

MAP PREPARED 12/1/89
BASED ON ADDITIONAL INFO
SUPPLIED BY APPLICANT'S
ATTORNEY 11/28/89 & 11/30/89

82

P10(3)

L-1

L-2

Plus

Domestic (1)

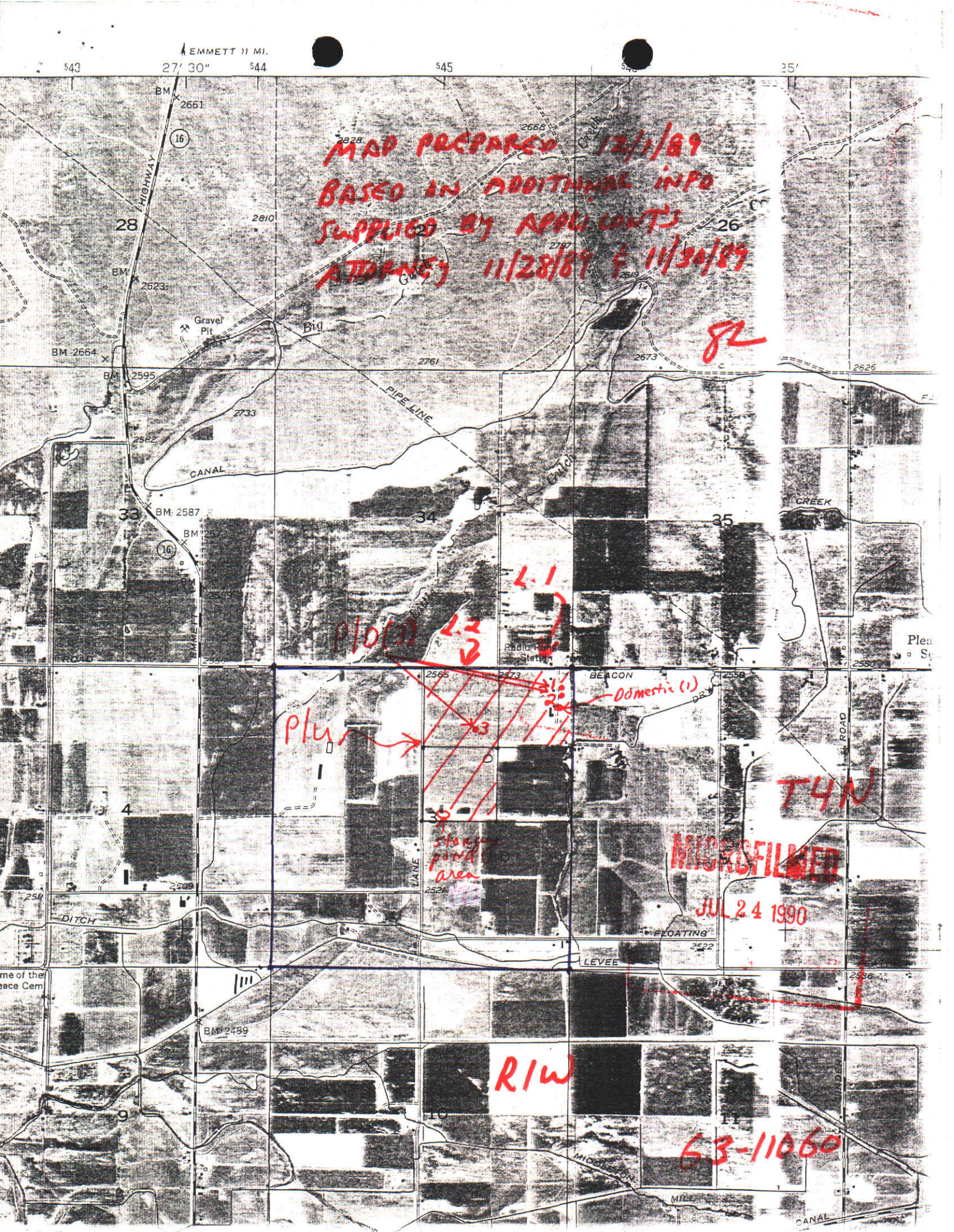
T4N

MICROFILMED

JUL 24 1990

RIW

63-11060



T4N R1W

MICROFILMED

JUL 24 1990

63-11060

N. 89° 38' W.

4	3	2	1	4	3	2	1	4	3
35	41.90	41.95	42.00	42.00	41.83	41.66	41.49	41.34	41.3

80

Sec. 4

80

81.00

(20.00) (21.00)

80

Sec. 3

80

80.66

(20.00) (20.66)

80

Sec. 2

N. 89° 51' W.

80.00

S. 0° 05' W.

40.00

S. 89° 51' W.

79.50

S. 0° 26' W.

40.00

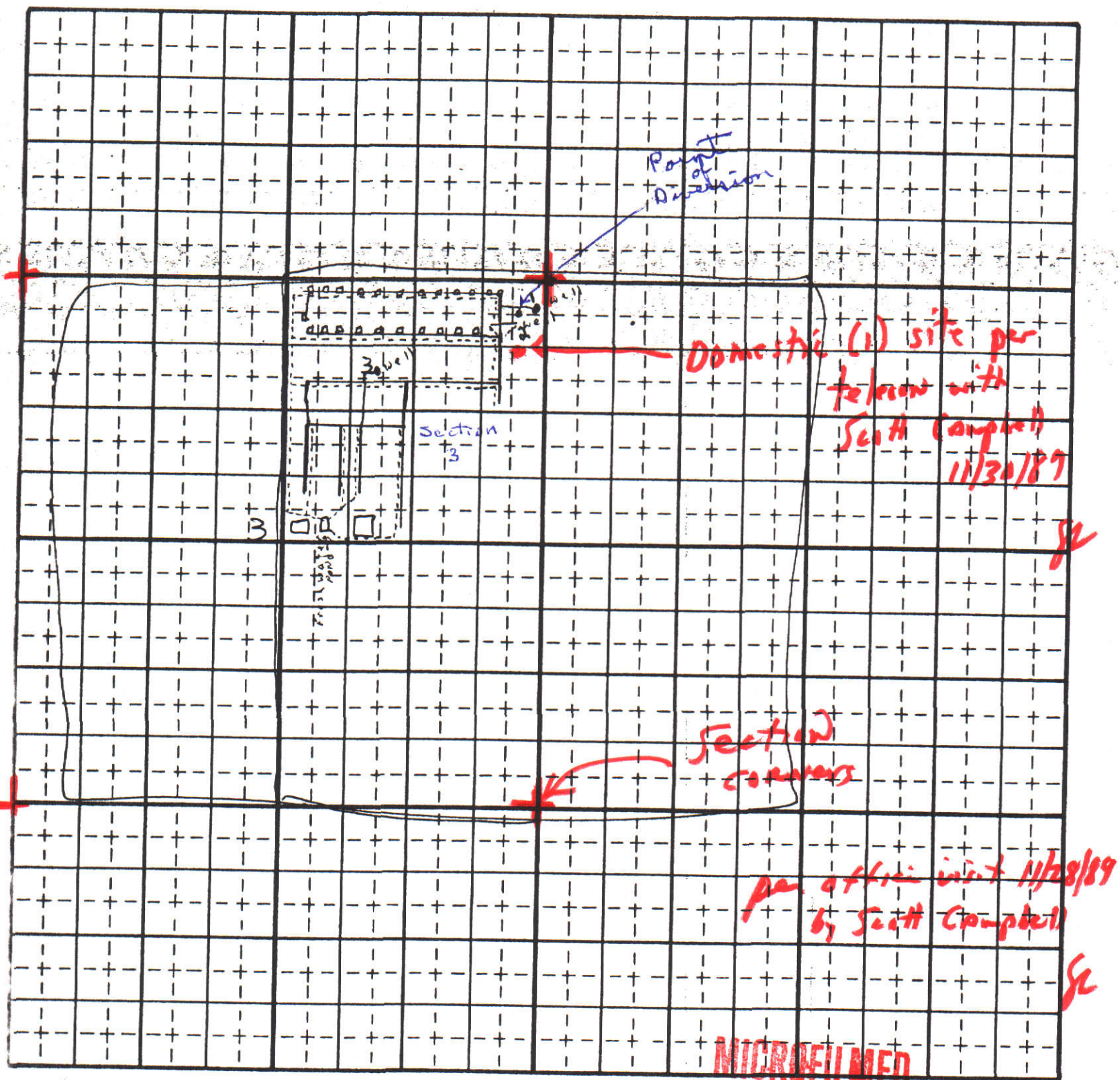
W

8

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

Scale: 2 inches equals 1 mile

4N 1W Sec 3



Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

EXHIBIT B

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11060

Proposed Priority: December 1, 1989 Maximum Diversion Rate: 4.00 CFS
This is to certify, that **RICHARD M. HORMAECHEA**
MARY B. HORMAECHEA
C/O RMH CO.
P.O. BOX 6887
BOISE, ID 83707

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>
STOCKWATER	01/01 to 12/31	3.52 CFS	
COMMERCIAL	03/15 to 12/15	0.81 CFS	
COMMERCIAL	12/16 to 03/14	0.04 CFS	
COMMERCIAL STORAGE	01/01 to 12/31		2.1 AF
COMMERCIAL FROM STORAGE	03/15 to 12/15		2.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
	Totals	4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NENE), Sec. 3, Township 04N, Range 01W
LOT 2(NWNE), Sec. 3, Township 04N, Range 01W
ADA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 01W 3 LOT 1(NENE) LOT 2(NWNE) SWNE

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 01W 3 LOT 1(NENE)

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: COMMERCIAL STORAGE, same as STOCKWATER use

PLACE OF USE: COMMERCIAL FROM STORAGE, same as STOCKWATER use

PLACE OF USE: DIVERSION TO STORAGE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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JUL 24 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 63-11060

CONDITIONS/REMARKS:

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. Stockwater use is for 16,000 head.
6. Commercial use is for an office and dust abatement.
7. Domestic use is for one home.

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

3rd day of April, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

JUL 24 1990

Revised application per information
provided on behalf of applicants by
attorney, Scott Campbell, 11/28/89, 11/30/89.

STATE OF IDAHO 82 12/1/89

Ident. No. 63-11060

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard M. i/or Mary B. Hormaechea Phone 336-2200
Post office address 9/0 RMH Company P.O. Box 6887 Boise, ID. 83707
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1
Sec. 3 Township 4N Range 1W B.M. Ada County; additional
points of diversion if any: Lot 2 - NWNE - S.3 - T4N - R1W

4. Water will be used for the following purposes: *

Amount 1.00 for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 3.52 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount .81 for Commercial purposes from 3/15 to 12/15 (both dates inclusive)
(cfs or acre-foot per annum)

Amount .04 for Commercial purposes from 12/16 to 3/14 (both dates inclusive)
(cfs or acre-foot per annum)

5. Total quantity to be appropriated is (a) 4.00 and/or (b) 2.1
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. See Exhibit A. The pond is
constantly refilling for dust control. Three wells constructed prior
to 7/87. [DATA ENTRY: 3 wells, pumps, pipelines, storage pond]. Existing system.

b. Height of storage dam N/A excavated pond feet; active reservoir capacity 2.1 acre-feet; total
reservoir capacity 2.1 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 120 feet.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

Item 4 continued:

.04 cfs Domestic 1/1-12/31
2.1 cfs Commercial storage 1/1-12/31
2.1 cfs Commercial from storage 3/15-12/15

* NOTE

originally, appl. for 2.27 cfs i
2.1 at, increased to 4.00 cfs i
2.1 at per telecon of 11/30/89,
additional fee received on 12/1/89.

#4
cont.
below

explained
in
conv.
memo of
11/30/89

FILED
JUL 24 1990

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. 16,000 hds. beef cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 (internal + external)
- e. Other; describe fully. .04 cts commercial - office for 5-7 people;
.77 cts commercial - dust abatement on 120-acre
feed lot.

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	
4N	1W	3	C	C	C														—
			S	S	S														—
			D																—
			Lot 1	Lot 2															

Total number of acres to be irrigated _____

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

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

12. Remarks: Two points of diversion in Lot 1 (NENE), S3, T4N, R1W.
Storage probably found in SWNE (Exhibit B).

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JUL 24 1990

MAP PREPARED 11/1/89
BASED ON ADDITIONAL INFO
SUPPLIED BY REPRESENTATIVE
ATTORNEY 11/28/89 & 11/30/89

82

L. 1

L. 2

PLY

BEACON
Domestic (1)

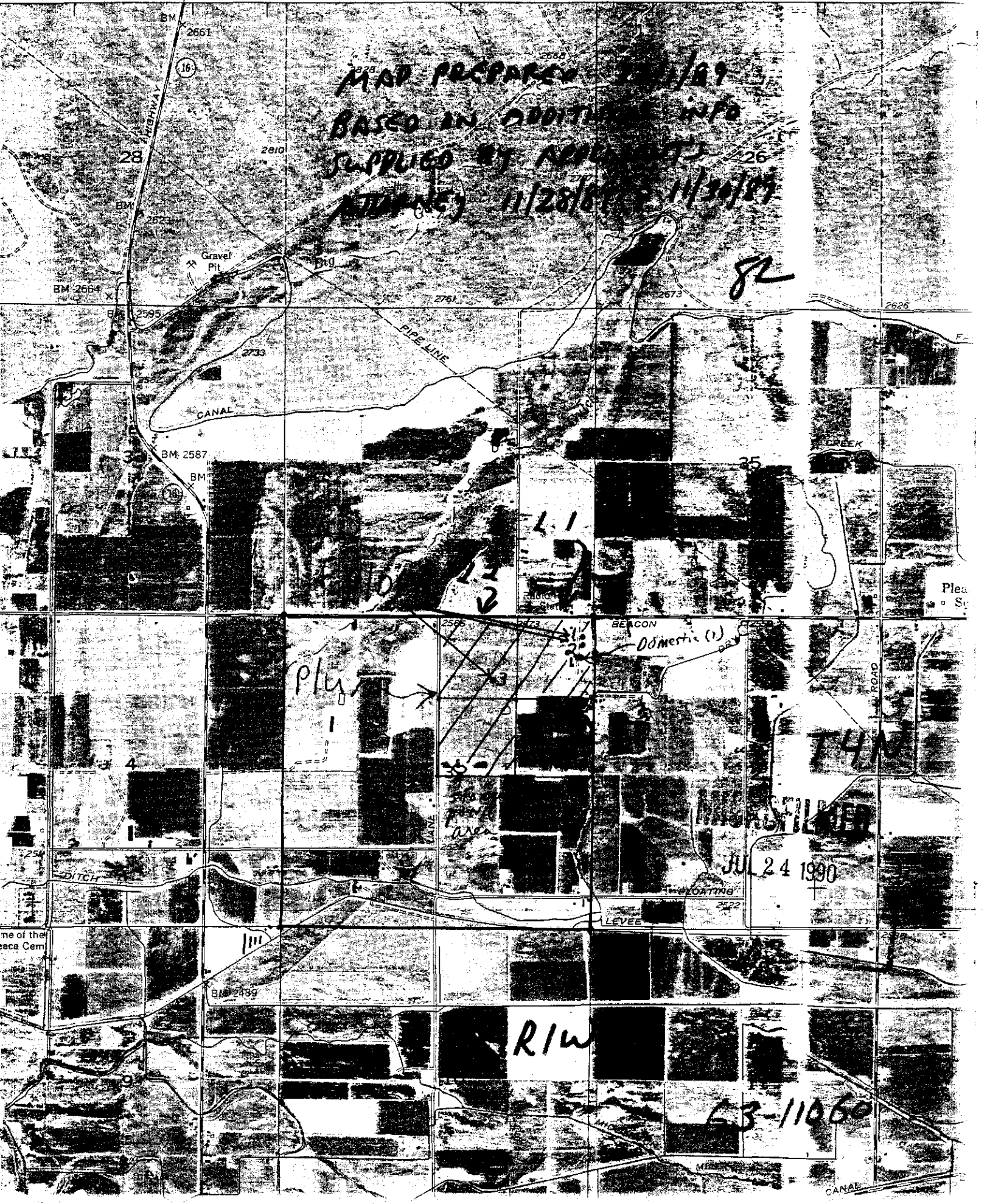
T4N

NOT FILLED

JUL 24 1990

R/W

63-11060



T4N R1W

N. 89° 38' W.

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JUL 24 1990

63-11060

4	3	2	1	4	3	②	①	4	3
35	41.90	41.95	42.00	42.00	41.83	41.66	41.49	41.34	41.3
80		80	81.00	80		80	80.66	80	
Sec. 4				Sec. 3				Sec. 2	
N. 89° 51' W.				S. 89° 51' W.				S. 89° 51' W.	
80.00				79.50				8	
S. 0° 05' W.				S. 0° 26' W.				S. 0° 26' W.	
40.00				40.00				40.00	

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

IDWR ORTHOPHOTO SHOWS
 CORRECT P/D & P/L

MICROFILMED 12/1/89
 JUL 24 1990

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 waters of
X Harmoniecha
(Applicant)

EXHIBIT A

Well is approximately 120-feet deep, 8-inch casing, 7.5 h.p. turbine pump with a 3-inch diameter discharge line. The discharge line is connected to two other lines from 2 other wells which together supply stock-water to up to 16,000 head of cattle. The water is conveyed from the wells by a buried 4-inch diameter pipeline to eighty 125-gallon watering troughs (8 ft. x 3 ft. x 2 1/2 ft.). The troughs have a 6-inch diameter overflow pipe which prevents overflow, but permits a continuous flow system. The continuous flow is necessary to help prevent disease from stagnant water and to prevent freeze-up during winter months. The overflow discharge water is carried by a 6-inch pipeline to a holding pond, approximately 2.06 acre feet in capacity. Up to 1.53 acre feet of water is withdrawn every 24 hours from March 15 to December 15 for dust abatement use on the 120-acre feedlot. A water truck with a sprinkler system is used for distributing some of the water for dust abatement; most of the water is distributed about the feedlot through pipelines to Rainbird sprinklers after being withdrawn from the pond by a 60 h.p. pump. A 25 h.p. pump is used to fill the water truck.

While the total volume capacity of the storage pond is 2.06 acre feet, the system is being refilled constantly.

Other 2 wells:

*90' 8" 7.5 hp. pump, 2" discharge
120' 8" " " " 3" "*

Storage not part of stockwater system.

- per telcom 11/30/89

SL

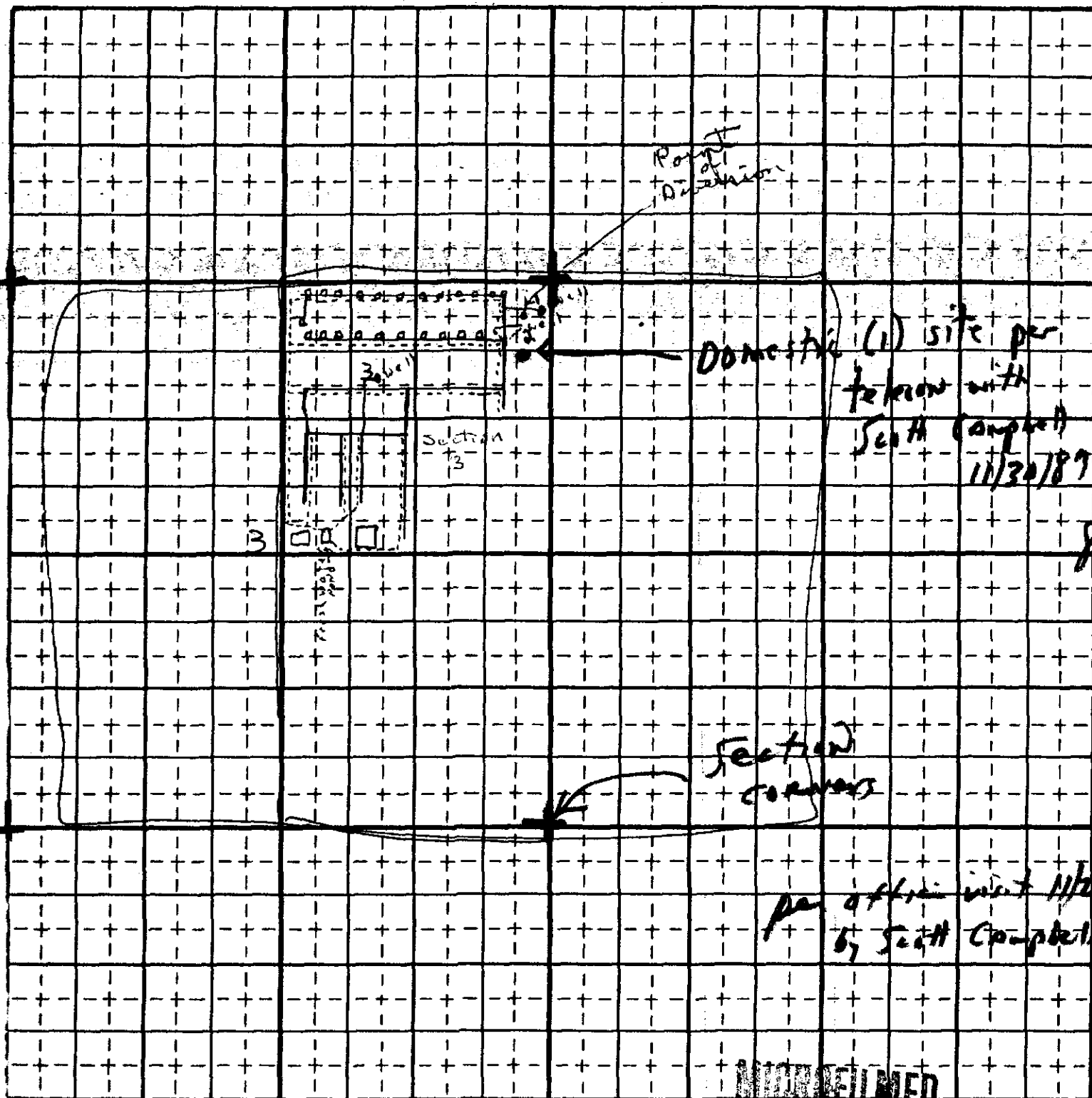
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JUL 24 1990

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

Scale: 2 inches equals 1 mile

4N 1W Sec 3



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JUL 24 1990

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

EXHIBIT B

Received by YB. D.K. Date 12/31/89 Time 2:00pm Preliminary check by SL
Fee \$ 85.00 Receipted by D.K. # (012791) Date 10-17-89
#20 L.H. C 013243 12-5-89 *
Publication prepared by GG Date 12-13-89 Published in ID Statesman
Publication approved SL Date 2/12/90 12/21 & 12/28/89

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:

* NOTE
additional \$20 rec'd at Western 12/1/89 but couldn't be receipted
due to computer problems. Continuing computer problems finally led
to receipting at S.O. on 12/5/89.

SL

REPROFILMED

JUL 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECORDED 63-11060
OCT 16 1989

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Richard M. and/or Mary B. Hormaechea Phone (208) 336-2200
Post office address c/o RMH Company, P.O. Box 6887, Boise, ID 83707

2. Source of water supply groundwater which is a tributary of N/A

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot NE
Sec. 3 Township 4 N. Range 1 W. B.M. Ada County; additional
points of diversion if any:

4. Water will be used for the following purposes:
1.0 cfs for ^{diversion} commercial to storage Jan. 1 Dec. 31 *
Amount 0.04 for commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.23 for stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.1* for commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.1* for from storage purposes from March 15 to Dec. 15 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 2.27 cubic feet per second and/or (b) 2.1 acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. See Exhibit A

*The pond is constantly refilling

b. Height of storage dam N/A - excavated pond feet; active reservoir capacity 2.1 acre-feet; total *
reservoir capacity 2.1 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.

c. Proposed well diameter is 13 inches; proposed depth of well is 120 feet.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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JUL 24 1990

* item 6b from Applicant's Exhibit A

Original pg 1 & 2 revised pond letter of inquiry of
11/15/89, office visit of 11/28/89 & follow up of 11/30/89 with
Scott Campbell, Attorney for Applicant. 8/2 12/1/89

8. Description of proposed uses (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. up to 16,000 head of beef cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Commercial 0.04 cfs to supply potable water to office for 5-7 people; commercial purposes for dust abatement use on 120-acre feedlot.

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	
4 N.	1 W.	3	C,S	C,S	C,S														

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Two adjudication claims are being filed concurrently

MICROFILMED

- 11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant JUL 24 1990
- 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: Three wells located on the property are the water sources for an interconnected system which provides stockwater to approximately 16,000 head of beef cattle, commercial water for a small office and dust abatement for the 120-acre feedlot.

Original pg. 2, Revised.

RECEIVED
JAN 02 1990

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Western Regional Office

LEGAL ADVERTISING INVOICE

Amount Due

60.24

Account Name Idaho Department of Water Resources Western			Account Number 47628	
Address 2735 Airport Way		City/State Boise, Idaho		Zip 83705
Ordered By Gail Garrett	P.O. Number	Rate TAB	Run Dates December 21, 28, 1989	
Identification Applications for Water Rights			Estimated Inches	Real Inches
Number of Affidavits Requested 1				Legal Number 4413

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11060
Hormaechea, Richard M. ✓
Hormaechea, Mary B.
c/o RMH Co.
P.O. Box 6887
Boise, ID 83707
Source: Groundwater
Diversion Pt: Lot 1 (NENE) Sec 3
T 04N R 01W
Diversion Pt: Lot 2 (NWNE) Sec 3
T 04N R 01W
Use: Stockwater (3,520 CFS)
Use: Commercial (.810 CFS)
Use: Commercial (.040 CFS)
Use: Diversion to Storage (1,000 CFS)
Use: Commercial Storage (2.10 AF)
Use: Commercial from Storage (2.10 AF)
Use: Domestic (.040 CFS)
Total Diversion: (4,000 CFS) (2.10 AF)
Date Filed: 10/17/1989
In: T04N R01W S03 Lot 1 (NENE)
Lot 2 (NWNE) SWNE
63-11072

Cintorino, Pete
Eagle Landscape Nursery
P.O. Box 8
Eagle, ID 83616
Source: Groundwater
Diversion Pt: NESE Sec 15 T 04N
R 01E
Use: Domestic (.040 CFS)
Use: Commercial (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 11/28/1989
In: T04N R01E S15 NESE

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 JANUARY 8, 1990.

R. KEITH HIGGINSON
Director
Pub. Dec. 21, 28, 1989 4413

Debbie Richards

, 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 2

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of December 21, 1989

and ending with the issue of December 28, 1989

Debbie Richards

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 28th day of December, 1989, before me, a Notary Public, personally appeared Debbie Richards, 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, Idaho

My commission expires: 12/93

July 18, 1990

RICHARD M. HORMAECHEA
MARY B. HORMAECHEA
C/O RMH CO.
P.O. BOX 6887
BOISE, ID 83707

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11060

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,

Rita Fleck
Secretary/Records Manager

MICROFILMED

JUL 24 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-11060

Date: 7-16-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change If yes, prepare a data entry
☒ Proof received timely
 Reinstated

Source of Water:

- ☒ Surface water
☒ Groundwater
 1. well log in file 70
NA 2. drilling permit
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
 ☒ Is rate or volume and fee appropriate?
 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- OK Is a measuring device or access port required?
OK Has one been installed?
OK Waiver or modification of measuring device requested

Remarks:

Flow measurement required

Priority Calculation:

Date proof received	<u>NA</u>	<u> </u>
Date proof due	<u> </u>	<u>-</u>
No. of days late	<u> </u>	<u>=</u>
Priority date	<u> </u>	<u>+</u>
NEW PRIORITY DATE	<u> </u>	<u>=</u>

OP
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

For Office Use Only
Amt. of Fee \$ 175.00
Date 4-13-90
Receipt No. 0060287
Received by J. S.
7-16-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. P63-11060 Telephone No. 336-2200

Name(s) of Permit Holder(s): Richard M. and Mary B. Hormaechea c/o RMH Company

Post Office Address: P.O. Box 6887 Boise, ID 83707

Source of Water: Groundwater

If ground water, well driller's name: Bill Doty Date drilled: 6-18-70

Extent of Use:
Domestic 1 office (No. of households) Irrigation _____ (No. of acres)

Stockwater XX (No. and type of stock) Other Dust abatement

18,000 head of beef cattle

Total rate and/or volume for which proof is submitted 4.0 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 7-1-70

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes XNo Installed? Yes No

OR

Flow Measurement Port: Required? XYes No Installed? Yes XNo

Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Terry G. Nyborg 336-2200
Name Telephone No.

P.O. Box 6887 Boise, ID 83707
Address

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.

FILED

JUL 24 1990

4-11-90
Date

Terry G. Nyborg Business Manager
Signature (and title if on behalf of a company or organization)



April 11, 1990

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: Water permit No. P63-11060

The well at Idaho Feedlot has been in use since 1970. It is a pressurized system with a four (4) inch discharge line and a pressure gauge. We have not installed a flow measurement port although we are willing to do so at your request.

Sincerely,

Terry G. Nyborg
Business Manager

RECEIVED

JUL 24 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 3, 1990

RICHARD M. HORMAECHEA
MARY B. HORMAECHEA
C/O RMH CO.
P.O. BOX 6887
BOISE, ID 83707

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P63-11060

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and

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specifications for the installation of the flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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1990

P/D 4N 1W S. 3 NENE - L. 1
NWNE - L. 2
P/W 11 NENE - L. 1
NWNE - L. 2
S WNE

Form No. 202a.
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: RZ DATE: 12/1/89 APPLICATION: 63.11060

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: Gov't. Lots: 4 P/D
☒ Nature of proposed use: (Include description of use) 6 P/U
☒ 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:

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: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

p/d, p/w, n.w.p. nature of use clarified
DATE REQUESTED: 11/15/89
☒ Additional information on reverse side:

MAR 1 1990
Department of Water Resources
11/30/89

PROCESSING

APPLICATION NO. 63-11060

YES NO

☒ ☐
☒ ☒
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☒
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest January 8, 1990

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, OIG

Measuring device required:

Measuring port required:

Water delivered by water master? District # 63-P05

Special conditions of approval or cover letter:

OIG

See below for additional information

* Recommended Date or Priority 12/1/1989Recommended by: DWDate 3/1/90

STATE OFFICE REVIEW

P05, P23, P03 P1646 OIGSee below for additional information. By KWDate 3/27/90

ADDITIONAL INFORMATION

* Appl for 2.27 cfs : 2.1 ac filed with \$85 fee on 10/17/89. Flow increased to 4.00 cfs per 11/30/89 telecon but additional \$20 received 12/1/89. Rec'd advance priority to 12/1/89 (note: computer down when check received finally taken to S.O. and receipted 12/5/89 due to continuing computer problems).

OverlapP10 - 63-04148 different well (4", 260' well according to claim).Applicant also filed adjudication claims for same area (same wells?) for other uses. These are b.w. claims.P16 - 63-04148 as above, domestic & commercial use (at a bar) which are other sites.63-02406 waste water for irrigation (Drainage district).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

DECEMBER 13, 1989

The Idaho Statesman
P.O. Box 40
Boise, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 8, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

INDEXED

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63-11060

HORMAECHEA, RICHARD M.
HORMAECHEA, MARY B.
C/O RMH CO.
P.O. BOX 6887
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: LOT 1 (NENE) Sec 3 T 04N R 01W
LOT 2 (NWNE) Sec 3 T 04N R 01W

Use: STOCKWATER	(3.520 CFS)	
COMMERCIAL	(.810 CFS)	
COMMERCIAL	(.040 CFS)	
DIVERSION TO STORAGE	(1.000 CFS)	
COMMERCIAL STORAGE		(2.10 AF)
COMMERCIAL FROM STORAGE		(2.10 AF)
DOMESTIC	(.040 CFS)	
Total Diversion:	(4.000 CFS)	(2.10 AF)

Date Filed: 10/17/1989

In: T04N R01W S03 Lot 1 (NENE) Lot 2 (NWNE) SWNE

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JUL 24 1990



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 6, 1989

Mr. Scott Campbell
Elam, Burke and Boyd
P.O. Box 1539
Boise, ID. 83701-1539

Re: Applications for Permit 63-11060 and 67-07811

Dear Scott:

The enclosed copies of the Hormaecheas' applications are provided as requested in your letter of 11/30/89. A receipt for the additional \$20 is also included. In each application, commercial use is shown for the office plus dust control from 3/15 to 12/15 (rates added during this period) and just for office use from 12/16 to 3/14. I think the format correctly describes the use outlined in our discussions.

The recommended dates of priority reflect the changes made. For 63-11060 the date of priority should be 12/1/89, which is the date the additional \$20 was received. Nov. 30, 1989 is the date for 67-07811.

Please let me know if additional help may be provided.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Lester'.

Steve Lester
Sr. Water Resource Agent

SL:sl

Enclosure:application copies

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JUL 4 1990

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-384-5844

SCOTT L. CAMPBELL

CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
NAMPA, IDAHO 83653
TELEPHONE 208-466-9222

November 30, 1989

RECEIVED
DEC 1 1989

Department of Water Resources
Western Regional Office

Steve Lester, Sr. Water Resource Agent
State of Idaho, Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Applications for Permit Nos. 63-11060 and 67-07811

Dear Steve:

Pursuant to our telephone conversation of November 30, 1989, I have enclosed a check drawn on our firm's account in the amount of \$20 for the additional filing fee for Permit No. 63-11060. You indicated that this additional fee was required because of the increase in the quantity of water applied for under the permit pursuant to the changes which I indicated to you during our conversation.

You also informed me that with this additional information provided with respect to both permits that you would be able to proceed with the processing of the application after receipt of the additional filing fee.

I would also appreciate receiving a copy of the revised application which incorporates the changes I authorized you to make during our telephone conference. If there is a copying charge for these documents, please include a billing statement for that amount.

Please contact me if you have any questions.

Very truly yours,

ELAM, BURKE & BOYD


Scott L. Campbell

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SLC:jc
Enclosure
cc Terry Nyborg

JUL 24 1990

CONVERSATION MEMORANDUM

DATE 11/30/89FILE 63-11060NAME OF PARTY Scott Campbell, Attorney for applicants

67-07811

EMPLOYEE Steve FosterRE: follow up of office visit of 11/28/89 in response to my 11/15/89 letter:Attorney consulted with clients, and the following changes should be made:63-110601) add 2 other wells1 well is 90', 8", 7.5 hp pump, 2" discharge1 well is 120', 8", 7.5 hp pump, 3" discharge2) add 1.78 cfs to stockwater use3) add 0.04 cfs to D/I (int. + ext.). D/I in NENEjust south of well, #1 & 2 (see Exhibit B in appl.)4) Do NOT change comm. rate, which should be shown as:comm. for office 11/1-12/31 at 0.04 cfscomm. for dust control 3/15-12/15 at 0.77 cfs.In other words, will have comm. 0.81 cfs from3/15-12/15 and 0.04 cfs from 12/16-3/14.5) ~~total~~ Total cfs for appl. should be 4.00, requires \$105. Already paid \$85, so need \$20.**RECORDED**67-07811JUL 24 19901) add 2 other wells that are in NESW1 well is 35', 15", 20 hp pump, 6" discharge1 well is 34', 12", 5 hp pump, 4" discharge2) add 1.00 cfs to stockwater, total stockwater is 1.50 cfs3) increase div. to storage to 1.00 cfs(over)

12/1
max stockwater
for 16,000 gal
is 3.52 cfs
called
Scott ref.
i told
him OK.

4) DO NOT change commercial rate, shown as follows:

comm. for office 0.04 cts 1/1-12/31

comm. for dist control 0.50 cts 3/15-12/15.

In other words, will have comm. 0.54 3/15-12/15 and
0.04 12/16-3/14.

5) TOTAL cfs for appl. is 1.50, fee is \$65. Overpayment
(\$65 paid for .50 cfs in original appl.) means that no
additional fee required.

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JUL 24 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 15, 1989

Mr. Scott Campbell
Elam, Burke and Boyd
P.O. Box 1539
Boise, ID. 83701-1539

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

office visit 11/28/89

Re: Applications for Permit 63-11060 and 67-07811 for R. and M. Hormaechea

Dear Scott:

Recently I called the Hormaecheas' office and spoke with an employee about the above two applications and was informed that you submitted the filings on behalf of your clients, Richard and Mary Hormaechea. Apparently, the cover letter was lost in transit. Please excuse the delay in contacting you. After being informed that you are handling the applications, I told the applicants' colleague that you would be contacted for additional information.

Several items need clarification before processing continues. Please review the following points and respond accordingly. Copies of the applications with preliminary revisions are included for your convenience.

Re: Application 63-11060, T4N, R1W, S.3

1) The remarks and Exhibit A refer to two other wells interconnected with the 8"-120' well. Apparently, the three points of diversion should be included in the application, which is standard procedure when dealing with interconnected systems. If so, what are the sizes and depths of the other wells? Is a ground water temperature greater than 90 degrees F. involved? Were the wells drilled prior to 7/1/87? - *yes* *NO* *1975 to 1976 wells (3), irrig. use; then additional were in 1978.*

2) Adjudication claims are mentioned in item 10 of the application. If the interconnected wells were in place and being used by the adjudication commencement of 11/19/87, all of the wells should be included as diversion points in the adjudication claims. The same logic for interconnected wells applies in filing adjudication claims as in applications for new appropriations. Any adjudication correspondence should be addressed to the office where claims were filed. *will do*

3) The water uses (application item 4) probably need to be redescribed. Exhibit A mentions 1.53 acre-feet (a.f.) to be withdrawn every 24 hours for dust control or commercial use. This equals 498,550.5 gallons per 24 hours or 0.77 cfs (1 cfs = 448.8 gpm). Any storage right allows one filling of a reservoir; additional fillings as outlined in the application require direct flow coverage provided by a cfs amount. I recommend water uses to include 1.00 cfs diversion to storage (incorrectly shown as commercial to storage) and 0.81 cfs commercial (0.77 for dust control etc. and 0.04 for office use). The stockwater and commercial storage parts are appropriate. Total amounts of water do not need to be increased due to redescribing the uses, but any increase will delay the date of priority to the date of such an increase. *1990*

*wants to show comm (office) all yr .04 cfs,
and comm (dust control) 7/15-12/15.*

Applications 63-11060 and 67-07811
11/15/89 letter, page 2

4) A more thorough map should verify the point(s) of diversion and place of use. From Exhibit B, two wells are within the NENENE and one is in the SENWNE. The place of use appears to be the NENE, NWNE, and SWNE. Please mark the well(s) and use locations on the attached orthophoto. The 10-acre lines for the N1/2-NE1/4 and 40-acre lines of the SWNE are included on the photo.

NE 1/4 correct,
S. component
added to
map

Re: Application 67-07811, T10N, R5W, S.9

1) Exhibit A refers to two other wells connected with a 2-inch line to the two wells described as the points of diversion. As in the preceding application, I interpret the information to include four wells in the application because of the interconnection. Please indicate the sizes, depths, and locations of the other two wells (see attached orthophoto and/or Exhibit B). Also, were the wells drilled prior to 7/1/87?

7/1/87

2) As in number 2 above, any adjudication claims involving the wells may need to include all of the wells as diversion points.

as in other
appl.

3) Exhibit B showed the two wells in the NWSW but did not outline the place of use. I assumed an outline as highlighted in yellow on the copy of Exhibit B and in red on the orthophoto. Please confirm the points of diversion and place of use on the orthophoto or on the copy of Exhibit B.

completed

4) The water uses in application item 4 need to be redescribed. A 0.30 cfs diversion to storage replaces commercial to storage. Exhibit A includes 1.0 a.f. per 24 hours for dust control or commercial use. This 325,850 gallons per 24 hours equals 0.50 cfs. Thus, commercial use should reflect 0.54 cfs or .50 for dust control and 0.04 for office use. The 3.5 a.f. storage and use from storage allow the pond to be filled once, and the 0.50 cfs allows commercial use that includes the pond as a component that refills. The 150 a.f. shown in application item 5 does not fit the description provided in the application. Acre feet of storage in item 5 refers to the total size of the pond, and the total storage component of a water right cannot exceed the actual stored volume found at any given moment in the system. Thus, storage of the maximum pond size and a direct flow to allow repeated fillings and use from storage are the proper methods to describe the situation.

50 cfs
3/15-12/15
(dust)
.04 cfs
1/1-12/31
(office)

50 3/15-12/15
comm.
cfs .04 12/16-3/14

The totals may remain at 0.50 cfs and 3.5 a.f. or may be changed. Again, an increase in the amount of water in an application advances the priority to the date of increase. If the total does not increase beyond 1.00 cfs and 100 a.f., the application fee is \$45 instead of the \$65 paid. A refund will be issued if applicable.

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Applications 63-11060 and 67-07811
11/15/89 letter, page 3

Please return the orthophoto for 63-11060 and the orthophoto and/or Exhibit B from 67-07811 indicating the correct locations in you reply. A response within thirty (30) days will allow me to proceed with the water right application. Additional help is available at your request.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL: s.
Enclosures

RECEIVED

JUL 24 1990