOCKING DEVICES IRRIGATION OVERLAP Other R41(044) Water Quality 010 Heat/Cool/Fish verified ☒

COMMENTS: REDUCE RATE; the facility volume for this one will be limited by the permit limit of 7.2 af. When Permit 63-12159 is licensed, the remaining area will be listed.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>FISH PROPAGATION</u>	<u>.20</u>	<u>144.8</u>	<u>NO</u>	<u>YES</u>
<u>FISH PROPAGATION</u>	<u>.20</u>	<u>7.2</u>	<u>LICENSE</u>	<u>YES</u>
<u>Diversion to Sta</u>	<u>.20</u>	<u></u>	<u>1ST AMEND LETTER</u>	<u></u>
<u>Total</u>	<u>.20</u>	<u>144.8</u>	<u>2ND AMEND LETTER</u>	<u></u>

MEMORANDUM

TO: File 63-11440
FROM: Brenda Chapman
DATE: April 11, 1995
RE: Fish Propagation / Annual Volume Requirements

=====

The standard formula for determining the annual volume required for a fish propagation facility is:

1. Calculate changes per hour:

Flow into facility x 3600 sec / facility volume (cf) = changes

2. Calculate annual volume:

Facility volume (af) x changes x 8760 hrs/yr = afa

3. Calculate volume given by permitted flow:

Flow rate (cfs) x 1.9835 x 365 days = afa

4. Recommend lower figure.

(Permit limit)
1. .20 cfs x 3600 sec per hr / 311362 cf = .002311 changes
2. 7.2 af x .002311 x 8760 hrs per yr = 145.7 afa
3. .20 cfs x 1.9835 x 365 days = 144.8 afa

RECOMMENDATION : 144.8 afa

APR 25 1995

REMARKS/COMMENTS

A 6" artesian well supplies water to 9 fish ponds via 6" buried PVC mainline. At 66 degrees, the artesian water is utilized in eight smaller ponds for raising warm water fish, i.e. bass, fat head shiners, and gold fish. The overflow is then diverted into a large pond that has recently replaced 6 small ponds due to gravel excavation. Besides the artesian water, this pond also gains sub-water from the Boise River. The sub-water can not be quantified because the pond does not have a discharge outlet since the water level can be maintained by hydrostatic pressure. The flow rate recommended accounts for the artesian well only. The owner claimed that the well flowed 260 gpm. After the system was valved down primarily to two outlet pipes, bucket measurements calculated the flow at 80 gpm. An additional 9 gpm was included to account for minor discharges on three other pond outlets that could not be completely valved off or measured. I estimated the flow at 3 gpm/outlet.

$80 \text{ gpm} + 9 \text{ gpm} = .20 \text{ cfs}$ recommended

The permit allowed for 7.2 af. The 8 smaller ponds account for 4.5 af. The remaining 2.7 af can be applied to the large pond. Application 63-12159 has been filed to account for the excess storage volume of the large pond. No other water rights are used for the fish ponds. The artesian well is also used for domestic purposes (3/4 hp Aermotor pump, Serial #1103175403).

APR 25 1995

7
T4N R2W
Sec 18
no Gov Lts

Pond area artesian well



1" = 200'

Exhumed Pond

of water

NWNE

NE NE

74N
N 25
sec 18
No. 60-15



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: WR 63-11440
2. OWNER: Marvin & Jeannette Moist Phone: (208) 585-2743
Address: 21997 Middleton Rd Caldwell, Id 83605
3. WELL LOCATION: Twp _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4
County Canyon (Provide sketch map and photo on reverse.)
4. DRILLER: DuFoe Well Drilling Lic. No. 399
When Drilled? '81-82
5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature 66 °F
Flowing Artesian ☒ Yes ☐ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☐ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: fish propagation

APR 25 1995

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: _____

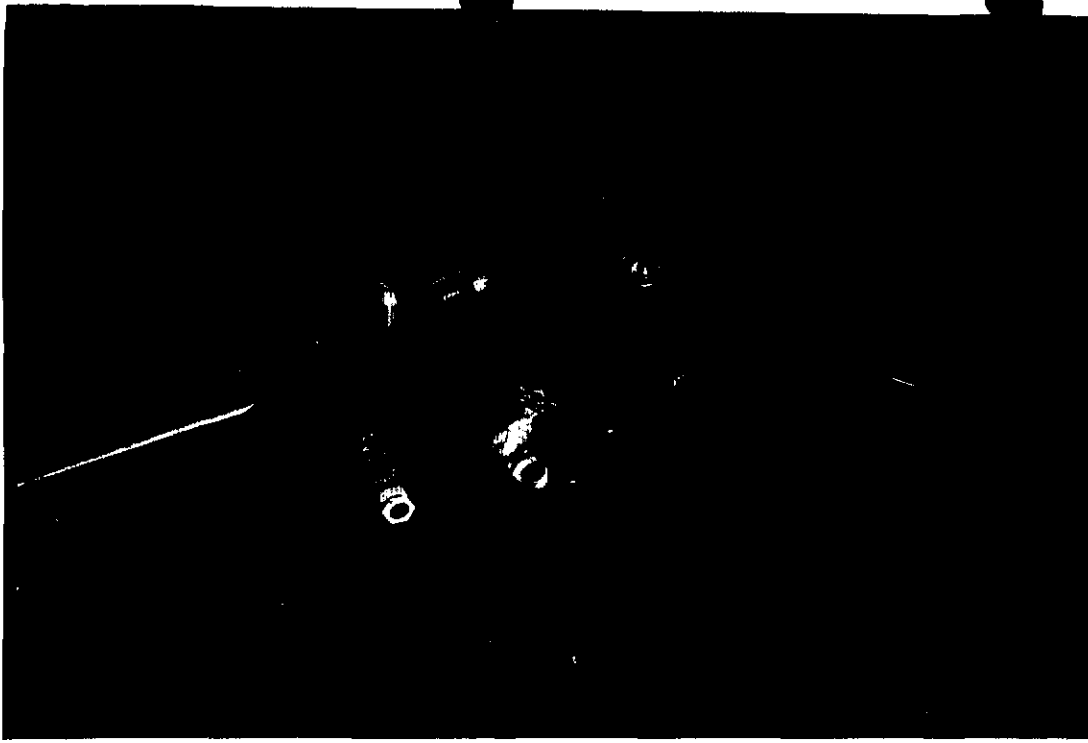
Lon Crum
Signature of Dept. Representative & Title

10/20/94
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

RECEIVED

APR 25 1995



6" artesian
well



Fish ponds

PR 2 5 1995

10 20 94

April 21, 1994

MARVIN MOIST
21997 MIDDLETON RD
CALDWELL ID 83605

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11440

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

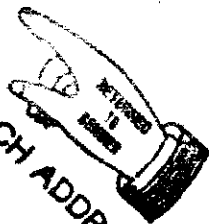
RECEIVED
JUN 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

North Orchard Street
Idaho 83706-2237

BD1A370A 04-1A-94 2110

NO SUCH ADDRESS



RECEIVED
APR 21 1994
Department of Water Resources

JUN 13 1994

|||||

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11440

Reviewed by [Signature]

Date 3-17-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom, Stock, Fish
prop.
Correct Uses? no

SOURCE OF WATER

 Surface water source
✓ Ground water source

no Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Send back for 125.00 fee, info on
measuring device + advise that dom +
stock are not authorized on permit.

4/12 - Proof acceptable

DATA ENTRY

New Address

Proof Made

3-14-94
4-12-94

April 18, 1994

MARVIN MOIST
21997 (ARTESIAN) RD
CALDWELL ID 83605

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NOS. 63-11440

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 19 1994

March 22, 1994

Marvin and Jeanette Moist
21997 Middleton Rd.
Caldwell, ID 83605

RE: Permit No. 63-11440

Dear Permit Holder :

Returned is the Proof of Beneficial Use form submitted to this office in connection with the above referenced permit. Unfortunately, it is not acceptable as filed.

The proof indicates the total rate of diversion of water to be 2.00 cfs from a ground water source (artesian well). The license exam fee for a rate of 2.00 cfs is \$125.00. Additionally, one of the conditions on your permit states that a flow measurement port must be installed prior to diversion of the water. You have not indicated that you have complied with this condition. You should also be aware that permit no. 63-11440 does not authorize diversion for domestic or stockwater use. However, you do have an adjudication claim that authorizes domestic and stockwater use.

Please return the original proof along with the \$125.00 exam fee within thirty (30) days of receipt of this letter.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

APR 19 1994

January 31, 1994

MARVIN MOIST
JEANETTE MOIST
21997 MIDDLETON RD.
CALDWELL ID 83605

PROOF DUE NOTICE

RE: PERMIT NO. 63-11440

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 April 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

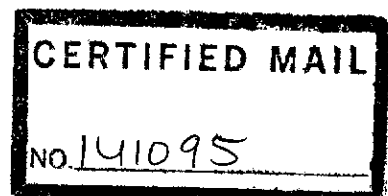
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 19 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1991

MARVIN MOIST
21997 Middleton Rd.
Caldwell, ID 83605

RE: Permit #63-11440/Water Right Research

Dear Mr. Moist:

I am writing in response to your letter of May 17, 1991. First let me address your questions concerning the above referenced permit.

Condition number three (3) on your permit refers to project construction and paragraph number two (2) of the permit approval notice is referring to this condition. The paragraph is general in nature to cover many types of projects. The diverting works of your project is described on your application as artesian well flowing into subfilled ponds. We did not enclose any instructions pertaining to the construction of the diverting works.

Condition number four (4) on your permit requires a flow measurement port or other device to be installed before you divert or use the water as described on the permit. Paragraph three (3) of the permit approval letter simply refers to this condition and the list of measuring device options enclosed.

I hope that this will answer your questions. Simply, you must start on your project within a year of the approval date, March 28, 1991, and before the water is diverted for your project a measuring device must be installed on the well.

Your questions concerning a property owned currently by Dan Rule or Rule Steel Tank and leased by Joe Larrea can not be accurately answered with the information given. To research water rights by location a legal description is needed, including Township, Range, Section and Quarter Quarter. Like the legal description given on your permit for the point of diversion and place of use. I did, however, try to locate any water rights in Caldwell in the names given and could find none. If you would like to provide the legal description of the land or come into the office and locate the property on the map, we would be glad to assist you further.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Technical Records Specialist

NR 300-11440

APR 19 1991

RECEIVED

MAY 22 1991

May 17, 1991

State of Idaho Dept of Water Resources
1301 N Orchard St
Boise, ID 83720

Department of Water Resources

Address updated
5-24-91

Permit: #63-11440 21997 Middleton Road, Caldwell

Dear Sir:

We are in receipt of "Permit Approval Notice" dated
April 2, 1991.

In summary we understand ;

#1 construction of diverting works must occur

#2 measuring device must be installed (prior to #1)

Please explain #1. We do not see instructions pertaining
to construction of the diverting works included.

We are anticipating purchase of property at 21993 Middleton Rd,
Caldwell. Owner is Dan Rule/Rule Steel Tank, Middleton, Idaho;
leased by Joe Larrea for some time.

Can you check and see if the water rights are in order?

Thank You.

Sincerely,


Marvin Moist
208 585-2743

RECEIVED

APR 19 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 2, 1991

MARVIN MOIST
JEANETTE MOIST
21999 MIDDLETON RD.
CALDWELL, ID 83605

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11440

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

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Since your well as

MICROFILMED

APR 15 1991

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

ENCLOSURE

15 1981



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 6, 1991

Idaho Dept. of Fish and Game
600 South Walnut
Boise, ID 83706

Re: Application for Permit No. 63-11440 in the name of Marvin or Jeanette
Moist

Dear Sir:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by February 25, 1991.

If you have any questions regarding the application, please contact this office.

Sincerely,

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

DRT:st

Enclosure(s):

RECEIVED

APR 15 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 14, 1990

Marvin and Jeanette Moist
21999 Middleton Road
Caldwell, ID. 83605

RE: Application for Permit

Dear Applicants:

The above application for permit to appropriate water was received at this office on 3/05/90. The last correspondence to you concerning the application occurred on 5/02/90 (see attached copy of that letter). Unless a response is received by 1/15/91, I will assume you are not interested in pursuing the water right, and the application will be voided and a \$65 refund will be issued.

Please contact me if additional help is needed.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Sr. Water Resource Agent

APR 15 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 2, 1990

Marvin and Jeanette Moist
21999 Middleton Road
Caldwell, ID. 83605

Re: Application for Permit

Dear Applicants:

Your recent Application for Permit involving an artesian well for fish propagation was received at this office on 3/5/90. Please excuse the delay in replying; numerous applications filed as a result of the Snake River Basin Adjudication resulted in delays.

The following items need attention before the application can be advertised and processed.

✓ 1) Proof of possessory interest - please provide a tax notice, deed, or other proof of ownership for the land in the NWNE Sec. 18 where the fish propagation will occur.

✓ 2) Construction plan - please submit a plan that includes the sizes and number of ponds and the total volume of water involved with the ponds. You can estimate the total pond volume by multiplying length times width times average depth. This will provide the cubic feet of water stored in the ponds. The application states that 50 acre feet of water will be involved in the ponds (one acre foot equals 43,560 cubic feet). The details of the pond sizes will allow this office to evaluate the 50 acre feet figure.

✓ 3) What type of fish do you intend to raise? What is the estimated pounds of fish production that will be involved?

✓ 4) Pond details - what type of ponds are involved? Are these excavated earthen ponds? Are dams involved and, if so, what dam heights are anticipated? How will water be diverted from the well to the ponds (pipeline, ditches, etc.)?

A response within 30 days will facilitate processing of your application. Let me know (334-2190) if additional help may be provided.

Sincerely,

Steve Lester

Steve Lester
Sr. Water Resource Agent

SL: sl

RECEIVED
APR 15 1991

APR 15 1991

✓ Jeanette Moist - office visit
on 11/15/91
JR

NOTICE OF APPLICATION FOR WATER RIGHT

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

AFFIDAVIT OF PUBLICATION

63-11438
SPENCER, NEAL
12776 PURPLE SAGE
MIDDLETON, ID 83644

OF IDAHO)
) SS.
of Canyon)

Source: HARTLEY GULCH
Diversion Pt:
Use: IRRIGATION

Tributary: BOISE RIVER
SENW Sec 25 T 05N R 03E
(.320 CFS)
Total Diversion: (.320 CFS)

Dated Filed: 3/ 2/1990
In: T05N R03W S25
16.0 ACRES TOTAL

SENW

63-11440

MOIST, MARVIN
MOIST, JEANETTE
21999 MIDDLETON RD.
CALDWELL, ID 83605

pa, Canyon County, Idaho, being first duly sworn, deposes
s:

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

Source: GROUNDWATER
Diversion Pt:

NWNENE
NWNE

Sec 18 T 04N R 02W
Sec 18 T 04N R 02W
(2.000 CFS)
(7.20 AF)
(2.000 CFS)
(7.20 AF)

Use: FISH PROPAGATION
FISH PROP. STORAGE
DIVERSION TO STORAGE

Total Diversion: (2.000 CFS)

Date Filed: 3/ 5/1990
In: T04N R02W S18

NENE

NWNE

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

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 FEBRUARY 25, 1991.
R. KEITH HIGGINSON
Director
February 6, 13, 1991

at the notice, of which the annexed is a printed copy, was
ed in said newspaper
two times

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

4. That said notice was published the following dates:

February 6, 13, 1991

Sharla O'Krakel

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 13th day of February in the
year of 1991, before me, a Notary Public, personally
appeared Sharla O'Krakel, known
or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me that
he/she executed the same.

Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

RECEIVED
FEB 14 1991

Department of Water Resources
Western Regional Office

APR 15 1991

63-11440

MOIST, MARVIN
MOIST, JEANETTE
21999 MIDDLETON RD.
CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: NWNENE Sec 18 T 04N R 02W
 NWNE Sec 18 T 04N R 02W

Use: FISH PROPAGATION	(2.000 CFS)	
FISH PROP. STORAGE		(7.20 AF)
DIVERSION TO STORAGE	(2.000 CFS)	
Total Diversion:	(2.000 CFS)	(7.20 AF)

Date Filed: 3/ 5/ 1990

In: T04N R02W S18 NENE NWNE

4-15-90