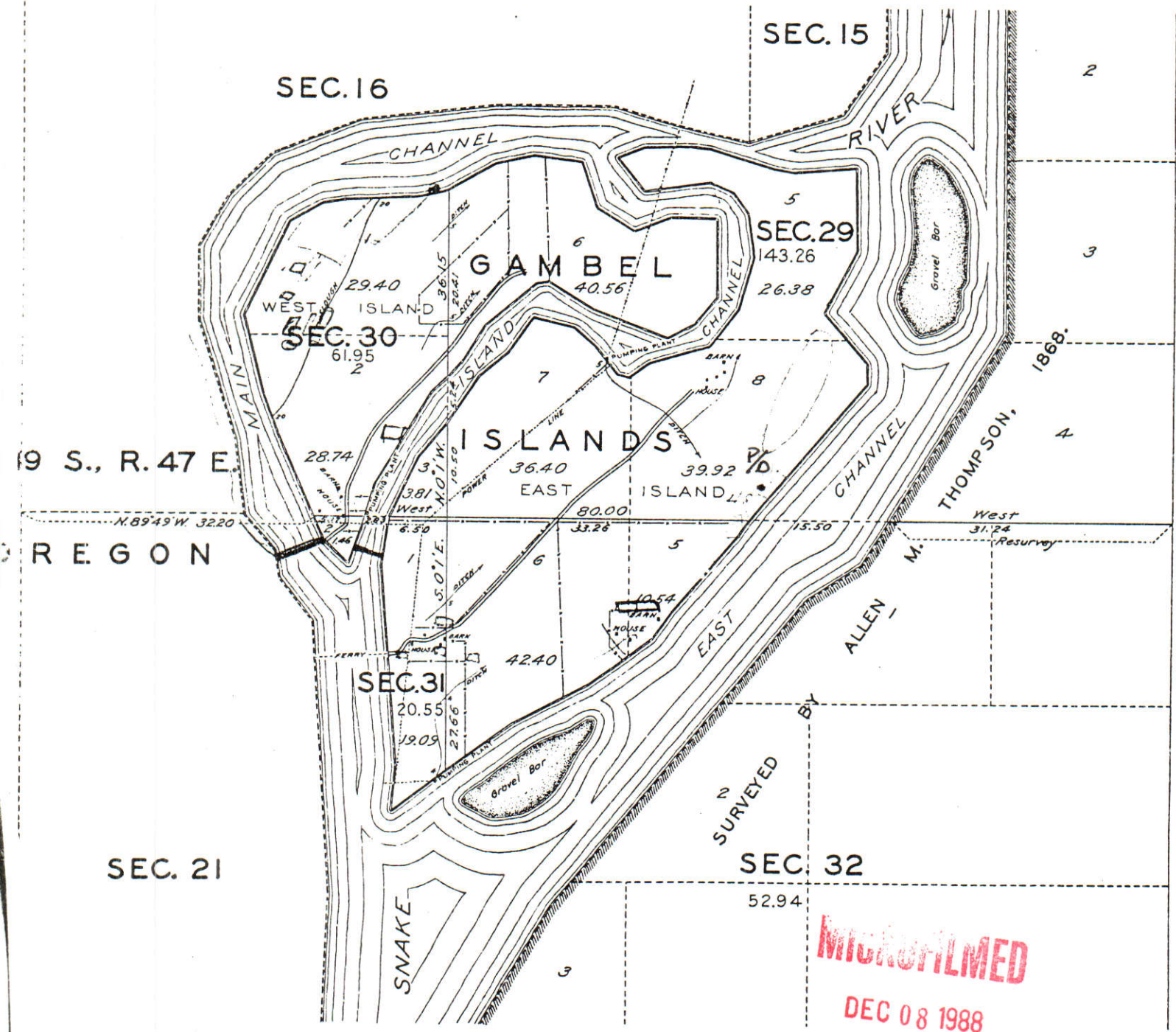


T7N R5W



GAMBEL ISLANDS IN SECTIONS
TOWNSHIP 7 NORTH RANGE 5 WEST, BOISE MERIDIAN



NOTE: This sketch is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

1986

Map showing agricultural land with various crops and acreages:

- Crops and Acreages:**
 - Barley (26ac, 18ac, 4ac, 10/30/85)
 - CORN (13ac, 19ac, 9ac, 4ac, 13ac, 24ac, 29ac, 10ac, 3ac)
 - Beans (8ac, 10ac)
 - Potatoes (26ac)
 - Onions (9ac)
 - Beets (10ac, 10ac, 10ac)
- Geographical Features:**
 - Snake River
 - Oregon
 - Golf Course
 - Pond
- Section and Township Information:**
 - SEC. 30-T7N R5W
 - SEC. 31-T7N R5W
 - SEC. 32-T7N R5W
- Other Labels:**
 - Gov. Lot 1-12
 - Gov. Lot 1-13
 - Gov. Lot 1-14
 - Gov. Lot 1-15
 - Gov. Lot 1-16
 - Gov. Lot 1-17
 - Gov. Lot 1-18
 - Gov. Lot 1-19
 - Gov. Lot 1-20
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 - Gov. Lot 1-97
 - Gov. Lot 1-98
 - Gov. Lot 1-99
 - Gov. Lot 1-100

MICROFILMED
DEC 08 1988

DEC 08 1988

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-10675 *✓*

ALBERTSON, J.A.

380 E. PARK CENTER BLVD. #100

BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: LOT 8 (SESW) Sec 29 T 07N R 05W

Use: IRRIGATION (1,300 CFS)

Date Filed: 5/13/1988

In: T07N R05W S29 Lot 5 (NESW) Lot 7 (NWSW) Lot 7 (SWSW) Lot 8 (SESW)

Lot 5 (NWSE) Lot 8 (SWSE)

S30 Lot 3 (SESE)

65.0 ACRES TOTAL

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 SEPTEMBER 6, 1988.

R. KEITH HIGGINSON, Director

No. 922

Aug. 17, 24

Application for Water Right
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

J. Dorothy Mason, being
duly sworn, deposes and says:

That *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
Aug. 17, 19 *88*, and ending with the issue
of *Aug. 24*, 19 *88*.

Subscribed and sworn to before me this *25th* day
of *Aug.*, 19 *88*.

Marilyn J. Rhinehart

Notary Public, Residing at Payette, Idaho.

My Commission Expires *11-28*, 19 *92*

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *21*

Number of Insertions *two*

21 Lines @ *.72* . . . \$ *15.12*

21 Lines @ *.54* . . . \$ *11.34*

TOTAL COST
WILL BE \$ *26.46*

MICROFILMED

DEC 08 1988

SEP 11 1988

Department of Water Resources
Western Regional Office

Nº

922

For
03/8
RECEIVED
SEP 14 1989

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received 125.00
Date 9/14/89
Receipt # C911634
Receipt by EP
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 63-10675

Name(s) of Permit Holder: J. A. Albertson

Post Office Address: 380 E. ParkCenter Blvd. Suite 100, Boise, ID 83706

Telephone No. 342-2712

Source of Water: Ground water

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 65 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 1.3 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: June 1, 1988

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ 125.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

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

Doug Tracy

(503) 881-1949

(Name)

(Telephone Number)

350 Gambel Island Road - Nyssa, Oregon 97913

(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.

September 13, 1989

Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

RECEIVED
JAN 23 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant J. A. Albertson Phone 342-2712
Post office address 380 E. Parkcenter Blvd. - Suite 100 Borise, Id. 83706
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 8
Sec. 29 Township 7N Range 5W B.M. Payette County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.30 for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.30 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pipeline, open ditch
 - 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 14 inches; proposed depth of well is as needed 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
ONE years (minimum 1 year).

DEC 08 1988

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. _____

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	
7N	SW	29									4.5	2.7	2.7	2.8		4.5	2.8		63
		30									6	1	23	25				43	2

Total number of acres to be irrigated 65

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

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

12. Remarks: _____

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DEC 08 1988

x. Doug Lacy Mgr. Farm.
(Applicant)

Received by Jim Date 5-13-88 Time 2:41 PM Preliminary check by Jim 5/13/88
Fee \$ 88.00 (Refund of \$20 requested) Receipted by Ch # C000653 Date 5/13/88
Publication prepared by GG Date 8-10-88 Published in Independent Enterprise
Publication approved JP Date 9/1/1988 8/18 & 8/25/88

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. 63-10675, and said application is hereby APPROVED.

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 November 1, 19 89.
- 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

Witness my hand this 6th day of October, 1988.

J. Glen Saxton
for Director

MICROFILMED

DEC 08 1988

OK

TIN RSW

D395

E

7.8

C

26.6

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16.7

H

L

29.2

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139D

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6.4

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2.3

DEC 08 1988

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15.8

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18.0, 9.8

RECEIVED

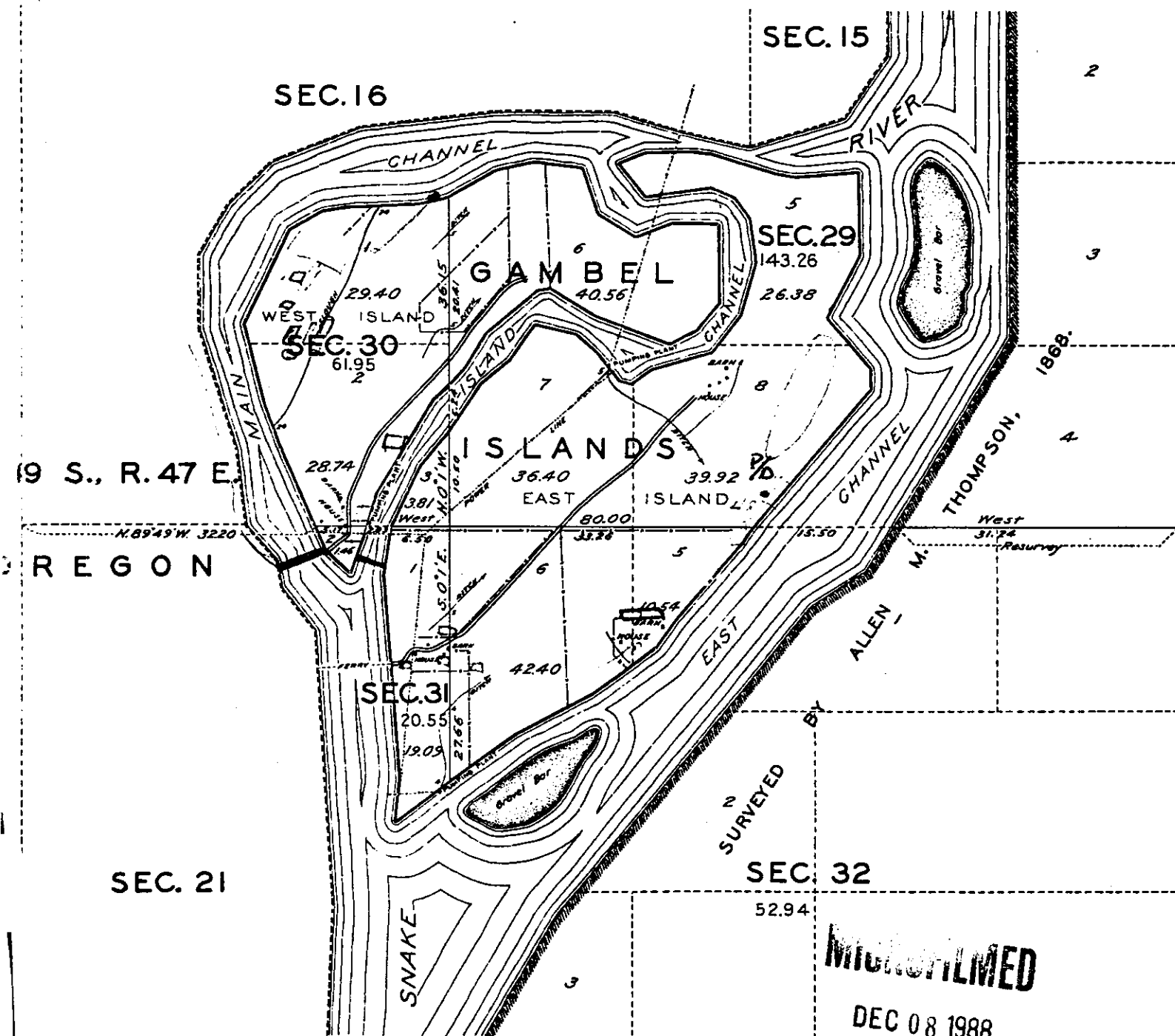
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A9

NOT TO SCALE

GAMBEL ISLANDS IN SECTIONS
TOWNSHIP 7 NORTH RANGE 5 WEST, BOISE MERIDIAN



NOTE: This sketch is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

MICROFILMED
DEC 08 1988

[illegible]

DEC 08 1988

Affidavit of Publication

Copy of Notice

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Application for Water Right
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Dorothy Mason, being
duly sworn, deposes and says:
That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Aug. 17, 1988, and ending with the issue
of Aug. 24, 1988.

Subscribed and sworn to before me this 25th day
of Aug., 1988.

Marilyn J. Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-28, 1992

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 21

Number of Insertions two

21 Lines @ .72 ... \$ 15.12

21 Lines @ .54 ... \$ 11.34

TOTAL COST
WILL BE \$ 26.46

MICROFILMED

DEC 08 1988

Western Regional Office

Nº

922

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

Name Joe Albulzon
Address Gamble Island
Drilling Permit No. [REDACTED] 10675
Water Right Permit No. 63-91-2-253

7. WATER LEVEL

Static water level 5 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.

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.)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
------------------	---------------	--------------

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
<u>1.250</u> inches	<u>12</u> inches	<u>1</u> feet	<u>30</u> 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 30 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used:

☐ Temp. surface casing

Method of joining casing:

☐ Solvent Weld

☐ Slurry pit

☒ Overbore to seal depth

☐ Threaded

☒ Welded

☐ Cemented between strata

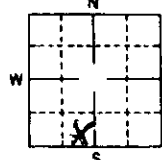
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

On Gamble Island in Snake River

Subdivision Name



County Payette N ☒ E ☐
SF 1/4 SW 1/4 Sec. 29, T. 7 S ☐ R. 5 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 KOH Firm No. 194

Address 815 Plymouth Date _____

Signed by Drilling Supervisor _____

and
(Operator) Walden
(If different than the Drilling Supervisor)

January 15, 1992

J. A. ALBERTSON
380 E. PARK CENTER BLVD.
SUITE 100
BOISE ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-10675

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
JAN 23 1992

INTER-DEPARTMENT MEMO

TO: Fili

SUBJECT: Well log

FROM: Karen

DATE: 1/10/92

Per Glen- we can accept & acknowledge proof -
Permit Holder has complied with his requirements -
It is the well drillers responsibility to file the
well log.

MICROFILMED

JAN 23 1992

() For your information

() Response required

K. Gustafson
signature

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Dull Permit

FROM: Karen

DATE: 12/23/91

Mr. Tracy came into the office - stated he was not aware that he should file for the dulling permit even after the fact. That was not made clear to him during any of the phone conversations. Mark Shifka helped him to complete the proper paperwork. He took it with him & said he would submit it along with the necessary fee ASAP.

I have notified POB Whitney (Western) & Linda Tracy (State) to forward copy to me ASAP.

() For your information

() Response required

RECEIVED

KLG
signature

JAN 23 1992

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10675

Date: 10/25/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
1. well log in file yes
2. drilling permit 63-91-Z-253
100 A. amount of drilling fee paid for proposed uses yes

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:

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

Remarks: need well log + drill permit

proof acceptable

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

9/14/89

1/15/92

Klg

Drilling Permit No. 53-91-2-253
Water Right Permit No. 63-10675
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) J. A. Albertson
2. Mailing Address 350 Gambel Island Road
City & State Nyssa, OR Zip Code 97913 Telephone 342-2712
☒ Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 SW 1/4, or Gov't Lot No. _____
Sec. 29, Twp. 7N, Rge. 5W, County Payette
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 diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
☒ Non-Domestic: Any beneficial use not included within the definition of domestic.
() Injection
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other _____
(Describe) _____
5. Well construction information:
A. ☒ New well () Deepen () Enlarge () Replace - See Condition 9
B. Proposed Surface Diameter 12", Proposed Maximum Depth 998'
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

MICROFILMED
JAN 28 1992
6. Construction Start Date Already Drilled - Approx 1989
7. Anticipated Well Driller Todd Knie
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Albertson Farms By Doug Tracy Date 1/8/92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is **APPROVED** Date January 8, 1992

If approved, this permit authorizes the construction 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. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
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:

Stuart A. Reed
Signature of Authorized Department Representative

MANAGER
GROUNDWATER PROTECTION SECTION
Title

Receipt No. 1022833 Received by A. Billow Fee \$100.00 Date 1-2-92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

RECEIVED
JAN 23 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

December 10, 1991

Mr. Doug Tracy
J.A. Albertson
350 Gambel Island Road
Nyssa, OR 97913

Re: Permit No. 63-10675

Dear Mr. Tracy:

In November of 1989, the Department contacted you by mail requesting a copy of the drilling permit for the above mentioned permit. Rob Whitney from our Western Regional office has also contacted you concerning the drilling permit.

One of the conditions of approval of this water right permit is that the:

"Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code".

As of this date, you have not complied. Within 15 days of the date of this mailing, you should provide us with a copy of the drilling permit. If you did not apply for a permit, you must apply for a permit within 15 days of the date of this mailing.

If you have not complied with one of the conditions listed above within 15 days, the Department will issue and Order to Show Cause. If you again choose not to comply the Department will begin action to void the permit.

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

Sincerely,

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

MICROFILMED

JAN 23 1992

MEMORANDUM

To: Karen
From: Glen *ms*
RE: PROOF SUBMITTAL - PERMIT 63-10675
Date: December 9, 1991

On of the conditions of approval of this water right permit is that the:

"Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code".

If a permit holder refuses to comply and obtain a drilling permit, even if it may be after the fact, we can void the permit under terms of Section 42-219, Idaho Code, for failure to comply with the conditions of a permit, (see high-lighted copy).

It is Mark and Rob's job to seek compliance with the drilling permit statutes. If, however, Mark and Rob need another lever to apply pressure to the water right permit holder to hopefully force compliance with the drilling permit statutes, we can prepare and send an order to show cause why we should not void the permit. If Mark and Rob are about to obtain compliance with their statutes, we can just hold the permit file for some reasonable time period.

Suggest you ask Mark if he would like us to send an order to show cause.

*Letter -
42-235-DP*

Showcause

*Per recommendation from Rob & Mark - 1 more
letter - if no response - issue show cause order*

MICROFILMED

JAN 23 1992

Called Jod Knie
talked to his son -
- said he would send
copy of WL. + D.P.

11-14-90

J. Knie

MICROFILMED

JAN 23 1992

Note

Actual Notice of Violation
to be sent out by Western
Region - - - This document may be
retyped. *MS*

January 14, 1991

Mr. Todd Knie
K & H Well Drilling
815 Plymouth St.
Caldwell, Idaho 83605

RE: Notice of Violation/ J. A. Albertson Well--WR # 63-10675

Dear Mr. Knie,

Our Water Allocation Bureau contacted you on November 14, 1990 concerning the Drilling Permit and the Driller's Report on an irrigation well you drilled for J. A. Albertson in the SE SW Section 29 T7N-R5W, Payette County. As of this date we have not received a response from your firm regarding these two documents.

Please be notified that your firm has violated the following:

- 1) Rule 7,1,9 Well Construction Standards, which states in part, "a well driller shall not construct, drill or modify a well until a drilling permit has been issued or verbal approval is given."
- 2) 42-238(3) Idaho Code, which states in part that "...every well driller is hereby required to keep a well log and pertinent data concerning each well, and its construction that is drilled by him in Idaho,...., and complete a report on forms furnished by the director. These reports shall be properly prepared and signed by the driller and deposited with the director within thirty (30) days following the completion of the well."

For drilling a well without a Drilling Permit in violation of Rule 7,1,9. the Department is seeks a \$500. penalty in leu of Civil Action.

Also, for failure to submit a Driller's Report to the Department as required under 42-238(3) Idaho Code, a \$100. penalty is sought in leu of Civil Action.

You may within 15 days of this notice request a compliance conference with the Department to discuss the above violations. You should request this conference by writing to the Western Region office of the Idaho Department of Water Resources, 2735 Airport Way, Boise, Idaho 83705.

RECEIVED
JAN 23 1992

Page 2 Albertson Well Violation

Failure to contact the Department within 15 days of this notice will be cause for further action and may result in the revocation of your Driller's License and civil penalties being imposed.

Sincerely,

MICROFILMED
JAN 23 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 24, 1989

J.A. Albertson
380 E. ParkCenter Blvd. Suite 100
Boise, Ida. 83706

RE: Permit No. 63-10675

Dear Mr. Albertson:

The department received your completed proof of beneficial use form and fee, however, before completing processing, additional information is needed.

If you have a well driller's report and a drilling permit, please send a copy to the department. If you do not have these, please let me know who drilled the well and when it was drilled.

Please remit the requested information as soon as possible. Upon receipt of the well information, the department will continue processing the proof by notifying the region that a field exam is needed.

If you have any questions concerning this matter, feel free to contact this office.

Sincerely,

Nina Shields
Clerical Assistant

c: Region

MICROFILMED

JAN 23 1992

138572
August 31, 1989

J. A. ALBERTSON
380 E. PARK CENTER BLVD.
SUITE 100
BOISE, ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 63-10675

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 November 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 23 1992

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) 334-7900
October 11, 1988

J. A. ALBERTSON
380 E. PARK CENTER BLVD. #100
BOISE, ID 83706

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

RE: PERMIT NO. 63-10675

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.

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 specifications for the installation of the flow measurement port.

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.

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

RECORDED

DEC 08 1988

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

RECEIVED
JAN 17 1965

U.S. DEPT. OF AGRICULTURE

10 7N SW 5.29 SESE LOT 8
5.29 NESW L.
NWSW L.
SWSW L.7
SESW L.8
NWSE L.5
JWSE L.8
5.30 - SESE L.2

RECEIVED
MAY 25 1988

orm No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY Jim J DATE 7-18-88 APPLICATION NUMBER 63-10675
SL 9-27-88

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ 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 signator is required)
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) yes
- ☒ Overlapping point of diversion NO
- ☐ Yes ☐ No Field check required
- ☐ Yes ☐ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
SEP 22 1988

Date Requested

Department of Water Resources

P/w

03-2054 was Snake River water to irrigate other acres, namely:

10 ac in L-6 NWSE, S. 29, and

25 ac in L-2 SESE, S. 30.

PROCESSING

- ☒ Yes ☐ No In form for advertising
- ☐ Yes ☒ No Statewide advertising
- ☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

ND COPIES TO

None

- ☐ Idaho Dept. of Health & Welfare
- ☐ Idaho Dept. of Fish & Game
- ☐ Idaho Dept. of Lands
- ☐ Adjudication Bureau Unit
- ☐ U.S. BLM
- ☐ U.S. Forest Service
- ☐ Water District
- ☐ Other _____

NAL REGIONAL PROCESSING REVIEW

- ☒ Yes ☐ No Affidavit of publication received
- ☐ Yes ☐ No Application published correctly. If not, record action taken.

- ☒ Yes ☐ No Publication dates & paper, recorded on application
- ☐ Yes ☒ No Protests received
- ☐ Yes ☐ No Final date for protest September 6, 1988
- ☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
- ☐ Yes ☐ No Recommendations attached Approve, Dnr
- ☐ Yes ☒ No Measuring device required
- ☒ Yes ☐ No Access port required
- ☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
- ☐ Yes ☒ No Special conditions of approval or cover letter below. _____

OIC

☐ See below for additional information
Date of priority recommended 5/13/1988
By Dnr Date 9/19/1988

STATE OFFICE REVIEW P23, P03, P16 46 OIG

☐ See below for additional information
By Kew Date 9/27/88

ADDITIONAL INFORMATION

Processing of app delayed pending the submittal of additional information.

INTER-DEPARTMENT MEMO — 1

FROM Steve Lester, Senior Water Resource Agent

DATE 9/2/88

TO Ranae

SUBJECT : Refund on Application for Permit No. 63-10675

Ranae, J. A. Albertson filed an application for 2.25 cfs fee of \$85.00. The application was revised and the cfs changed to 1235. Therefore, a refund is due of \$20.00.

J. A. Albertson
380 E. Park Center Blvd. #100
Boise, ID 83706

Steve Lester
SIGNATURE

Department of Water Resources
Western Region Office

100

THU

WE HAVE HELD THIS
APP. IN THE STATE
OFFICE UNTIL TO
GET ADDITIONAL INFORMATION
WHICH WE HAVE NOW GOTTEN.

THU

← original app. not
retained per
telecon w/SB
9/27/88-kw

This revised appl
prepared per phone conv.
with Larry Truacy, Mgr. of
Albertson Farms (503-881-
1949).

SL
9/27/88

Basin 63

63-10675

ALBERTSON, J. A.
380 E. PARK CENTER BLVD. #100
BOISE, ID 83706

Source: GROUNDWATER

Diversion Pt: LOT 8 (SESW) Sec 29 T 07N R 05W

Use: IRRIGATION (1.300 CFS)

Date Filed: 5/13/1988

In: T07N R05W S29 Lot 5 (NESW) Lot 7 (NWSW) Lot 7 (SWSW) Lot 8 (SESW)
Lot 5 (NWSE) Lot 8 (SWSE)
S30 Lot 3 (SESE)

65.0 ACRES TOTAL

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DEC 08 1988